

Kimberly School District

STUDENTS 3310

Student Discipline

Disciplinary action may be taken against any student guilty of gross disobedience or misconduct, including, but not limited to:

- Habitual truancy.
- Incurability.
- Conduct continuously disruptive of school discipline or of the instructional effectiveness of the District.
- Conduct or presence of a student when the same is detrimental to the health and safety of other pupils.
- Using, possessing, distributing, purchasing, or selling tobacco products.
- Using, possessing, distributing, purchasing, or selling alcoholic beverages.
- Students who are under the influence are not permitted to attend school functions and are treated as though they had alcohol in their possession.
- Using, possessing, distributing, purchasing, or selling illegal drugs or controlled substances, look-alike drugs and drug paraphernalia. Students who are under the influence are not permitted to attend school functions and are treated as though they had drugs in their possession.
- Using, possessing, controlling, or transferring a weapon in violation of the "Possession of Weapons 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 members or school officials and/or rules and regulations 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.
- 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 disruptive activity.
- Unexcused absenteeism; however, the truancy statutes and Board policy will be utilized for chronic and habitual truants.
- Hazing
- Initiations of any type.
- The forging of any signature, or the making of any false entry, or the authorization of any document used or intended to be used in connection with the operation of the school.
- These grounds for disciplinary action apply whenever the student's conduct is reasonably related to school or school activities, including, but not limited to:
 - On, or within sight of, school grounds before, during, or after school hours or at any other time when the school is being used by a school group;
 - Off school grounds at a school-sponsored activity, or event, or any activity or event which bears a reasonable relationship to school;
 - Traveling to and from school or a school activity, function or event; or
 - Anywhere, including off-campus, if the conduct may reasonably be considered to be a threat or an attempted intimidation of a staff member, or an interference with school purposes of an educational function.

Disciplinary Measures

Disciplinary measures include, but are not limited to:

- expulsion
- suspension (both off campus and on campus)
- detention, including Saturdays
- 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 person who is employed or engaged by the District may inflict or cause to be inflicted corporal punishment on a student. Corporal punishment does not include, and District personnel are permitted to use reasonable force as needed to maintain safety for other students, school personnel, or other persons, or for the purpose of self-defense.

Gun-Free Schools

A student who uses, possesses, controls, or transfers a firearm, or any object that can reasonably be considered, or looks like, a firearm, shall be expelled for a definite period of time of at least one (1) calendar year. The Board, however, may modify the expulsion period on a case-by-case basis. The building administrator shall notify the appropriate law enforcement agency of any student who brings a firearm to school.

If a student violating this policy is identified as disabled, either under the IDEA or Section 504, a determination must be made whether the student's conduct is related to the disability. If the violation of the policy is due to a disability recognized by the IDEA or Section 504, lawful procedures for changes in placement must be followed. Any student subject to an expulsion shall be entitled to a hearing before the Board, in accordance with I.C. § 33-205 and Policy 3300.

Possession of a Weapon on School Property – Misdemeanor

It is unlawful and is a misdemeanor for any person to possess a firearm or other deadly or dangerous weapon while on the property of a school or in those portions of any building, stadium or other structure on school grounds which, at the time of the violation, were being used for an activity sponsored by or through a school in this state or while riding school provided transportation. This also applies to students of schools while attending or participating in any school sponsored activity, program or event regardless of location.

As used in this section of this Policy only:

- "Deadly or dangerous weapon" means any weapon as defined in 18 U.S.C. section 930;
- "Firearm" means any firearm as defined in 18 U.S.C. section 921;

Any person who possesses, carries or stores a weapon in a school building or on school property, except as provided below, shall be referred to law enforcement for immediate prosecution, as well as face disciplinary action by the District.

The Board may grant persons and entities 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 shall present this request to the Board in a regular

meeting. It is solely within the Board's discretion whether to allow a person to possess, carry or store a weapon in a school building.

This section of this policy does not apply to:

- Law enforcement personnel;
- Any adult over eighteen (18) years of age and not enrolled in a public or private elementary or secondary school who has lawful possession of a firearm or other deadly or dangerous weapon, secured and locked in his/her vehicle in an unobtrusive, non-threatening manner;
- A person who lawfully possesses a firearm or other deadly or dangerous weapon in a private vehicle while delivering minor children, students or school employees to and from school or a school activity;
- A person or an employee of the school or school district who is authorized to carry a firearm with the permission of the board of trustees of the school district or the governing board.

Delegation of Authority

Each teacher, and any other school personnel when students are under his/her charge, is authorized to impose any disciplinary measure, other than suspension, or expulsion, corporal punishment or in-school suspension, which is appropriate and in accordance with the policies and rules on student discipline. Teachers may remove students from a classroom for disruptive behavior.

Cross Reference:

3300 Corrective Actions and Punishment

Legal Reference:

I.C. § 33-205 Denial of school attendance

I.C. § 18-3302D Possession weapons or firearms on school property

I.C. § 33-1224 Powers and duties of teachers

20 U.S.C. § 8921, et seq. Gun Free Schools Act

29 U.S.C. § 701 Rehabilitation Act of 1973

Policy History:

Adopted on: April 8, 2003

Revised on: