

## J-26 STUDENT DISCIPLINE RULES

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 remove a student from the school. In this event and in accordance with the provisions of state law, the Board of School Trustees authorizes administrators and staff members to take the following actions:

### 1. Removal from Class or Activity - Teacher

- a. A middle school, junior high, or high school teacher will have the right to 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.
- b. An elementary teacher will have the right to remove a student from his/her 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 a teacher removes a student from class under a) or b) 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.

### 2. Suspension From School - Principal

- a. 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. In accordance with the due process procedures defined in this policy, a student may be expelled from school 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 and Expulsion.

### GROUND FORS SUSPENSION OR EXPULSION

The grounds for suspension or expulsion 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.

A violation by a student of a rule 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. 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 level shall develop the minimum and maximum consequences for each rule for their building that is to be approved by the board annually and published in the student handbook for each building. The appropriate consequence should be the least severe that will adequately address any danger to the student and other persons, prevent further disruption of activities, and promote student achievement.

### Student misconduct and/or Substantial Disobedience

Grounds for suspension or expulsion for student misconduct or substantial disobedience. The following include examples of student misconduct or substantial disobedience, but are not limited to:

1. Using violence, force, noise, coercion, threat, intimidation, fear, passive resistance, pranks, 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.
  - f. Conspiring to violate any school rule or state law.
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 does not constitute a violation of this rule.
7. Threatening or intimidating any person for any purpose, including obtaining money or anything of value from the student.
8. Threatening or intimidating any person for any purpose, including obtaining money or anything of value.
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. Low THC Extract as defined by state law is excluded from this rule.

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:

- a. That the student has an acute or chronic disease or medical condition for which the physician had 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.
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, substances containing phenylpropanolamine (PPA), or stimulants of any kind, be they available with or without a prescription.
  14. Possessing, using, distributing, purchasing, or selling tobacco or nicotine-containing 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, 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.
23. Possessing sexually-related materials which include images displaying uncovered breasts, genitals, or buttocks.
24. "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.
25. Engaging in pranks or other similar activity that could result in harm to another person, damage school corporation property, or disrupt the educational process.
26. Using or possessing gunpowder, ammunition, or an inflammable substance.
27. 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, which is profane, indecent, lewd, vulgar, or offensive to school purposes;
  - f. possessing or using a laser pointer or similar device;
  - g. violation of the school corporation's acceptable use of technology policy or rules;
  - h. violation of the school corporation's administration of medication policy or rules;

28. Possessing or using on school grounds during school hours an electronic paging 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.
29. Any student conduct rule the school building principal establishes and gives notice of to students and parents.

### Bullying

1. Bullying committed by students toward other students is strictly prohibited. Engaging in bullying conduct described in this rule by use of data or computer software that is accessed through any computer, any computer system, computer network, or cellular telephone or other wireless or cellular communication device is also prohibited.
2. For purposes of this rule, bullying is defined by state law as overt, unwanted, repeated acts or gestures, including verbal or written communications or images transmitted in any manner including electronically or digitally; physical acts committed, aggression; or any other behaviors committed by a student or groups of students against another student with the intent to harass, ridicule, humiliate, intimidate, or harm the targeted student and create for the targeted student an objectively hostile school environment that:
  - Places the targeted student in reasonable fear of harm to the targeted student's person or property;
  - Has a substantially detrimental effect on the targeted student's physical or mental health;
  - Has the effect of substantially interfering with the targeted student's academic performance; or
  - Has the effect of substantially interfering with the targeted student's ability to participate in or benefit from the services, activities, and privileges provided by the school.
3. This rule may be applied regardless of the physical location of the bullying behavior when a student committing bullying behavior and the targeted student attend a school within the school corporation and disciplinary action is reasonably necessary to avoid substantial interference with school discipline or prevent an unreasonable threat to the rights of other students to a safe and peaceful learning environment.
4. Any student or parent who has knowledge of conduct in violation of this rule or any student who feels he/she has been bullied in violation of this rule should immediately report the conduct to the school administrator who has responsibility for all investigations of student including bullying. A student or parent may also report the conduct to a teacher or counselor who will be responsible for notifying the school administrator. This report may be made anonymously.
5. The school administrator shall investigate immediately all reports of bullying made pursuant to the provisions of this rule. Such investigation must include any action or appropriate responses that may be taken immediately to address the bullying conduct wherever it takes place. The parents of the bully and the targeted student(s) shall be notified on a regular, periodic basis of the progress and the findings of the investigation and of any remedial action that has been taken.

