



**ELKHART**  
COMMUNITY SCHOOLS

# Guidelines for Good School Order & Rules for Student Conduct

June 2016

These guidelines, rules, and procedures are based upon individual rights and the responsibilities which are a part of those rights. They establish clear requirements for maintaining good school order in a climate conducive to teaching and learning.

Please join with your child's school in promoting the values of honesty, good citizenship, and respect for others. Thank you.

*Dr. Robert Haworth  
Superintendent of Schools*

## TABLE OF CONTENTS

### Guidelines for Good School Order

Section 1. General Responsibilities .....	2
A. School Responsibilities .....	2
B. Student Responsibilities .....	2
C. Parent Responsibilities .....	3
D. Delegation of Authority .....	3
Section 2. Enforcement of Student Conduct Rules .....	4
A. Definitions .....	4
B. Discipline .....	5
C. Grounds for Suspensions and Expulsions .....	7
1. Prohibited Conduct Which May Result in a Suspension or Expulsion .....	7
2. Prohibited Conduct Which Will Result in an Expulsion .....	10
3. Expulsion Based Upon Legal Settlement .....	12
D. Student Due Process Procedures .....	12
1. Procedure for Dismissal for Class or Activity.....	12
2. Procedure for Suspensions .....	13
3. Procedure for Expulsions .....	14
4. Possession and Self-Administration of Medication Permitted.....	16
5. Procedure for Students with Disabilities .....	16
 <u>Rules for Student Conduct</u>	
Rules for Student Conduct .....	19-21

## GUIDELINES FOR GOOD SCHOOL ORDER

### Section 1. General Responsibilities

#### A. School Responsibilities

The primary responsibility of the Elkhart Community Schools is to provide each student with an opportunity to acquire meaningful knowledge and skills and to help develop fully his or her potential as an individual in a safe environment. In order to assure a climate for learning, Elkhart Community Schools must maintain certain standards of conduct for school citizenship.

The Board of School Trustees of the Elkhart Community Schools and its employees have the legal responsibility for establishing and enforcing rules for student conduct. The Board of School Trustees has established these Guidelines for Good School Order, among other administrative regulations, and has directed administrative officers and other school personnel to carry out these regulations. School staff members will individually, collectively, and cooperatively work with parents/guardians and appropriate available community resources to help each student gain acceptable self-disciplinary standards. Elkhart Community Schools will make a copy of all discipline rules available to students and students' parents.

To enable the schools to meet the needs of all students, district-wide and building rules and standards of conduct are based on the same principles which govern the life of every individual. Primary among these principles must be respect for self and others and, based on such respect, the freedom to think, speak, and act. Failure to comply with any rule adopted by the Board of School Trustees or the administration shall constitute grounds for expulsion, suspension, or any other reasonable disciplinary action(s). Avenues will be provided to students for due process as prescribed by law. Moreover, qualified students with disabilities may be entitled to additional protections or rights as provided by law.

#### B. Student Responsibilities

Students have the responsibility to know and act in accordance with the rules and regulations of the school. In this regard, each student shall

1. follow reasonable directions of school personnel in all educational settings;
2. refrain from disruptive behavior which interferes with the

- educational environment;
3. accept responsibility for his or her own behavior;
  4. show respect for self and for others; and
  5. be involved in the educational process to the fullest extent possible.

C. Parent/Guardian Responsibilities

1. Parents/guardians are to become familiar with these Guidelines and review them with their children.
2. Parents/guardians are to work with their children and with school personnel to resolve any disciplinary problems.
3. Parents/guardians can be required to participate in any action taken in connection with their child's behavior.

D. Delegation of Authority

In carrying out the purposes of the school corporation, the following grants of authority are made, subject to the limitations which exist under law:

1. When students are being supervised, each teacher or other Elkhart Community Schools staff member is authorized to take any action reasonably necessary to carry out, or to prevent interference with, an educational function.
2. A principal, including any principal's designee, may take any action concerning his or her school or any school activity within his or her jurisdiction reasonably necessary to carry out, or prevent interference with, any educational function or school purpose. Such action may include establishing written rules and standards to govern student conduct.
3. The superintendent, and other administrators with the superintendent's approval, may take any action with respect to all schools within the superintendent's jurisdiction which is reasonably necessary to carry out, or to prevent interference with, any educational function or school purpose.
4. The superintendent and principal may adopt procedures establishing lines of responsibility in compliance with Elkhart Community Schools' discipline policies and administrative regulations.
5. The Board of School Trustees may also make such other delegations of rule-making, disciplinary, and other authority, as are reasonably necessary in carrying out the purposes of the school corporation.

