



WTMC

Transforming Education
Transforming Lives

Washtenaw Technical Middle College

Rights & Responsibilities Handbook

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Washtenaw Technical Middle College Rights and Responsibilities Handbook

This Handbook applies to any student who is in attendance at Washtenaw Technical Middle College or at any WTMC sponsored activity or whose conduct at any time or place has a direct and immediate effect on maintaining order and discipline in the middle college or maintaining the safety and welfare of the students and staff. From this point on for convenience, Washtenaw Technical Middle College will be referred to by "WTMC" and Washtenaw Community College will be referred to by "WCC."

Code of Conduct

The WTMC administration reserves the right to exercise discretion in determining the action level warranted by any violation of the Code of Conduct based upon the student's age and previous violations. These consequences and sanctions are cumulative. Each succeeding action level may include the consequences or sanctions of the prior level.

I. Attendance and Punctuality

WTMC Attendance

AT WTMC absences and tardies are considered neither excused nor unexcused. WTMC documents the reason the student was absent or late to a WTMC class. Under the WTMC Attendance Policy documented absences fall into one of the four following categories:

<u>Reason Code</u>	<u>Documentation Required</u>	<u>Power School Code</u>
Medical/Health Condition	Doctors Note	H
Family Business	Funerals/weddings documentation	F
Court Related Business	Court dates documentation	C
Non-Attendance by Request	Faculty Request	N

Total absences are documented as indicated below:

- If a student receives 8 absences fall or winter semesters, or 4 absences spring semester *in any individual class* the instructor has the option to soft skill de-credential* the student.
- If a student receives more than 20 absences, all classes cumulative, fall or winter semester or 10 absences, *all classes cumulative*, spring semester the student's BASE Advisor (WTMC faculty member who follows student throughout three years at WTMC to provide Better Accounting of Student Efforts) can in consultation with the student's content instructors, soft skill de-credential* the student.
- If a student receives more than 32 absences, *all classes cumulative*, fall or winter semester or 16 absences, *all classes cumulative*, spring semester the student can be removed from the WTMC Program.

*Soft skill de-credentialing is defined as the loss of the soft skill credential that allows a student to enroll in WCC courses.

Tardies

- A student more than ten minutes tardy to a WTMC class receives an absence.
- A student less than ten minutes tardy receives a tardy and a reminder from the instructor.
- Four tardies equal an absence

WCC Attendance

WTMC students are expected to maintain their soft skills by attending all of their WCC classes. All WTMC students taking one or more WCC classes must validate attendance by submitting verification forms called Green Cards and Red Cards. These serve as State Audit Reporting slips used to prove that the student was in class on the State's pupil membership count dates. Red Cards are necessary for WTMC to receive state school aid funding from the State of Michigan which pays for tuition, books and materials.

II. Appropriate Learning Environment

	Action Level				
	1	2	3	4	5
A. Insubordination/open defiance/willful disobedience	•	•			
B. Indecent/obscene language and gestures	•	•			
C. Academic dishonesty (cheating/plagiarism)	•	•			
D. Interference with school personnel +	•	•	•		
E. Inappropriate dress	•	•			
F. Disruptive conduct	•	•			
G. Forgery +	•	•			
H. Inappropriate displays/images	•	•			
I. Gambling	•	•			

III. Controlled Substances

	Action Level				
	1	2	3	4	5
A. Use and/or possession of tobacco products and/or smoking paraphernalia +	•	•	•	•	•
B. Use and/or possession of alcohol and/or any unauthorized medicines, inhalants, drugs or narcotics ++	•	•	•	•	•
C. Sale or distribution of alcohol and/or any unauthorized or prescription or over the counter medicines, inhalants, drugs or narcotics ++	•	•	•	•	•

IV. Technology:

WTMC students will sign and agree to abide by the *Washtenaw Community College Technology Use Agreement*. The consequences for not following this policy are outlined in this Washtenaw Community College Technology Use Agreement. A copy of the Washtenaw College Technology Use Agreement is available at the front desk of the WTMC office, room 214 of the Technical and Industrial Building.

V. Protection of Property

	Action Level				
	1	2	3	4	5
A. Theft +	•	•	•	•	•
B. Possession of stolen property +	•	•	•	•	•
C. Vandalism/malicious destruction ++	•	•	•	•	•
D. Deliberate misuse of property	•	•			
E. False fire alarms ++	•	•	•		
F. Burglary ++			•	•	•
G. Trespassing	•	•	•		

VI. Protection of Physical Safety and Mental Well-Being

	Action Level				
	1	2	3	4	5
A. Verbal Assault*	•	•	•	•	•
B. Possession of dangerous weapons ++ **					•
C. Possession of other weapons ++		•	•	•	•
D. Possession or use of firecrackers or explosives+	•	•	•	•	•
E. Threats with a weapon and/or dangerous instrument ++		•	•	•	•
F. Use of a weapon ++			•	•	•
G. Threat or use of a legitimate tool as a weapon ++	•	•	•	•	•
H. Fighting +	•	•	•	•	•
I. Physical Assault ++		•	•	•	•
J. Criminal sexual conduct ++ ***					•
K. Consensual sexual misconduct ++	•	•	•	•	
L. Unwanted and/or unwelcome physical contact of a sexual nature+	•	•	•	•	
M. Extortion ++			•	•	
N. Bullying/Intimidation	•	•	•	•	•
O. Robbery ++			•	•	•
P. Reckless Vehicle Use ++	•	•	•	•	•
Q. Bomb threat or similar threat ++ ****			•	•	•
R. Attempted arson/burning/arson ++ *****	•	•	•	•	•
S. Harassment (defined, pg. 17-18) +	•	•	•	•	•

+Principal may refer incident to WCC Campus Safety and Security Department and Washtenaw County Sheriff's Department

++Principal must refer incident to local and state enforcement agencies

All student disciplinary action must be reported on PowerSchool. Serious infractions or repeated offenses may result in an action level higher than indicated on the above chart. The WTMC school district reserves the right to remove a student from WTMC.