6. The school administrator will be responsible for working with the school counselors and other community resources to provide information and/or follow-up services to support the targeted student and to educate the student engaging in bullying behavior on the effects of bullying and the prevention of bullying. In addition, the school administrator and school counselors will be responsible for determining if the bullying behavior is a violation of law required to be reported to law enforcement under Indiana law based upon their reasonable belief. Such determination should be made as soon as possible and once this determination is made, the report should be made immediately to law enforcement.
7. False reporting of bullying conduct as defined in this rule by a student shall be considered a violation of this rule and will result in any appropriate disciplinary action or sanctions if the investigation of the report finds it to be false.
8. A violation of this rule prohibiting bullying may result in any appropriate disciplinary action or sanction, including suspension and/or expulsion.
9. Failure by a school employee who has a responsibility to report bullying or investigate bullying or any other duty under this rule to carry out such responsibility or duty will be subject to appropriate disciplinary action, up to and including dismissal from employment with the school corporation. The bullying rule applies when a student is 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; off school grounds at a school activity, function, or event; traveling to or from school or a school activity, function, or event; or using property or equipment provided by the school.
10. Counseling, corrective discipline, and/or referral to law enforcement will be used to change the behavior of the perpetrator. This includes appropriate interventions(s), restoration of a positive climate, and support for victims and others impacted by the bullying.
11. Education outreach and training will be provided to school personnel, parents, and students concerning the identification, prevention, and intervention in bullying.
12. 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.
13. The superintendent or designee will be responsible for developing detailed administrative procedures consistent with the Indiana Department of Education guidelines for the implementation of the provisions of this rule.

Students who bully other students may face disciplinary action, including possible expulsion.

The grounds for suspension or expulsion apply when a student is:

1. 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;
2. off school grounds at a school activity, function, or event;
3. traveling to or from school or a school activity, function, or event, or
4. during summer school.

In addition to the grounds listed above, 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 weekends, holidays, other school breaks, and the summer period when a student may not be attending classes or other school functions.

### POSSESSION OF A FIREARM OR A DESTRUCTIVE DEVICE

1. No student shall possess, handle or transmit any firearm or a destructive device on school property. A firearm, whether operational or not, is grounds for expulsion.
2. The following devices are considered to be deadly weapons as defined in 35-41-1-8:
  - a. weapon, laser 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, or
  - c. A biological disease, virus, or organism that is capable of causing serious bodily injury.
3. 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. an antique firearm
  - e. a rifle or a shotgun which the owner intends to use solely for sporting, recreational, or cultural purposes
4. For 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 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 converting 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.

5. The penalty for possession of a firearm or a destructive device: suspension 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 superintendent may reduce the length of the expulsion if the circumstances warrant such reduction.

6. The superintendent shall immediately notify the appropriate law enforcement agency when a student is expelled under this rule.

### 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.

### 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 hear the appeal. When the Board hears the appeal, it will consider the written summary of the expulsion meeting and any additional arguments of both the school administration and the student and/or the student's parent. The Board will then take any action deemed appropriate.

### SUSPENSION PROCEDURES

When a principal (or designee) recommends 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 parents or guardians 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 (An expulsion meeting is not held unless a written request is submitted to the superintendent as outlined below.):

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 to 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 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. The student or parent has the right to appeal the decision of the person conducting the expulsion meeting to the School Board within ten 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 hear the appeal. When the Board hears the appeal, it will consider the written summary of the expulsion meeting and any additional arguments of both the school administration and the student and/or the student's parent. The Board will then take any action deemed appropriate.

