Oregon City School District
Code of Conduct for Students

2018-19 School Year

With high expectations for all, we engage all students in meaningful learning activities that prepare them for a successful life.
TO THE STUDENT

It is the responsibility of Oregon City School District #62, to provide educational opportunities for you -- to equip you with basic skills, understandings, appreciation, and attitudes necessary for living effectively in our society. It is your responsibility to make your school a place where people can live and learn together. This attitude is reflected in Oregon City School District's mission statement: *With high expectations for all, we engage all students in meaningful learning activities that prepare them for a successful life.*

The Board of Education has developed this handbook to inform you of the policies and regulations which govern your conduct in school. These policies and regulations conform to the laws of the state of Oregon. They are as follows:

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Schools within the district are directed to follow these procedures. A building administrator may develop reasonable, published rules in addition to, but not in conflict with, regulations in this document. Such published rules will include this document by reference and therefore will be a part thereof.

The Board of Education requires this document or its contents, to be distributed to all students. This may be as a separate document or inclusion in the building student handbook. It is the direction of the Board of Education that rules and procedures contained in this document are enforced reasonably, fairly, and consistently.

Best regards,

Oregon City School Board and Larry Didway, Superintendent
Student Dress and Grooming

The Board recognizes that school dress significantly influences student behavior and that appropriate dress and grooming contribute to a productive learning environment as well as promote individual dignity. Students are expected to give proper attention to personal cleanliness and to wear clothes that are suitable for the school activities in which they participate so as not to endanger their health, safety, or welfare, or that of others; so as not to foster peer competition; or not to cause a disruption to the educational process or interference with the classroom learning environment.

District dress codes shall be enforced on the school campus and at any school-sponsored activity. Appropriate dress for school dances, graduation activities, and other special events will be communicated to parents and students by the school. Students who represent the school in a voluntary activity may be required to conform to dress and grooming standards and may be denied the opportunity to participate if those standards are not met.

The Superintendent is directed to develop administrative regulations for the implementation of policy.

END OF POLICY

Legal Reference(s):
ORS 339.240
ORS 339.250
OAR 581-021-0050 to 0075

Student Dress and Grooming Procedures

This administrative regulation specifies standards that promote a positive and safe learning environment for students. Annual notice of this regulation shall be provided to students, parents, and staff in student handbooks. In addition, each school site council shall regularly review these standards. District and school dress and grooming codes shall be enforced on the school campus and at any school-sponsored activity. Appropriate dress for special events will be communicated to parents and students by the school. Exceptions to the dress and grooming code may be made by the administration for special days, special events, or activities.

Standards:
1. To ensure adequate coverage of the body at school and school activities, the following articles of clothing are not permitted:
   a. See-through garments.
   b. Backless or strap-less dresses or tops, including halter-tops or any tops that expose cleavage. Bare-midriff tops. (Tops and bottoms must touch when student is standing.)
   c. Muscle shirts or sleeveless undershirts that expose the torso.
   d. Shorts, skirts, pants, and tops that fail to conceal undergarments when the student is standing or sitting.
   e. Shorts, skirts, or dresses that are shorter than finger-length when arms are held at sides, or that expose undergarments when standing or sitting. These articles must provide full coverage of the body at all times.
   f. Clothing that is tight or revealing.
   g. Face or body piercings that are distracting.
2. Shoes shall be worn at all times. Shoes that interfere with safe play and instructional activities are inappropriate.
3. Clothing, accessories, and jewelry shall be free of writing, pictures, symbols, or any other insignia that are crude, vulgar, profane, obscene, libelous, slanderous, or sexually suggestive. Clothing, accessories, or jewelry that degrade any cultural, religious or ethnic values, that advocate racial, ethnic, or religious prejudice or discrimination, or that promote sex, the use of tobacco, drugs, or alcohol or any unlawful acts are prohibited.
4. Hats, caps, and other head coverings shall not be worn at elementary and middle schools. On the high school campus, the wearing of hats indoors is left to the discretion of the administration and teaching staff.
5. Dark glasses shall not be worn indoors, except for valid medical reasons authorized by the principal or administration and verified in writing by a physician.
6. Gang-related clothing or accessories, including but not limited to bandanas, or other symbols, emblems, or insignias are prohibited. School officials shall use information obtained from community resources and the local gang task force to make judgments on what items and accessories are gang-related.

7. Tattoos on any part of the body must be covered if they are gang-related or violate any of the provisions of this dress and grooming code.

8. Items of clothing or accessories with spikes, safety pins, or chains, including wallet chains, are prohibited. Clothing or any attachments to clothing that could be considered weapons are not allowed.

9. Sleepwear may not be worn.

10. Clothing must not have excessive rips or tears.

11. Excessive sagging or baggy pants are not to be worn. Undergarments may not be exposed.

12. Students wearing clothing, accessories, or hair style or hair color that causes disruption to the school environment or inhibits school safety will be asked to change or modify such. The school administrator will determine if a disruption or safety concern exists.

The final determination of what constitutes appropriate dress shall be made by the school administration.

School Site Councils shall review fashion trends regularly to determine if they are inappropriate for school as defined by this Dress and Grooming Code. Parents and students will be notified following such determinations.

Students, with the support of their parents, have the responsibility to cooperate fully with district clothing standards. Students who violate the dress and grooming codes or disrupt the educational process due to their appearance will be asked to change their clothing. Students may be offered alternative clothing from the school, may change to appropriate items they have with them, or may be sent home to change. Parents will be contacted to review the district’s dress and grooming codes. Students who refuse to comply with this action will result in suspension as determined by the Code of Conduct.

Oregon City School District

Code: JFG
Adopted: 6/03
Readopted: 4/14/08
Orig. Code(s): 5140

Student Searches

The district seeks to ensure a learning environment which protects the health, safety, and welfare of students and staff. To assist the Board in attaining these goals, district officials may, subject to the requirements below, search a student’s person and property, including property assigned by the district for the student’s use. Such searches may be conducted at any time on district property or when the student is under the jurisdiction of the district at school-sponsored events and activities.

All searches for evidence of a violation conducted by the district shall be subject to the following requirements:

1. The district official shall have individualized, “reasonable suspicion” to believe evidence of a violation of law, Board policy, administrative regulation or school rule is present in a particular place.

2. The search shall be “reasonable in scope”. That is, the measures used are reasonably related to the objectives of the search and not excessively intrusive in light of the age, sex, and maturity of the student and nature of the infraction.

District officials may also search when they have reasonable information that emergency/dangerous circumstances exist.

Routine inspections of district property assigned to students may be conducted at any time.

Use of drug-detection dogs and metal detectors, or similar detection devices, may be used only on the express authorization of the Superintendent.

District officials may seize any item which is evidence of a violation of law, Board policy, administrative regulation or school rule, or which the possession or use of is prohibited by such law, policy, or rule.

Students may be searched by law enforcement officials on district property or when the student is under the jurisdiction of the district upon the request of the law enforcement official. Law enforcement requests ordinarily shall be based on a warrant.
The Superintendent shall develop an administrative regulation for implementing this policy in a manner which protects students’ rights and provides a safe learning environment without unreasonable interference. Provisions for staff, student and parent notice of the Board’s policy and accompanying regulation shall be included.

Legal Reference(s):
ORS 332.107
OAR 581-021-0050 to 0075

Cross Reference(s): KN - Relations with Law Enforcement Agencies

Student Searches

1. Definitions
   a. “Reasonable suspicion” means sufficient knowledge possessed by the district official at the time the official makes or authorizes the search which would lead a reasonable person to believe that a search of a particular student or place will likely turn up evidence of a violation of law, Board policy, administrative regulation or school rule. The official’s knowledge may be based upon relevant past experience of the official, observation by the official and/or credible information from another person.
   (1) “Past experience” may provide the district official with information relevant to the violation, as well as information which enables the official to evaluate the credibility of information from another person.
   (2) “Credible information from another person” may include information which the district official reasonably believes to be true provided by another district employee, a student, a law enforcement or other government official or some other person.
   b. Reasonable in scope” means that the manner and extent of the search are reasonably related to the objectives of the search, limited to the particular student or students most likely to be involved in the infraction, and not excessively intrusive in light of the student’s age, sex, maturity, and the nature of the infraction.

2. Routine Inspection of District Property Assigned to Students
   a. Lockers, desks and other storage areas provided by the school and assigned to a particular student(s) are the property of the district, remain in the possession of the district and are under the control of the building principal.
   b. Students may use district-owned storage areas for the limited purpose of temporarily keeping items needed for attendance and participation in school instructional and activity programs only. No other purpose is permitted.
   c. Students shall be provided notification that district-owned storage areas assigned to students are subject to routine inspection without prior notice for the following reasons:
      (1) Ensure that no item which is prohibited on district premises is present;
      (2) Ensure maintenance of proper sanitation;
      (3) Ensure mechanical condition and safety;
      (4) Reclaim overdue library books, texts, or other instructional materials, property, or equipment belonging to the district.

3. Voluntary Consent
   When a district official has reasonable suspicion to believe that evidence of a violation of law, Board policy, administrative regulation or school rule is present in a particular district-owned storage area assigned to a student, or the clothing or the personal property of a student, the official has the option of making a search or asking the student to voluntarily provide the evidence sought. Before making a search, the official should ordinarily ask for the student’s voluntary consent by requesting the student to empty the contents of the storage area, clothing or personal property. If the student refuses consent, the official may search for the evidence evaluating student and staff safety using the least intrusive search methods. The official may elect to contact the student’s parents or, contact law enforcement officials to assist with the search.

4. Emergency/Dangerous Circumstance
   a. When a district official has knowledge which would lead a reasonable person to believe that either an emergency or dangerous circumstance exists and that it is necessary to act to protect the safety of any person or property, the official may make a search to the extent necessary to relieve the emergency or dangerous circumstance.
   b. In responding to such an emergency or dangerous circumstance, the actions of the official shall be reasonably effective and no more intrusive than necessary.

5. Search for Evidence of a Violation
   a. A search may be conducted of an individual student, a district-owned storage area assigned to a student, or the personal property of a student. Personal property of a student includes, but is not limited to, wallets, purses, lunch boxes/sacks, book bags, backpacks, or other containers used to carry belongings.
b. All searches shall be based on reasonable suspicion and shall be reasonable in scope. A “strip search”, requiring a student to remove clothing down to the student’s underwear or including underwear is prohibited by the district.

c. Searches will be generally conducted by a building administrator or by other school personnel only as authorized by the building administrator. In certain circumstances, a building administrator may be assisted by law enforcement.

d. The student will generally be permitted to be present during a search of a district-owned storage area assigned to the student or during a search of the student’s personal property. The student’s presence is not required, however.

e. Search of a student’s clothing will be limited to the student’s “outer clothing” only. “Outer clothing” means the student’s coat, jacket or other such outerwear garments worn by a student. A search of the clothing may include the search of a container inside the clothing, provided that the container is of a size and shape to hold the object of the search.

f. Searches of a student’s outer clothing will be conducted by a district official of the same sex as the student whenever possible.

g. Where the object of the search may be felt by a “pat down” of clothing or personal property, the district official may first pat the clothing or property in an attempt to locate the object before searching inside the clothing or property.

h. Searches will be conducted in privacy, out of the view of other students, staff, and others and in the presence of an adult witness of the same sex as the student, whenever possible.

i. Any item removed from the student as a result of the above procedures which is not evidence of a violation of a law, Board policy, administrative regulation or school rule may be returned to the student, as appropriate.

