



# *School Behavior*

- **Rights**
- **Responsibilities**
- **Regulations**
- **Expectations**



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## SCHOOL BEHAVIOR RIGHTS, RESPONSIBILITIES AND REGULATIONS

A school, in order to function properly, must develop necessary rules and regulations governing student conduct. These rules and regulations exist for the protection of all students, teachers and other school personnel. Also, these rules and regulations insure maximum educational opportunities for all students.

The foundation and success in public education depends on the balance of individual rights and individual responsibilities. Self discipline is promoted not only through instruction about our representative form of government, but also through practicing democracy in the schools, in the home, and throughout the community.

In an effort to create a more democratic school society, the Board of School Trustees of the Michigan City Area Schools has outlined some of the definitions and procedures when it becomes necessary to remove a student when his presence jeopardizes his own safety, the welfare and safety of others, or violates basic school rules and regulations. These definitions and procedures are in conformity with Public Law 162 as amended under Senate Enrolled Act No. 24.

### DEFINITIONS

**Suspension:** A principal may deny a student the right to attend school or to take part in any school function for a period of up to five (5) school days in the following instances:

- a. when the school personnel in charge of a student considers the behavior of any student under his supervision to be so serious as to warrant the principal's attention.
- b. when the alleged misconduct constitutes a violation of any of the "Grounds for Expulsion".

Each teacher shall when pupils are under his charge have the right to take any action which is then reasonably necessary to carry out, or to prevent, an interference with the educational function of which he is then in charge. Teachers shall not have the right to suspend students from school, and exclusion of a student from any educational function within a teacher's supervision shall not extend for a period of more than one (1) day without the approval of the principal or his designee.

**Exclusion:** A student may be excluded from school attendance for a period of time greater than five days if

- a. the student has a dangerous communicable disease which is transmissible through normal school contacts and which poses a substantial threat to the health or safety of the school community.
- b. the student's immediate removal is necessary to restore order or to protect persons on school property.
- c. the student is found to be mentally or physically unfit for school purposes. (Exclusion requires a student procedural due process hearing.)

**Expulsion:** An expulsion is

- a. a denial of the right of a student to take part in any school

function for any period greater than five (5) school days.

- b. such denial for five (5) school days or less, if the days involved constitute the balance of a then current school year.
- c. any other disciplinary action which automatically prevents the student from completing within the normal time his overall course of study in any school in the school corporation. ***Expulsion requires a student procedural due process hearing upon the written request of the student or his parent, custodian or guardian within ten (10) days.***
- d. if an expulsion or exclusion takes place within thirty (30) days or less of the final day of the school year, any such expulsion or exclusion so ordered shall remain in effect for summer school unless otherwise modified or terminated by order of the Board of School Trustees.

**Grounds for Expulsion are:**

- A. Use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance or other comparable conduct, constituting an interference with school purposes, or urging other students to engage in such conduct. The following enumeration is illustrative of the type of conduct prohibited by this subparagraph:
  - 1. occupying any school building, school grounds, or 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 building or property;
  - 4. firing, displaying, or threatening use of firearms, explosives, or other weapons on the school premises for any unlawful purpose;
  - 5. prevention of or attempting to prevent by physical act the convening or continued functioning of any school or education function, or of any lawful meeting or assembly on school property; and
  - 6. continuously and intentionally making noise or acting in any manner so as to interfere seriously with any teacher's ability to conduct the educational function under his supervision. This subparagraph shall not, however, be construed to make any particular student conduct a ground for expulsion where such conduct is constitutionally protected as an exercise of free speech or assembly or otherwise under the Constitution of the United States or the State of Indiana.
- B. Causing or attempting to cause substantial damage to school property, stealing or attempting to steal school property of substantial value, or repeated damage or theft involving school property of small value.
- C. Intentionally causing or attempting to cause substantial damage to valuable private property or stealing or attempting to steal valuable private property, on school grounds or during an educational function or event off school grounds, or repeatedly damaging or stealing private property on school grounds or when