*In certain circumstances state law requires suspension or expulsion if a pupil enrolled in grade 6 or above commits a verbal assault, MCL 380./3311a(2)

**A dangerous weapon shall include:

a firearm (including a starter gun), or any device which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, any destructive device or any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or similar device; a dagger, dirk, stiletto, knife with a blade over three (3) inches in length, or pocket knife opened by a mechanical device, an iron bar or brass knuckles; or, any other weapon as set forth in 18 USC 921. Also, any electronic device that inflicts or causes pain or suffering is likewise considered a weapon. State law requires permanent expulsion for possession of a dangerous weapon.

Other weapon shall include any object or instrument including a replica, facsimile or look-alike of such object or instrument, the principal use of which is to inflict injury, physical pain or physical harm. The term "other weapon" shall additionally include an object or instrument which is not in and of itself a weapon as defined above, but where the possession or use of same is coupled with intent by a student to inflict injury or harm upon another person. Chemical or toxic substances, e.g. mace, pepper spray, etc., are included in this category.

***State law requires permanent expulsion for criminal sexual conduct subject to possible reinstatement, MCL 380.1311(2).

****If a pupil enrolled in grade 6 or above makes a bomb threat or similar threat directed at a school building, school property, or school-related event, suspension or expulsion is required by state law, MCL 380.1311a(2).

*****Arson that constitutes a felony violation of Chapter X of the Michigan Penal Code, MCL 750.71 to 750.80 will result in permanent expulsion subject to possible reinstatement in accordance with section 1311(2) of the Revised School Code, MCL 380.1311(2).

Disciplinary Action Levels

[Action Level 1](#) | [Action Level 2](#) | [Action Level 3](#) | [Action Level 4](#) | [Action Level 5](#)
[Special Education Suspension and Expulsion](#)

GENERAL REQUIREMENTS. At each action level, one or more of the actions listed below may be taken by the administration or other designated person, at the discretion of the administration. A meeting, letter, or telephone call with the parent or guardian and the student may take place in addition to the level of action.

NOTE: These consequences and sanctions are cumulative. Each succeeding action level may include the consequences or sanctions of the previous level.

The disciplinary actions contained in this booklet apply to all students, including special education students. However, due to the unique needs of special education students and federal and state laws, the procedures determining the appropriate disciplinary action will vary somewhat from regular education when a special education student is involved. See the section on *Special Education Suspension and Expulsion*.

ACTION LEVEL 1

CONFERENCES BETWEEN TEACHER AND STUDENT. A discussion with student about taking responsibility for one's actions and making the necessary changes in conduct so that there is a permanent change in behavior.

CONTRACT WITH STUDENT. A written statement developed collaboratively, listing steps to be taken by the student to improve behavior, the date for a review, and the consequences if the contract is not honored.

COMMUNICATION TO PARENT OR GUARDIAN. Notification to the parent/guardian of a meeting by telephone call or letter that a behavior problem exists, the action taken, expectations for future behavior and necessary follow-up.

CONFERENCE WITH STAFF, PARENT/GUARDIAN AND STUDENT. A meeting or telephone conversation with staff, parent/guardian and student to discuss student achievement and unacceptable conduct. A plan for future behavior will be determined.

OFFICIAL WARNING TO STUDENT. A written notice to the student specifying the action to be taken if the same or similar misconduct is repeated within a stated period of time. A copy of the notice should be sent to the parent/guardian and one kept for the record.

REFERRAL TO OUTSIDE AGENCY. Action taken by the WTMC administrator or in consultation with staff, parent/guardian and student when behavior signals a need.

SPECIAL ASSIGNMENT. Assignment to an activity or program that builds awareness, knowledge and skills to meet similar situations more positively.

EXCLUSION FROM EXTRACURRICULAR ACTIVITIES. This action denies the student the opportunity to participate in extracurricular activities for a specified period of time.

CLASS EXCLUSION. A student who misbehaves is denied the right to attend particular classes for one class period.

OTHER SCHOOL-AUTHORIZED ACTIONS. Other appropriate actions, such as community service, may be carried out in conjunction with the school's discipline management plan.

ONE-SCHOOL-DAY SUSPENSION. In accordance with state law, a student may be denied the right to attend a class/middle college activity for one day, one subject, or one activity period. Hours accumulate to equal one school day. This suspension counts as one day of the ten days a special education student may serve before an IEP (Individualized Educational Plan) meeting is mandated.

ONE-TO-FIVE-DAY SUSPENSION. After an informal hearing, an administrator may impose an action to deny a student's right to attend classes and activities for one (1) to five (5) school days. It will be the responsibility of the student to contact their instructors to arrange for make up work and homework.

FINANCIAL/SERVICE SETTLEMENT. In cases where student behavior causes damage, destruction, or loss of property, the parent/guardian and student will be expected to pay the cost of repair or replacement. The terms of repayment or replacement will be determined by the WTMC staff or Washtenaw Community College.

ACTION LEVEL 2

ALCOHOL OR DRUG ASSESSMENT AND FOLLOW-UP RECOMMENDATIONS.

See the section on controlled substances for disciplinary actions.

POLICE REFERRAL. For conduct that violates the rules and which may also be a violation of criminal law a referral may be made to the police, generally to Washtenaw Community College police liaison officer. An agreement for the provision of law enforcement services to the Washtenaw Technical Middle College by Washtenaw Community College Security and the Washtenaw County Sheriff's Department contains provisions relating to parent notification and to interviews, interrogations, and arrests by the Washtenaw County Sheriff's Department.

FINANCIAL/SERVICE STATEMENT. The same as in Action Level 1.

IN-SCHOOL SUSPENSION. The same as in Action Level I (2-5 days).

EMERGENCY REMOVAL FROM SCHOOL. Removal of a student from school prior to an informal hearing when the administrator determines that the student's continued presence is an immediate danger to persons or property or is disruptive to orderly school operation. A hearing must be held within three days after the student's removal.