## Section 2. Enforcement of Student Conduct Rules

In the absence of student self-discipline, each administrator, teacher, or any other school personnel is responsible for implementing the rules for student conduct adopted by the individual school and the Board of School Trustees.

Some behavior problems are more serious than others and require different approaches and clearly defined actions.

### A. Definitions

1. As used in these Guidelines for Good School Order, the term “conduct constituting an interference with school purposes,” or comparable language, means any conduct which causes, or which can reasonably be foreseen to cause, a substantial disruption or material interference in the carrying out of school purposes. Undifferentiated fear or apprehension of disturbance, disruption, or interference shall not alone constitute sufficient grounds to support a determination this conduct exists.
2. As used in these Guidelines for Good School Order, the term “dismissal from school, class, or activity” means disciplinary action whereby a middle school or high school teacher will have the right to dismiss a student from the teacher’s class or activity for a period not to exceed five (5) class periods, and an elementary teacher will have the right to dismiss a student from the teacher’s classroom or activity for a period of up to one (1) school day.
3. As used in these Guidelines for Good School Order, the term “educational function” means the performance by the school corporation, or its officers or employees, of an act or series of acts in carrying out school purposes.
4. As used in these Guidelines for Good School Order, the term “expulsion” means a disciplinary action whereby a student
  - a. is separated from school attendance for a period exceeding five (5) school days;
  - b. is separated from school attendance for the balance of the then current semester or current year, unless a student is permitted to complete required examinations in order to receive credit for courses taken in the then current semester or current year; or

- c. is separated from school attendance for possession of firearms, deadly weapons, or destructive devices, which may include an assignment to attend an alternative school, an alternative educational program, or a homebound educational program.

The term does not apply to situations in which a student is disciplined using a method described in Section 2(B)(1) to (11) of these Guidelines for Good School Order, when a student is removed from school after being found ill, or when the student is removed from school for failure to comply with the immunization requirements.

- 5. As used in this Administrative Regulation, the term “school function” means any activity sanctioned or sponsored by the school.
- 6. As used in these Guidelines for Good School Order, the term “school purposes” means the purposes for which the school operates, including
  - a. promoting knowledge and learning;
  - b. maintaining an orderly and effective educational system; and
  - c. taking any action under the authority conferred on the school corporation by any statute.
- 7. As used in this Administrative Regulation, the term “suspension” means any disciplinary action which does not constitute an expulsion, whereby a student is separated from school attendance for a period of not more than five (5) school days.

The term does not apply to situations in which a student is disciplined using a method described in Section 2(B)(1) to (11) of these Guidelines for Good School Order, when a student is removed from school after being found ill, or when the student is removed from school for failure to comply with the immunization requirements.

B. Discipline

In dealing with students who have not exhibited sufficient self-discipline to live and work in harmony with others, school personnel may use any or all of the following discipline techniques (among others) as consequences to inappropriate behavior for

students under their supervision, subject to the limitations which exist under law:

1. counseling with a student or group of students;
2. conferences with parent(s)/guardian(s);
3. assigning additional academic work;
4. rearranging class schedules;
5. requiring a student to remain at school after regular school hours to do additional academic work or for counseling;
6. restricting extracurricular activities;
7. rescinding the privilege of riding the school bus;
8. assignment by the principal of a special course of study, an alternative educational program, or an alternative school;
9. assignment of not more than one hundred twenty (120) hours of service with a non-profit organization, as outlined by statute;
10. referring students to law enforcement personnel in cases related to violations of the law;
11. denial of attendance at extra-curricular activities;
12. complying with state laws which prevent issuance of or invalidation of driver's licenses or learner's permits;
13. **Dismissal from Class or Activity – Teacher**
  - a. A middle school or high school teacher will have the right to dismiss a student from the teacher's class or activity for a period not to exceed five (5) class periods.
  - b. An elementary teacher will have the right to dismiss a student from the teacher's classroom or activity for a period of up to one (1) school day.
14. **Suspension from School – Principal**

A school principal (or designee) may deny a student the right to attend school or take part in any school function for not more than five (5) school days. However, a student may be suspended for more than five (5) school days, if the suspension is pending an expulsion decision and the continued suspension will prevent or substantially reduce the risk of interference with an educational function or purpose or a

physical injury to the student, other students, school employees, or visitors to the school.

