



Roseburg Public Schools

**BOARD ADOPTED
POLICIES
FOR STUDENT CONDUCT
AND DISCIPLINE**



**Roseburg Public Schools
A Publication of Roseburg Public Schools,
Roseburg, Oregon
Robert Freeman, Interim Superintendent**

**School Board Policies are located on the Roseburg School
District website: www.roseburg.k12.or.us.**

ADOPTED by the ROSEBURG SCHOOL BOARD

Revised August, 2018

**Roseburg Public Schools
MINIMUM STANDARDS FOR STUDENT CONDUCT
AND DISCIPLINE**

**As authorized by ORS 339.240
And Established By
Oregon Administrative Rules
Minimum Standards 21-050 to 21-085.**

**These standards have been established within the framework
of district policy relating to student personnel.
All rules and regulations pertaining to student personnel
will be consistent with these standards.**

**ADOPTED
By the Roseburg School Board
November 13, 1972
Revised August 2018.
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FOREWARD

After much legal research and many public meetings, the Oregon State Board of Education on May 12, 1972, adopted Minimum Standards for Student Conduct and Discipline.

Establishment of the minimum standards by the State Board of Education is an effort to deal realistically and constructively with problems of student conduct, while at the same time ensuring fair treatment for all concerned.

In addition to standards which are in the official form of Oregon Administrative Rules, non-mandatory guidelines and model codes have been suggested by the Oregon State Board of Education to aid school districts in complying with ORS 339.240, which requires every district school board to adopt and attempt to give the widest possible distribution of copies of reasonable, written rules regarding pupil conduct, discipline, and rights and procedures pertaining thereto. Such rules must comply with minimum standards promulgated by the State Board of Education.

This document is designed to comply with these standards and to formulate the basis for the establishment of rules and regulations pertaining to student conduct and discipline which will comply with local, state and federal laws.

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IB

Freedom of Expression

Students have a general right to freedom of expression within the school system. The district requires, however, that students exercise their rights fairly, responsibly and in a manner not disruptive to other individuals or to the educational process.

Freedom of Student Inquiry and Expression

1. Generally, students and student organizations are free to examine and discuss questions of interest to them and to express opinions publicly and privately within the school system, provided such examination and expression is fair and responsible and is not disruptive to other individuals or to the educational process. Students may support or oppose causes by orderly means which do not disrupt other individuals or the operation of the school.
2. In the classroom, students are free to examine views offered in any course of study, provided such examination is expressed in a responsible manner.

Publications, Displays and Productions

On occasion, materials such as leaflets, newsletters, cartoons and other items including displays and productions are prepared, produced and/or distributed by students as part of the educational process and free expression in an academic community. Materials may be subject to administrative review, restricted or prohibited, however, pursuant to legitimate educational concerns. Such concerns include:

1. The material is or may be defamatory;
2. The material is inappropriate based on the age, grade level and/or maturity of the audience;
3. The material is poorly written, inadequately researched, biased or prejudiced;
4. Whether there is an opportunity for a named individual or named individuals to make a response;

5. Whether specific individuals may be identified even though the material does not use or give names;
6. The material is or may be otherwise generally disruptive to the school environment. Such disruption may occur, for example, if the material uses, advocates or condones the use of profane language or advocates or condones the commission of unlawful acts;
7. Students, parents and members of the public might reasonably perceive the materials to bear the sanction or approval of the districts.

High School Student Journalists

Generally, high school student journalists have the right to exercise freedom of speech and of the press in school-sponsored media. School sponsored media means materials that are prepared, substantially written, published or broadcast by student journalists, that are distributed or generally made available, either free of charge or for a fee, to members of the student body and that are prepared under the direction of a student media adviser.

School-sponsored media does not include media intended for distribution or transmission solely in the classrooms in which they are produced.

School-sponsored media prepared by student journalists are subject to reasonable time, place and manner restrictions, pursuant to state and federal law. School-sponsored media cannot contain material that:

1. Is libelous or slanderous;
2. Is obscene, pervasively indecent or vulgar;
3. Is factually inaccurate or does not meet journalistic standards established for school-sponsored media;
4. Constitutes an unwarranted invasion of privacy;
5. Violates federal or state law; or
6. So incites students as to create a clear and present danger of:
 - a. The commission of unlawful acts on or off school premises;
 - b. The violation of district policies; or

- c. The material and substantial disruption of the orderly operation of the school. A school official will base a forecast of material and substantial disruption on specific facts, including past experience in the school and current events influencing student behavior, and not on undifferentiated fear or apprehension.

END OF POLICY

IBA

Sexual Harassment of Students

The district is committed to maintaining a learning environment that is free of sexual harassment. Sexual harassment includes unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature made by a member of the staff to a student or by a student to another student. Such conduct will bring about disciplinary action which may result in termination for an employee or expulsion for a student.