POLICE REMOVAL FROM SCHOOL. For conduct that violates the rules and which may also be a violation of criminal law, a referral may be made to the police, generally to the Washtenaw Community College police liaison officer. An agreement for the provision of law enforcement services to the Washtenaw Technical Middle College by the Washtenaw Community College Security Department and Washtenaw County Sheriff's Department contains provisions relating to parent notification and to interviews, interrogations, and arrests by the Washtenaw County Sheriff's Department.

SIX-TO-TEN-DAY SUSPENSION. An action, taken after an informal hearing by the building administrator, which denies a student the right to attend all classes and school activities for a minimum of six (6) to a maximum of ten (10) days. It will be the responsibility of the student to contact their instructors to arrange for make up work and homework.

PROBATION. This is an action taken following reinstatement from suspension which may include a behavior contract and may require the student to forgo participation in specified activities. Examples include school-sponsored organizations and other activities for a limited, defined period of time.

ACTION LEVEL 3

SUSPENSION WITH ASSIGNMENT TO A SPECIALIZED PROGRAM. For second possession of drugs/alcohol or first sale or transfer. See section on Controlled Substances.

POLICE REFERRAL. Same as Action Level 2.

FINANCIAL/SERVICE SETTLEMENT. Same as Action Level 1.

SEMESTER-OR-LESS SUSPENSION: Suspension can be from eleven (11) school days to a semester in length. The authority to issue a long-term suspension rests with the principal or other building administrators. A student who has been suspended is not permitted to attend class, remain on school grounds participate in any extracurricular activities during the period of the suspension.

A student in special education may not be suspended for more than ten (10) days, cumulative, without holding an IEPC meeting, except when emergency removal is necessary. See Special Education Suspension and Expulsion.

ACTION LEVEL 4

Any violation that requires a disciplinary action at Level 4 is subject to possible suspension or expulsion. Following a behavior that qualifies as disciplinary Action 4, an informal hearing must take place prior to any suspension except when emergency removal is necessary.

LONG-TERM SUSPENSION AND/OR ALTERNATIVE PLACEMENT (One semester up to 180 days). In the event an action warrants suspension, the principal or other building administrator will investigate the incident and schedule a meeting with the student and parent to share the charges and proposed disciplinary action. The student has a right to present evidence or witnesses for support.

The administrator may refer the student who is suspended for more than ten days to an alternative education placement. Referral procedures will be provided by the administrator who takes the action. Students or their parents/guardian may apply for readmission 30 school days prior to the end of the specified period. A hearing before the Reinstatement Committee shall be convened before a student is readmitted from an expulsion or long-term suspension. Requests for reinstatement should be made, in writing, to the

Dean/Superintendent of Schools
Washtenaw Technical Middle College Technical and Industrial Building, Room 214
4800 East Huron River Drive
Ann Arbor, MI 48105-4800

Return from a semester suspension for a drug related activity is conditional upon completion of an approved treatment program.

The Reinstatement Committee includes two board member of the Board of Directors, a WTMC Counselor and the BASE Advisor teacher. The Committee makes a recommendation to the Superintendent *for or against re-instatement*.

ACTION LEVEL 5

EXPULSIONS. The WTMC Board of Directors recognizes that exclusion from the education programs of the district is the most severe sanction that can be imposed on a student and is one that cannot be imposed without due process since exclusion deprives a child of the right to an education. The Board of Directors reserves the authority to allow the Dean/Superintendent to make expulsion decisions. However, in some instances, the Dean/Superintendent's discretion is narrowly circumscribed by state law.

The expulsion procedures cannot be used to diminish the due process rights of students. Each student subject to expulsion shall have his/her situation reviewed by the Dean/Superintendent and the Board of Directors on a case-by-case basis.

The Dean/Superintendent reviews the documentation for each case and determines if the recommendation to expel the student is to be upheld and forwarded to the Board of Directors. The parent/guardian will be responsible for finding alternative education for the student.

While the review and hearings are taking place, the student will be suspended from school and homework will be provided. The WTMC Board of Directors will hold an open or closed meeting, by choice of the student (18 years or older) or the parent/guardian, to hear the evidence and make a decision about the long term suspension or expulsion.

EXPULSIONS FOR WEAPONS, ARSON, AND CRIMINAL SEXUAL

CONDUCT. The Revised School Code states that a student must be expelled from all public schools in the state if the student commits criminal sexual conduct (rape), arson or is found to be in possession of a dangerous weapon. The 1999 state law added expulsion from public school for physical or verbal assault on school employees, volunteers, or contractors. The expulsion must be recorded on the student's permanent record.

WTMC is not required to expel a student for possessing a weapon if at *least one of the* following criteria is established in a clear and convincing manner:

- The student did not know the item was a weapon
- The weapon was not possessed for use as a weapon
- The weapon was not knowingly possessed by the student
- The weapon was in the student's possession with the permission of school or police authorities.

There are no exceptions for students found to have committed criminal sexual conduct or arson. Students expelled for weapons, arson, or rape will be referred to law enforcement.

REINSTATEMENT PROCESS.

The reinstatement process shall be held in accordance with section 1311 and 1311a of the Revised School Code, MCL 380.1311 and 380.1311a.

The parents or legal guardian of a student, or a student who is at least age 18 or is an emancipated minor, enrolled in grade 6 or above at the time of expulsion, may petition for reinstatement after 150 school days, but the student may not be reinstated before the expiration of 180 school days after the date of expulsion.

A hearing before the Reinstatement Committee shall be convened before a student is readmitted from an expulsion or long-term suspension. Requests for reinstatement should be made, in writing, to the Dean/Superintendent of WTMC, Technical and Industrial Bldg, 4800 East Huron River Drive, Ann Arbor, MI 48105.

A Reinstatement Committee includes two WTMC Board members, a parent of a student enrolled at WTMC, one faculty member, a WTMC Counselor and the student's BASE Advisor. Recommendations from this committee are forwarded to the WTMC Board of Directors for a vote for conditional or unconditional reinstatement or against reinstatement.

SPECIAL EDUCATION SUSPENSION AND EXPULSION

If a student is receiving special education services through an Individualized Educational Program (IEP) and/or 504 services, the student's removal from school that exceeds ten (10) school days in one school year constitutes a change in placement. Therefore an IEP must be convened to review the current behavior plan and to determine if the behavior subject to discipline is a manifestation of the student's disability.