6. Other Searches

a. Student vehicles may be parked on district property on the condition that the student and his/her parent(s) or guardian(s) allow the vehicle and its contents, upon reasonable suspicion, to be examined. Additionally, student vehicles on another district’s property at activities under the jurisdiction of the district, including interscholastic activities sponsored by the Oregon School Activities Association (OSAA) or other such voluntary organizations approved by the State Board of Education, shall also be subject to such conditions.

b. If a student or parent(s) or guardian(s) refuse to allow access to a vehicle when requested under the circumstances described above, the student’s privilege of bringing a vehicle onto district property will be terminated for the remainder of the school year. A refusal will subject the student to discipline up to and including expulsion, and law enforcement officials may be notified.

c. Metal detectors, including walk-through and hand-held devices, may be used when the superintendent determines that there is a need for such detectors based upon reasonable information of a history of:
   (1) Weapons or dangerous objects found at school, on district property, at a school function, or in the vicinity of the school; or
   (2) Incidents of violence involving weapons at a school, on district property, at a school function, or in the vicinity of the school.

d. Upon positive detection, a student should ordinarily be asked to voluntarily remove the metal item. The district official may search the clothing or personal property of the student for the item if the student refuses consent or if the positive metal detection is not satisfactorily explained.

e. Drug-detection dogs may be used when the superintendent determines that there is a need for use of such dogs based upon reasonable information of a history of:
   (1) Drugs and/or drug paraphernalia use/possession at school, on district property, at a school function, or in the vicinity of the school; or
   (2) Incidents of violence or health emergencies involving drugs and/or drug paraphernalia at a school, on district property, at a school function, or in the vicinity of the school.

f. After such need has been determined, drug-detection dogs may be used to sniff out contraband in district-owned storage areas or in student vehicles parked on district property upon reasonable suspicion to believe that contraband is in the area or vehicle.

   Drug-detection dogs will not be used for general or “dragnet” searches.

g. Body-fluid searches of students for the presence of alcohol or drugs are prohibited except when the district has individualized reasonable suspicion to believe a student has been using controlled substances or alcohol on school premises when the student is part of a drug and alcohol program entered into by the student in lieu of suspension or expulsion.

7. Discipline

a. Possession or use of unauthorized, illegal, unhealthy or unsafe materials will result in the following:
   (1) Seizure of the material:
      (a) Property, the possession of which is a violation of the law, Board policy, administrative regulation, or school rule will be returned to the parent or, if also a violation of law, turned over to law enforcement officials or destroyed by the district as deemed appropriate by the building principal;
      (b) Stolen property will be returned to its rightful owner;
      (c) Unclaimed property may be disposed of in accordance with Board policy.

1Consult with legal counsel prior to implementing procedures in this section, modifying as appropriate to meet local needs.
(2) Discipline up to and including expulsion and notification of law enforcement as appropriate or as otherwise required by law or Board policy.

b. Any incident involving discipline of a student as a result of a routine inspection of district storage areas made available for student use or other searches of a student or the student’s personal property will be documented.

8. Documentation
   a. Building administrators shall document all searches.
   b. Documentation shall consist of the following:
      (1) Name, age and sex of student;
      (2) Time and location of search;
      (3) Justification for search and nature of the reasonable suspicion;
      (4) Type/scope of search (what was searched);
      (5) Results of search, prohibited material(s) found, disposition of the material(s) seized and discipline imposed;
      (6) Names of the witness to the search;
      (7) Name of the district official;
      (8) Signature of student if student agrees to search.
   c. Documentation will be maintained as a part of the student’s education records and retained in accordance with applicable Oregon Administrative Rules governing records’ retention.

9. Notice
   Notice of the Board’s policy and pertinent provisions of this regulation will be provided to staff, students and their parent(s) annually, through such means as staff and student/parent handbooks.

10. Cooperation with Law Enforcement Officials
   a. Building administrators will meet with law enforcement officials annually to review:
      (1) Official contact protocols;
      (2) Applicable Board policies and administrative regulations;
      (3) Circumstances in which the district will generally be requesting local law enforcement involvement in suspected crimes;
      (4) Handling of searches and evidence of suspected crimes when involving law enforcement officials.

11. Availability of Lockers
   Lockers are the property of the district and are under the direct control and supervision of school administrators. When available, lockers may be assigned to students for the protection and safe-keeping of district and personal property. In those cases where a lock is not an integral part of the locker, locks may also be assigned. A student may choose not to use the locker facilities provided by the district.

12. Conditions of Use
   a. Lockers and/or locks will be assigned to a student under the following conditions:
      (1) The student may be required to pay a deposit fee.
      (2) Authorized administrators of the district may inspect lockers at any time to search for missing library books and textbooks/instructional materials, to remove possible health hazards and maintain sanitary control, to check physical conditions of lockers for damage and needed repair, to handle emergency situations which may endanger the safety of the building occupants or the property of the district, or to search for and to confiscate unlawful items.
      (3) No student shall place in a locker any of the following items: items which are not the personal property of the student or have not been issued to the student by the district; intoxicants, tobacco, weapons, as defined by Board policy, narcotics or other unlawful drugs; any item which could be threatening to the health, safety or welfare of the occupants of the building or district property; or any item that is unlawful to possess.
      (4) The district does not accept responsibility for the safekeeping of items placed in the locker by the student.

Code: JBA/GBN
Adopted: 4/01
Readopted: 4/14/08
Orig. Code(s): 5150

Oregon City School District

Sexual Harassment

The Board is committed to the elimination of sexual harassment in district schools and activities. Sexual harassment is strictly prohibited and shall not be tolerated. This includes sexual harassment of students or staff by other students, staff, Board members or third parties.

“Third parties” include, but are not limited to, school volunteers, parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at interdistrict and intradistrict athletic competitions or other school events.
“District” includes district facilities, district premises and nondistrict property if the student or employee is at any district-sponsored, district-approved or district-related activity or function, such as field trips or athletic events where students are under the control of the district or where the employee is engaged in district business.

Sexual harassment of students and staff shall include, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature when:

1. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits;
2. Submission to or rejection of the conduct or communication is used as the basis for educational decisions affecting a student or employment or assignment of staff;
3. The conduct or communication is so severe, persistent or pervasive that it has the purpose or effect of unreasonably interfering with a student’s educational performance or with an employee’s ability to perform his/her job; or creates an intimidating, offensive or hostile educational or working environment.

Relevant factors to be considered will include, but not be limited to, did the individual view the environment as hostile; was it reasonable to view the environment as hostile; the nature of the conduct; how often the conduct occurred and how long it continued; age and sex of the complainant; whether the alleged harasser was in a position of power over the student or staff member subjected to the harassment; number of individuals involved; age of the alleged harasser; where the harassment occurred; and other incidents of sexual harassment at the school involving the same or other students or staff.

4. The initiation of a complaint in good faith about behavior that may violate this policy shall not adversely affect the educational assignments or study environment of a student complainant or any terms or conditions of employment or work environment of the staff complainant. There shall be no retaliation by the district against any person who, in good faith, reports, files a complaint or otherwise participates in an investigation or inquiry of sexual harassment.

5. It is the intent of the Board that appropriate corrective action will be taken by the district to stop the harassment, prevent its recurrence and address negative consequences:
   a. Students in violation of this policy shall be subject to discipline up to and including expulsion and/or counseling or sexual harassment awareness training, as appropriate. The age and maturity of the student(s) involved and other relevant factors will be considered in determining appropriate action.
   b. Employees in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional sexual harassment awareness training, as appropriate.
   c. Other individuals whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the Superintendent or Board.

6. Additionally, the district may report individuals in violation of this policy to law enforcement officials. Licensed staff, staff registered with the Teacher Standards and specified by Oregon Administrative Rules, shall be reported to the TSPC.

7. The Superintendent shall ensure appropriate periodic sexual harassment awareness training or information is provided to all administrators, supervisors, staff and students and that annually, the name and position of district officials responsible for accepting and managing sexual harassment complaints, business phone numbers, addresses or other necessary contact information is readily available. This policy as well as the complaint procedure will be made available to all students, parents of students and staff in student/parent and staff handbooks. The district’s policy shall be posted in all schools. Such posting shall be by a sign of at least 8.5 by 11 inches.

8. The Superintendent will establish a process of reporting incidents of sexual harassment.

END OF POLICY

Legal Reference(s):
ORS 243.706
ORS 243.708
ORS 659.850
ORS 659A.030
OAR 584-020-0041

ORS 342.700
ORS 342.850
ORS 659A.006
ORS 659A.029
OAR 581-021-0038
OAR 584-020-0040
Sexual Harassment Complaint Procedure

Administrators, supervisors, the compliance officer and the Superintendent or designee have responsibility for investigations concerning sexual harassment. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

Step I. Any sexual harassment information (complaints, rumors, etc.) shall be presented to the building administrator, supervisor, compliance officer or Superintendent. All such information shall be reduced to writing and will include the specific nature of the sexual harassment and corresponding dates.
Complaints against the building administrator, supervisor, or district administrator shall be filed with the Superintendent or designee. Complaints against the Superintendent shall be filed with the Board chair.

Step II. The district official receiving the information or complaint shall promptly initiate an investigation. He/She will arrange such meetings as may be necessary to discuss the issue with all concerned parties within 10 working days after receipt of the information or complaint. All findings of the investigation, including the response of the alleged harasser, shall be reduced to writing. The district official(s) conducting the investigation shall notify the complainant when the investigation is concluded. The parties will have an opportunity to submit evidence and a list of witnesses. The date and details of notification to the complainant, together with any other documentation related to the sexual harassment incident, including disciplinary action taken or recommended, shall be forwarded to the Superintendent or designee.

Step III. If a complainant is not satisfied with the decision at Step II, he/she may submit a written appeal to the Superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step II decision. The Superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The Superintendent or designee shall provide a written decision to the complainant within 10 working days.

Step IV. If a complainant is not satisfied with the decision at Step III, he/she may submit a written appeal to the Board. Such appeal must be filed within 10 working days after receipt of the Step III decision. The Board shall, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the appeal. The Board shall provide a written decision to the complainant within 10 working days following completion of the hearing.

Direct complaints related to employment may be filed with the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries; the student may appeal to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099. Additional information regarding filing of a complaint may be obtained through the building principal, compliance officer or Superintendent.

All documentation related to sexual harassment complaints may become part of the student’s education record or employee’s personnel file as appropriate. Additionally, a copy of all sexual harassment complaints and documentation will be maintained as a confidential file and stored in the district office.

The Superintendent or designee shall report the name of any person holding a teaching license or registered with Teacher Standards and Practices Commission (TSPC) or participating in a practicum under OAR 584-015-0070 or 584-016-1075 when, after appropriate investigation, there is reasonable cause to believe the person may have committed an act of sexual harassment. Reports shall be made to the TSPC within 30 days of such a finding. Reports of sexual contact with a student shall be given to law enforcement representatives or Services to Children and Families representatives as possible child abuse. In the event the Superintendent is the subject of the investigation, reports, when required, shall be made by the Board chair.
Oregon City School District

Harassment/Intimidation/Bullying/Cyberbullying/
              Teen Dating Violence – Student

The Board is committed to providing a positive and productive learning environment. Harassment, intimidation or bullying and acts of cyberbullying by students, staff and third parties toward students is strictly prohibited. Teen dating violence is unacceptable behavior and prohibited. Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is also strictly prohibited. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. The district may also file a request with the Oregon Department of Transportation to suspend the driving privileges or the right to apply for driving privileges of a student 15 years of age or older who has been suspended or expelled at least twice for menacing another student or employee, willful damage or injury to district property or for the use of threats, intimidation, harassment or coercion. Students may also be referred to law enforcement officials.

