

STUDENT DISCIPLINE

Recognizing that the behavior of some students may be so disruptive that it interferes with school purposes or educational functions of the school corporation, school officials may find it necessary to discipline a student. In this event and in accordance with the provisions of I.C. 20-8.1-5.1, administrators and staff members may take the following actions:

1. REMOVAL FROM CLASS OR ACTIVITY - TEACHER:

A teacher may remove a student from his/her class 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.

2. SUSPENSION FROM SCHOOL - PRINCIPAL:

A school principal (or designee) may deny a student the right to attend school or take part in any school function for a period of up to ten (10) school days.

3. EXPULSION:

A student may be expelled for a period no longer than the remainder of the current semester plus the following semester, with the exception of possession of a firearm, destructive device, or a deadly weapon listed under the Grounds for Suspension or Expulsion, which may result in an expulsion period of at least one calendar year.

4. FORCE AND RESTRAINT:

Force and restraint which is reasonable and necessary is permissible.

GROUND 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;
- 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. During summer school.
- e. Using property or equipment provided by or belonging to the school.

A. Misconduct and/or Disobedience

Examples of student misconduct and/or 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 the 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. Causing or attempting to cause damage to school property, stealing or attempting to steal school property.
3. Causing or attempting to cause damage to private property, stealing or attempting to steal private property.
4. 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 does not constitute a violation of this rule.
5. Any student who overtly or covertly participates in repeated acts or gestures, including verbal or written communications transmitted; physical act committed; or any other behaviors committed by a student or group of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the other student. This includes bullying and/or racial and/or sexual harassment. Bullying includes cyberbullying which takes place on or immediately adjacent to school grounds, at any school sponsored activity, or on school provided transportation or at any official school bus stop, through the use of the district's Internet system while on or off campus, through the personal use of a personal digital device on campus, or off campus activities that cause or threaten to cause a substantial disruption at school.
6. 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.
7. 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.
8. Possessing, using, transmitting, or being under the influence of 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 before attending school or a school function or event.

Exception to Rule 8: a student with a chronic disease or medical condition may possess and self-administer prescribed medication consistent with the provisions outlined in Lafayette School Corporation policy J700.

9. Possessing, using, 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.
10. Possessing, using, transmitting, or being affected by caffeine-based substances, substances containing phenylpropanolamine (PPA), or stimulants of any kind, be they available with or without a prescription.
11. Engaging in the selling of a controlled substance or engaging in a criminal law violation that constitutes a danger to other students or constitutes an interference with school purposes or an educational function.
12. Failing in a number of instances 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.
13. Falsely accusing any person of sexual harassment or violating a school rule and/or state or federal law.
14. Engaging in any activity forbidden by the laws of Indiana that constitutes an interference with school purposes or an educational function.
15. Aiding, assisting, or conspiring with another person to violate these student conduct rules and/or state or federal law.
16. 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. disobedience of administrative authority;
 - c. willful absence or tardiness of students;
 - d. engaging in speech, conduct, or behavior, including clothing, jewelry or hair style, which is profane, indecent, lewd, vulgar, offensive, disruptive to school purposes, or interferes with the educational environment. This includes racial and/or sexual harassment.
17. Using on school grounds during school hours an electronic paging device or a hand held portable telephone in a situation not related to a school purpose or education function or emergency. A Parent(s) /Guardian(s) allowing students to carry electronic devices to school implies permission to the school to have access to any and all information on the device if confiscated for disciplinary or investigative purposes.
18. Exhibiting or participating in any behavior related to gang membership or affiliation, recruiting or furthering the interest of gangs, or possessing, using, distributing, displaying, wearing, or selling anything deemed to be evidence of gang membership or affiliation.
19. Possessing, using, transmitting, or selling tobacco.

B. Possessing a Firearm or a Destructive Device

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

2. The following devices are considered to be a firearm under this rule:
 - a. any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive
 - b. the frame or receiver of any weapon described above
 - c. any firearm muffler or firearm silencer
 - d. 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 explosive or incendiary charge of more than one-quarter ounce, mine, or any similar device
 - e. any weapon that will, or that may readily be converted to, expel a projectile by the action of an explosive or other propellant.
 - f. any combination of parts either designed or intended for use in converting any device into any destructive device in the two immediately preceding examples, and from which a destructive device may be readily assembled
 - g. an antique firearm
 - h. a rifle or shotgun which the owner intends to use solely for sporting, recreational, or cultural purposes
3. For the purposes of this rule, a destructive device is:
 - a. an explosive, incendiary, or over pressure 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.
 - 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, a line throwing, safety, or similar device.
4. The penalty for possession of a firearm or destructive device: suspension for up to ten (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 length of the expulsion may be reduced by the superintendent if the circumstances warrant such reduction.
5. The superintendent shall notify the county prosecuting attorney's office when a student is expelled under this rule.

C. Possessing a Deadly Weapon

1. No student shall possess, handle or transmit any deadly weapon on school grounds.
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.
3. The penalty for possession of a deadly weapon: up to ten (10) days suspension and expulsion from school for a period of not more than one calendar year.
 4. The superintendent shall notify the county prosecuting attorney's office when a student is expelled under this rule.

D. 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 which takes place during the weekend, holidays, other school breaks, and the summer period when a student may not be attending classes or other school functions.

E. 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.

SUSPENSION PROCEDURES

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. 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 PROCEDURES

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 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 parent or guardian are asked to appear at an expulsion meeting conducted by the superintendent or the person designated above. Failure by a student or a student's parent or guardian 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 request to appear at the expulsion meeting will be in writing, delivered by certified mail or by personal delivery, and contain the reasons for the expulsion and the date, time, place, and purpose of the meeting.
4. At 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.
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.

The student or parent has the right to appeal the decision of the person conducting the expulsion meeting to the school board within ten (10) days of the receipt of notice of the action taken. The student or parent appeal to the school board must be in writing. Upon receipt of the written request the governing body shall meet to consider the written summary of evidence and the arguments of the principal and the student or the student's parent regarding the expulsion. This appeal process shall be limited to the scope of review described immediately heretofore.

Legal Reference: 20 U.S.C. 8001
20 U.S. C. 8002
I.C. 20-8.1-5.1-1 et esq.
I.C. 35-47.5-2-4
I.C. 35-41-1-8
I.C. 35-47-1-5
SEA 285

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