

1 **BROWNING PUBLIC SCHOOLS**

2
3 **Policy #**

4 **Policy Name:** Student Conduct and Discipline

5 **Regulation:** 3200R

6
7 **Applications of Sanctions**

8
9 Discipline set forth by this policy will be inclusive for grades ~~5~~ 4 through ~~8 and 9~~ through 12. **Tobacco violation**
10 **will be considered separately from drug and alcohol (see below).**

11
12 Use or possession of alcohol or drugs ~~or tobacco~~, of any kind is a violation of Montana State Law. For on or off
13 campus violations in regard to use of alcohol and drugs 1) including all illegal drugs as well as prescription drugs
14 that have not been prescribed by a physician for that student and 2) tobacco products, including smokeless
15 tobacco and nicotine devices such as electronic cigarettes or a positive drug test would be treated as a self-report
16 for in-season athletes/performers/club members and other school sponsored activities as listed in the BHS
17 Activities Handbook; Browning School District #9 will apply the following sanctions:

18
19 **First Offense:** Student is **suspended for the season for that sport.** ~~placed on activities long term suspension of~~
20 ~~45 contact days for all student activities. If a student self reports their violation to their coach, supervisor, and~~
21 ~~principal or activities director by 9:00 am of the next regular school day, the number of contact days of the~~
22 ~~suspension will be reduced to 30 contact days.~~

23
24 ~~A contact day is defined as a day when a practice or event is held or a day when school is in session.~~

25
26 **Second Offense:** Immediate removal from all activities for ~~one calendar~~ **the remainder of the school year.**
27 ~~Application for reinstatement will be received by the Activities Director and forwarded to the Superintendent for~~
28 ~~possible action by the Board of Trustees.~~

29
30 **For both, first and second offence, these are dealt with administratively pending a review by the Board of**
31 **Trustees to determine that the pupil was involved in the incident or infraction as per MCA 20-5-201.**

32
33 ~~If a staff member or chaperone observes a student at a school related activity acting in violation of this policy the~~
34 ~~student would not be allowed to self report their alleged violation.~~

35
36 ~~The suspension days will continue from one school year to the next if the school year during which the violation~~
37 ~~takes place ends before the student completed his/her suspension.~~

38
39 During periods of suspension, a student will be allowed to attend and participate in practice sessions. During the
40 suspension period the student will not be allowed to wear his/her school uniform, be present in the locker rooms,
41 or travel with the team for home or away competitions. The student remains ineligible until Insight or other
42 district approved intervention program training is completed.

43
44 If a student activity participant is the subject of two violations of either policy 3200 or 3525 during any given
45 school year, he or she will be suspended from participation in extra/co-curricular activities for the remainder of
46 that school year.

47
48 **Tobacco**

49 **First Offense:** Seven (7) day suspension to include at least one competition. **If competitions have not begun**
50 **by the end of the 7th day period, the athlete will be suspended from the first competition that takes place.**

51
52 **Second Offense:** Suspended from team for the remainder of that season

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1 **For each consecutive sport/activity season, athletes violating the tobacco policies will start over in terms of**
2 **offense and consequence.**

3
4 **Cross Reference:**

5
6 **Legal Reference:** § MCA 20-5-201 Duties and Sanctions (**Attached**)

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8 **Policy History:**

9 Adopted on: 6/24/15

10 Revised on: 1/27/16

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20-5-201. Duties and sanctions. (1) A pupil:

(a) shall comply with the policies of the trustees and the rules of the school that the pupil attends;

(b) shall pursue the required course of instruction;

(c) shall submit to the authority of the teachers, principal, and district superintendent of the district; and

(d) is subject to the control and authority of the teachers, principal, and district superintendent while the pupil is in school or on school premises, on the way to and from school, or during intermission or recess.

(2) A pupil who disobeys the provisions of this section, shows open defiance of the authority vested in school personnel by this section, defaces or damages any school building, school grounds, furniture, equipment, or book belonging to the district, harms or threatens to harm another person or the person's property, or otherwise violates district policy regarding pupil conduct is subject to punishment, suspension, or expulsion under the provisions of this title. When a pupil defaces or damages school property, the pupil's parent or guardian is liable for the cost of repair or replacement upon the complaint of the teacher, principal, superintendent, or any trustee and the proof of any damage.

(3) In addition to the sanctions prescribed in this section, the trustees of a high school district may deny a high school pupil the honor of participating in the graduation exercise or exclude a high school pupil from participating in school activities. The trustees may not take action under this subsection until the incident or infraction causing the consideration has been investigated and the trustees have determined that the high school pupil was involved in the incident or infraction.

(4) (a) A school district may withhold the grades, diploma, or transcripts of a pupil who is responsible for the cost of school materials or the loss or damage of school property until the pupil or the pupil's parent or guardian satisfies the obligation.

(b) A school district that decides to withhold a pupil's grades, diploma, or transcripts from the pupil and the pupil's parent or guardian pursuant to subsection (4)(a) shall:

(i) upon receiving notice that the pupil has transferred to another school district in the state, notify the pupil's parent or guardian in writing that the school district to which the pupil has transferred will be requested to withhold the pupil's grades, diploma, or transcripts until any obligation has been satisfied;

(ii) forward appropriate grades or transcripts to the school to which the pupil has transferred;

(iii) at the same time, notify the school district of any financial obligation of the pupil and request the withholding of the pupil's grades, diploma, or transcripts until any obligations are met;

(iv) when the pupil or the pupil's parent or guardian satisfies the obligation, inform the school district to which the pupil has transferred; and

(v) adopt a policy regarding a process for a pupil or the pupil's parent or guardian to appeal the school district's decision to request that another school district withhold a pupil's grades, diploma, or transcripts.

(c) Upon receiving notice that a school district has requested the withholding of the grades, diploma, or transcripts of a pupil under this subsection (4), a school district to which the pupil has transferred shall withhold the grades, diploma, or transcripts of the pupil until it receives notice from the district that initiated the decision that the decision has been rescinded under the terms of subsection (4)(a).

History: En. 75-6310 by Sec. 123, Ch. 5, L. 1971; R.C.M. 1947, 75-6310; amd. Sec. 1, Ch. 403, L. 1993; amd. Sec. 2, Ch. 444, L. 2009.