The building principals and the superintendent are responsible for ensuring that this policy is implemented.

Definitions

“District” includes district facilities, district premises and nondistrict property if the student is at any district-sponsored, district-approved or district-related activity or function, such as field trips or athletic events where students are under the control of the district.

“Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at interdistrict and intradistrict athletic competitions or other school events.

“Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or performance, that takes place on or immediately adjacent to district grounds, at any district-sponsored activity, on district-provided transportation or at any official district bus stop, that may be based on, but not limited to, the protected class status of a person, having the effect of:

1. Physically harming a student or damaging a student’s property;
2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property;
3. Creating a hostile educational environment including interfering with the psychological well being of the student.

“protected class” means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, national origin, marital status, familial status, source of income or disability.

“Teen dating violence” means:

1. A pattern of behavior in which a person uses or threatens to use physical, mental or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or

2Sexual orientation” means an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behaviors differs from that traditionally associated with the individual’s sex at birth.
2. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

“Cyberbullying” is the use of any electronic communication device to harass, intimidate or bully.

“Retaliation” means harassment, intimidation or bullying, teen dating violence and acts of cyberbullying toward a person in response to a student for actually or apparently reporting or participating in the investigation of harassment, intimidation or bullying, teen dating violence and acts of cyberbullying or retaliation.

Reporting

The building principal/department supervisor will take reports and conduct a prompt investigation of any report of an act of harassment, intimidation or bullying and acts of cyberbullying. Any employee who has knowledge of conduct in violation of this policy shall immediately report his/her concerns to the building principal/department supervisor who has overall responsibility for all investigations. Any employee who has knowledge of incidents of teen dating violence that took place on district property, at a district-sponsored activity or in a district vehicle or vehicle used for transporting students to a district activity, shall immediately report the incident to the building principal/department supervisor. Failure of an employee to report an act of harassment, intimidation or bullying, teen dating violence or an act of cyberbullying to the building principal/department supervisor may be subject to remedial action, up to and including dismissal. Remedial action may not be based solely on an anonymous report.

Any student who has knowledge of conduct in violation of this policy or feels he/she has been harassed, intimidated or bullied, a victim of teen dating violence and acts of being cyberbullied in violation of this policy is encouraged to immediately report his/her concerns to the building principal/department supervisor who has overall responsibility for all investigations. Any volunteer who has knowledge of conduct in violation of this policy is encouraged to immediately report his/her concerns to the building principal/department supervisor who has overall responsibility for all investigations.

This report may be made anonymously. A student or volunteer may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate district official.

Complaints against the principal shall be filed with the superintendent. Complaints against the superintendent shall be filed with the Board chair.

The complainant shall be notified of the findings of the investigation and, as appropriate, that remedial action has been taken. The complainant may request that the superintendent review the actions taken in the initial investigation, in accordance with administrative regulations.

The district shall incorporate age-appropriate education about teen dating violence into new or existing training programs for students in grade 7 through 12.

The district shall incorporate into existing training programs for staff information related to the prevention of, and the appropriate response to, acts of harassment, intimidation or bullying, teen dating violence and acts of cyberbullying.

The superintendent shall be responsible for ensuring annual notice of this policy is provided in a student or employee handbook, school and district website, and school and district office and the development of administrative regulations, including reporting and investigative procedures.

END OF POLICY

Legal Reference(s):
ORS 163.190
ORS 166.005
ORS 166.155 to-166.165
ORS 174.100(6)
ORS 332.072
ORS 332.107
ORS 339.240
ORS 339.250
ORS 339.254
ORS 339.351 to-339.364
OAR 581-021-0045
Harassment/Intimidation/Bullying/Cyberbullying/
Teen Dating Violence Complaint Procedures – Student

The building principal/department supervisor has/have responsibility for investigations concerning harassment, intimidation or bullying, acts of cyberbullying and incidents of teen dating violence. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

All complaints will be investigated in accordance with the following procedures:

Step 1 Any harassment, intimidation or bullying, acts of cyberbullying and incidents of teen dating violence information (complaints, rumors, etc.) shall be presented to the building principal/department supervisor. Complaints against the principal shall be filed with the superintendent. Complaints against the superintendent shall be filed with the Board chair. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.

Step 2 The district official receiving the complaint shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The district official will arrange such meetings as may be necessary with all concerned parties within five working days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The district official(s) conducting the investigation shall notify the complainant and parents as appropriate, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

Step 3 If the complainant is not satisfied with the decision at Step 2, he/she may submit a written appeal to the superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant’s appeal within 10 working days.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights.

Documentation related to the incident may be maintained as a part of the student’s education records.
Student Discipline

Discipline in the district is based upon a philosophy designed to produce behavioral changes that will enable students to
develop the self-discipline necessary to remain in school and to function successfully in their educational and social
environments.

The major objectives of the district discipline program are to teach the following fundamental concepts for living:

1. Understanding and respect for individual rights, dignity and safety;
2. Understanding and respect for the law, Board policies, administrative regulations and school rules;
3. Understanding of and respect for public and private property rights.

The Board seeks to ensure a school climate which is appropriate for learning and which assures the safety and welfare of
personnel and students. The Superintendent or designee will develop administrative regulations whereby those students who
 disrupt the educational setting or who endanger the safety of others will be offered corrective counseling and be subject to
disciplinary sanctions that are age appropriate, and to the extent practicable, that uses approaches that are shown through
research to be effective.

The district shall enforce consistently, fairly and without bias all student conduct policies, administrative regulations and
school rules. A student whose conduct or condition is seriously detrimental to the school’s best interests may be suspended.

Students may be expelled for any of the following circumstances: a) when a student’s conduct poses a threat to the health or
safety of students or employees; b) when other strategies to change the student’s behavior have been ineffective; or c) when
required by law. The district will ensure careful consideration of the rights and needs of the individual concerned, as well as the
best interests of other students and the school program as a whole.

Parents, students and employees shall be notified by handbook, code of conduct or other document of acceptable behavior,
behavior subject to discipline and the procedures to address behavior and the consequences of that behavior. These procedures
will include a system of consequences designed to correct student misconduct and promote acceptable behavior.

END OF POLICY

Legal Reference(s):
ORS 243.650
ORS 332.061
ORS 332.072
ORS 332.107
ORS 339.115
ORS 339.240 to -339.280
OAR 581-021-0045
OAR 581-021-0050 to -0075
1. Civil rights — including the rights to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others;
2. The right to attend free public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school;
3. The right to due process of law with respect to suspension, expulsion and decisions which the student believes injure his/her rights;
4. The right to free inquiry and expression; the responsibility to observe reasonable rules regarding these rights;
5. The right to privacy, which includes privacy with respect to the student’s education records.

Students have the right to know the behavior standards expected of them as well as to know the consequences of misbehavior.

Students’ rights and responsibilities, including standards of conduct, will be made available to students and their parents through information distributed annually.

END OF POLICY

Legal Reference(s):
ORS 332.061 ORS 332.072 ORS 337.150 ORS 339.155

Corporal Punishment

The authority to discipline a student does not authorize the infliction of corporal punishment. The use of corporal punishment in any form is strictly prohibited in the district. No teacher, administrator, other school personnel or school volunteer will subject a student to corporal punishment or condone the use of corporal punishment by any person under his/her supervision or control. Permission to administer corporal punishment will not be sought or accepted from any parent or school official.

However, A staff member is authorized to employ physical force when, in his/her professional judgment, the physical force is necessary to prevent a student from harming self, others or doing harm to district property. Physical force shall not be used to discipline or punish a student. The Superintendent shall inform all staff members and volunteers of this policy.

As used in this subsection, “corporal punishment” means the willful infliction of, or willfully causing the infliction of, physical pain on a student.

As used in this subsection, "corporal punishment" does not mean:
1. The use of physical force authorized by ORS 161.205 for the reasons specified therein; or
2. Physical pain or discomfort resulting from or caused by participation in athletic competition or other such recreational activity, voluntarily engaged in by a student;
3. Physical exertion shared by all students in a teacher directed class activity, which may include, but is not limited to physical education exercises, field trips or professional technical projects.

END OF POLICY

Legal Reference(s):
ORS 161.205 ORS 339.240 OAR 581-021
ORS 339.240 ORS 339.250 OAR 581-021
ORS 339.250 ORS 659.850 OAR 581-021
ORS 581-021-0050 to -0075 ORS 659.865 OAR 581-022
OAR 584-020-0040 OAR 581-021

Hazelwood Sch. District v. Kuhlmeier Bethel Sch. Dist. v. Fraser

Cross Reference(s): JFC - Student Conduct and Discipline
Suspension

The Board authorizes student suspension for one or more of the following reasons:
1. Willful violation of Board policies, administrative regulations or school rules;
2. Willful conduct which materially and substantially disrupts the rights of others to an education;
3. Willful conduct which endangers the student, other students, staff members or volunteers;
4. Willful conduct which endangers district property.

Each suspension will include a statement of the reasons for suspension, the length of the suspension and a plan for readmission. No suspension shall extend beyond 10 school days. The district may require a student to attend school during nonschool hours as an alternative to suspension. Every reasonable and prompt effort must be made to notify the parents of suspended students.

Students who are suspended may not attend after-school activities and athletic events, be present on district property without a parent or participate in activities directed or sponsored by the district.

END OF POLICY

Legal Reference(s):
ORS 339.240
ORS 339.250
OAR 581-021-0050
OAR 581-021-0065

Suspension Procedures

Before a student is to be suspended, the administrator in charge shall give oral or written notice to the student of the following:
1. The specific rules or regulations alleged to have been violated.
2. The conduct constituting the alleged violation, including the nature of the evidence of the violation.
3. The period of suspension to be imposed. At the option of the administrator, a suspension may be served out of school or in school.
5. The procedure for arranging a conference if desired by the student, parents or the school.

The student will be given an opportunity to present his/her version of the alleged misconduct to the administrator in charge before a suspension decision is made.

Parents shall be notified as soon as possible, by telephone if possible, that the student has been suspended and the reasons for the suspension and the procedures to be followed for reinstatement.

Following initial, verbal contact, a letter shall be mailed to the parents, stating the time, date and specific reasons for the suspension and the procedures to be followed for reinstatement.

An informal conference may be arranged at a mutually satisfactory time to review the students achievements and difficulties and to determine additional steps to be taken by the school, the student and the parent.

The procedures listed above may be postponed in emergency situations, when the student’s presence endangers persons or property or threatens the academic process. The suspended student will be afforded the rights outlined above as soon as practicable.
A suspended student may appeal the decision of the student manager or assistant principal to the building principal; from the principal to the Superintendent; and from the Superintendent to the Board. Suspension will commence as soon as practical. A request for appeal does not delay the implementation of a suspension. The appeal of a suspension to the principal, Superintendent or Board is a review of the records and an opportunity to question the principal or designee; it is not an opportunity to rehear witnesses and the presentation of evidence.

Any student committing a violation that results in a suspension so close to the end of the school year that it cannot be served before the end of that school year, may be asked to serve the suspension at school during the summer months or suspended the corresponding number of days at the start of the following school year.