A special needs student may be subject to a suspension exceeding a total of ten (10) school days within a school year, an administrative transfer or expulsion only after an IEP determines that:

- The determination of eligibility is appropriate; and the student's IEP currently reflects the special education programs and services needed to meet the unique educational needs of the student.
- The student's disability did not impair the student's ability to understand the impact and consequences of the behavior subject to disciplinary action;

- The student's disability did not impair the student's ability to control behavior subject to disciplinary action.

If the IEP determines that the behavior is a manifestation of the disability, disciplinary procedures are stopped and the IEP determines appropriate programs and services for the student.

If the IEP determines that the behavior is not a manifestation of the disability, the eligibility has been appropriately determined, and/or the current program and/or services are appropriate for the student, then this information is included in the written IEP report and sent to the Dean/Superintendent.

The suspension may be given or the Dean/Superintendent may expel the special needs student using the same procedures the Dean/Superintendent would follow when expelling regular education students. If the IEP decision is appealed, the student remains in the placement determined in the last uncontested IEP.

When the behavior subject to disciplinary actions involves drugs, dangerous weapons, or if the student is deemed to be a danger to him/herself or others, the IEP shall determine an interim alternative placement and services for up to 45 calendar days.

When considering suspensions, administrative transfers, or expulsions of a student, if WTMC has reasonable cause to believe that the student has special needs, the student will be given the same rights that are given to students who are eligible for special education services.

Philosophy on Student Freedom of Expression

Student speech is protected by the First Amendment of the United States Constitution. Thus, students have the right to express themselves openly about matters of social, political, and religious importance. However, students may not express themselves in a way that causes a disruption of, or interference with, the orderly conduct of WTMC or WCC activities or is inconsistent with the middle college's basic educational mission.

Philosophy of Life Skill Behaviors

The WTMC Board of Directors and staff are committed to ensuring a school culture that nurtures learning and assures the safety and welfare of all students and staff. Collaboration between parents, staff and the community allow for the successful implementation of the WTMC Mission.

"Washtenaw Technical Middle College (WTMC) is a Public School Academy located on the campus of Washtenaw Community College. With sustained support and guidance, students engage in rigorous academics and life management skills to earn a high school diploma and either a technical certificate or an Associate degree."

WTMC is committed to a skill based approach to learning which ensures that the rigor required for a successful transition to college is realized by each WTMC student. Students are expected to assume responsibility for their own actions in order to develop a well defined internal locus of control.

Students enjoy numerous privileges and are expected to cooperate in maintaining a culture where learning is cherished. WTMC students are considered college students and consequently, are required to act accordingly.

The term "soft skills" refers to skills which are not academic, but significantly influence academic and job success. These include showing up for class, being prepared, following through, communicating effectively and taking responsibility for your own actions. Students should be aware that soft skill credentialing is one of the necessary components to successfully move into courses at WCC.

The process of de-credentialing can take place for a number of reasons: violating the rules as outlined in this handbook, failure to evidence soft skills at WTMC or WCC, and academic failure at WCC in which two courses are failed within the same semester. De-credentialing will result in a return to WTMC courses or a decision to withdraw from WTMC.

A strong school and family partnership is essential to prevent and resolve discipline problems. This partnership maintains a productive learning environment that will result in increased student participation and school success.

Students and parents must recognize that the unacceptable behaviors specified in this Rights & Responsibilities Handbook will be subject to disciplinary action. When it is necessary to take corrective measures, the actions should be appropriate to the nature of the offense, consistent with applicable law, constructive and limited to that which is reasonably necessary to promote WTMC's educational objectives.

Rights and Responsibilities

Rights

Students have a right to:

- Learn and study in a positive atmosphere for learning -- one that is unbiased, nonjudgmental, and free from prejudice, discrimination, verbal or physical threats and abuse.
- Expect that middle college rules will be enforced in a consistent, fair and reasonable manner.
- Discuss and receive assistance with educational concerns from the school staff
- Receive a copy of the WTMC Rights and Responsibilities Handbook.
- Receive fair discipline without discrimination.
- Have access to their own student records.
- Use computers and other equipment for learning.

Parents and Guardians have a right to:

- Receive official reports of the student's academic progress and attendance.
- Request and be granted conferences with teachers, counselors and/or the superintendent/dean.
- Receive explanations from teachers about the student's grades and disciplinary procedures.
- Read all school records pertaining to their student.

Middle College Personnel have a right to:

- Work in a positive atmosphere for learning and teaching.
- Receive support when enforcing student

Responsibilities

Students have a responsibility to:

- Attend school regularly, arrive on time, bring appropriate materials and be prepared to participate in the learning process and complete assignments.
- Strive for academic rigor and growth.
- Respect the rights, feelings, and property of fellow students, parents, school staff, visitors, guests, and school neighbors.
- Conduct themselves properly on school grounds, at any school-related activity, and in the classroom, so as not to interfere with the rights of another student to learn.
- Make up work resulting from an excused absence or suspension.
- Follow discipline guidelines adopted by the district.
- Read and ask questions to understand the information in this booklet.
- Use computers in an appropriate manner as defined in the WCC Technology Use Agreement that is signed by each student.

Parents/Guardians have a responsibility to:

- Be partners with school staff by sharing appropriate ideas for improving student learning and by helping to prevent and/or resolve student discipline problems.
- Provide supervision for the student's health, physical and emotional well-being, and assume responsibility for the student's timely regular attendance.
- Review and discuss with the student the Statewide Safe Schools Legislation.
- Encourage student compliance with school

discipline as outlined by School Board policies and WTMC.

- Teach and work in an atmosphere free from verbal or physical threats and abuse.
- Expect compliance with rules by staff and students.
- Be present, when appropriate, at conferences and hearings concerning classroom and school disruption.

and district rules.

- To support transition into college, parents need to see their student as competent and capable of this move to the college environment of WCC. Supporting transition to the college happens in a number of ways; by developing a trusting relationship with WTMC staff, by providing their son/daughter an opportunity to resolve conflict, engage in meaningful decision making and learn from their failures and successes.

