

STUDENT DISCIPLINE RULES

School officials may find it necessary to discipline students when their behavior interferes with school purposes or educational functions of the school corporation. In accordance with the provisions of I.C. 20-33-8, administrators and staff members may take the following actions:

1. REMOVAL FROM CLASS OR ACTIVITY - TEACHER:
 - a. A middle school, junior high, or high school teacher may remove a student from the teacher's class or activity for a period of up to two (2) school days if the student is assigned regular or additional work to be completed in another school setting.
 - b. An elementary teacher may remove a student from the teacher's classroom or activity for a period of up to one (1) school day if the student is assigned regular or additional work to be completed in another school setting.
 - c. If an individual removes a student from a class under subsection a) or b) above, the principal may place the student in another appropriate class or placement or into in-school suspension. The principal may not return the student to the class from which the student was removed until the principal has met with the student, the student's teacher, and the student's parents to determine an appropriate behavior plan for the student. If the student's parents do not meet with the principal and the student's teacher within a reasonable amount of time, the student may be moved to another class at the principal's discretion.
2. SUSPENSION FROM SCHOOL - PRINCIPAL: A school principal (or designee) may deny a student the right to attend school, take part in any school function, or be on school grounds for a period of up to ten (10) school days.
3. EXPULSION: A student may be expelled from school for a period no longer than the remainder of the current semester plus the following semester. In cases where the student is being expelled for possession of a firearm, a destructive device, or a deadly weapon, the maximum length of the expulsion period is listed under the Grounds for Suspension and Expulsion, Section C and Section D.
4. CORPORAL PUNISHMENT: Corporal punishment can be administered by the administration or a designee with another certified staff member or administrator as a witness. Corporal punishment should be used only when reasonable disciplinary alternatives have failed or when learning must be immediate, or the well being of others is jeopardized.

GROUND S FOR SUSPENSION OR EXPULSION:

The grounds for suspension or expulsion listed in section A. below apply when a student is:

- a. On school grounds immediately before, during, and immediately after school hours and at any other time when the school is being used by a school group (including summer school);
- b. Off school grounds at a school activity, function, or event; or

- c. Traveling to or from school or a school activity, function, or event.
- d. Using property or equipment provided by the school.

A. Student Misconduct and/or Substantial Disobedience

Grounds for suspension or expulsion are student misconduct and/or substantial disobedience. Examples of student misconduct and/or substantial disobedience for which a student may be suspended or expelled include, but are not limited to:

1. Using violence, force, noise, coercion, threat, intimidation, fear, passive resistance, or other conduct constituting an interference with school purposes, or urging other students to engage in such conduct. The following enumeration is only illustrative and not limited to the type of conduct prohibited by this rule:
 - a. Occupying any school building, school grounds, or part thereof with intent to deprive others of its use.
 - b. 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, corridor, or room.
 - c. Setting fire to or damaging any school building or property.
 - d. Prevention of or attempting to prevent by physical act the convening or continued functioning of any school or education function, or of any meeting or assembly on school property.
 - e. Intentionally making noise or acting in any manner so as to interfere with the ability of any teacher or any other person to conduct or participate in an education function.
2. Engaging in any kind of aggressive behavior that does physical or psychological harm to another person or urging of other students to engage in such conduct. Prohibited conduct includes coercion, harassment, bullying, hazing, or other comparable conduct.
3. Engaging in violence and/or threat of violence against any student, staff member, and/or other persons. Prohibited violent or threatening conduct includes threatening, planning, or conspiring with others to engage in a violent activity.
4. Causing or attempting to cause damage to school property, stealing or attempting to steal school property.
5. Causing or attempting to cause damage to private property, stealing or attempting to steal private property.
6. Causing or attempting to cause physical injury or behaving in such a way as could reasonably cause physical injury to any person. Self-defense or reasonable action undertaken on the reasonable belief that it was necessary to protect some other person is not a violation of this rule.
7. Threatening or intimidating any person for any purpose, including obtaining money or anything of value.