Expulsion

A principal, after reviewing available information, may recommend to the Superintendent that a student be expelled. Expulsion of a student shall not extend beyond one calendar year.

No student may be expelled without a hearing unless the student’s parents, or the student is 18 years of age, waive the right to a hearing, either in writing or by failure to appear at a scheduled hearing. By waiving the right to a hearing, the student and parent agree to abide by the findings of a hearings officer.

When an expulsion hearing is not waived, the following procedure is required:

1. Notice will be given to the student and the parent by personal service or by certified mail at least 48 hours prior to the scheduled hearing. Notice will include:
   a. The specific charge or charges;
   b. The conduct constituting the alleged violation, including the nature of the evidence of the violation;
   c. A recommendation for expulsion;
   d. The student’s right to a hearing;
   e. When and where the hearing will take place; and
   f. The right to representation.
2. The Superintendent or designee will act as hearings officer. The district may contract with an individual who is not employed by the district to serve as the hearings officer. The hearings officer will conduct the hearing and will not be associated with the initial actions of the building administrators;
3. In case the parent or student has difficulty understanding the English language or has other serious communication disabilities, the district will provide a translator;
4. The student will be permitted to have a representative present at the hearing to advise and to present arguments. The representative may be an attorney or parent. The district’s attorney may be present;
5. The student will be afforded the right to present his/her version of the charges and to introduce evidence by testimony, writings or other exhibits;
6. The student will be permitted to be present and to hear the evidence presented by the district;
7. The hearings officer will determine the facts of each case on the evidence presented at the hearing. Evidence may include the relevant past history and student education records.
8. The hearings officer or the student may make a record of the hearing;
9. The hearings officer’s decision is final; however, this decision may be appealed to the Board. At its next regular or special meeting the Board will review the hearings officer’s findings as to the facts and their decision (this material shall be made available at the same time to the parent or guardian and to the student if age 18 or older) and will affirm, modify or reverse the decision. Parents of students who wish to appeal the hearings officer’s decision will have the opportunity to be heard at the time the Board reviews the decision;
10. Expulsion hearings will be conducted in private and Board review of the hearings officer’s decision will be conducted in executive session unless the student or the student’s parent requests a public hearing. If an executive session is held by the Board or a private hearing by the hearings officer, the following will not be made public:
   a. The name of the minor student;
   b. The issues involved;
   c. The discussion;
   d. The vote of Board members, which may be taken in executive session.
The district must propose alternative programs of instruction or instruction combined with counseling to a student subject to expulsion for reasons other than a weapons policy violation. The district must document to the parent of the student that proposals of alternative education programs have been made.

**END OF POLICY**

**Legal Reference(s):**

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<th>Code</th>
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<tbody>
<tr>
<td>ORS 192.660</td>
<td>339.240</td>
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<td>ORS 332.061</td>
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<td>ORS 339.115</td>
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**Oregon City School District**

**Alternative Education Programs**

The Board is dedicated to providing educational options for all students. It is recognized there will be students in the district whose needs and interests are best served by participation in an alternative education program.

A list of alternative education programs will be approved by the Board annually. The superintendent may provide for the involvement of staff, parents and the community in recommending alternative education programs for Board approval. Annual evaluation of alternative education programs will be made in accordance with ORS 336.655 and OAR 581-022-1350. The superintendent will develop administrative regulations as necessary to implement this requirement.

Alternative education programs will consist of instruction or instruction combined with counseling. These programs may be public or private. Private alternative education programs shall be registered with the Oregon Department of Education. Alternative education programs must meet all the requirements set forth in ORS 336.625, 336.631 and 336.637.

Students, upon parent request, may be placed in an alternative education program if the district determines that the placement serves the student’s educational needs and interests and assists the student in achieving or exceeding district and state academic content standards. Such placement must have the approval of the student’s resident district and, as appropriate, the attending district. The district will also consider and propose alternative education programs for students prior to expulsion or leaving school as required by law.

The district shall pay the actual alternative education program cost or an amount equal to 80 percent of the district’s estimated current year’s average per-student net operating expenditure, whichever is less. The district will enter into a written contract with district-approved private alternative programs.

**END OF POLICY**

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<td>ORS 329.035</td>
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<td>ORS 329.485</td>
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<td>ORS 332.072</td>
<td>581-021</td>
<td>IGBHB - Establishment of Alternative Education Programs</td>
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<td>ORS 336.135 - 336.183</td>
<td>581-021</td>
<td>IGBHC - Alternative Education Notification</td>
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<td>ORS 336.615 - 336.665</td>
<td>581-022</td>
<td>JGEA - Alternative Education Programs Following Expulsion</td>
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<td>ORS 339.030</td>
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<td>ORS 339.250</td>
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Alternative Education Notification

The District shall inform all parents or guardians of the law regarding alternative education and educational services available to students by such means as a statement in the student/parent handbook, notice in newspapers, district web site, or individual letters to parents when circumstances are appropriate.

Individual notification to students and parents regarding the availability of alternative education programs will be given under the following situations:

1. When two or more severe disciplinary problems with a student occur within a three-year period;
2. When attendance is so erratic the student is not benefitting from the educational program;
3. When a student’s parent, legal guardian or emancipated student notifies the District of intent to withdraw from the program as provided under ORS 339.250 (9) applies for exemption from attendance on a semiannual basis;
4. When an expulsion is being considered for reasons other than a weapons policy violation; and
5. When a student is expelled pursuant to subsection (4) of ORS 339.250 for reasons other than a weapons policy violation.

Notification is defined as written notice by personal service or certified mail, to the parent or guardian and student. Parents/guardian shall receive individual notification prior to an actual expulsion.

Notification shall include but is not limited to the following:

1. The student’s action that is the basis for consideration of alternative education;
2. A list of alternative education programs for this student for which the district would provide financial support in accordance with ORS 336.635, except when that notice is given in accordance with #5 in the above section the district shall not be obligated to provide financial support;
3. The program or programs recommendations based upon the student’s learning styles and needs; and
4. Procedures for enrolling the student in the recommended program.

Students will not be enrolled in a private alternative program unless the private alternative program meets all the requirements of OAR 581-021-0045.

The district shall annually evaluate the alternative programs it operates, participates in or contracts with in accordance with OAR 581-022-1350.

The superintendent will develop notification procedures in accordance with Oregon Revised Statutes.

END OF POLICY

Legal Reference(s):
ORS 332.072 OAR 581-021 OAR 581-023-0008
ORS 336.135 - 336.183 OAR 581-021 OAR 581-021
ORS 336.615 - 336.665 OAR 581-021 IGBHA - Alternative Education Programs
ORS 339.250(9), (11) OAR 581-022 IGBHB - Establishment of Alternative Education Programs
OAR 581-021 OAR 581-022 JGEA - Alternative Education Programs Following Expulsion
OAR 581-021 OAR 581-023
Alternative Education Programs Following Expulsion

The district will propose in writing to the student or student’s parent appropriate, accessible educational alternatives as determined by the district to any student leaving school or subject to an expulsion. Such alternative education program(s) will consist of instruction or instruction combined with counseling.

The proposal of potential alternative education programs will be hand-delivered or sent by certified mail to assure that the parent receives it prior to the time of an actual expulsion or leaving school.

Appropriate accessible alternative education programs may be either public or private (nonsectarian). Programs may be provided by the district as a separate school, evening classes or tutorial instruction. Homebound instruction could be considered an appropriate alternative.

Payment to private alternative education providers must be the actual cost of the program or an amount at least equivalent to 80 percent of the district’s estimated current year’s average per student net operating expenditure, whichever is less.

If a parent receives an exemption on a semi-annual basis to withdraw a student age 16 or 17, the district has no obligation to pay for an alternative education program.

If a student is not successful in the alternative education program selected or the alternative education programs offered are not accepted by the student and/or parent, there is no obligation to propose or fund other alternatives.

END OF POLICY

Legal Reference(s):
ORS 336.615 - 336.665
ORS 339.240
ORS 339.250
OAR 581-021
OAR 581-021
OAR 581-021
OAR 581-022
OAR 581-022
OAR 581-023
OAR 581-023

Alternative Education Programs Following Expulsion

Notification to students, parents, and guardians of the availability of alternative programs which are registered with the Oregon Department of Education shall be provided in the following situations:
1. Upon the occurrence of a second or any subsequent occurrence of a severe disciplinary problem within a three-year period;
2. When the district finds a student’s attendance pattern to be so erratic that the student is not benefitting from the educational program;
3. When the district is considering expulsion as a disciplinary alternative for reasons other than a weapons policy violation;
4. When a student is expelled pursuant to subsection (4) of ORS 339.250 for reasons other than a weapons policy violation; and
5. When the student or the student’s parent or legal guardian notifies the district of intent to withdraw from the program as provided under ORS 339.250(9 (d)).

The notification must include but is not limited to the following:
1. Student action which is the basis for consideration of alternative education;
2. Listing of alternative programs available for this student for which the district would provide financial support in accordance with ORS 336.635 except that when notice is given in accordance with section 5 above the district shall not be obligated to provide financial support;
3. The program or programs recommended for the student based on student’s learning styles and needs; and
4. Procedures for enrolling the student in the recommended program.

Students will not be enrolled in a private alternative program unless the private alternative program meets all requirements of OAR 581-021-0045.

Notification is defined as written notice, by personal service or certified mail, to the parent or guardian and student.

The district shall inform all parents or guardians of the law regarding alternative education and educational services available to students by such means as a statement in the student/parent handbook, notice in newspapers, or individual letters to parents when circumstances are appropriate.

The district shall annually evaluate the alternative programs it operates, participates in, or contracts with in accordance with OAR 581-022-1350.

Each August the Board shall approve the list of alternative educational programs pursuant to OAR 581-022-1350.

Cross Reference(s):
IGBHA - Alternative Education Programs
IGBHB - Establishment of Alternative Education Programs
IGBHC - Alternative Education Notification

BUILDING PROCEDURES FOR REFERRALS TO NON-SPECIAL EDUCATION ALTERNATIVE PLACEMENTS

1. As provided in Oregon City School District Policy 5215, alternative options are offered to students involved in discipline/expulsion cases and for other specified circumstances.
2. Students, parents, teachers, counselors, juvenile court officers, Service to Children and Families agency representatives and/or district administrators may initiate discussions about alternative placement for an individual student.
   2.1 A counselor or administrator will review the available alternatives with the student and/or the parent or guardian, considering the student’s age, credits, living arrangements, health, attendance and behavior history, abilities and goals.
   2.2 Informational materials and applications are given to the student.
   2.3 Written referrals are made to the alternative placements once agreement is reached between the school and the students.
   2.4 Upon acceptance at the selected alternative placement, the student is transferred to the appropriate roll for record keeping in the resident school’s attendance office.
3. If a student requests the option of completing the GED tests right away, the student is given a Release of Compulsory Attendance form which is signed by their parent or guardian.
If the investigation occurs on the school premises, the school administrator generally will be apprised of the situation as long as
the investigation does not concern the school administrator. The administrator or staff member who is designated by the school
administrator may be present at the interview of the student but is not required to be present, and can be disallowed to be
present by the investigating official.

The information revealed during an abuse investigation must not be part of school records.

**Interviews**
Routine interviews by law enforcement personnel are permitted to provide for the giving and receiving of information in a
discussion process. Reasonable effort will be made to notify the student's parents or guardian prior to such an interview only
when the administrator deems this warranted and allowed by the investigating official. An administrator or designee may be
present during an interview on school premises. Generally these interviews will proceed without a parent present.