Any student who has knowledge of or feels he/she is a victim of sexual harassment should immediately report his/her concerns to the building principal or superintendent. Any employee who is aware of sexual harassment in a school setting is responsible for reporting such sexual harassment to the building principal or the superintendent.

Students are encouraged to file with the building principal or superintendent a formal complaint if they feel they are victims of sexual harassment. The principal or superintendent will promptly and thoroughly investigate all complaints. Allowing for a fair investigation, all such complaints or report will be treated in the strictest confidence. A copy of this policy and procedure for filing complaints shall be published in student, parent and staff handbooks.

END OF POLICY

JBA-AR

Sexual Harassment of Students

The following procedures shall be used for the reporting, investigating and resolving of complaints of student sexual harassment.

Any student who believes he/she has been subjected to sexual harassment should:

1. Immediately report the incident to the building principal;
2. If the alleged harasser is an administrator, then the student should report the incident to the superintendent;
3. The building principal or superintendent will investigate the complaint and respond to the complainant by scheduling a conference within five days whereby a written response shall be issued;
4. If this reply is not acceptable to the complainant, he/she may file a formal complaint according to the steps listed below.

STEP 1: When a formal complaint is filed, a conference will be held with the complainant within five school days. The formal, written complaint should include:

1. What, when and where the alleged incident happened;
2. Who was involved;
3. Exactly what was said or what the harasser did;
4. Witnesses to the sexual harassment;
5. What the student said or did, either at the time or later;
6. How the student felt;
7. How the harasser responded. A written response will be given to the complainant within ten school days following the conference.

STEP 2: If the complainant is not satisfied with the decision of the building principal, he/she may submit a written appeal to the superintendent. The superintendent shall meet with all parties involved to discuss the complaint and will respond, in writing, to the complainant within ten school days.

If the charge is against an administrator and the complainant is not satisfied with the decision of the superintendent, he/she may immediately appeal to the Board as set out in Step 3 below.

STEP 3: If the complainant is not satisfied with the decision of the superintendent, he/she may submit a written appeal to the Board. This appeal should be filed within five school days of receipt of the superintendent's decision.

The Board will consider the appeal at its next regularly scheduled Board meeting. The Board will reply to the complaint, in writing, within ten school days.

STEP 4: If the complaint is not satisfactorily settled, an appeal may be made to the Regional Civil Rights Directors, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Avenue, Room 3310, Seattle, Washington 98174-1099.

Allowing for a fair investigation, confidentiality will be maintained for all parties concerned and no reprisals or retaliation will be tolerated because of the good faith reporting of charges of sexual harassment.

END OF POLICY

JE

Attendance

Goals of attendance requirements are to:

1. Contribute to the academic success of students;
2. Inform parents about their students' class attendance or non-attendance;
3. Place the responsibility for attendance in the hands of students and their parents;
4. Aid students in making decisions and accepting the responsibilities and consequences resulting from those decisions;
5. Stress that punctual and regular attendance is a learned function necessary in coping with life;
6. Help students and parents understand that irregular attendance is one of the prime factors associated with student failure and frustration with the schooling experience;
7. Meet Oregon graduation requirements. Each school shall notify parents/guardians by the end of the school day if their child has an unplanned absence. The notification will be either in person, by telephone or another method identified in writing by the parent/guardian. If the parent/guardian cannot be notified by the above methods, a message shall be left, if possible. The Board directs the superintendent to develop rules and regulations which meet these objectives and to publish those rules and regulations annually for students and their parents.

END OF POLICY

JEA

Compulsory Attendance**

Except when exempt by Oregon law, all students between ages 6 and 18 who have not completed the 12th grade are required to regularly attend a public full-time school during the entire school term.

All students five years of age who have been enrolled in a public school are required to attend regularly while enrolled in the public school.

Persons having legal control of a student between the ages 6 and 18, who has not completed the 12th grade, are required to have the student attend and maintain the child in regular attendance during the school term.

Persons having legal control of a student who is five years of age and has enrolled the child in a public school, are required to have the student attend and maintain the child in regular attendance during the school year.

Under the superintendent's direction and supervision, attendance supervisors shall monitor and report any violation of the compulsory attendance law to the superintendent or designee. Failure to send a student and to maintain a student in regular attendance is a Class C violation.

The district will develop procedures for issuing a citation.

A parent or guardian who is not supervising their student by requiring school attendance may also be in violation of Oregon Revised Statute (ORS) 163.577 (1)(c). Failing to supervise a child is a Class A violation.

In addition, under policy JHFDA: Suspension of Driving Privileges, the district may report students with 10 consecutive days un-excused absence or 15 cumulative days un-excused absences in a single semester to the Oregon Department of Transportation.

