



Book	BYLAWS AND POLICIES
Section	5000 STUDENTS
Title	SUSPENSION AND EXPULSION
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Adopted	November 17, 2020

1) GENERAL POLICY STATEMENT

- a. School officials may find it necessary to discipline students when their behavior interferes with school purposes or educational functions of the school. In accordance with the provisions of I.C. 20-33-8, administrators and staff members may take the following actions:
 - i. Removal from class or activity (teacher):
 - (1) A middle school teacher may remove a student from the teacher's class or activity for a period of up to 5 school days if the student is assigned regular or additional work to be completed in another school setting.
 - (2) 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.
 - (3) If a teacher removes a student from class under (1) or (2) above, the principal may place the student in one of the following settings: another appropriate class, another appropriate setting, or in-school suspension. The student may not be placed back into the original class until the principal has a meeting with the teacher, the student, and the student's parents to determine an appropriate behavior plan for the student. If the parents do not attend this meeting within a reasonable time, the principal may place the student in another class or educational setting.

ii. Suspension from school (principal):

(1) A school principal (or designee) may deny a student the right to attend school and/or take part in any school function for a period of up to 5 school days not to exceed 10 days.

iii. Expulsion

(1) 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 in sections 5 and 6 below.

2) GROUNDINGS FOR SUSPENSION OR EXPULSION

a. The grounds for suspension or expulsion listed in Sections 3 through 6 below apply when a student is:

i. 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);

ii. Off school grounds at a school activity, function, or event; or

iii. Traveling to or from school or a school activity, function, or event.

b. A violation by a student of a rule listed in Section 3 is subject to a range of disciplinary consequences imposed by teachers or administrators intended to be progressive in nature and move to a more serious consequence with each violation of the same or similar rule.

c. In recognizing that violations of certain rules and the resulting consequences will be dependent upon the age of the student, the number of prior violations and the severity of the violation, the principal of each building shall arrange for training and ongoing support for staff to implement the administrative guidelines for Board Policy 5610.

d. The appropriate corrective response should be the least intrusive that will adequately address any danger to the student and other persons, prevent further disruption of activities, and promote student achievement.

3) STUDENT MISCONDUCT AND/OR SUBSTANTIAL DISOBEDIENCE

- a. Grounds for suspension or expulsion are student misconduct and/or substantial disobedience. The following rules define student misconduct and/or substantial disobedience for which a student **may** be suspended or expelled:
- i. 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:
 - (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, corridor, or room.
 - (3) Setting fire to or damaging any school building or school property.
 - (4) 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.
 - (5) 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.
 - ii. 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.
 - iii. 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.
 - iv. Causing or attempting to cause damage to school property, stealing or attempting to steal school property.
 - v. Causing or attempting to cause damage to private property, stealing or attempting to steal private property.
 - vi. 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 oneself and/or another person is not a violation of this rule.

- vii. Threatening or intimidating any person for any purpose, including obtaining money or anything of value.
- viii. 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.
- ix. 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.
- x. 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.
- xi. 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.

(1) Exception to 3(a)(xi): 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:

- (a) That the student has an acute or chronic disease or medical condition for which the physician has prescribed medication.
- (b) The nature of the disease or medical condition requires emergency administration of the prescribed medication.
- (c) The student has been instructed in how to self-administer the prescribed medication.
- (d) The student is authorized to possess and self-administer the prescribed medication.

- xii. 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.
- xiii. 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
- xiv. Possessing, using, distributing, purchasing, or selling tobacco or nicotine-containing products of any kind or in any form.
- xv. Offering to sell or agreeing to purchase a controlled substance or alcoholic beverages.
- xvi. 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.
- xvii. Falsely accusing any person of sexual harassment, or of violating a school rule, and/or a state or federal law.
- xviii. Engaging in any activity forbidden by the laws of Indiana that constitutes an interference with school purposes or an educational function.
- xix. Aiding, assisting, agreeing or conspiring with another person to violate these student conduct rules or state or federal law.
- xx. Engaging in academic dishonesty, including cheating, intentionally plagiarizing, wrongfully giving or receiving help during an academic examination, and wrongfully obtaining test copies or scores.
- xxi. Taking, recording, displaying and/or distributing pictures (digital or otherwise), video or audio recordings without the consent of the student or staff member in a situation not related to a school purpose or educational function.
- xxii. Possessing sexually-related materials which include images displaying uncovered breasts, genitals, or buttocks.
- xxiii. "Sexting" or using a cell phone or other personal communication device to possess or send text or email messages containing images reasonably interpreted as indecent or sexual in nature. In addition to taking any

disciplinary action, phones will be confiscated and students should be aware that any images suspected to violate criminal laws will be referred to law enforcement authorities