**Suspects and Arrests**
Law enforcement officers do have the legal right to interrogate students with or without the permission of school personnel or
parents.

Law enforcement officers have the legal right to take students into custody when they deem it appropriate.

In all cases where a student is taken from the building by a law enforcement officer, for reasons other than for child abuse, the
school administrator will make a reasonable effort to notify the student's parent or guardian even though law enforcement
personnel have the primary responsibility to notify parents.

Records of criminal acts committed on school grounds and/or at school events will be part of the student's education records,
but not part of his/her permanent record.

**District Resources Officers**
District resource officers based at schools and/or liaising with schools, will often be contacting many students per day.
School personnel will usually not be present during these conversations.

District resource officers may cite students for criminal acts. Parents will be notified by the district resource officer, school
personnel, or juvenile reception center.

Information given to district resource officers is not privileged and can be acted upon in criminal investigations.

**Interagency Agreement**
There will be a current interagency agreement between the Oregon City Police Department and the district on file at the distr ict
office that addresses procedures for the implementation of this policy.
Various disciplinary procedures shall be used by district personnel to correct behavioral problems. Examples include, but are not limited to, reprimands, conferences, detention and denial of participation in cocurricular and extracurricular activities. Titles and/or privileges available to or granted to students may be denied and/or revoked (e.g., valedictorian, salutatorian, student body, class or club office positions, field trips, senior trip, prom, etc.).

Students may be suspended or expelled in cases of serious infractions or repeated failure to comply with Board policy, administrative regulation, school or classroom rules. Restitution may be sought for willful damage to district property. Additionally, a student’s driving privileges, or the right to apply for driving privileges, may be suspended for violations of ORS 339.254 and 339.257 as provided by Board policy JH FDA - Suspension of Driving Privileges. A referral to law enforcement may also be made for violations of the law. Parental assistance shall be requested when persistent violations occur.

Students shall be subject to discipline, suspension or expulsion for misconduct including, but not limited to:
1. Assault;
2. Hazing, harassment, intimidation, bullying or menacing as prohibited by Board policy JFCF/GBNA - Hazing/Harassment/Intimidation/Bullying/Menacing and accompanying administrative regulation;
3. Coercion;
4. Threats of violence or harm as prohibited by Board policy JFCM - Threats of Violence;
5. Disorderly conduct;
6. Bringing, possessing, concealing or using a weapon as prohibited by Board policy JFCJ - Weapons in the Schools;
7. Vandalism/Malicious Mischief/Theft as prohibited by Board policies ECAB - Vandalism/Malicious Mischief/Theft and JFCB - Care of District Property by Students, or willful damage or destruction of private property on district premises or at school-sponsored activities;
8. Sexual harassment as prohibited by Board policy JBA/GBN - Sexual Harassment and accompanying administrative regulation;
9. Use of tobacco, alcohol or drugs as prohibited by Board policy(JFCG/ JFCI - Use of Tobacco, Alcohol or Drugs JFCG - Tobacco Use by Students, JFCH - Alcohol and JFCI - Substance/Drug Abuse;
10. Use or display of profane or obscene language;
11. Disruption of the school environment;
12. Open defiance of a teacher’s authority, including persistent failure to comply with the lawful directions of teachers or school officials;
13. Violation of law, Board policy, administrative regulation, school or classroom rules.

The district recognizes that under the Unsafe School Choice Option of the No Child Left Behind Act of 2001 (NCLBA), a school can be deemed unsafe as a whole entity or for an individual student based on expulsions for weapons violations, violent behavior or expulsions for students arrested for the following criminal offenses occurring on district grounds, on district-sponsored transportation and/or at district-sponsored activities:
1. Assault;
2. Manufacture or delivery of a controlled substance;
3. Sexual crimes using force, threatened use of force or against incapacitated persons;
4. Arson;
5. Robbery;
6. Hate/Bias crimes;
7. Coercion; or
8. Kidnapping.

The district will record and report these infractions to the Oregon Department of Education, as required. The district will provide the opportunity for all students in any district school identified as persistently dangerous or for any victim of a violent criminal offense occurring in or on the grounds of the school the student attends, to the extent feasible, the opportunity to transfer to a safe school within the district.

END OF POLICY

Legal Reference(s):
ORS 339.240 OAR 581-021-0050 to -0075
ORS 659.850 Shorb v. Grotting and Powers Sch. Dist., Case No. 00CV-0255 (Coos County Circuit Ct.) (2000).
ORS 339.240 OAR 581-021-0050 to -0075
ORS 339.240 Ferguson v. Phoenix Talent Sch. Dist. #4
ORS 339.240 No Child Left Behind Act of 2001

Cross Reference(s):
JG - Student Discipline
BUILDING PROCEDURES: ACTS IN VIOLATION OF DISTRICT RULES

The following acts, committed by a student while under the supervision of the school when on school property are in violation of District rules and shall be subject to disciplinary action, including possible suspension or expulsion. The listed acts are not intended to be an exclusive list of acts that can result in discipline. Where legal terms such as "arson" are used, they are to be taken in the normal rather than technical meaning.

1. **ARSON**
   Any act of setting a fire, regardless of size, will be considered arson. Creating a hazardous environment by creating a fire, threatening to create a fire, fits into this category. Fireplay is also included under this classification of "arson", as is possession and use of fire tools. "Fire tools" are those items that create a flame or spark, such as matches, cigarette lighters, multipurpose lighters (BBQ). "Fire tools" also includes other sources of ignition that instigate or are used to propagate fire, including candles, road flares, fuses, and fireworks.
   **Sanction for arson:** Immediate 10-day suspension with recommendation for expulsion for arson or fire setting. Referral to fire and law enforcement agencies shall occur.
   **Sanction for threatening a fire:** Up to 5-day suspension, depending on the age of the student. Referral to fire and law enforcement agencies.
   **Sanction for possession or use of “fire tools”:** “Fire tools” will be confiscated. Parent notification. Full range of sanctions up to 5 days of suspension, depending on age of the student.

2. **ASSAULT**
   Any physical threat or violence to other persons will be considered assault.
   **Sanction:** Up to ten days out-of-school suspension. Recommend for expulsion. Refer to proper law enforcement agency.

3. **AUTO VIOLATIONS**
   Autos are to be driven safely on and around the school campus. Speeding or reckless driving in the parking lots or on streets adjacent to the school, and illegal parking are considered violations.
   **Sanction:** Full range of sanctions up to and including police and/or parent notification, denied the privilege of driving or parking on school property. Vehicles in violation may be towed at owner expense.

4. **BOMB THREATS**
   Written or oral threats of bombing or any explosive device are considered bomb threats.
   **Sanction:** ten school days out-of-school suspension, recommended for expulsion and notify the appropriate law enforcement agency.

5. **BULLYING (SEE HAZING, BULLYING, HARASSMENT, AND INTIMIDATION.)**
   See policy JFCF/GBNA-AR for definitions and sanctions.

6. **BURGLARY**
   Breaking and entering with intent to commit a crime is burglary.
   **Sanction:** ten school day suspension, recommended for expulsion and notify the appropriate law enforcement agency.

7. **CELL PHONES**
   *If a cell phone is brought to school it is at the individual’s own risk and the school will not compensate a student for lost, stolen or damaged devices.
   **High School:** Students are permitted to carry cell phones while at school. However, cell phones must remain out of sight and turned off during class time in all academic areas, i.e. classroom, library, career center, counseling office. Cell phone use will not be permitted in the restrooms or locker rooms at any time. Use of a cell phone, during a test will be considered cheating and appropriate action will be taken. Cell phones may not be used in any manner that will cause disruption to the educational environment.*
   **Sanction:** First offense: verbal warning by teacher. Student will secure cell phone out of sight (i.e. immediately turn off and put in backpack/purse/locker). Second offense: Parent notification by teacher. Third Offense: Referral to Vice-Principal and after-school detention. Fourth offense: In-school suspension.
   **Middle School:** Cell phones, including phone cameras must remain off during all school hours including after school activities.*
   **Sanction:** Full Range of Sanctions.
   **Elementary:** Cell phones must be in the locker or backpack and turned off during the school day. The use of cell phone cameras will not be permitted.*
   **Sanction:** full range of sanctions.
   **Cell Phone Cameras:** The use of cell phone cameras will not be permitted in the restrooms or locker rooms at any time.
   **Sanction:** full range of sanctions.

8. **CHEATING/PLAGIARISM**
   Copying or misrepresenting one’s own work on exams and assignments; copying or misrepresenting from the Internet as one’s own work, use of a cell phone during a test will be considered cheating and appropriate action will be taken.
Sanction:  **First offense**: two detentions (as defined by the school) and loss of credit for the assignment or test. May not be made up with an alternate assignment.  **Second offense**: In-school suspension and possible removal from the course.

9. **COUNTERFEITING**
Any reproduction of currency is prohibited.
Sanction: Students attempting to use illegal reproductions of currency will be referred to the appropriate law enforcement agency and will be suspended pending an expulsion hearing.

10. **DEFIANCE OF SCHOOL AUTHORITY (INSUBORDINATION)**
Refusal to obey reasonable directions or requests of administrators, teachers, staff, bus drivers, custodians, or other District employees is considered insubordination or defiance of school authority.
Sanction: Full range of sanctions.

11. **DISRUPTIVE BEHAVIOR**
Any behavior that interferes with the learning environment is disruptive behavior. Includes class disruption and horseplay.
Sanction: Full range of sanctions.

12. **DISRUPTIVE DEVICES**
No student shall use at school such disruptive devices as, but not limited to, noise makers, squirt guns, smoke bombs, water balloons, and laser pointers.
Sanction: Full range of sanctions.

13. **DISRUPTIVE DRESS**
Any clothing or articles worn by students that violate the District or individual school dress policies or dress guidelines. See policy JFCA-AR.
Sanction: Full range of sanctions.

14. **DRUGS AND ALCOHOL VIOLATION**
The possession, use, sale, or distribution of drugs and alcohol on or around school property, at any school-sponsored function either on or off school property, at any time students are going to or from school including bus stops, or while being transported to or from any school-sponsored activity is prohibited unless the use of such drugs is under a doctor's prescription and the school has been properly notified. This policy includes but is not limited to illegal drugs and narcotics, alcoholic beverages, marijuana, over-the-counter drugs, inhalants such as glue or "white-out," mushrooms, "look-alike" drugs, habit-forming drugs, prescription drugs without following proper school procedures, and any paraphernalia associated with the use of such substances including but not limited to vapor pens.

This policy covers two categories of substances:
*Category 1*: Illegal drugs and narcotics, alcoholic beverages, marijuana, look-alike drugs, habit-forming drugs, and prescription drugs without following proper procedure.
*Category 2*: Over-the-counter drugs, inhalants such as glue or white-out, organic materials such as mushrooms, and any paraphernalia associated with use of substances in either category.

