

1 **Browning Public Schools**

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3 Policy # **3310**

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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 disorderly  
8 conduct in a school building, on property owned or leased by a school district, on a school bus, on the  
9 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 retaliation
- 41 against any person who alleged misconduct under Policy 3225 or 3226 or participated in an
- 42 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 • Engaging in academic misconduct which may include but is not limited to: cheating,
- 48 unauthorized sharing of exam responses or graded assignment work; plagiarism, accessing
- 49 websites or electronic resources without authorization to complete assigned coursework, and any

1           other act designed to give unfair academic advantage to the student.

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3 These grounds stated above for disciplinary action apply whenever a student's conduct is reasonably  
4 related to school or school activities, including but not limited to the circumstances set forth below:

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6       • On school grounds before, during, or after school hours or at any other time when school is being  
7 used by a school group.  
8       • Off school grounds at a school-sponsored activity or event or any activity or event that bears a  
9 reasonable relationship to school.  
10      • Travel to and from school or a school activity, function, or event.  
11      • Anywhere conduct may reasonably be considered to be a threat or an attempted intimidation of  
12 bullying of a staff member or student, or an interference with school purposes or an educational  
13 function.

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15 **Disciplinary Measures**

- 16       • Disciplinary measures include but are not limited to:  
17       • Expulsion  
18       • Suspension  
19       • Detention, including Saturday school  
20       • Clean-up duty  
21       • Loss of student privileges  
22       • Loss of bus privileges  
23       • Notification to juvenile authorities and/or police  
24       • Restitution for damages to school property

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

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31 **Non-Disciplinary Measures**

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

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39 **Delegation of Authority**

40 The Board grants authority to any teacher and to any other school personnel to impose on students under  
41 their charge any disciplinary measure, other than suspension or expulsion, corporal punishment, or in-  
42 school suspension, that is appropriate and in accordance with policies and rules on student discipline. The  
43 Board authorizes teachers to remove students from classrooms for disruptive behavior.

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46 **Cross Reference:** 3300 Suspension and Expulsion  
47                       3225 Sexual Harassment of Students  
48                       3226 Bullying, Harassment  
49                       5015 Bullying, Harassment

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

14 Adopted on:  
15 Reviewed on: 4/13/21  
16 Revised on:  
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