## WITHDRAWAL OF EXTRACURRICULAR OR TRANSPORTATION PRIVILEGE

Attendance, participation in, and use of facilities in extracurricular activities such as athletic activities, non-credit school activities, or school provided transportation, is a privilege and not a right. Any time a student conducts himself or herself in a manner which is in violation of any rules or regulations of the Plainfield Community School Corporation, including misconduct detailed in this policy (JGD), or in any other manner conducts himself or herself in a way that reflects discredit upon his or her school or school district or creates a disruptive influence on the discipline, good order, moral or educational environment in the school or school district or in any manner affects the safety or health of any person in any manner connected with the school or school district, the superintendent or the student's principal shall make an investigation of the circumstances involved in such incident. An oral or written statement of the charges against the student shall be made by the said investigator and, if the student

denies the charges, a summary of the evidence against him or her shall also be presented to said student. The student shall always be given the opportunity to present his or her position in oral or written form. Following such procedures, the superintendent or principal may withdraw from such student the privilege of attendance, participation in, and/or use of facilities in any or all extracurricular or service activities and shall do so if it is determined that such withdrawal is necessary to help the student, or it prevents an interference with an educational function or school purpose. If such investigation and hearing cannot precede such withdrawal, the investigation and hearing shall be conducted as soon as practicable.

After such determination and within twenty-four (24) hours, or such additional time as is reasonably necessary, the superintendent or principal withdrawing such privilege(s) shall mail to the student's parent a statement describing the student's conduct, misconduct, or violation of rule or standard and the reasons for the action taken. If the parent requests to do so within five (5) days after receiving such statement, the superintendent or principal withdrawing such privilege(s) shall meet and confer with the parent.

The length of time of such withdrawal of privilege(s) shall be at the discretion of the superintendent or principal, but such shall be done with a sense of fairness. Any principal making such withdrawal of privilege shall report such to the superintendent, who may review such determination and reduce the severity thereof, if he or she so desires.

#### DELEGATION OF AUTHORITY

Each teacher, substitute teacher, teacher's aide, instructional assistant, principal or other member of the administrative staff or authorized school personnel shall, when students are under his or her charge, have the right to give any direction and take any action which is then reasonably necessary to carry out, or to prevent an interference with, the educational function of which he or she is then in charge.

Each principal within the school or school function under his or her jurisdiction, the superintendent or the administrative staff with his or her approval, with respect to all schools, may make written rules and establish written standards governing student conduct, and take any action which is reasonably necessary to carry out, or to prevent interference with carrying out, any educational function or school purpose. The superintendent may establish rules and regulations and establish lines of responsibility and related guidelines for the school district. The principal may do likewise for the school.

#### ALLOWABLE ACTION BY THE TEACHER

Each teacher or other school personnel shall, when students are under his or her 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 or she is then in charge. Teachers do not have the right to suspend students as above defined; however, teachers and other school personnel may remove a student from any education function within such person's supervision, but such removal from an educational function may not extend for a period of more than one (1) day unless the removal is treated as a suspension as herein provided.

A teacher, or other school personnel, may remove a student by simply asking the student to leave. The teacher or other school employee is to direct the student to a place designated the principal where the student will be under adult supervision. Each time a teacher or other school employee removes a student from his or her charge or supervision, a written notice is to be forwarded to the principal's office.

## STUDENT SUSPENSION AND THE BUREAU OF MOTOR VEHICLES

State law prohibits the Bureau of Motor Vehicles from issuing a driver's license or permit to a student less than eighteen (18) years of age who meets any of the following conditions:

1. Is a habitual truant under IC 20-33-2-11.
2. Is under at least a second suspension from school for the year.
3. Is under an expulsion from school.
4. Has withdrawn from school for a reason other than financial hardship.

Upon notification of the principal, the Bureau of Motor Vehicles is also required to invalidate a student's license or permit for the same reasons until conditions defined by state law are met.

LEGAL REF: 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

ADOPTED: 08/10/95

REVISED: 08/14/97, 08/13/98, 06/14/01, 07/09/02, 09/11/03, 06/09/05, 10/12/06, 04/08/10,  
08/08/13, 8/09/2018