WTMC Personnel have a responsibility to:

- Develop, communicate and implement written classroom expectations for students' behavior and grades.
- Work with parents to prevent discipline problems.
- Inform parents/guardians of student progress, behavior and attendance.
- Refer students to other staff or programs as appropriate.
- Maintain accurate student records.
- Protect and respect confidentiality of students, parents, and school staff.
- Protect students' health, safety, and welfare.
- Record disciplinary actions in accordance with state laws.

Previous Misconduct in Another Educational Institution

A student who seeks to enroll in WTMC and who previously has been found to have engaged in misconduct in another educational institution as the term "misconduct" is defined in this handbook or by the other educational institution and which resulted in long-term suspension or expulsion, or who is alleged by school authorities to have engaged in such misconduct in another educational institution but withdrew from such educational institution prior to the misconduct being established, may be subject to suspension or expulsion from WTMC. Such a student shall be permitted to enroll but shall be held on suspension pending a hearing before the superintendent in accordance with Action Level 4 and/or 5 of the Rights and Responsibilities Handbook (Long-Term Suspension or Expulsion). A student who has been expelled from another educational institution for criminal sexual conduct, arson or possession of a dangerous weapon in a weapon-free school zone, as those terms are defined in Sections 1311 and 1313 of the School Code of 1976, as amended (MCL 380.1311, 1313; MSA 15.41311, 41313) or who is found by the WTMC Board of Directors to have committed such offense prior to enrollment in WTMC shall not be admitted to the WTMC district except in accordance with Section 1311(5) of the School Code of 1976, as amended (MCL 380.1311(5); MSA15.41311(5)). "Educational Institution" shall have the same meaning as that set forth in MCL 37.1401.

State Suspension/Expulsion Laws

In accordance with state law, the WTMC Board of Directors must permanently expel a student for possession of a dangerous weapon, arson or criminal sexual conduct. The Board of Directors may expel students for physical and verbal assault as described below. Classroom teachers may suspend students from their classrooms for any conduct that violates the rules as described in this handbook.

If...a student commits a physical assault (intentionally causing or attempting to cause physical harm to another through force or violence) against a person employed by, or engaged as a volunteer or contractor by the school board in a classroom, on school premises, on a school bus/vehicle, or at a school-sponsored activity or event (whether or not on school premises.)

Then...the law requires the school board to EXPEL the student from the school district permanently for 180 school days, subject to possible reinstatement as defined by the law; makes it the parent's responsibility to find a suitable educational program and to enroll the individual in such a program during the expulsion; AND requires the district to report the expulsion to law enforcement officials, as well as to enter on the student's performance record that he or she has been permanently expelled.

If...a student commits a physical assault against another student.

Then...the law requires the school board to SUSPEND or EXPEL the student from the school district for up to 180 school days. If the student is expelled, the law makes it the parent's responsibility to find a suitable education program and to enroll the individual in such a program during the expulsion; AND requires the district to report the expulsion to the Michigan Department of Education.

If...a student commits a verbal assault against a person employed by, or engaged as a volunteer or contractor by the school board, or makes a bomb threat or similar threat directed at a school building, other school property or a school-related event.

Then...the law requires the school board to SUSPEND or EXPEL the student from the school district for a period of time as determined by the school board. If the student is expelled the law makes it the parent's responsibility to find a suitable education program and to enroll the individual in such a program during the expulsion; AND requires the district to report the expulsion to the Michigan Department of Education.

If...a teacher in a public school has good reason to believe that the conduct/behavior of a student of any age in class, subject, or activity warrants suspension as described in this booklet.

Then...the law allows the teacher to SUSPEND the student from the class, subject, or activity for up to one (1) full school day.

Controlled Substances

WTMC is dedicated to providing a healthy, comfortable and productive environment for all members of the school community. WTMC acknowledges that use of controlled substances requires a variety of interventions; there is a critical need for counseling, education and treatment in addition to disciplinary action. The possession of alcohol or illicit drugs interferes with a healthy environment and are prohibited on WCC premises, or at WTMC functions. WTMC is committed to a three-part approach to controlled substances: 1) prevention, 2) intervention and 3) support. Consequences of the unacceptable behaviors listed in the Code of Conduct regarding alcohol and other drugs will include disciplinary actions, substance abuse assessment and educational experiences. The term "drug" is defined as alcohol, all mood-altering substances including any unauthorized medicines, (that have not been medically prescribed for the student) and inhalants, or narcotics.

Parents will be referred to the "Parenting for Prevention" booklet which provides additional information and resources.

Substance abuse assessment answers the following questions: Does an alcohol/drug problem exist? What is the nature and extent of the problem? What action is recommended at this time?

These consequences and sanctions are cumulative. Each succeeding action level may include the consequences and/or sanctions of the prior level. The first violation of the controlled substance policy may include consequences and a referral for a substance abuse assessment. The second violation of the substance abuse policy will result in removal from WTMC.

Smoking Policy

No person, at any time, shall smoke, chew or otherwise use tobacco products of any kind on WCC property or property under the control of WCC, in any school buildings, indoor facilities or WCC vehicles.

Medication

All medications, prescription or non-prescription must have prior notification in the form of a "Medicine Documentation Form." Documentation must be on file before the student can take the medication on campus

Harassment

A student has a right to participate in all WTMC activities without being subjected to conduct that is discriminatory, humiliating, demeaning, offensive or embarrassing. Harassment refers to sexual harassment, as well as ethnic, religious and general harassment.

Sexual Harassment includes an unwelcome sexual advance or sexual behavior, including verbal behavior, (1) that is tied to a student's educational benefits, opportunities or performance; or a student's physical or psychological well-being; (2) that substantially interferes (or will substantially interfere) with a student's educational benefits, opportunities or performance; or a student's physical or psychological well-being; or (3) that is intimidating.

Furthermore, Sexual Harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication that has the purpose or effect of substantially or unreasonably interfering with an individual's education or creating an intimidating, hostile or offensive educational or social environment on school property or at any school sponsored or related event or activity.