15. Expulsion from School

In accordance with the due process procedures defined in this administrative regulation, a student may be expelled from school for a period no longer than the remainder of the school year in which the expulsion took effect, if the misconduct occurred during the first semester. If a student is expelled during the second semester, the expulsion remains in effect for summer school and may remain in effect for the first semester of the following school year. A principal may require a student, who is at least sixteen (16) years of age and who wishes to reenroll after expulsion, to attend an alternative school or educational program or evening classes.

C. Grounds for Suspensions and Expulsions

1. Prohibited Conduct Which May Result in a Suspension or Expulsion:

The following types of student conduct may constitute grounds for suspension, expulsion, or other disciplinary action, subject to the limitations which exist under law. Such conduct is defined to include, but not to be limited to, the following acts committed on school grounds immediately before or during school hours, or immediately after school hours, or at any other time when the school is being used by a school group; off school grounds at a school activity, function, or event; or when traveling to or from school or a school activity, function, or event. The discipline rules may also apply when the student is using property or equipment provided by the school.

- a. Interference with School Purposes. Using violence, force, noise, coercion, threat, intimidation, fear, passive resistance, or other comparable conduct constituting an interference with school purposes or urging other students to engage in such conduct.
- b. Speech/Conduct. Engaging in speech or conduct, including use of clothing, jewelry, or hair style, which is profane, indecent, lewd, vulgar, disparaging of another's race, disability, religion, ethnic background, or gender, an indicator of gang involvement, or offensive to school purposes.

- c. **Vandalism.** Causing, or attempting to cause, damage to school or private property.
- d. **Theft.** Stealing, or attempting to steal, school or private property, or being in possession of another person's property.
- e. **Fighting or Physical Injury.** Intentionally causing, or attempting to cause, physical injury or behaving in such a way as could reasonably cause physical injury to any person. Self-defense or reasonable action undertaken on the reasonable belief it was necessary to protect some other person does not, however, constitute a violation of this provision.
- f. **Bullying Behavior, Intimidation, or Harassment.** Engaging in bullying behavior as defined in Board Policy. Threatening, intimidating, or harassing any person, causing injury to an individual's person or property or, with the intent of obtaining money or anything of value from the person. Engaging in sexual harassment of another person, which involves sexually-related verbal statements, gestures, or physical contact. This section also includes bullying through the use of data or computer software which is accessed through a computer, computer system, or network of the school.
- g. **Hazing.** Participation in an act of hazing. Hazing will be considered to be any act of initiation into any organization, group, activity, or social entity which causes or creates a substantial risk of causing mental, emotional, or physical harm to any person. Permission, consent, or assumption of risk by an individual subjected to hazing will not diminish the inappropriateness of an act of hazing.
- h. **Drug involvement.** Knowingly possessing, using, providing, or transmitting to another person or being under the influence of any substance which is, looks like, or which is or was represented to be a tobacco product, narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, alcoholic beverage, substance containing alcohol, heavily-based caffeine product, substance containing phenylpropanolamine (PPA), steroid, stimulant, depressant or intoxicant of any kind, or any paraphernalia for the use of such substance. An

individual who uses an authorized drug as prescribed for him or her by a registered physician shall not be in violation of this rule. (Any student who is unsure if possession, use, or providing another person with any particular substance would violate this rule should contact the building principal before possessing, using, or transmitting the substance in question.)

- i. **Student Operated Vehicles.** Improperly operating motorized vehicles on school property, failing to obey posted speed limits, failing to display parking passes, or failing to obey other school regulations and Indiana laws which may apply. Keeping prohibited items in any automobile while it is on school property.
- j. **Electronic Devices.** Knowingly using on school grounds during school hours an electronic device (e.g. cellular phone, tablet computer, pager, music device, digital camera, electronic equipment, etc.) in a manner which constitutes an interference with a school purpose, educational function, invasion of privacy, or act of academic dishonesty; or is profane, indecent, or obscene.

In addition to being subjected to discipline, students who use an electronic device in a manner which is inconsistent with these rules may have the device confiscated by the school. Such device will be returned to the parent upon request.

