

2
3 **STUDENTS**

3310

page 1 of 3

4
5 Student Discipline

6
7 The Board grants authority to a teacher or principal to hold a student to strict accountability for
8 disorderly conduct in a school building, on property owned or leased by a school district, on a
9 school bus, on the way to or from school, or during intermission or recess.

10
11 Disciplinary action may be taken against any student guilty of gross disobedience or misconduct,
12 including but not limited to instances set forth below:

- 13
- 14 • Using, possessing, distributing, purchasing, or selling tobacco products, and alternative
15 nicotine and vapor products as defined in 16-11-302, MCA.
 - 16 • Using, possessing, distributing, purchasing, or selling alcoholic beverages, including
17 powdered alcohol. Students who may be under the influence of alcohol will not be
18 permitted to attend school functions and will be treated as though they had alcohol in
19 their possession.
 - 20 • Using, possessing, distributing, purchasing, or selling drug paraphernalia, illegal drugs,
21 marijuana, controlled substances, or any substance which is represented to be or looks
22 like a narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic
23 beverage, stimulant, depressant, or intoxicant of any kind, including such substances that
24 contain chemicals which produce the same effect of illegal substances including but not
25 limited to Spice and K2. Students who may be under the influence of such substances
26 will not be permitted to attend school functions and will be treated as though they had
27 drugs in their possession.
 - 28 • Using, possessing, controlling, or transferring a firearm or other weapon in violation of
29 Policy 3311.
 - 30 • Using, possessing, controlling, or transferring any object that reasonably could be
31 considered or used as a weapon as referred to in Policy 3311.
 - 32 • Disobeying directives from staff members or school officials or disobeying rules and
33 regulations governing student conduct.
 - 34 • Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable
35 conduct toward anyone or urging other students to engage in such conduct.
 - 36 • Causing or attempting to cause damage to, or stealing or attempting to steal, school
37 property or another person's property.
 - 38 • Engaging in any activity that constitutes an interference with school purposes or an
39 educational function or any other disruptive activity.
 - 40 • Unexcused absenteeism. Truancy statutes and Board policy will be utilized for chronic
41 and habitual truants.
 - 42 • Intimidation, harassment, sexual harassment, sexual misconduct, hazing or bullying; or
43 retaliation against any person who alleged misconduct under Policy 3225 or 3226 or
44 participated in an investigation into alleged misconduct under Policy 3225 or 3226.
 - 45 • Defaces or damages any school building, school grounds, furniture, equipment, or book
46 belonging to the district.

- Forging any signature or making any false entry or attempting to authorize any document used or intended to be used in connection with the operation of a school.
- Engaging in academic misconduct which may include but is not limited to: cheating, unauthorized sharing of exam responses or graded assignment work; plagiarism, accessing websites or electronic resources without authorization to complete assigned coursework, and any other act designed to give unfair academic advantage to the student.

These grounds stated above for disciplinary action apply whenever a student's conduct is reasonably related to school or school activities, including but not limited to the circumstances set forth below:

- On school grounds before, during, or after school hours or at any other time when school is being used by a school group.
- Off school grounds at a school-sponsored activity or event or any activity or event that bears a reasonable relationship to school.
- Travel to and from school or a school activity, function, or event.
- Anywhere conduct may reasonably be considered to be a threat or an attempted intimidation of bullying of a staff member or student, or an interference with school purposes or an educational function.

Disciplinary Measures

Disciplinary measures include but are not limited to:

- Expulsion
- Suspension
- Detention, including Saturday school
- Clean-up duty
- Loss of student privileges
- Loss of bus privileges
- Notification to juvenile authorities and/or police
- Restitution for damages to school property

No District employee or person engaged by the District may inflict or cause to be inflicted corporal punishment on a student. Corporal punishment does not include reasonable force. District personnel are permitted to use as needed to maintain safety for other students, school personnel, or other persons or for the purpose of self-defense.

Non-Disciplinary Measures

The Superintendent or designee is authorized to assign a student to non-disciplinary offsite instruction pending the results of an investigation or for reasons related to the safety or well-being of students and staff. During the period of non-disciplinary offsite instruction, the student will be permitted to complete all assigned schoolwork for full credit. The assignment of non-

disciplinary offsite instruction does not preclude the Superintendent or designee from disciplining a student who has, after investigation, been found to have violated a School District policy, rule, or handbook provision.

Delegation of Authority

The Board grants authority to any teacher and to any other school personnel to impose on students under their charge any disciplinary measure, other than suspension or expulsion, corporal punishment, or in-school suspension, that is appropriate and in accordance with policies and rules on student discipline. The Board authorizes teachers to remove students from classrooms for disruptive behavior.

Cross Reference: 3300 Suspension and Expulsion
 3225 Sexual Harassment of Students
 3226 Bullying, Harassment
 5015 Bullying, Harassment

| | | |
|------------------|---|---|
| Legal Reference: | § 16-11-302(1)(7), MCA | Definitions |
| | § 20-4-302, MCA | Discipline and punishment of pupils – definition of corporal punishment – penalty – defense |
| | § 20-5-202, MCA | Suspension and expulsion |
| | § 45-8-361, MCA | Possession or allowing possession of weapon in school building – exceptions – penalties – seizure and forfeiture or return authorized – definitions |
| | § 45-5-637, MCA | Possession or consumption of tobacco products, alternative nicotine products, or vapor products by persons under 18 years of age is prohibited – unlawful attempt to purchase - penalties |
| | 29 U.S.C. § 701 | Rehabilitation Act of 1973 |
| | Initiative 190 – “Montana Marijuana Regulation and Taxation Act.” | |
| | January 1, 2021 | |

Policy History:

Adopted on:

Reviewed on:

Revised on: 07/21/15, 1/19/21, 4/20/21, 7/15/21