Sexual harassment may include but is not limited to:

- Verbal harassment or abuse
- Subtle pressure for sexual activity
- Inappropriate patting or pinching
- Intentional brushing against another person's body
- Any sexually-motivated, unwelcome touching
- Obscene gesture
- Written or graphic harassment or abuse

Ethnic Intimidation and Harassment includes slurs, verbal references, gestures and other behavior which tends to demean, humiliate, intimidate and/or threaten others on the basis of race, ethnic group or nationality.

Religious and General Harassment includes slurs, verbal references, gestures, or other behavior which tends to demean, humiliate, intimidate and/or threaten others on the basis of creed, religion, or personal characteristics.

A student shall not engage in unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct relating to a person's sex, race, color, national origin, religion, height, weight, marital status, sexual orientation, or disability (e.g., sexual or racial comments, threats, or insults, unwanted sexual touching, etc.).

A student should report incidences of harassment to the Superintendent/Dean or their BASE Advisor with any supportive evidence that is available. The Dean/Superintendent will examine the evidence and, if merited, speak directly to the person alleged to have harassed the complainant. If proven, the building administrator will:

- Have the offender sign a contract regarding appropriate behavior toward the complainant, and/or
- Refer the offender to an outside agency, and/or
- Initiate suspension/expulsion procedures

This disciplinary action should be commensurate with the behavior.

Due Process

The right to due process in disciplinary proceedings is applicable in all instances where the behavior of the student is being evaluated for possible suspension or expulsion. The student must always be treated with fundamental fairness, has a right to be fully informed about his/her alleged breach of behavior and must be provided with an opportunity to respond to such charges. In imposing discipline on students, WTMC adheres to the requirement of state and federal law and constitutional due process. To the extent that the procedures described in this handbook exceed the requirements of the law, a deviation from the procedures shall not prevent the imposition of the disciplinary actions set forth in this handbook. Records that result from the student's actions or his/her consequences should clearly state whether the charge of misbehavior was or was not substantiated.

Informal Hearings. Most discipline problems not leading to long-term suspension or expulsion are resolved at WTMC through an informal hearing involving the student, parent/guardian and teacher or middle college Dean/Superintendent. During the hearing, the student and parent/guardian hear the charges, and evidence. The student tells his/her side of the story. Various problems-solving strategies may be used. Consequences will be delivered within 48 hours of the informal hearing.

Formal Hearings. Formal hearings are held as a part of the due process procedure for long-term suspensions and all expulsions. The WTMC Board of Directors President, after reviewing the Dean/Superintendent's report, witnesses' statements and any other relevant documents or items and instructs the Dean/Superintendent to schedule a hearing within ten (10) school days of the disciplinary action. The Dean/Superintendent's office will also prepare the packet of information for the hearing. The parents or guardians will receive a letter, disciplinary forms with date, specific rules that were violated, copy of the disciplinary procedural process and any other relevant information.

The student is afforded the following procedural due process:

- Written notice of prohibited conduct
- Written notification of hearing (time and location) and procedures to be followed
- Impartial hearing
- Access to evidence
- Opportunity to present witnesses and evidence on his/her own behalf
- Opportunity to have advocate/counsel present

The participants, including the student, parents or guardian, WTMC Board of Directors members, advocate/counsel for the hearing will receive a packet of information to be used at the hearing.

The Board will hold an open or closed meeting, by choice of the student (18 years or older) or the parent/guardian, to hear the evidence and make a decision about long-term suspension or expulsion.

The Hearing Agenda

- The WTMC Board of Directors President introduces him/herself as the chair and calls upon each person in attendance to introduce him/herself and give the role he/she will be performing at the hearing.

- The Dean/Superintendent gives an explanation of why the hearing is being held, information about the student and the specific statements of the charge and the disciplinary action recommended.
- The WTMC Board of Directors will hold an open or closed meeting, by choice of the student (18 years or older) or the parent/guardian, to hear the evidence and make a _____ about long term suspension or the expulsion.
- The Dean/Superintendent presents evidence of the charges, including witnesses and any written statements.
- The student and/or his/her advocate, respond to the charges and presents witnesses and any written statements.
- The Dean/Superintendent and the student and/or his/her advocate give closing statements.
- The WTMC Board of Directors President informs the group of the decision process. Within two school days of the hearing, the Board President will notify the student and his/her parent(s)/guardian(s), orally or in writing, of the Board's decision to uphold, modify or reverse the suspension/expulsion. Written notification must follow.
- The Board President dismisses the group after all questions regarding the appeal process have been answered and explained.
- The WTMC Board of Directors discuss the evidence and proceedings and may make the following decisions:
 - Waive charge(s)
 - Reduce charge(s)
 - Change/modify the Dean/Superintendent's recommendation or disciplinary action.
 - Support the Dean/Superintendent's recommendation and disciplinary action.
 - Increase the recommendation and disciplinary action.

The Appeal Process

A. SUSPENSIONS OF ONE (1) TO FIVE (5) SCHOOL DAYS. There is no appeal for suspension of one (1) to five (5) school days.

B. SUSPENSIONS OF SIX (6) TO TEN (10) SCHOOL DAYS. A request for an appeal of a short-term (six to ten school days) suspension shall be made in writing and directed to the Dean/Superintendent, by the parent/guardian or student 18 years of age, within two (2) school days of the date that the disciplinary action was taken. This written request must include the reason for the appeal. Reasons for the appeal might include:

- Penalty too harsh
- Additional evidence surfaced
- Evidence/issues/mitigating factors not considered
- Denial of procedural due process

- Consequence in contradicting of procedure/policies

The Dean/Superintendent will conduct a review of the appeal request. Following this review, the Dean/Superintendent will notify the student and his/her parent(s)/guardian(s) in writing, of his/her decision to uphold, modify or reverse the suspension.

If the suspension exceeds five (5) school days, the Dean/Superintendent's decision may be appealed. A written request must be made to the Dean/Superintendent stating the reason(s) for the appeal and asking for a review by a three-member review panel. The panel will be comprised of one (1) faculty member, the student's counselor and BASE Advisor.

C. SUSPENSION EXCEEDING TEN (10) SCHOOL DAYS. Review of long-term suspensions (those exceeding ten (10) days) is to be directed to the Dean/Superintendent within three (3) school days of the date the disciplinary action was taken. This appeal must be made in writing stating the reason for the appeal and the adjustments requested. Reasons for the appeal might include:

- Penalty too harsh
- Additional evidence surfaced
- Evidence/issues/mitigating factors not considered
- Denial of procedural due process
- Consequence in contradicting of procedure/policies

A three-person hearing panel will conduct a review within ten (10) school days of the suspension. This panel will be comprised of the student's counselor, and BASE Advisor and two additional WTMC faculty members. Within two (2) school days of the hearing, the panel will notify the student and his/her parent(s)/guardian(s), orally or in writing, of the panel's decision to uphold, modify, or reverse the suspension. Written notification must follow.

The suspension remains in effect during the appeal process.

APPEAL OF THE HEARING PANEL DECISION

A student 18 years or older or a parent/guardian may appeal the decision of the three-person hearing panel to the Board of Directors. This appeal, directed to the Dean/Superintendent, must be made in writing within five (5) calendar days following the receipt of the decision.

Again, reasons for this appeal might include:

- Penalty too harsh
- Additional evidence surfaced
- Evidence/issues/mitigating factors not considered
- Denial of procedural due process
- Consequence in contradicting of procedure/policies

During a regular meeting, the WTMC Board of Education will determine whether or not to hear the appeal.

The decision of the WTMC Board will be communicated in writing to all parties concerned by the WTMC Board Secretary.

The suspension remains in effect during the appeal process.

Letters of appeal stating the basis for the appeal and the desired remedy should be addressed to the WTMC Board of Directors, Industrial and Technology Building, Room 214, 4800 East Huron River Drive, Ann Arbor, Michigan 48105.

Definitions

Abusive/Profane Language. The act of uttering distasteful, offensive language for the purpose of debasing the dignity of another person.

Academic Dishonesty/Plagiarism. Taking credit for oneself and not giving credit to the source for written and oral expression authored and/or prepared by another, cheating on exams, etc.

Alcohol and Drug Use. Use, possession of, being under the influence of, or the sale and distribution by students on school property at district activities, of alcohol or illicit substances.

Arson/Attempted Arson/Burning.

A. **Arson. Malicious.** intentional burning of any property belonging to, rented by or on loan to the district or property of students or school personnel.

B. **Attempted Arson.** Intentionally trying to start a fire but no fire starts; e.g. throwing a lighted match into a trash container but no fire starts.

C. **Burning.** Setting fire to, or doing any act which results in the starting of a fire or aiding, counseling, inducing, persuading or procuring another to do such an act or acts.

Assault.

A. **Fighting.** Engaging in physical contact such as pushing, horseplay, shoving and/or hitting.

B. **Physical Assault.** An attack by one person against another wherein the offender recklessly attempts to inflict physical harm, such as broken bones, loss of teeth, internal injury, or loss of consciousness; or use of a weapon or its display in a threatening manner.

C. **Verbal Assault.** Verbal assault is defined as "any willful threat to inflict physical injury upon another person under circumstances that create a reasonable fear of imminent physical injury, coupled with an apparent ability to inflict such physical injury."

Behaviors Considered Inappropriate.

- A. **Profane/Obscene Language and Gestures.** Students shall not verbally, in writing, electronically, with photographs or drawings, direct profanity or insulting, obscene gestures toward any other person.
- B. **Open Defiance/Willful Disobedience.** Refusing to comply, either verbally or non-verbally, with a direction or instruction of a staff member.
- C. **Displays/Images.** Applying profane, obscene, sexist, racist or other decorations to a locker or any area or surface which disrupts the educational process or interferes with teaching and learning.

Bomb Threat. Making a bomb threat or similar threat directed at a college building, other college property or a WTMC/WCC related event.

Bullying. The repeated intimidation of others by the real or threatened infliction of physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the property of another. It may include, but not be limited to actions such as verbal taunts, name-calling and put downs, including ethnically-based or gender-based verbal put downs, and extortion of money or possessions.

Burglary. Entry into unopened school property, without authorization, for the purpose of committing a crime.

Controlled Substance. Illegal or unauthorized medicines, inhalants, drugs or narcotics including but not limited to: Marijuana, Heroin, Cocaine, LSD, Barbiturates, Amphetamines, Drugs manufactured for use with animals and drug paraphernalia, on college property or at any middle college/college sponsored activity.

Deliberate Misuse of Property. Intentionally using, without proper permission, property belonging to another or the school, in a manner likely to damage the property.

Disruptive Conduct. Inappropriate behavior that disturbs the regular or normal functions of the school.

Drugs. Alcohol, controlled substances and all mood-altering substances that have not been medically prescribed for the student.

Due Process. A safeguard that protects the rights of individuals.

Emergency Removal. Removal from the school without an informal hearing if a student poses a danger to him or herself or other persons or property, or is an ongoing threat to disrupting the academic process.

Ethnic/Racial Harassment. The malicious and intentional act of harassing another person due to the individual's color, ethnic origin, or race.

Expulsion. Removal of a student by the WTMC Board of Directors from WTMC on a permanent or time-limited basis.

Extortion. Forcing other person/persons to act against their will, such as demanding money, property, etc.

False Fire Alarm. Reporting or setting off a fire alarm without reasonable belief that a fire exists.

Firecracker or Explosive. A paper cylinder or sphere containing an explosive; a compound or mixture susceptible to bursting with violence such as gunpowder, nitroglycerine or volatile gas.

Forgery. Signing another person's name to any document; altering or falsifying documents.

Formal Hearing. A procedure that occurs when a suspension of more than ten days is recommended by the Dean/Superintendent who conducted the informal hearing. The formal hearing is conducted by the WTMC Board of Directors. The student has a right to an advocate, to call witnesses, to question the accusers and witnesses, and to have a copy of the proceedings.