This section applies at all times while on school premises including school buses or at school sponsored events, regardless of the location.
- k. **Sale of drugs.** Engaging in the unlawful selling of a controlled substance or engaging in a violation of criminal law which constitutes a danger to other students or constitutes an interference with school purposes or an educational function.
- l. **Insubordination.** Failing to comply with directions of teachers or other school personnel where the failure constitutes an interference with school purposes or an educational function, including extra-curricular functions and other school sponsored activities.
- m. **Academic Dishonesty.** Submission by a student of any schoolwork, for the purpose of meeting course

requirements, which does not represent the efforts of the individual student. Any form of academic dishonesty is prohibited. Academic dishonesty includes, but is not limited to, plagiarism, forgery, copying or stealing another person's work, allowing another person to copy one's own work, doing another person's class work, creating more than one copy of one's work for distribution, intentionally accessing another's material for the purpose of using it as one's own, downloading information from other sources and presenting it as one's own, unauthorized copying of software, or unauthorized use of hard copy or software to develop one's own software.

- n. Violation of the law. Engaging in unlawful activity on or off school grounds, including any unlawful activity during weekends, holidays, other school breaks, and the summer, if
  - (1) the unlawful activity may be considered to be an interference with school purposes or an educational function; or
  - (2) the student's removal is necessary to restore order or protect persons on school property.
- o. Violation of school rules. Violating or repeatedly violating any rules which are reasonably necessary and are validly adopted.
- p. Refusing a Search. Refusing to permit a lawful, reasonable search by authorized school officials of the student's person and/or possessions. A student who uses a locker which is the property of the school is presumed to have no expectation of privacy in the locker or the locker's contents.
- q. Pyrotechnic Devices. Possessing and/or using, on school grounds without authorization by school officials, any pyrotechnic device, including firecrackers.

## 2. Prohibited Conduct Which Will Result in an Expulsion

The following conduct will constitute grounds for expulsion, subject to the limitations that exist under law:

- a. Possession/Use of a Firearm, Destructive Device, or Deadly Weapon. Bringing or possessing a firearm or

destructive device to school or on school property will result in expulsion for at least one (1) calendar year, with the return of the student at the beginning of the first school semester after the end of the one (1) year period. Bringing or possessing a deadly weapon to school or on school property may result in expulsion for not more than one (1) calendar year. The following definitions apply with regard to this section:

- (1) A firearm is any weapon which is capable of expelling, is designed to expel, or may readily be converted to expel a projectile by the action of an explosion.
- (2) The following items are considered to be destructive devices:
  - i. an explosive, incendiary, or overpressure device which is configured as a bomb, a grenade, a rocket with a propellant charge of more than four ounces, a missile having an explosive or incendiary charge of more than one-quarter ounce, a mine, a Molotov cocktail, or a device substantially similar to an item described above;
  - ii. a type of weapon which may be readily converted to expel a projectile by the action of an explosive or other propellant through a barrel which has a bore diameter of more than one-half inch; or
  - iii. a combination of parts designed or intended for use in the conversion of a device into a destructive device.
- (3) The following items are considered to be deadly weapons:
  - i. a loaded or unloaded firearm;
  - ii. a destructive device, weapon, taser or electronic stun weapon, device, equipment, chemical substance, or other material which, in the manner it is used, or could ordinarily be used, or is intended to be used, is readily capable of causing serious bodily injury;

- iii. an animal which is readily capable of causing serious bodily injury and used in the commission or attempted commission of a crime; or
- iv. a biological disease, virus, or organism which is capable of causing serious bodily injury.

The superintendent may, on a case by case basis, modify the period of expulsion for a student who has brought a firearm or destructive device to school.

The superintendent shall immediately notify the county prosecuting attorney's office when a student is expelled for bringing or possessing a firearm or destructive device. The superintendent may give similar notice if the student brings or possesses a deadly weapon.

3. Expulsion Based Upon Legal Settlement

- a. A student may be expelled, subject to the limitations which exist in Federal and State law, when the student's legal settlement is not in the attendance area of Elkhart Community Schools and the student is not authorized by any other provision of School Board Policy or State Law to attend the Elkhart Community Schools.
- b. The Director of Student Services/designee shall have the authority to recommend expulsion to the Superintendent for this reason.