**Sanction for Category 1: Use, Under the Influence, or Possession.**

1. Depending on the circumstances, violators will be suspended from school for five to ten days, will be recommended for expulsion, and will not be considered for readmission until an expulsion hearing is conducted.
2. Law enforcement will be notified.
3. The hearings officer will determine the length of suspension or expulsion. The length may vary depending on the circumstances of each case.
4. Regardless of the length of suspension or expulsion, violators will be required to submit to a urinalysis and to schedule a substance abuse assessment prior to being readmitted to school. (These services must be provided by district-approved agencies.)
5. If expulsion is held in abeyance, the hearings officer will dictate the terms of the student’s readmission and continued attendance at the school. Requirements for readmission after a suspension include but are not limited to (1) scheduling a substance abuse evaluation at a District approved facility, (2) following all recommendations of the evaluator, and (3) having up to three random urinalysis screenings during the abeyance period. If these terms are violated, the expulsion shall become effective.
6. Prior to readmission, parents must consent to allowing the school and the agencies involved to share information related to the student’s drug and alcohol testing, assessment, and treatment.
7. Prior to readmission, students and their parents or guardians must meet with a school administrator to review the terms of the student’s continued attendance. A re-admission contract will be required of all returning students that will clearly state re-entry expectations.
8. Students who fail to have an assessment completed in reasonable time or fail to comply with their treatment plan will be recommended for expulsion.
Sanction for Category 1: Sale or Distribution.
1. Violators will be recommended for expulsion and will be suspended from school until an expulsion hearing is conducted.
2. Law enforcement will be notified.
3. Violators will typically be expelled until the end of the trimester or semester, but for no less than six weeks. Violations that are particularly egregious may result in expulsions of up to a year.
4. Prior to readmission or release to another school, students must submit to a urinalysis and a drug and alcohol assessment. A failed UA will result in an extension of the expulsion.
5. Prior to readmission, parents must consent to allowing the school and the agencies involved to share information related to the student’s drug and alcohol testing, assessment, and treatment.
6. Prior to readmission, students and their parents or guardians must meet with a school administrator to review the terms of the student’s continued attendance. A re-admission contract establishing a probationary period will be required of all returning students and will clearly state re-entry expectations. Provisions of the readmission contract and probationary period may include but are not limited to the following: (1) following all recommendations of a substance abuse evaluation and (2) submitting to periodic random urinalysis screenings.
7. Upon return to school, students who fail to comply with the conditions of their readmission as set out by the hearings officer will be recommended for expulsion.

Sanction for Category 2: Sale, Distribution, Use, Under the Influence, or Possession.
Depending on the circumstances, violators may be suspended from school for up to ten days. The building administrator will work with other professionals in the building to develop a plan regarding further disciplinary action or interventions. The plan may include, but is not limited to the following:
1. No consequences in addition to the suspension.
2. Recommendation for expulsion.
3. Counseling by school personnel.
4. Consultation between school and the student's parents.
5. Required participation in a school chemical abuse information group.
6. School transfer.
7. Referral for chemical abuse assessment, that may or may not include a urinalysis, with the expectation that the assessment recommendations are followed.
8. Referral to law enforcement officials.
9. Referral to another agency.

15. EXTORTION, BLACKMAIL, COERCION
Extortion, blackmail and unlawful coercion (obtaining money or property by violence or threat of violence; forcing a person to do something against his/her will by force or threat of force or by threatening to accuse another of a crime or of a violation of school rules).
Sanction: Full Range of Sanctions.

16. ELECTRONIC DEVICES:
Audio or Video Electronic Devices and other electronic devices and headphones are not allowed in classrooms. Electronic devices are to be turned off at all times in elementary school and middle school buildings and during class time at the high school. Exceptions will be only for: IEP students whose IEP and/or specific behavior or identified learning needs require use of these devices. When these devices are used as a required or mandatory adjunct to a teacher’s lesson plan objective, such as when headphones are connected to a computer as part of a specific instructional program. If these items are brought to school, it is at the individual’s own risk and the school will not compensate a student for lost, stolen or damaged devices. Teachers may allow electronic devices in their classroom if appropriate to their curriculum.
Sanction: First offense: Verbal warning by teacher. Student will secure electronic device out of sight (i.e. immediately turn off and put in backpack/purse/locker). Second Offense: Parent notification by teacher, referral to Vice Principal for consequences (Tuesday school at the High School level). Third Offense: In-school suspension. Fourth Offense: full range of sanctions.

17. EXPLOSIVE MATERIALS
The possession or use of any form of explosive material including fireworks, ammunition and/or look-alikes is prohibited on school property.
Sanction: Full range of sanctions with possible referral to law enforcement depending on nature and seriousness of violation.

18. FALSE ALARMS
The willful act of pulling false alarms, calling 911, or any telephoned or written threat of fire or bombing are considered false alarms that endanger lives and result in disruption of school activities.
Sanction: Ten school day suspension and request for expulsion.

19. FIGHTING
Any student participating in or verbally or physically provoking a fight on District property or a school bus or during any school function will be considered fighting and subject to disciplinary action.
Sanction: First offense: minimum three day suspension. Second offense: minimum five day suspension. Third offense: ten school day suspension and mandatory recommendation for expulsion.

Sanction for verbally provoking a fight: full range of sanctions.

20. FORGERY
Forgery is the illegal use of any other person’s signature. It also is forgery when students write excuses, hall passes, or admit slips for themselves or for other students. Forgery also includes misrepresentation of a parent or guardian by a student via telephone or e-mail.


21. GAMBLING
Gambling is prohibited on school property or at school functions. Soliciting or conducting a lottery or drawing on school property will not be permitted unless authorized by the building principal.

Sanction: Full range of sanctions.

22. GANGS
Promoting gang involvement or activity through their attire, verbal or non-verbal gestures, graffiti, etc. is prohibited.

Sanction: Full range of sanctions. Graffiti should be reported to the appropriate law enforcement agency. A picture may be taken of the graffiti as a record. Communication with Youth Gang Task Force may occur.

23. HAZING, HARASSMENT, BULLYING, OR INTIMIDATION
Hazting, harassment, bullying, or intimidation of any student, teacher or other staff members, either physical or verbal, will not be tolerated. This includes the initiation of students new to any school in the District.

Sanction: See policy JFCF/GBNA.

24. INAPPROPRIATE USE OF TECHNOLOGY
Inappropriate use of computers, e-mail, the Internet, or other technology will not be permitted. Disruption by electronic devices, such as but not limited to i-pods, cell phones, digital and phone cameras is not allowed.

Sanction: Full range of sanctions.

25. INTERFERENCE WITH THE ORDERLY OPERATION OF THE SCHOOL
Students may not interfere with the orderly operation of the school. Interference includes student non-compliance, insubordination, disruption of classes, interference with teacher/staff authority, or refusing to submit to teacher/staff authority.

Sanction: Full range of sanctions.

26. LEAVING CAMPUS
Students are expected to remain on campus during the entire school day. A student is considered on campus as soon as he/she boards the bus or parks his/her car on or near the campus. A student may not leave campus without expressed permission. Leaving campus also includes being in the parking lots without permission. A parent must contact the attendance office prior to a student leaving campus and all students must sign out before they leave campus.

Sanction: First offense: Detention (as defined by the school). Second offense: Detention and parent notification. Third offense: One day in school suspension with parent conference.

27. MISUSE/ABUSE OF A SCHOOL PASS
All school passes must be used under the school’s established guidelines. Any misuse or abuse of a school pass is prohibited.

Sanction: Full range of sanctions.

28. OBSCENE LANGUAGE, MATERIALS, AND GESTURES
The use of profane or obscene language, materials, and/or gestures is not permitted. Violation of the standards for speech, materials, and for the use of obscene gestures are found in Policy IB.

Sanction: Full range of sanctions.

29. PUBLIC DISPLAYS OF AFFECTION
Displays of affection are not appropriate/acceptable during school and/or at any school sponsored activities.

Sanction: Full range of sanctions.

30. SEXUAL HARASSMENT
Sexual harassment of students shall include, but is not limited to, unwelcome sexual advances, requests for sexual favors and other verbal, nonverbal or physical conduct of a sexual nature as defined and explained in Policy JBA/GBN.

Sanction: Outlined in Policy JBA/GBN.

31. SOLICITING
Students may not buy or sell goods on the school campus exclusively for private profit. This is considered soliciting and it is not permitted. The only items to be sold on school grounds must profit a school organization and must be approved by the principal.

Sanction: Full range of sanctions.

32. TAMPERING WITH SCHOOL RECORDS, DOCUMENTS, AND TRANSCRIPTS
Changing or altering any school records, documents, transcripts, report cards or other educational records is prohibited.

Sanction: Full range of sanctions.

33. THEFT
Any student who steals property or is in possession of stolen property while under the supervision of the district will be subject to disciplinary action. 

Sanction: 

First offense: minimum two day suspension. Will refer to proper law enforcement agency. Re-admittance to school will require: (1) full restitution, (2) parent conference. Second offense: up to ten school day suspension and an automatic recommendation for expulsion. 

34. THREATS OF HARM/VIOLENCE

Student threats of harm or violence to self or others, threatening behavior or acts of violence, including threats to severely damage school property made while on district property or at activities under the jurisdiction of the district will not be tolerated. 

Sanction: Full range of sanctions possible, up to and including expulsion. A referral to law enforcement shall be made when appropriate. (See Policy JFCM). A Risk Assessment and safety plan may be recommended. 

35. TOBACCO VIOLATION

The sale, use, distribution or possession of tobacco in any form on school grounds or while attending or being transported to any school-sponsored activity is prohibited. The possession or use of any paraphernalia specifically used for smoking, such as a pipe, is also a violation of school rules. Those under 18 years of age will be cited by law enforcement authorities for possession of tobacco. 

Sanction: 

First offense: Elementary and Middle School: three-day suspension. High School: Student is suspended for one day and the parent is notified. May notify the proper law enforcement agency. Second offense: Elementary and Middle School: five-day suspension. High School: Student is suspended for three days and a parent conference is scheduled prior to the student returning to school. May notify the proper law enforcement agency. Third offense: Elementary and Middle School: ten-school day suspension and recommendation for expulsion. High School: Student is suspended for five (5) days and referred to a drug and alcohol counselor. May notify the proper law enforcement agency. 

36. TRANSPORTATION VIOLATIONS

While on any vehicle owned and operated by Oregon City School District or any vehicle under the authority of Oregon City School District, students must follow the expectations and behavior guidelines outlined by the Transportation Department. All areas covered in this Code of Conduct are applicable to students when riding district transportation vehicles or those authorized by the district. 

Sanction: Full range of sanctions. 

37. TRESPASS

Trespass is the unauthorized presence or a refusal to leave when ordered to do so by authorities. 

Sanction: First offense: warning and trespass citation issued. Second offense: Referral to law enforcement. 

38. TRUANCY/SKIPPING

Any partial or full absence to class(es) without an excuse from a parent, guardian, or teacher, or failure to follow the school’s attendance or check out procedures will result in disciplinary action. 

Sanction: Full range of sanctions. 

39. VANDALISM

Vandalism is the willful or ignorant destruction, damage, or defacing of District property. Students involved will be subject to restitution of damages. 

Sanction: See Policy JFCB/JFCB-AR, Care of District Property by Students. 

40. WEAPONS BROUGHT TO SCHOOL BY STUDENTS

No student shall bring a weapon to any school or on any district property used for school purposes. Any student violating this policy shall be expelled from school for one year. The Superintendent may, in his/her sole discretion, modify and reduce the term of the expulsion if he/she finds that there are reasonable grounds for such modification. “Weapon” means weapon as defined in ORS 339.240(6). (See Policy JFCJ, Weapons in the Schools.) 

Sanction: Suspension and recommendation for expulsion. Referral to law enforcement. 

