

1 **MTSBA**

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3 **Student Policy # 3310**

4 **Policy Name: Student Discipline**

5 **Regulation: -----**

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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 school
9 bus, on the way to or from school, or during intermission or recess.

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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:

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- 14 • Using, possessing, distributing, purchasing, or selling tobacco products, and alternative nicotine
15 and vapor products as defined in 16-11-302, MCA.
 - 16 • Using, possessing, distributing, purchasing, or selling alcoholic beverages, including powdered
17 alcohol. Students who may be under the influence of alcohol will not be permitted to attend
18 school functions and will be treated as though they had alcohol in their possession.
 - 19 • Using, possessing, distributing, purchasing, or selling drug paraphernalia, illegal drugs,
20 marijuana, controlled substances, or any substance which is represented to be or looks like a
21 narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage,
22 stimulant, depressant, or intoxicant of any kind, including such substances that contain chemicals
23 which produce the same effect of illegal substances including but not limited to Spice and K2.
24 Students who may be under the influence of such substances will not be permitted to attend
25 school functions and will be treated as though they had drugs in their possession.
 - 26 • Using, possessing, controlling, or transferring a weapon in violation of the “Possession of
27 Weapons other than Firearms” section in policy 3311.
 - 28 • Using, possessing, controlling, or transferring any object that reasonably could be considered or
29 used as a weapon as referred to in policy 3311.
 - 30 • Disobeying directives from staff members or school officials or disobeying rules and regulations
31 governing student conduct.
 - 32 • Using violence, force, noise, coercion, threats, intimidation, fear, or other comparable conduct
33 toward anyone or urging other students to engage in such conduct.
 - 34 • Causing or attempting to cause damage to, or stealing or attempting to steal, school property or
35 another person’s property.
 - 36 • Engaging in any activity that constitutes an interference with school purposes or an educational
37 function or any other disruptive activity.
 - 38 • Unexcused absenteeism. Truancy statutes and Board policy will be utilized for chronic and
39 habitual truants.
 - 40 • Intimidation, harassment, sexual harassment, sexual misconduct, hazing or bullying; or
41 retaliation against any person who alleged misconduct under Policy 3225 or 3226 or participated
42 in an investigation into alleged misconduct under Policy 3225 or 3226.
 - 43 • Defaces or damages any school building, school grounds, furniture, equipment, or book
44 belonging to the district.
 - 45 • Forging any signature or making any false entry or attempting to authorize any document
46 used or intended to be used in connection with the operation of a school.
- 47

1 These grounds stated above for disciplinary action apply whenever a student’s conduct is reasonably
2 related to school or school activities, including but not limited to the circumstances set forth below:
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- 4 • On school grounds before, during, or after school hours or at any other time when school is being
5 used by a school group.
- 6 • Off school grounds at a school-sponsored activity or event or any activity or event that bears a
7 reasonable relationship to school.
- 8 • Travel to and from school or a school activity, function, or event.
- 9 • Anywhere conduct may reasonably be considered to be a threat or an attempted intimidation of
10 bullying of a staff member or student, or an interference with school purposes or an educational
11 function.

12 **Disciplinary Measures**

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14 Disciplinary measures include but are not limited to:

- 15 • Expulsion
- 16 • Suspension
- 17 • Detention, including Saturday school
- 18 • Clean-up duty
- 19 • Loss of student privileges
- 20 • Loss of bus privileges
- 21 • Notification to juvenile authorities and/or police
- 22 • Restitution for damages to school property

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24
25 No District employee or person engaged by the District may inflict or cause to be inflicted corporal
26 punishment on a student. Corporal punishment does not include reasonable force District personnel
27 are permitted to use as needed to maintain safety for other students, school personnel, or other
28 persons or for the purpose of self-defense.
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30 **Non-Disciplinary Measures**

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32 The Superintendent or designee is authorized to assign a student to non-disciplinary offsite
33 instruction pending the results of an investigation or for reasons related to the safety or well-being of
34 students and staff. During the period of non-disciplinary offsite instruction, the student will be
35 permitted to complete all assigned schoolwork for full credit. The assignment of non-disciplinary
36 offsite instruction does not preclude the Superintendent or designee from disciplining a student who
37 has, after investigation, been found to have violated a School District policy, rule, or handbook
38 provision.
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40 **Delegation of Authority**

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42 The Board grants authority to any teacher and to any other school personnel to impose on students
43 under their charge any disciplinary measure, other than suspension or expulsion, corporal
44 punishment, or in-school suspension, that is appropriate and in accordance with policies and rules on
45 student discipline. The Board authorizes teachers to remove students from classrooms for disruptive
46 behavior.
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48 **Cross Reference:** 3300 Suspension and Expulsion

1 3225 Sexual Harassment of Students
2 3226 Bullying, Harassment
3 5015 Bullying, Harassment
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6 **Legal Reference:** § 16-11-302(1)(7) MCA Definitions
7 § 20-4-302 MCA, Discipline and punishment of pupils–definition of corporal
8 punishment–penalty–defense
9 § 20-5-202 MCA, Suspension and expulsion
10 § 45-8-361 MCA, Possession or allowing possession of weapon in school building
11 -exceptions-penalties-seizure and forfeiture or return authorized-definitions
12 § 45-5-637MCA, Possession or consumption of tobacco products, alternative
13 nicotine products, or vapor products by persons under 18 years of age is
14 prohibited -unlawful attempt to purchase-penalties
15 29 U.S.C. § 701, Rehabilitation Act of 1973
16 Initiative 190, “Montana Marijuana Regulation and Taxation Act.” January 1, 2021
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19 **Policy History:**
20 Adopted on:
21 Reviewed on:
22 Revised on:
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