

Assaults Committed Against School PersonnelPhysical Assaults

The Board shall permanently expel a student in grade 6 or above if the student commits a physical assault, as defined by MCL 380.1311a (12)(B)<sup>1</sup>, against a District employee or against a person engaged as a volunteer or contractor for the District, on school property, on a school bus or other school related vehicle, or at a school-sponsored activity or event.

Threats of Assault Committed by Students

Any student in grade 6 or above who commits a verbal, written or electronically transmitted threat of assault on school property, on a school bus or other school related vehicle, or at a school-sponsored activity or event against a District employee or against a person engaged as a volunteer or contractor for the District shall be suspended or expelled by the Board for up to 180 days. The Board may modify the expulsion period on a case-by-case basis.

For the purpose of this policy, “threat of assault” shall be defined as any willful verbal, written, or electronically transmitted threat to inflict injury upon another person, under such circumstances that create a reasonable fear of imminent injury, coupled with an apparent ability to inflict injury.

Physical Assaults Committed Against Other Students

The Board shall suspend or expel a student in grade 6 or above for up to 180 days if the student commits a physical assault, as defined by MCL 380.1310(3) (b), against another student on school property, on a school bus or other school related vehicle, or at a school-sponsored activity or event. The Board may modify the suspension or expulsion period on a case-by-case basis.

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<sup>1</sup> MCL 380.1311a(12)(B) and MCL 380.1310(3)(B) define “Physical Assault” as “intentionally causing or attempting to cause physical harm to another through force or violence.

## **Section 8000 – Students**

### **8320 Assaults Committed by Students**

8320-2

#### Sexual Assaults

Any student who commits criminal sexual conduct in a school building or on school grounds, or pleads to, is convicted of, or is adjudicated for criminal sexual conduct against another student enrolled in the District, shall be permanently expelled subject to possible reinstatement.

#### Suspension and Expulsion

Before suspending or expelling a student for any reason or for any amount of time, the superintendent, principal or designee, or hearing officer shall consider the seven factors outlined in Board Policy 8350.

#### Reinstatement

The parent(s)/guardian(s) of a permanently expelled student, or an emancipated permanently expelled student may petition the Board for reinstatement. The Board shall provide all due process rights to reinstatement as outlined in state law.

#### Application to Students with Disabilities

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

#### Implementation

The Superintendent shall develop specific procedures for dealing with suspensions or expulsions authorized by this policy. Regulations ensuring due process to all students before a long-term (10 days or more) suspension or expulsion is imposed shall be developed with the advice of the District's attorney.

Approved: December 3, 2018

LEGAL REF: MCL 380.1310; 380.1311; 380.1311a, see also, Board Policy 8350 and 8350-R.