8. Threatening (whether specific or general in nature) injury to persons or damage to property, regardless of whether there is a present ability to commit the act.
9. Failing to report the actions or plans of another person to a teacher or administrator where those actions or plans, if carried out, could result in harm to another person or persons or damage property when the student has information about such actions or plans.
10. Possessing, handling, or transmitting a knife or any object that can reasonably be considered a weapon, is represented to be a weapon, or looks like a weapon.
11. Possessing, using, transmitting, or being affected by any controlled substance, prescription drug, narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, intoxicant or depressant of any kind, or any paraphernalia used in connection with the listed substances. Also prohibited is the consumption of any of the stated substances immediately before attending school or a school function or event.
 - a. Exception to Rule 11: a student with a chronic disease or medical condition may possess and self-administer prescribed medication for the disease or condition if the student's parent has filed a written authorization with the building principal. The written authorization must be filed annually. The written authorization must be done by a physician and must include the following information:
 1. That the student has an acute or chronic disease or medical condition for which the physician had prescribed medication.
 2. The nature of the disease or medical condition requires emergency administration of the prescribed medication.
 3. The student has been instructed in how to self-administer the prescribed medication.
 4. The student is authorized to possess and self-administer the prescribed medication.
12. Possessing, using, or transmitting any substance which is represented to be or looks like a narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, stimulant, depressant, or intoxicant of any kind.
13. Possessing, using, transmitting, or being affected by caffeine-based substances other than beverages, substances containing phenylpropanolamine (PPA), stimulants of any kind, or any other similar over-the-counter products.
14. Possessing, using, distributing, purchasing, or selling tobacco products of any kind or in any form.
15. Offering to sell or agreeing to purchase a controlled substance or alcoholic beverages.
16. Failing to comply with directions of teachers or other school personnel during any period of time when the student is properly under their supervision, where the failure constitutes an interference with school purposes or an educational function.
17. Failing to completely and truthfully respond to questions from a staff member regarding school-related matters including potential violations of the student conduct rules or state or federal law.
18. Falsely accusing any person of sexual harassment, or of violating a school rule, and/or a state or federal law.

19. Engaging in any activity forbidden by the laws of Indiana that constitutes an interference with school purposes or an educational function.
20. Aiding, assisting, or conspiring with, another person to violate these student conduct rules or state or federal law.
21. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, and wrongfully obtaining test copies or scores.
22. Taking or displaying pictures (digital or otherwise) without the consent of the student or staff member in a situation not related to a school purpose or educational function.
23. Engaging in pranks that could result in harm to another person.
24. Use or possession of gunpowder, ammunition, or an inflammable substance.
25. Violating any rules that are reasonably necessary in carrying out school purposes or an educational function, including, but not limited to:
 - a. engaging in sexual behavior on school property;
 - b. engaging in sexual harassment of a student or staff member;
 - c. disobedience of administrative authority;
 - d. willful absence or tardiness of students;
 - e. engaging in speech or conduct, including clothing, jewelry or hair style, that is profane, indecent, lewd, vulgar, or refers to drugs, tobacco, alcohol, sex, or illegal activity, or is plainly offensive to school purposes;
 - f. violation of the school corporation's acceptable use of technology policy or rules;
 - g. violation of the school corporation's administration of medication policy or rules;
 - h. possessing or using a laser pointer or similar device.
26. Possessing or using on school grounds during school hours an electronic device, a cellular telephone, or any other telecommunication device in a situation not related to a school purpose or educational function or using such device to engage in an activity that violates school rules.
27. Any student conduct rule the school building principal establishes and gives publication of it to all students and parents in the principal's school building.

B. Bullying

1. This rule applies when a student is:

- a. On school grounds immediately before or during school hours, immediately after school hours or at any other time when the school is being used by a school group (including summer school);

- b. Off school grounds at a school activity, function, or event;
 - c. Traveling to or from school or a school activity, function, or event; or
 - d. Using property or equipment provided by the school.
2. Bullying by a student or groups of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the other student through overt, repeated acts or gestures, including verbal or written communications transmitted, and/or physical acts committed, or any other similar behavior is prohibited.
 3. Parents or students who suspect that repeated acts of bullying are taking place should report the matter to the school principal or designee. School personnel will investigate all reports of bullying.
 4. Counseling, corrective discipline, and/or referral to law enforcement will be used to change the behavior of the perpetrator. This includes appropriate intervention(s), restoration of a positive climate, and support for victims and others impacted by the violation.
 5. Educational outreach and training will be provided to school personnel, parents, and students concerning the identification, prevention, and intervention in bullying.
 6. All schools in the corporation are encouraged to engage students, staff and parents in meaningful discussions about the negative aspects of bullying. The parent involvement may be through parent organizations already in place in each school.

C. Possessing A Firearm or a Destructive Device

1. No student shall possess, handle or transmit any firearm or a destructive device on school property.

a. The following devices are considered to be a firearm under this rule:

- b. any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive
- c. the frame or receiver of any weapon described above
- d. any firearm muffler or firearm silencer
- e. any destructive device which is an explosive, incendiary, or poison gas bomb, grenade, rocket having a propellant charge of more than four ounces, missile having an explosive or incendiary charge of more than one-quarter ounce, mine, or any similar device
- f. any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant, and which has any barrel with a bore of more than one-half inch in diameter
- g. any combination of parts either designed or intended for use in converting any device into any destructive device described in the two immediately preceding examples, and from which a destructive device may be readily assembled

h. an antique firearm

i. a rifle or a shotgun that the owner intends to use solely for sporting, recreational, or cultural purposes

3. For purposes of this rule, a destructive device is

- a. an explosive, incendiary, or overpressure device that is configured as a bomb, a grenade, a rocket with a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, a Molotov cocktail or a device that is substantially similar to an item described above,
- b. a type of weapon that may be readily converted to expel a projectile by the action of an explosive or other propellant through a barrel that has a bore diameter of more than one-half inch, or
- c. a combination of parts designed or intended for use in the conversion of a device into a destructive device. A destructive device is NOT a device that although originally designed for use as a weapon, is redesigned for use as a signaling, pyrotechnic, line throwing, safety, or similar device.