D. Student Due Process Procedures

1. Procedure for Dismissal from Class or Activity

When dismissing a student from an educational function, the recommended actions for teachers or other school personnel are as follows:

- a. Inform the student of the reason(s) for his or her dismissal. (Students whose presence poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process may be immediately dismissed from class without informing the student of the reasons.)
- b. Instruct the student to leave the classroom or activity.
- c. Tell the student where to report.

- d. Follow up the dismissal by checking to see if the student reported as instructed.
- e. Notify the administration by completing the Report of Student Dismissal, or in such other written manner as may be appropriate.

2. Procedure for Suspensions

Any principal or designee may suspend a student from school and all school functions for a period of five (5) school days or less after an investigation has determined such suspension is necessary to further school purposes or to prevent an interference with school purposes.

When a principal (or designee) determines a student should be suspended, the following procedures will be followed:

- a. The student will be afforded an opportunity for a meeting during which the student is entitled to the following:
  - 1) a written or oral statement of the charges;
  - 2) a summary of the evidence against the student, if the student denies the charges; and
  - 3) an opportunity to explain his or her conduct.
- b. The meeting shall precede suspension of the student and the student's parents or guardians will be notified as soon as possible after the meeting is concluded. In addition, the student's parents or guardians will be given written notification of the suspension. The notification will describe the student's misconduct, and the action taken by the principal. ("Student Suspension Notice")
- c. Where the nature of the misconduct requires the immediate removal of the student, the meeting with the principal will then be held within a reasonable time following the date of the suspension.
- d. Prior to the student's return to school from a suspension of three (3) school days or more, the principal should attempt to schedule a meeting with the student's parent(s)/guardian(s) for the purpose of discussing the student's conduct.

3. Procedure for Expulsions

When a principal (or designee) recommends to the superintendent (or designee) a student be expelled from school, the following procedures will be followed:

- a. The principal, vice-principal, or assistant principal shall, after consulting or attempting to consult with the Executive Director of Personnel and Legal Services, complete the “Principals Written Charge Requesting Expulsion”.
- b. After said form has been completed, the form shall be delivered to the Superintendent, with a copy to the Director of Student Services and the Executive Director of Personnel and Legal Services. For a student with a disability, the form shall also be submitted to the Director of Special Education. The Superintendent shall, after having reviewed the charge and determining reasonable grounds for an investigation exist, appoint an Expulsion Examiner and forward the charge, within one school day of its receipt, to such Expulsion Examiner.
- c. The superintendent (or designee) shall either decide to conduct the expulsion meeting or appoint one of the following persons to conduct the expulsion meeting:
  - 1) Legal counsel; or
  - 2) A member of the administrative staff if the member has not expelled the student during the current school year and was not involved in the events giving rise to the request for expulsion.
- d. The Expulsion Examiner shall, within two days after receiving the “Principal’s Written Charge Requesting Expulsion,” complete and personally deliver or send to the parent(s)/guardian(s) and student by certified mail the “Notice Regarding Expulsion Request.” The Notice must contain the reasons for the expulsion and the procedure for requesting an expulsion meeting.
- e. If the Expulsion Examiner does receive a request for an expulsion meeting in person or by mail within five school attendance days after receipt by parent(s)/guardian(s) of the Notice Regarding Expulsion Request, the Expulsion Examiner shall schedule the meeting within a period of five school days after it is

requested. When scheduling such meeting, the Expulsion Examiner should confer with the principal, the Executive Director of Personnel and Legal Services, and the parent(s)/guardian(s) as to the date and time of the meeting.

- f. The superintendent or person appointed to conduct the expulsion meeting may issue subpoenas, compel the attendance of witnesses, and administer oaths to persons giving testimony at the expulsion meeting. If an expulsion meeting is held, the principal (or designee), will present evidence to support the charges against the student. The student or parent will have the opportunity to answer the charges against the student and to present evidence to support the student's position. The individual conducting the expulsion meeting will make a written summary of the evidence heard at the meeting, and should the individual conclude disciplinary action is necessary, make a recommendation to the Superintendent or Superintendent's designee. The Superintendent or Superintendent's Designee may accept, reject, or modify the recommendation of the individual who conducted the expulsion meeting. Notice of the action taken shall be given to the student, the student's parent, the principal, and the Director of Student Services.
- g. The student or parent has the right to appeal the decision of the Superintendent to the school board within 10 days of the receipt of notice of the action taken. The student or parent appeal to the school board must be in writing and must provide a statement of the reasons, written information or submissions in support (provided said written information or submissions were provided at the original expulsion meeting) and arguments for overruling the decision of the Superintendent. If an appeal is properly made, the board must consider the appeal. The board shall hold a meeting to consider the written summary of the expulsion meeting and the written arguments of the school administration and the student and/or the student's parent. The board will make its decision based upon the written submissions of the parties and any documents introduced during the original expulsion meeting, unless the board votes to conduct a meeting at which the school administration and student and/or the student's parents shall appear. In the event the