- such student is traveling to or from school or such educational function or event.
- D. Intentionally causing or attempting to cause physical injury or intentionally behaving in such a way as could reasonably cause physical injury to a school employee:
    - 1. on the school grounds during and immediately before or immediately after school hours;
    - 2. on the school grounds at any other time when the school is being used by a school group; or
    - 3. off the school grounds at a school activity, function or event.
  - E. Intentionally doing serious bodily harm to any student:
    - 1. on the school grounds during and immediately before or immediately after school hours;
    - 2. on the school grounds at any other time when the school is being used by a school group; or
    - 3. off the school grounds at a school activity, function or event.
  - F. Threatening or intimidating any student for the purpose of obtaining money or anything of value from such student.
  - G. Knowingly possessing, handling or transmitting any object that can reasonably be considered a weapon:
    - 1. on the school grounds during and immediately before or immediately after school hours;
    - 2. on the school grounds at any other time when the school is being used by a school group; or
    - 3. off the school grounds at a school activity, function or event.
  - H. Knowingly possessing, using, transmitting or being under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, or intoxicant of any kind:
    - 1. on the school grounds during and immediately after school hours;
    - 2. on the school grounds at any other time when the school is being used by any school group; or
    - 3. off the school grounds at a school activity, function or event.
  - I. Engaging in the unlawful selling of narcotics or other violation of criminal law which constitutes a danger to other students, or constitutes an interference with school purposes.
  - J. Failing in a substantial number of instances to comply with directions of teachers during any period of time when he is properly under their supervision, where such failure constitutes an interference with school purposes.
  - K. Engaging in any activity forbidden by the laws of the State of Indiana which constitutes an interference with school purposes.
  - L. A violation or repeated violation of any rules validly adopted as explained in Section III and IV of Public Law 162, as amended under Senate Enrolled Act No. 24.

#### PROCEDURES FOR HANDLING SUSPENSIONS, EXCLUSIONS AND EXPULSIONS FROM SCHOOL:

The Board of School Trustees of the Michigan City Area Schools has provided a procedure for the handling of student suspensions, expulsions and exclusions from school. The basic premise of this

policy is fairness. The following is a summary of that procedure:

1. A principal may suspend a student from school for a period not to exceed five (5) school days. Within twenty-four (24) hours, or such additional time as is reasonably necessary following such suspension, the principal shall send a written statement to the student's parents describing the student's conduct, misconduct or violation of any rule or standard and the reasons for the action taken. The principal shall make a reasonable effort to hold a conference with the parents before or at the time the student returns to school. A student may be suspended from school pending a hearing on his expulsion or exclusion.
2. If after his investigation, the principal decides that expulsion or exclusion is warranted for any student, he shall file a written charge and penalty with the Superintendent or his designated hearing examiner. This should be done within five (5) days.
3. The hearing examiner shall within two (2) school days after he is appointed, or such additional time not to exceed two (2) school days as is reasonable necessary, give a **statement** to the student and his parents, custodian or guardian **that a hearing upon the charges will be scheduled if the student or his parent, custodian or guardian requests in writing delivered to the hearing examiner in person or by registered or certified mail within ten (10) calendar days that such a hearing be held.** Such statement shall include the following:
  - a. The rule or standard of conduct allegedly violated and the acts of the student alleged to constitute a cause for exclusion or expulsion. This shall include a summary of the evidence to be presented against the student, but this provision shall not be technically interpreted if there is a good faith effort to make such statement.
  - b. The penalty, if any, which the principal or his designee has requested in his charge and any other penalty to which the student may be subject.
  - c. A description of the hearing procedures provided.
  - d. A statement that the student, his parents, or other representatives, including counsel, has a right to examine his academic and disciplinary records and any affidavits to be used at the hearing concerning the alleged misconduct and a right to know the identity of the witnesses to appear against him.
  - e. A statement that before expulsion or exclusion can be invoked, the student has a right to a hearing, **upon request**, on the specified charges. The request must be made to the hearing examiner in writing and delivered to him in person or by registered or certified mail, by the student, his parent, custodian or guardian within ten (10) calendar days after the statement is given. If such hearing is not requested, the punishment requested in the charge by the principal or his designee shall automatically go into effect upon the fifth (5th) school day following receipt of the statement required. If a hearing is requested following such fifth (5th) school day, such automatic punishment shall immediately be rescinded, whereupon the authority to make findings of fact, to

recommend punishment, if any, and to impose any interim suspension beyond the principal's authority shall be transferred to the hearing examiner. If such a hearing is not requested within ten (10) calendar days following this statement, all rights, administratively and judicially, to contest and appeal the punishment requested in the charge by the principal or his designee shall be waived.