Oregon City School District

Weapons in the Schools

Students shall not bring, possess, conceal or use a weapon on or at district property, activities under the jurisdiction of the district or interscholastic activities administered by a voluntary organization approved by the State Board of Education (i.e., Oregon School Activities Association).

For purposes of this policy, and as defined by state and federal law, weapon includes:
1. “Dangerous weapon” - any weapon, device, instrument, material or substance, which under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury;
2. “Deadly weapon” - any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;
3. “Firearm” - any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, frame or receiver of any such weapon or any firearm silencer;
4. “Destructive device” - any device with an explosive, incendiary or poison gas component or any combination of parts either designed or intended for use in converting any device into any destructive device or from which a destructive device may be readily assembled. A destructive device does not include any device which is designed primarily or redesigned primarily for use as a signaling, pyrotechnic, line-throwing, safety or similar device.

Weapons may also include, but not be limited to, knives, metal knuckles, straight razors, noxious or irritating gases, poisons, unlawful drugs or other items fashioned with the intent to use, sell, harm, threaten or harass students, staff members, parents and patrons.

Replicas of weapons, fireworks and pocket knives are also prohibited by Board policy. Exceptions to the district’s replicas prohibition may be granted only with prior building principal approval for certain curriculum or school-related activities.

In accordance with Oregon law, any employee who has reasonable cause to believe a student or other person has, within the previous 120 days, unlawfully been in possession of a firearm or destructive device as defined by this policy, shall immediately report such violation to an administrator, his/her designee or law enforcement. Employees who report directly to law enforcement shall also immediately inform an administrator.

Administrators shall promptly notify the appropriate law enforcement agency of staff reports received and at any other time there is reasonable cause to believe violations have occurred or that a student has been expelled for bringing, possessing, concealing or using a dangerous or deadly weapon, firearm or destructive device. Parents will be notified of all conduct by their student that violates this policy.

Employees shall promptly report all other conduct prohibited by this policy to an administrator.

Students found to have brought, possessed, concealed or used a dangerous or deadly weapon, firearm or destructive device in violation of this policy shall be expelled for a period of not less than one year. All other violations of the policy will result in discipline up to and including expulsion and/or referral to law enforcement, as appropriate. The Superintendent may, on a case-by-case basis, modify the expulsion requirement. The district may also request suspension of a student’s driving privileges or the right to apply for driving privileges with the Oregon Department of Transportation, as provided by law.

Appropriate disciplinary and/or legal action will be taken against students or others who assist in activity prohibited by this policy.

Special education students shall be disciplined in accordance with federal law and Board policy JGDA/JGEA - Discipline of Students with Disabilities, and accompanying administrative regulation.

Students found to have brought, possessed, concealed or used a dangerous or deadly weapon, firearm or destructive device in violation of this policy shall be expelled for a period of not less than one year. All other violations of the policy will result in discipline up to and including expulsion and/or referral to law enforcement, as appropriate. The Superintendent may, on a case-by-case basis, modify the expulsion requirement. The district may also request suspension of a student’s driving privileges or the right to apply for driving privileges with the Oregon Department of Transportation, as provided by law.

Appropriate disciplinary and/or legal action will be taken against students or others who assist in activity prohibited by this policy.

Legal Reference(s):
ORS 161.015
ORS 339.240
ORS 809.060
ORS 166.210 - 166.370
ORS 339.250
ORS 809.260

END OF POLICY
The Board is committed to promoting healthy relationships and a safe learning environment. To this end, student threats of harm to self or others, threatening behavior or acts of violence, including threats to severely damage school property, shall not be tolerated on district property or at activities under the jurisdiction of the district.

Students shall be instructed of the responsibility to inform a teacher, counselor or administrator regarding any information or knowledge relevant to conduct prohibited by this policy. Parents and others will be encouraged to report such information to the district. Staff shall immediately notify an administrator of any threat, threatening behavior or act of violence he/she has knowledge of, has witnessed or received. All reports will be promptly investigated.

Students found in violation of this policy shall be subject to discipline up to and including expulsion. A referral to law enforcement shall be made for any infraction involving a student bringing, possessing, concealing or using a weapon or destructive device as prohibited by state and federal law and Board policy.

The principal shall, in determining appropriate disciplinary action, consider:

1. Immediately removing from the classroom setting any student who has threatened to injure another person or to severely damage school property;
2. Placing the student in a setting where the behavior will receive immediate attention from a administrator, counselor, licensed mental health professional or others;
3. Requiring the student to be evaluated by a licensed mental health professional before allowing the student to return to the classroom setting.

The principal shall ensure notification is provided to:

1. The parent of any student in violation of this policy and the disciplinary action imposed;
2. The parent of a student when the student’s name appears on a targeted list that threatens violence or harm to the students on the list or when threats of violence or harm to the student are made by another student;
3. Any school employee whose name appears on a targeted list threatening violence or harm to the district employee and when threats of violence or harm are made by a student or others.

Notification to the above shall be attempted by telephone or in person within 12 hours of discovery of a targeted list or learning of a threat. Regardless, a written follow-up notification shall be sent within 24 hours of discovery of a targeted list or learning of a threat.

The principal will provide necessary information regarding threats of violence to law enforcement, child protective services and health-care professionals in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. Additionally, he/she may provide such information to other school officials, including teachers, within the district or other districts who have a legitimate educational interest in the student(s) consistent with state and federal education records laws and district policies.
The district may enter into contracts with licensed mental health professionals to perform student evaluations. Funds for evaluations or other disciplinary options as may be required by law and this policy shall be provided by the district.

As a part of the district’s proactive safety efforts, the superintendent will plan staff development activities designed to alert staff to early warning signs of possible violent behavior. Students so identified shall be referred to a counselor, licensed mental health professional and/or multidisciplinary team for evaluation and follow-up as appropriate.

END OF POLICY

Legal Reference(s):
ORS 161.015
ORS 166.210 - 166.370
ORS 339.115
ORS 339.240
ORS 339.250
ORS 339.260
ORS 339.327
ORS 309.060
ORS 309.260
ORS 339.250
ORS 339.260
ORS 339.270
ORS 30.765
OAR 581-021-0050 to -0075


Care of District Property by Students

Any student who damages, destroys or defaces any district, staff or student property shall be in violation of the district’s disciplinary policies and may be suspended or expelled.

Damage to school property caused by a student shall be evaluated and the amount of the damage shall be assessed against the student and the parent or parents having legal custody of the student.

If assessed damages are not paid as demanded, the Superintendent will bring an action against the student and the parent or parents having legal custody of the student for the amount of the assessed damages, not to exceed $5,000 plus legal, or other, costs of recovering the funds.

END OF POLICY

Legal Reference(s):
ORS 339.250
ORS 339.260
ORS 339.270
ORS 30.765
OAR 581-021-0050 to -0075

Cross Reference(s):
EEACC - Student Conduct on School Buses
Procedures for Damage to District Property

If restitution is not paid by the student or parent within a reasonable period of time, the following procedure will be used:

1. Any building administrator who becomes aware of damage to school property caused by a student or others shall prepare a written statement to the Superintendent outlining the extent of damage and the estimate of cost to repair.
2. Whenever the Superintendent believes that substantial damage to any district property has been caused by a student, the Superintendent will order an investigation into (1) the general character of the damage, (2) the dollar amount of the damage, (3) the student believed responsible for the damage, and (4) the custodial parent(s) and their address(es).
3. The Superintendent will then send a Notice of Proposed Damage Assessment to the student and the student’s custodial parent(s). If the custodial parents wish to appeal the assessment, the Superintendent will notify them of the date at which the Board will consider the appeal. All claims of damage must be mailed at least 10 days prior to the Board meeting by certified mail, return receipt requested to the address listed on school records for the student and the parent.
4. If there is no objection to the proposed assessment, the proposed assessment shall become final and shall be reported to the Board. If an appeal is received, the Board shall consider all evidence and information available and shall make its findings as to the responsible student and the amount of any damage and set such findings forth in the minutes of the meeting. That amount shall be assessed against the responsible student and the custodial parent(s).
5. Upon finalization of the assessment, as described in #4 and #5 above, the Superintendent shall make a demand for payment upon the student and custodial parent(s). If the payment is not made within 10 days thereafter, the Superintendent is authorized to take legal action in the name of the district for the collection of the amount.
6. The district will withhold grade reports, diplomas or records until the student, parent, or guardian has paid the amount owed. Grade reports or records will not be withheld if the records are needed by another district for proper placement of a transferring student.

Suspension of Driving Privileges

Conduct

The Superintendent or designee may, under ORS 339.254, make a request to the Oregon Department of Transportation (ODOT) for the suspension of a student’s driving privilege or the right to apply for a driving privilege on the basis of conduct as provided below.

If a request is made, the following requirements will be met:
1. The Superintendent will meet with parent before submitting a request to ODOT;
2. The request to ODOT will be in writing;
3. The student involved is at least 15 years of age;
4. The student has been expelled for bringing a weapon on school property; or
5. The student has been suspended or expelled at least twice for any of the following reasons:
   a. Assaulting or menacing a school employee or another student;
   b. Willful damage or injury to district property;
   c. Use of threats, intimidation, harassment or coercion against a school employee or another student;
   d. Possessing, using or delivering any controlled substance or being under the influence of any controlled substance at a school or on school property or at a school-sponsored activity, function or event.
6. The request to suspend a student’s driving privilege or the right to apply for a driving privilege shall not be for more than one year unless the Superintendent or designee is filing a second written request. A second request may state suspension of driving privilege until the student reaches 21 years of age;
7. If a driving privilege is suspended the student may apply to ODOT for a hardship permit.
Withdrawal
The Superintendent or designee may, under ORS 339.257, notify ODOT of the withdrawal from school of a student who is at least 15 years of age and under 18 years of age.

Upon receipt of the district’s notice that a student has withdrawn from school, ODOT shall notify the student that driving privileges will be suspended on the 30th day following the date of notice unless the student presents documentation that complies with ORS 807.066. For purposes of this policy, a student shall be considered to have withdrawn from school if the student has:
1. More than 10 consecutive school days of unexcused absences; or
2. Fifteen school days total of unexcused absences during a single semester.

Appeals
The student has a right to appeal the Superintendent’s decision through the district suspension/expulsion due process procedures.

END OF POLICY

Legal Reference(s): ORS 339.250 ORS 807.240
ORS 192.660 ORS 339.254 OAR 581-021-0065
ORS 332.061 ORS 339.257 OAR 581-021-0070
ORS 336.615 - 336.665 ORS 807.065
ORS 339.240 ORS 807.066

Oregon City School District
Internet Acceptable Use Policy

I. INTRODUCTION
The Oregon City School District provides all district employees, students and school board members with access to the Internet and electronic communications through a district network. This policy is designed to govern the use of and provide acceptable use guidelines for all Internet, electronic communications and digital media throughout the district. This policy is designed to be in cooperation with Oregon City School District Board Policies, OCSD Student Code of Conduct and individual School Handbooks with regard to student use of the Internet, electronic communications and the district network.

II. PURPOSE STATEMENT
The use of the Internet, electronic communications and digital media is to further educational goals and objectives. The purpose of providing access to the district’s network is to assist in preparing students for success in life and work in the 21st century. This is accomplished by providing access to a wide range of information and the ability to communicate with people from throughout the world. Students may find ways to access other, less desirable or inappropriate material. However, the district believes the benefits to students from access to the Internet, in the form of information resources and opportunities for collaboration, exceed any disadvantages.