board votes to conduct a meeting at which the school administration and the student and/or the student's parents shall appear, the meeting shall be held in executive session and the Board President shall communicate to the school administration and the student and/or the student's parents the procedure to be used during the meeting. The board may then take any action deemed appropriate. The decision of the board may be appealed only through judicial review. The board may vote to not hear appeals of actions taken after an expulsion meeting. If the board votes not to hear such appeals, subsequent to the date of the vote, a student or parent may appeal only through judicial review.

- h. If the Expulsion Examiner does not receive a request for an expulsion meeting within five school attendance days after receipt by parent(s)/guardian(s) of the Notice of Expulsion Request, or a student/parent fails to appear at an expulsion meeting after receipt of the Notice, then all rights administratively to contest and appeal the expulsion shall be forfeited. The Expulsion Examiner shall then notify by memorandum the Superintendent, the principal, the Director of Student Services, and the Executive Director of Personnel and Legal Services that the action requested in the charge by the principal concerning such student shall automatically become effective.
- i. An expulsion which takes effect more than three (3) weeks before the beginning of the second semester of a school year must be reviewed before the beginning of the second semester. An expulsion remaining in effect during the first semester of the following school year must be reviewed before the beginning of the school year.

4. Possession and Self-Administration of Medication Permitted

A student with a chronic disease or medical condition may possess and self-administer medication for the chronic disease or medical condition, without risk of discipline for possession of drugs, if certain conditions are met.

5. Procedure for Students with Disabilities

Students with disabilities are subject to the same disciplinary action for violating school rules as any other student. However,

if a student with a disability is subjected to disciplinary change of placement, there are additional procedural safeguards which apply. A disciplinary change of placement occurs when a student is removed for more than ten (10) consecutive school days or is subjected to a series of removals which cumulates to more than ten (10) school days in a school year and constitutes a pattern.

When a student with a disability is subjected to a series of removals accumulating to more than ten (10) school days in a school year, the principal (or designee) must determine if the series of removals constitutes a pattern. If the principal determines a disciplinary change of placement has not occurred, the school shall follow the procedures for suspension (outlined above) and in consultation with at least one (1) of the student's teachers, determine the extent to which services are needed to enable the student to do the following:

- a. Continue to participate in the general education curriculum, although in another setting.
- b. Progress towards meeting the goals set out in the student's IEP.

If a disciplinary change of placement occurs, the following procedures must be followed:

- a. The school must notify the student's parents and provide the parent with the Notice of Procedural Safeguards on the date the decision to make a removal that constitutes a change of placement is made. If the school is unable to notify the parent on the date the decision is made, notice must be mailed to the parent not later than the following business day.
- b. Within ten (10) instructional days of any decision to change the placement of a student with a disability, the Case Conference Committee (CCC) must meet to determine whether the student's behavior is a manifestation of the student's disability. The conduct will be considered a manifestation of the student's disability, if the CCC determines the conduct was
  - (i) caused by, or had a direct and substantial relationship to the students disability; or
  - (ii) the direct result of the school's failure to

- implement the student's IEP.
- c. If the conduct was a manifestation of the student's disability, the CCC must either
- (i) conduct a functional behavioral assessment, unless an FBA was conducted prior to the behavior resulting in disciplinary action, and implement a behavioral intervention plan for the student; or
  - (ii) review the BIP and modify it, as necessary if a BIP has already been developed for the student.
- Then, the student shall be returned to the placement from which the student was removed, unless the parent and school agree to a change of placement as a part of a BIP or an interim alternative setting is required due to weapons, drugs, or serious bodily injury.
- d. If the conduct was NOT a manifestation of the student's disability, the school may impose disciplinary sanctions in the same manner as it does for students without disabilities. However, the student must continue to receive appropriate services.
- e. The school may remove a student with a disability to an interim alternative educational setting for up to forty-five (45) school days; if the student, while at school, on school premises, or at a school function, does the following:
- (i) carries a weapon to school or possesses a weapon;
  - (ii) knowingly possesses or uses illegal drugs or sells or solicits the sales of a controlled substance; or
  - (iii) inflicts serious bodily injury upon another person.