4. If a hearing is requested, the hearing examiner shall within two (2) school days thereafter or such additional time as is reasonably necessary, not to exceed two (2) days, give notice to the student, his parent, custodian or guardian of the time and place for the hearing.
5. Following the hearing, the examiner shall make a recommendation to the Superintendent who may accept, change or revoke the recommendation, but he cannot invoke a penalty more severe than that recommended by the examiner. The hearing examiner's recommendations and findings and the Superintendent's decision shall be mailed by certified mail or personally delivered to the student and his parents.
6. The student may within thirty (30) calendar days following a hearing, appeal the decision to the Board of School Trustees. The Board of School Trustees may alter the Superintendent's decision if it finds his decision is too severe. The written decision of the Board of School Trustees shall be mailed by certified mail to the student and his parents.
7. At any time within thirty (30) days of the date the Board of School Trustees' decision is mailed to the student and his Parents, the student may appeal the decision to the LaPorte County Circuit Court.
8. Any penalty recommended by a report of the hearing examiner or thereafter by the Superintendent shall be applied unless it is stayed by the hearing examiner, and shall continue to be applied, after an appeal is taken to the Board of School Trustees, and after an appeal is taken to the court, unless it is stayed by the court.

The Board of School Trustees firmly believes that broad educational opportunity should be a right for all children. Educational experiences are provided not only in the regular classroom work, but also by a comprehensive extra-curricular activities program. Therefore, systematic exclusion from the extra-curricular activities or from the classroom as a disciplinary measure are resorted to only when self-discipline fails.

It is the sincere hope of the Board of School Trustees of the Michigan City Area Schools that this guide will be helpful to student, parents, teachers and administrators in the effort to promote more democratic schools — and in the continued good relations between students and teachers.

APPROVED BY THE BOARD OF SCHOOL TRUSTEES SEPT. 24, 1974

CONFERENCE SLIP

\_\_\_\_\_ must meet with me for a conference  
after school in Room \_\_\_\_\_ on \_\_\_\_\_ (date) . The reason for this action  
is \_\_\_\_\_

\_\_\_\_\_

It is understood that the student's parents will make the necessary arrangements  
for transportation. The conference will be concluded by \_\_\_\_\_ (time) .

This slip must be signed by this student's parent and returned by the issuing  
teacher.

\_\_\_\_\_ Teacher

Parents Comments:

\_\_\_\_\_ Parent's Signature

STUDENT'S NAME

# DEFICIENCY REPORT

DATE

SUBJECT

TEACHER

HOURL

**BARKER JUNIOR HIGH SCHOOL**  
319 Barker Road  
Michigan City, Indiana 46360  
Telephone: 872-9418

COUNSELOR

## NOTICE TO PARENTS

1. The student is presently in academic difficulty in this subject, and consequently there is the danger of failure.
2. It is necessary that the cause(s) of this deficiency be understood and the recommendation(s) be followed.
3. Make certain that you are familiar with the school's grading system and the suggested amount of homework expected in the subject.
4. If you desire, make arrangements through the principal's office for a conference with the teacher regarding this.

CAUSE(S) FOR DEFICIENCY:

### ABILITY

### ATTITUDE

### PERFORMANCE

- POOR APPITUDE IN SUBJECT.
- INADEQUATE FOUNDATION IN SUBJECT.
- LACK OF EFFECTIVE MOTIVATION.
- POOR ATTENDANCE/TARDINESS.
- INADEQUATE PREPARATION FOR CLASS.
- LACK OF SERIOUS APPROACH TO STUDIES.
- POOR TEST SCORES.
- INADEQUATE WRITTEN HOMEWORK OR NOTES.
- LACK OF ATTENTION OR PARTICIPATION.