- xxiv. Engaging in pranks or other similar activity that could result in harm to another person.
- xxv. Using or possessing gunpowder, ammunition, or an inflammable substance.
- xxvi. Violating any rules that are reasonably necessary in carrying out school purposes or an educational function, including, but not limited to:
 - (1) engaging in sexual behavior on school property;
 - (2) engaging in sexual harassment of a student or staff member;
 - (3) disobedience of administrative authority;
 - (4) willful absence or tardiness of students;
 - (5) 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;
 - (6) violation of the school corporation's acceptable use of technology policy or rules;
 - (7) violation of the school corporation's administration of medication policy or rules;
 - (8) possession or use of a laser pointer or similar device.
- xxvii. Possession or use on school grounds during school hours an electronic device, a cellular telephone, or any other telecommunication device, including a look-a-like 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. This rule is not violated when the student has been given clear permission from a school administrator or a designated staff member to possess or use one of the devices listed in this rule.
- xxviii. Any student conduct rule the school building principal establishes and gives notice to students and parents.

4) BULLYING

- i. 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.
- ii. Use of data or computer software that is accessed through a school computer, a school computer system, or a school computer network to engage in any bullying conduct described in this section is also prohibited.
- iii. Parents or students who suspect that acts of bullying are taking place need to report the matter to the school principal or designee. School personnel will investigate all reports of bullying.
- iv. 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.
- v. Educational outreach and training will be provided to school personnel, parents, and students concerning the identification, prevention, and intervention in bullying.
- vi. 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.
- vii. The penalty for violation of this section prohibiting bullying: up to 10 days suspension and expulsion from school for a period not to exceed the remainder of the current semester and one full semester.

5) POSSESSION OF A FIREARM OR DESTRUCTIVE DEVICE

- a. No student shall possess, handle or transmit any firearm or a destructive device on school property. Exception: A high school student who is a member of a shooting sports team and has specific approval by the school's principal, may keep a firearm concealed in his or her locked motor vehicle on the days the student is competing or practicing as a member of a shooting sports team.
- b. The following devices are considered to be a firearm under this section:
 - i. any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
 - ii. the frame or receiver of any weapon described above;

- iii. any firearm muffler or firearm silencer;
 - iv. 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;
 - v. 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;
 - vi. 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;
 - vii. an antique firearm; or
 - viii. a rifle or a shotgun that the owner intends to use solely for sporting, recreational, or cultural purposes.
- c. For purposes of this section, a destructive device is:
- i. 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;
 - ii. 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;
 - iii. 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.
- d. 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 Executive Director, CEO may reduce the length of the expulsion if the circumstances warrant such reduction.

- e. The Executive Director, CEO shall immediately notify the appropriate law enforcement agency when a student engages in behavior described in this rule.

6) POSSESSION OF A DEADLY WEAPON

- a. No student shall possess, handle or transmit any deadly weapon on school property.
- b. The following devices are considered to be deadly weapons for purposes of this rule as defined in I.C. 35-31.5-2-86:
 - i. 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;
 - ii. an animal readily capable of causing serious bodily injury and used in the commission or attempted commission of a crime;
 - iii. or a biological disease, virus, or organism that is capable of causing serious bodily injury.
- c. 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.

7) UNLAWFUL ACTIVITY

- a. 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.
- b. 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.
- c. Unlawful activity which triggers mandatory reporting to law enforcement and other government agencies shall be clearly indicated to administrators and staff in the administrative guidelines.

8) 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.

9) APPEAL OF ADMINISTRATIVE DECISIONS

The Board, as the governing body of the school, affirmatively declines to hear appeals of administrative actions or decisions regarding the suspension or expulsion of students enrolled in the school corporation pursuant to IC 20-33-8-19(f).

10) ADMINISTRATIVE GUIDELINES

The Executive Director, CEO is directed to promulgate administrative guidelines which will provide procedural, situational and theoretical guidance to school staff in implementing this and all discipline policies.