III. NETWORK ACCESS
The Oregon City School District provides access to the district network to:
A. All Oregon City School District employees.
B. All Oregon City School District students, with parental control if the student is under the age of 18.
C. Oregon City School District school board members.

IV. POLICY GUIDELINES

A. Limited Educational Purpose
The Oregon City School District network has been established for a limited educational purpose. The term “educational purpose” includes use of the network for classroom activities, professional or career development activities, and educational research. Users are expected to use Internet access through the district network to further educational and personal goals consistent with the mission of the Oregon City School District, school policies and handbooks, and Oregon City School District board policies. Uses that might be acceptable on a user’s private personal account on another system may not be acceptable on this limited-purpose network.

B. Use of District Network is a Privilege
Access to and the use of the district network is a privilege and not a right. Access entails responsibility and is provided to students who agree to act in a considerate and responsible manner. Depending on the nature, degree, and frequency of the violation(s), unacceptable use of the network, Internet or electronic communications may result in suspending or revoking the offender’s network privileges. Additional disciplinary actions may be taken at the building or district level up to and including expulsion. If appropriate, law enforcement agencies may also be involved.

V. STUDENT RESPONSIBILITIES
A. Students will accept responsibility for all material received and sent under his/her user account.
B. Students will accept responsibility for all Internet use under his/her user account.
C. Students will follow all acceptable use policy guidelines, Oregon City School District policies and administrative regulations, student code of conduct and any other pertinent policy or guideline concerning use of the Internet and electronic communications.

VI. PARENT RESPONSIBILITIES
A. The district will notify parents about the district network and the policies governing its uses. Parents must sign an agreement to allow their student(s) to have an individual account. Parents may request alternative activities for their student(s) that do not require Internet access.
B. Parents have the right to investigate the contents of their student(s)’ email files at any time.
C. The district will make available to parents policies and guidelines for student network, Internet and electronic communication use.
D. Outside of school, parents bear responsibility for the same guidance of Internet use as they exercise with information sources such as TV, telephone, radio, movies and other possible offensive media. Parents are responsible for monitoring their student’s use of the district’s network and of the Internet if the student is accessing the district’s network from home or a remote location.

VII. DISTRICT RESPONSIBILITIES
A. The district will designate staff as necessary to ensure coordination and maintenance of the district’s electronic communications system, which includes all district computers, e-mail and Internet access.
B. The district will provide notification to all network users of the district policies relating to Internet and electronic communications.
C. The district will provide proper training to authorized network users including, but not limited to, education about proper online behavior and how to interact with other individuals on the Internet.
D. The district will use only properly licensed software, audio or video media purchased by the district or approved for use by the district. The district will comply with the requirements of law regarding the use, reproduction and distribution of copyrighted works and with applicable provisions of use or license agreements.
E. The district will monitor the online activities of minors and employ technology protection measures during any use of computers and/or the district network in order to insure the use is for educational purposes. The technology protection measures utilized will block or filter Internet access to any visual depictions that are:
   1. Obscene
   2. Child pornography; or
   3. Harmful to minors
F. The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:
   1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion; or
   2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
   3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
G. An administrator, supervisor, or other person authorized by the Superintendent may disable the technology protection measure, during use by an adult, to enable access for bona fide research or other lawful purposes.

VIII. UNACCEPTABLE USES
The following uses of the district’s network are considered unacceptable. Using the district’s network to access, review, upload, download, store, print, post, receive, transmit or distribute any of the following:
A. Disrupting the Educational Process
   1. Materials that use language or images that are inappropriate in an educational setting or disruptive to the educational process.
   2. Information or materials that could cause damage or danger of disruption to the educational process.
B. Inappropriate Material
   1. Pornographic, obscene, or sexually explicit materials or other visual depictions that are harmful to minors.
C. Inappropriate Language
   1. Obscene, abusive, profane, lewd, vulgar, rude, inflammatory, threatening, disrespectful, or sexually explicit language;
   2. Materials that use language or images that advocate violence, or discrimination toward other people, or that may constitute harassment or discrimination.
D. Illegal Activity
   1. Students will not use the district’s network to engage in any illegal act or violate any local, state, or federal statute or law.
   2. Students will not attempt to gain unauthorized access to the district’s network or to any other computer system through the district network, or go beyond their authorized access.
   3. Students will not attempt to log in through another person’s account or access another person’s files. These actions are illegal, even if only for the purposes of “browsing.”
   4. Students will not make deliberate attempts to disrupt the district’s network performance or destroy data by spreading computer viruses or by any other means. These actions are illegal.
5. Students will not tamper with, modify, or change the district’s systems (including software, hardware, wiring, etc.) or take any action to violate the district’s security system.

E. Personal Safety
1. Students will not post personal contact information about themselves or other people. Personal contact information includes, but is not limited to names, addresses, phone numbers, school address, work address, identification numbers, account numbers, access codes or passwords, labeled photographs, or other information that would make the individual’s identity easily traceable.
2. Students will not repost a message that was sent to the user privately without permission of the person who sent the message.
3. Students will not agree to meet with someone they have met online without their parent’s approval and participation.
4. Students will promptly disclose to their teacher or other school employee any message they receive that is inappropriate or makes them feel uncomfortable.
5. Students should never share their individual account information and should take reasonable precautions to prevent others from being able to use their account. Students should only share passwords with district personnel and parents or guardians.

F. Respectful Digital Citizens
1. Students will not engage in personal attacks, including prejudicial or discriminatory attacks.
2. Students will not harass another person (as defined in the Student Code of Conduct).
3. Students will not knowingly or recklessly post false or defamatory information about a person or organization.
4. Students will not post information that, if acted upon, could cause damage or a danger of disruption.

G. Plagiarism and Copyright Infringement
1. Students will not plagiarize works they find on the Internet. Plagiarism is taking the ideas or writings of others and presenting them as if they were original to the user.
2. Students will not use the district’s network to violate copyright laws or usage licensing agreements.
3. Students will not use another person’s property without the person’s prior approval or proper citation, including downloading or exchanging pirated software or copying software to or from any school computer.

IX. LIMITED EXPECTATION OF PRIVACY
A. By authorizing use of the district’s system, the Oregon City School District does not relinquish control over materials on the system or contained in files on the system. Students should expect only limited privacy in the contents of personal files on the district’s network.
B. Routine maintenance and monitoring of the district’s network may lead to a discovery that a user has violated this policy, another district policy, or the law.
C. An individual investigation or search will be conducted if school authorities have a reasonable suspicion that the search will uncover a violation of district policy or the law.
D. Parents have the right at any time to investigate or review the contents of their student’s files and e-mail files.
E. The Oregon City School District will cooperate fully with local, state and federal authorities in any investigation concerning or related to any illegal activities.

X. USE OF PERSONAL TECHNOLOGY AT SCHOOL
A. It is acceptable for students to use personal technology (laptops, iPods, iPads, cellular phone, etc.) only when approved by district personnel for educational purposes.
B. All personal technology fall under the jurisdiction of this Acceptable Internet Use Policy while being used at school or during any school related function.
C. Content that is not acceptable for school use may not be accessed while on school property or during any school related function.
D. Disciplinary action will occur for any student accessing inappropriate content, using the district network for inappropriate use and/or accessing any other network using personal technology while at school or during any school related function.

XI. LIMITATION ON SCHOOL DISTRICT LIABILITY
Use of the Oregon City School District’s network is at the user’s own risk. The network is provided on an “as is, as available” basis. The District will not be responsible for any damage Students may suffer, including, but not limited to, loss, damage, or unavailability of data stored on District diskettes, tapes, hard drives, or servers, or for delays or changes in or interruptions of service or misdeliveries or nondeliveries of information or materials, regardless of the cause. The District is not responsible for the accuracy or quality of any advice or information obtained through or stored on the District’s network. The District will not be responsible for financial obligations arising through unauthorized use of the District’s network, the Internet or electronic communications.
REGULATIONS GOVERNING PUPILS RIDING SCHOOL BUSES
OREGON STATE BOARD OF EDUCATION

These are the regulations established by the State Board of Education that govern all students riding any public school bus in the state of Oregon:

1. Pupils being transported are under the authority of the bus driver.
2. Fighting, wrestling, or boisterous activity is prohibited on the bus.
3. Pupils shall use the emergency door only in case of emergency.
4. Pupils shall be on time for the bus both morning and afternoon.
5. Pupils shall not bring firearms, weapons, laser pointers or other potentially hazardous material on the bus.
6. Pupils shall not bring animals, except approved assistance guide animals on the bus.
7. Pupils shall remain seated while the bus is in motion.
8. Pupils may be assigned to seats by the bus driver.
9. When necessary to cross the road, pupils shall cross in front of the bus or as instructed by the bus driver.
10. Pupils shall not extend their hands, arms or heads through bus windows.
11. Pupils shall have written permission to leave the bus other than at home or school. (The principal or the vice-principal must sign this slip.)
12. Pupils shall converse in normal tones; loud or vulgar language is prohibited.
13. Pupils shall not open or close windows without permission from the driver.
14. Pupils shall keep the bus clean and refrain from damaging it.
15. Pupils shall be courteous to the driver, to fellow pupils and passers-by.
16. Pupils who refuse to obey promptly the directions of the driver or refuse to obey regulation may forfeit their privilege to ride on the bus.

ADDITIONAL OREGON CITY SCHOOL DISTRICT TRANSPORTATION REGULATIONS

In addition to the state regulations, Oregon City School District has the following regulations governing students transported in the district’s buses:

1. Pupils shall not bring the following items on the bus: bugs or insects in any type of containers, glass objects, sharp objects, music stands, skateboards/scooters, animals, balloons, radios, balls, or other hazardous materials or potentially hazardous materials.
2. Students are responsible to be in charge of all personal items. Items left on the bus or at off-campus activities are not the responsibility of the school district.
3. Alcohol, tobacco, or drugs are prohibited on the bus.
4. Students may not eat or drink while on the bus.
5. Students shall refrain from using rude, discourteous, or annoying language on the bus.
6. Students are prohibited from any behaviors that involve bullying, hazing, and harassment of other students while on the bus.
7. Students are governed by all Code of Conduct rules and regulations while on the bus.
8. The driver may give a verbal warning to a student who violates one of the state or district regulations. The driver fills out a BUS CONDUCT REPORT FORM which the student signs. The driver keeps a copy of the verbal warning for his/her records.
9. A BUS CONDUCT REPORT FORM will be filled out by the driver and delivered to the school administrative office when a student violates a state or district regulation and disciplinary action is to be taken. The Principal, Vice-Principal, or Student Manager will then meet with the student and determine what disciplinary action will be taken. A white copy of the form is sent to the parent or guardian, and the student must have that form signed by the parent or guardian within the next three days. The student will deliver the signed form to the driver.
10. Failure to return a signed BUS CONDUCT REPORT FORM may result in suspension of riding privileges until the form is returned.
11. Should a student’s behavior be such that a recommendation to lose his/her privilege to ride the bus, that decision will be made by the school Principal, Assistant Principal, or Student Manager. In some cases, the Transportation Supervisor will make the recommendation that the student lose transportation privileges. Parents will be notified prior to loss of privileges.
12. Some student behaviors that violate regulations and/or the Code of Conduct and that threaten others or keep the driver from his/her ability to safely operate the bus will not be tolerated and may result in the student’s loss of transportation with no warning citations.