4. The penalty for possession of a firearm or a destructive device: suspension up to 10 days and expulsion from school for at least one calendar year with the return of the student to be at the beginning of the first semester after the one year period. The superintendent may reduce the length of the expulsion if the circumstances warrant such reduction.
5. The superintendent shall immediately notify the appropriate law enforcement agency when a student engages in behavior described in this rule.

D. Possessing A Deadly Weapon

1. No student shall possess, handle or transmit any deadly weapon on school property.
2. The following devices are considered to be deadly weapons as defined in I.C. 35-41-1-8:
 - a. a weapon, taser or electronic stun weapon, equipment, chemical substance, or other material that in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury.
 - b. an animal readily capable of causing serious bodily injury and used in the commission or attempted commission of a crime.
 - c. a biological disease, virus, or organism that is capable of causing serious bodily injury.
3. The penalty for possession of a deadly weapon: up to 10 days suspension and expulsion from school for a period of up to one calendar year.
4. The superintendent shall immediately notify the appropriate law enforcement agency when a student engages in behavior described in this rule.

E. Unlawful Activity

A student may be suspended or expelled for engaging in unlawful activity on or off school grounds if the unlawful activity may reasonably be considered to be an interference with school purposes or an educational function, or the student's removal is necessary to restore order or protect persons on school property. This includes any unlawful activity meeting the above criteria that takes place during weekends, holidays, other school breaks, and the summer period when a student may not be attending classes or other school functions.

F. Legal Settlement

A student may be expelled if it is determined that the student's legal settlement is not in the attendance area of the school where the student is enrolled.

RIGHT TO APPEAL

The student or parent has the right to appeal an expulsion decision to the school board within 10 days of the receipt of notice of the action taken. The student or parent appeal to the school board must be in writing. If an appeal is properly made, the board will consider the appeal unless it has voted not to hear all student appeals of expulsion. If the board hears the appeal, it will consider the written summary of the expulsion meeting and the arguments of the school administration and the student and/or the student's parent. The board will then take any action deemed appropriate.

LEGAL REFERENCES:

I.C. 20-33-8-1 et seq.
I.C. 35-47.5-2-4

I.C. 35-41-1-8
I.C. 35-47-1-5

SUSPENSION AND EXPULSION PROCEDURES

SUSPENSION PROCEDURE

When a principal (or designee) determines that a student should be suspended, the following procedures will be followed:

1. A meeting will be held prior to the suspension of any student. At this meeting the student will be entitled to:
 - a. a written or oral statement of the charges;
 - b. if the student denies the charges, a summary of the evidence against the student will be presented; and,
 - c. the student will be provided an opportunity to explain his or her conduct.
2. The meeting shall precede suspension of the student except where the nature of the misconduct requires immediate removal. In such situations, the meeting will follow the suspension as soon as reasonably possible following the date of the suspension.
3. Following the suspension, the parent or guardian of a suspended student will be notified in writing. The notification will include the dates of the suspension, describe the student's misconduct, and the action taken by the principal.

EXPULSION PROCEDURE

When a principal (or designee) recommends to the superintendent (or designee) that a student be expelled from school, the following procedures will be followed:

1. The superintendent (or designee) may conduct an expulsion meeting, or may appoint one of the following persons to conduct the expulsion meeting:
 - a. legal counsel
 - b. a member of the administrative staff who did not expel the student during the current school year and was not involved in the events giving rise to the expulsion.
2. An expulsion will not take place until the student and the student's parents are given notice of their right to appear at an expulsion meeting conducted by the superintendent or the person designated above. Failure to request and to appear at this meeting will be deemed a waiver of rights administratively to contest the expulsion or to appeal it to the school board.

3. The notice of the right to an expulsion meeting will be in writing, delivered by certified mail or by personal delivery, and contain the reasons for the expulsion and the procedure for requesting the meeting.
4. At the expulsion meeting, the principal (or designee), will present evidence to support the charges against the student. The student or parent will have the opportunity to answer the charges against the student, and to present evidence to support the student's position. An attorney may not represent the student at the expulsion meeting, but the attorney may be available for consultation outside the meeting room during the course of the expulsion meeting.
5. If an expulsion meeting is held, the person conducting the expulsion meeting will make a written summary of the evidence heard at the meeting, take any action found to be appropriate, and give notice of the action taken to the student and the student's parent.

RIGHT TO APPEAL

The student or parent has the right to appeal an expulsion decision to the school board within 10 days of the receipt of notice of the action taken. The student or parent appeal to the school board must be in writing. If an appeal is properly made, the board will consider the appeal unless it has voted not to hear all student appeals of expulsion. If the board hears the appeal, it will consider the written summary of the expulsion meeting and the arguments of the school administration and the student and/or the student's parent. The board will then take any action deemed appropriate.

LEGAL REFERENCE: I.C. 20-33-8-18
 I.C. 20-33-8-19