

STUDENTSStudent Discipline

Students are expected to conduct themselves within the bounds set by the Board and the administrative regulations set forth by the Superintendent. Consideration for the rights and well-being of others, cooperation with all members of the school community and respect for oneself and others are the basic principles guiding student behavior.

The primary responsibility for student discipline within the school rests with the principal. The primary responsibility for the maintenance of discipline within the classroom lies with the individual classroom teacher. Corporal punishment shall not be used. Corporal punishment does not include reasonable force as needed to maintain safety for students, staff, or other persons, or for the purpose of self-defense or defense of property.

Disciplinary action may be taken against any student in violation of the Student Code of Conduct. Disciplinary action may range from conferring with a teacher to expulsion from school. Continued infractions will have a cumulative effect in terms of disciplinary action.

These grounds stated below 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, or within sight of, 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 if conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member, an interference with school purposes or an educational function, a threat to the safety and welfare of the student population, or conduct that detrimentally effects the climate or efficient operations of the school.

A student is in violation of the Student Code of Conduct if the student engages in any inappropriate behavior, including but not limited to:

- Using, possessing, distributing, purchasing, or selling tobacco products, vapor products, or alternative nicotine products (tobacco includes, but is not limited to, cigarettes, cigars, snuff, smoking tobacco, smokeless tobacco, or any other tobacco or nicotine innovation), or marijuana products (marijuana products include but are not limited to edible products, ointments, tinctures, marijuana derivatives, marijuana concentrates, and marijuana intended for use by smoking or vaping and THC based CBD products);
- Using, possessing, distributing, purchasing, or selling alcoholic beverages including powdered alcohol or any other alcohol innovation.
- Using, possessing, distributing, purchasing, or selling drug paraphernalia, illegal drugs, controlled substances, or any substance which is represented to be or looks like a narcotic

drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, medical marijuana, alcoholic beverage, stimulant, depressant, or intoxicant of any kind, including such substances that contain chemicals which produce the same effect of illegal substances including but not limited to Spice and K2. Students who may be under the influence of such substances will not be permitted to attend school functions and will be treated as though they had drugs in their possession.

- Using, possessing, controlling, or transferring a weapon in violation of the “Possession of a Weapon in a School Building” section of this policy.
- Using, possessing, controlling, or transferring any object that reasonably could be considered or used as a weapon.
- Disobeying directives from staff or disobeying rules governing student conduct.
- Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct toward anyone or urging other students to engage in such conduct, including gang or gang activity, except when physical force is determined to be reasonable and necessary and used as self-defense or the defense of another person after an investigation into such conduct.
- Causing or attempting to cause damage to, or stealing or attempting to steal, school property or another person’s property.
- Engaging in any activity that constitutes an interference with school purposes or an educational function or any other disruptive activity.
- Unexcused absenteeism.
- Misconduct of any sort on any means of District transportation.
- Hazing or bullying, including cyberbullying.
- 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.
- Gambling for money.

Gun Free Schools

The Board will follow federal law for any student who uses, possesses, controls, or transfers a firearm on school property. The Board hereby authorizes the Superintendent to modify the disciplinary action on a case-by-case basis, including eliminating the requirement for expulsion.

The administrator may immediately suspend a student if, prior to a hearing, there is cause to believe the student brought a firearm to school or possessed a firearm at school. In the case of a firearm violation the student may be expelled if the trustees find that the student knowingly brought a firearm to school or possessed a firearm at school.

Possession of a Weapon in a School Building

The District will refer to law enforcement any person who possesses, carries, or stores a weapon in a school building, except as provided below. For the purposes of this section only, “school building” means all buildings owned or leased by the District that are used for instruction or for student activities; “weapon” means any type of firearm, a knife with a blade 4 or more inches in length, a sword, a straight razor, a throwing star, nun-chucks, brass or other metal knuckles, or any other article or instrument possessed with the purpose to commit a criminal offense. The Board may grant

persons advance permission to possess, carry, or store a weapon in a school building. All persons who wish to possess, carry, or store a weapon in a school building must request permission of the Board at a regular meeting. The Board has sole discretion in deciding whether to allow a person to possess, carry, or store a weapon in a school building.

Legal References:

§ 16-11-302, MCA	Definitions
§ 20-1-220, MCA	Use of tobacco products in public school building or on public school property prohibited (<i>revised by House Bill 128</i>)
§ 20-4-302, MCA	Discipline and punishment of pupils
§ 20-5-201, MCA	Duties and sanctions (<i>revised by House Bill 450</i>)
§ 20-5-202, MCA	Suspension and Expulsion
§ 20-5-209, MCA	Bullying of student prohibited-self defense authorized (<i>revised by House Bill 450</i>)
§ 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
§ 45-8-361, MCA	Possession of a weapon in school building
§ 45-8-317, MCA	Exceptions
§§ 50-46-301 et seq., MCA	Montana Marijuana Act
20 USC §§ 7101 et seq.	Safe and Drug-Free Schools & Communities Act
20 USC § 7961	Gun-Free requirements
§ 1-1-204, MCA	Terms denoting state of mind
House Bill 361	Certain District Policies Prohibited

Cross References:

Policy History:

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