Gambling. Illegal participation in games of skill or chance for money and/or other items of value.

Gang. An identifiable group of people (highly organized or loosely structured) who form an alliance for a common purpose which identifies with or claims territory in the community. Members engage either individually or collectively in antisocial or unlawful activity/activities and frequently create an atmosphere of fear and intimidation.

Gang-Identifying Terms. Clothing, accessories, make-up, markings, or other items/material that identifies a student as a member of a gang.

Informal Hearing. Presentation of charges and consequences are given to the student and the parent with an explanation of evidence. The student tells his/her side of the story. Problem solving with the student is an option.

Insubordination. Failure to obey, comply with, or carry out a reasonable directive from any school employee.

Interference with School Personnel. Threats, harassment, or violence used to prevent school personnel from taking care of their responsibilities.

Intimidation. Threats -- verbal or physical -- with intent to inflict fear, injury, or damage, and to prevent another from acting in accordance with personal choice or school policies.

Make-Up Work. Course work assignments missed during a short-term suspension must be completed by the student and returned to the instructor.

Major Vandalism. Damage that costs more than \$100 to repair or replace the goods, or damage involving a substantial disruption of school activities, such as the destruction of school records.

One-Day Suspension. An action which temporarily denies a student the right to attend classes and activities for one school day.

Reckless Vehicle Use. Using any motorized or self--propelled vehicle on or near school grounds in a reckless manner or so as to threaten health, safety, property or to disrupt the educational process.

Possession of Stolen Property. Having in one's control or possession, property that has been stolen and which the possessor has reasonable cause to believe has been stolen, or possession without permission of property belonging to another.

Robbery. Taking property from a person by force or threat of force.

Sexual Harassment. See Harassment.

Sexual Misconduct:

A. Consensual Sexual Misconduct. Mutually consensual sexual contact including but not limited to intentional touching of the other person's genitals, groin, inner thigh, buttock, or breast or the clothing covering those areas.

B. Non-Consensual Sexual Misconduct. Unwanted or unwelcome sexual contact including but not limited to intentional touching of the other person's genitals, groin, inner thigh, buttock, or breast or the clothing covering those areas.

Suspension. Removal from school for a specified period of time by Dean/Superintendent.

Technology Use. Students are required to sign the WCC Technology Use Agreement Policy. Failure to honor this agreement will be met with the consequences outlined within the policy.

Theft. Stealing or unlawfully taking property belonging to the middle college/college or another person with the intent to deprive the rightful owner of its possession.

Threat of Violence. Words or actions that may threaten to do injury to another or others.

Tobacco and/or Smoking Paraphernalia Possession/Use. Possession or use of tobacco in any form and/or smoking paraphernalia on or adjacent to school property or at school activities.

Trespassing. Entering any middle college/WCC property/facility without proper authority; includes any school entry during a period of suspension or expulsion.

Vandalism. Intentionally destroying, mutilating, or defacing objects or materials belonging to the school, school personnel, or other persons.

Weapons

A. Dangerous Weapon. a dangerous weapon shall include a firearm (including a starter gun) or any device which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, any destructive device or any explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four (4) ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine or similar device; a dagger, dirk, stiletto, knife with a blade over three (3) inches in length, or pocket knife opened by a mechanical device, an iron bar or brass knuckles; or, any other weapon as set forth in 18 USC.921. Also, any electronic device that inflicts or causes pain or suffering is likewise considered a weapon.

B. Other Weapon. Any object or instrument including a replica, facsimile or look-alike of such object or instrument, the principal use of which is to inflict injury, physical pain or physical harm. The term "other weapon" shall additionally include an object or instrument which is not in and of itself a weapon as defined above, but where the possession or use of same is coupled with intent by a student to inflict injury or harm upon another person. Chemical or toxic substances, e.g., mace, pepper spray, etc., are included in this category.

Bullying Prohibition and Prevention Procedures

Bullying is a form of harassment. For the purposes of this policy, bullying is defined as: "The repeated intimidation of others by the real or threatened infliction of physical, verbal, written, electronically transmitted, or emotional abuse, or through attacks on the property of another. It may include, but not be limited to actions such as verbal taunts, name-calling and put downs, including ethnically-based or gender-based verbal put downs, and extortion of money or possessions." Such conduct is disruptive of the educational process and therefore, bullying is unacceptable behavior at WTMC and is prohibited.

Students who engage in any act of bullying while at WTMC, at any WTMC/WCC function, in connection to or with any WTMC sponsored activity or event, are subject to disciplinary action, up to and including suspension or expulsion. Law enforcement officials shall be notified of bullying incidents, as required by law.

This policy should not be interpreted to prohibit a reasoned and civil exchange of opinions, or debate, that is protected by state or federal law.

(State Board of Education Model Anti-Bullying Policy, September 12, 2006)

Police Interview and Examination

WCC Campus Safety and Security Department provides safety and security services to WTMC. Campus Safety and Security work with the Washtenaw County Sheriff's Office to provide law enforcement. This policy provides guidelines for the interview and examination of students.

In cases where there is not an immediate danger to lives or property, a police officer(s) from the Washtenaw County Sheriff's Office, having police business on WCC property which involves the need to interview or conduct an examination of a WTMC student, will first make contact with the Dean/Superintendent and the Director of Campus Safety and Security at WCC.

An interview is defined as the questioning of a witness to or victim of an offense and who is not reasonably suspected of having committed an offense. A student has the right to refuse to participate in an interview. A parent must be present when a student is interviewed by the police. Examination is defined as the questioning of a person reasonably suspected of committing an offense whether prior to or after an arrest. A parent will be present when a student is examined by the police where criminal prosecution is possible. WTMC will notify a parent or legal guardian prior to the examination of a student.

All interviews and examinations will be conducted in accordance with all applicable statutory provisions and constitutional protections, and other departmental and school guidelines. If an interview changes to an examination it will be the responsibility of the officer(s) to notify the student(s) of the change and explain to the student(s) the implications of the change from an interview to an examination. The officer(s) will notify the Dean/Superintendent of this change.