RECOMMENDATION(S):

- REDUCE AMOUNT OF ABSENCE FROM CLASS.
- MAKE UP THE WORK MISSED BY ABSENCE.
- IMPROVE THE QUALITY OF DAILY PREPARATION.
- USE MORE CARE IN PREPARING WRITTEN WORK.
- INCREASE PARTICIPATION IN ORAL EXPRESSION.
- HAND IN WRITTEN WORK ON TIME.
- PREPARE MORE CAREFULLY FOR SCHEDULED TESTS.
- LISTEN MORE CAREFULLY.
- PARENT CONFERENCE.
- OTHER .....

PARENT: Please sign & return to the teacher via your child.

PARENT'S SIGNATURE

White - PARENT'S COPY  
 Yellow - COUNSELOR'S COPY  
 Pink - TEACHER'S COPY

**MICHIGAN CITY AREA SCHOOLS**  
**REFERRAL FOR PUPIL PERSONNEL SERVICES**

Student's Name \_\_\_\_\_  
 Grade \_\_\_\_\_  
 Date \_\_\_\_\_

School \_\_\_\_\_  
 Teacher \_\_\_\_\_  
 PPSW \_\_\_\_\_

Reason for Referral

Description of Behavior

What positive aspects have you noted about the student?

Comments

Check, if so desire, possible signs of early maladjustment.

**ACADEMIC**

- poor test results
- lack of achievement
- lack of class participation
- lack of homework
- motivation
- gifted
- reversals of letters
- poor retention
- attendance

**EMOTIONAL**

- explosive
- hyperactive
- talkative
- daydreamer
- belligerent
- not dependable
- withdrawn
- shy
- attention getting
- distractable

**PHYSICAL**

- habitually sleepy
- hungry
- frequent illness
- personal hygiene
- poor motor control
- restlessness
- hearing problem
- vision problem

**SOCIAL**

- peer relationships
- rejected
- isolate
- family situation
- parent-child relationship
- aggressive
- immaturity
- cultural conflict

**Pupil Personnel Services Disposition**

- individual counseling
- group work
- family contact
- teacher consultation
- adm. consultation
- social work ref.
- ancillary service ref.

\_\_\_\_\_  
 Signature of Referring Person

MICHIGAN CITY AREA SCHOOLS  
Discipline Referral by Teacher

WHITE - TEACHER'S COPY TO KEEP  
CANARY, PINK, GOLDENROD - SENT TO PRINCIPAL  
CANARY - RETURNED TO TEACHER  
PINK - TO TEACHER'S FILE  
GOLDENROD - TO PUPIL'S FILE

Teacher \_\_\_\_\_

Date: \_\_\_\_\_ Re: \_\_\_\_\_

I. Report of situation:

\_\_\_\_\_  
Teacher's Signature

II. Action taken by principal:

III. Suggestions that the teacher should now use with this pupil:

\_\_\_\_\_  
Principal

M E N U

MARCH 15 - 19  
Regular Line

Monday

Cheese Burger  
Ketchup  
Buttered Whole Kernel Corn  
Apricot Halves  
Cookie  
Milk

Tuesday

Baked Chili  
Crispy Cole Slaw  
Apple Sauce  
Ham Salad Sandwich  
Milk

Wednesday

Creamed Chicken  
over Buttered Noodles  
Green Buttered Beans  
Peach Slices  
Corn Bread-Butter  
Milk

Thursday

Country Fried Steak  
Candied Sweet Potatoes  
Lettuce Salad  
Fruited Jello  
Roll-Butter  
Milk

Friday

Fish Burger  
Tasty Green Peas  
Crispy Cole Slaw  
Buttered Gold Cake  
Milk

MARCH 15 - 19  
Sandwich Line

Monday

Hoagie Burger  
French Fries  
Buttered Whole Kernel Corn  
Apricot Halves  
Milk

Tuesday

Hamburger on Bun  
French Fries  
Crispy Cole Slaw  
Apple Sauce  
Milk

Wednesday

Chili Dog  
French Fries  
Buttered Green Beans  
Peach Slices  
Milk

Thursday

Hot Cheese Sandwich  
French Fries  
Lettuce Salad  
Fruited Jello  
Milk

Friday

Bar-B-Que on Bun  
French Fries  
Crispy Cole Slaw  
Butter Gold Cake  
Milk

Menu subject to change - due to the availability of products