Regardless of whether the CCC determines the student's conduct is a manifestation of the student's disability, the student may remain in the IAES for up to forty-five (45) school days. But, the student must continue to receive appropriate services.

May 13, 2014

## RULES FOR STUDENT CONDUCT

In addition to adopted Board Policies and Administrative Regulations governing all students of the Elkhart Community Schools, the Elkhart Community Schools adopt the following rules governing student conduct. These rules apply to actions which occur on school property, inside or outside the school building, or on property adjacent to school property; or at any school-sponsored activity regardless of location; or when traveling to or from school or any educational activity. Disregard of these rules shall constitute grounds for suspension, expulsion, or any other reasonable form of disciplinary action. In addition to being subjected to discipline, students who use cellular phones, tablet computers, music devices, digital cameras, electronic equipment and other similar devices in a manner which is inconsistent with these rules may have those devices confiscated by the school.

1. Insubordination. Refusal to obey or follow a reasonable order or directive given by any Elkhart school staff member. Refusal to provide proper and sufficient identification upon request of any staff member. Staff members shall mean teachers, administrators, custodians, bus drivers, paraprofessionals, all other employees and officials, and authorized volunteers.
2. Failure to clearly display a school identification card when this is required by a student's school.
3. Theft of school property or property belonging to another student or staff member or being in possession of stolen property.
4. Fighting and/or committing any act which jeopardizes the health, safety, or welfare of other students, staff members, or visitors.
5. Vandalism. Damaging any property belonging to other students, staff, or to the Elkhart Community Schools.
6. Use of, display of, or participation in any form of profanity, indecency, or obscenity.
7. Conduct or use of language which reasonably threatens, intimidates, or indicates disrespect of another person.

8. Bullying Behavior: Intentional behaviors involving unwanted negative actions which may be repeated over time and involve an imbalance of power.
9. Failure to follow directions during an emergency or an emergency drill.
10. Failure to follow cafeteria procedures and rules.
11. Consuming food or drink in the building except in the cafeteria or other designated areas.
12. Use of the elevator without the specific and express permission of a staff member.
13. Leaving a class station or other assigned area without permission of a staff member.
14. Leaving school property at a time other than the end of the student's scheduled day, unless specific permission is granted by the administration, and the sign-out procedure is followed by the student.
15. Failure to comply with school attendance/tardy policies.
16. Failure to comply with study hall, detention, and/or in-school suspension regulations.
17. Failure to attend assigned detention including, but not limited to, after-school detention, lunch detention, weekend detention, etc.
18. Failure to comply with driving and parking regulations.  
Reckless driving is prohibited.
19. Failure to comply with bus regulations.
20. Failure to comply with the school's release time regulations.
21. Possession or use of tobacco in any form; possession, use, or under the influence of alcohol; or possession, use, under the influence, or transmission of any controlled substance or substance represented as a controlled substance, or paraphernalia for the use of such substance.
22. Violating any reasonable condition of probationary enrollment status for which proper notice has been given.
23. Using an electronic device (e.g. cellular phone, tablet computer, music device, digital camera, etc.) either in a manner which

- constitutes an interference with a school purpose, educational function, invasion of privacy, or act of academic dishonesty; or which is profane, indecent, or obscene.
- 24. Failure to comply with the building's dress code.
  - 25. Failure to bring required materials and equipment to classes and refusal to participate in class activities.
  - 26. Continuously and intentionally making noise or acting in any manner so as to interfere with the ability of any teacher or any other school personnel to conduct the educational function under his/her supervision.
  - 27. Violations of the Board of School Trustees' Policy on Acceptable Use of Electronic Information, Services, and Networks regarding appropriate use of school corporation computers and networks.
  - 28. Knowingly possessing, handling, or transmitting a knife, gun, destructive device, or any other object which can reasonably be considered a weapon.
  - 29. Possessing and/or using matches, cigarette lighters, or any pyrotechnic device, including firecrackers, on school grounds without authorization from school officials.

May 12, 2015