Exemptions from Compulsory School Attendance

In the following cases, students shall not be required to attend public schools full time:

1. Students being taught in a private or parochial school in courses of study usually taught in Kindergarten through grade 12 in the public schools and in attendance for a period equivalent to that required of students attending public schools;
2. Students proving to the Board's satisfaction that they have acquired equivalent knowledge to that acquired in the courses of study taught in kindergarten through grade 12 in the public schools
3. Students being taught by a private teacher the courses of study usually taught in kindergarten through grade 12 in the public school for a period equivalent to that required of students attending public schools:

4. Students being educated in the home by a parent:

- a. When a student is taught or is withdrawn from a public school to be taught by a parent or private teacher, the parent or teacher must notify the Douglas Education Service District (ESD) in writing within 10 days of such occurrence. In addition, when a home-schooled student moves to a new ESD, the parent shall notify the new ESD in writing, within 10 days, of the intent to continue home schooling. The ESD superintendent shall acknowledge receipt of any notification in writing within 90 days of receipt of the notification. The ESD is to notify, at least annually, school districts of home-schooled students who reside in their district;
- b. Each student being taught by a parent or private teacher shall be examined no later than August 15, following grades 3, 5, 8 and 10: (1) If the student was withdrawn from public school, the first examination shall be administered at least 18 months after the date the student withdrew; (2) If the student never attended public or private school, the first examination shall be administered prior to the end of grade 3; (3) Procedures for home-schooled students with disabilities are set out in Oregon Administrative Rule (OAR) 581-021-0029.
- c. Examinations testing each student shall be from the list of approved examinations from the State Board of Education;
- d. The examination must be administered by a neutral individual qualified to administer tests on the approved list provided by the Oregon Department of Education;
- e. The person administering the examination shall score the examination and report the results to the parent. Upon request of the ESD superintendent, the parent shall submit the results of the examination to the ESD;

- f. All costs for the test instrument, administration and scoring are the responsibility of the parent;
- g. In the event the ESD superintendent finds that the student is not showing satisfactory educational progress, the ESD superintendent shall provide the parent with a written statement of the reasons for the finding, based on the test results and shall follow the guidelines in Oregon Revised Statutes and Oregon Administrative Rules.

5. Students excluded from attendance as provided by law;

6. An exemption may be granted to the parent of any student 16 or 17 years of age who is lawfully employed full time, lawfully employed part-time and enrolled in school, a community college or other state registered alternative education program as defined in ORS 336.615.

7. An exemption may be granted to any child who is an emancipated minor or who has initiated the procedure for emancipation under ORS 419B.550 to 419B.558.

END OF POLICY

JED

Student Absences and Excuses

The Board considers regular school attendance essential for educational success. Truancy and excessive absenteeism are disruptive to the goal of educational success. All students are expected to attend school as required by law and by Board policy.

With these beliefs in mind, the superintendent will develop appropriate attendance procedures that foster a partnership with parents to develop positive attendance habits. It is in the student's best educational interests to identify truancy problems early, to articulate responsibilities, to provide related counseling services and to initiate appropriate consequences.

For the purpose of safety and accounting for all absences, parents will be responsible for reporting student absences and the reason(s) for such absence. The school principal or designee will be responsible for assessing and acting upon parental requests for excused absences.

The principal or designee has the authority to excuse students for absences due to illness of the student, illness in the family, emergencies or for purposes of religious instruction as described in policy JEFB, Release Time for Religious Instruction. Students may also be excused for other reasons deemed appropriate by the principal/designee or Board when satisfactory arrangements have been made in advance.

Students may be excused on a limited basis from a particular, pre-planned classroom activity or from a selected portion of the established curriculum on the basis of personal, religious or ethnic considerations.

Students may be excused on a limited basis from attending class due to schedule conflicts related to cocurricular or extracurricular activities as determined by the principal or designee.

Students may be excused on a limited basis from attending class due to schedule conflicts related to cocurricular or extracurricular activities as determined by the principal or designee.

A student whose absence is excused must still fulfill the school's requirements. Missed assignments must be completed for full credit within 5 school days after the return of the student with the exception of predetermined tests or assignments which will be due either immediately upon the return of the student or by instructor authorized time extensions or completion.

Assignments/Tests not completed as stated will be given no credit. At the discretion of the instructor, missed assignments may be waived or modified without penalty.

A student whose absence is unexcused will receive no credit for assignments not completed. However, at the discretion of the principal and by mutual agreement of the student (and when appropriate, the counselor), the student will be given an opportunity to receive credit for work missed that will include attendance intervention strategies.

Such exception will only be made for two unexcused absences.

Additionally, the superintendent will develop procedures whereby those students who are considered truant may be subject to the following penalties: detention, suspension, expulsion and/or ineligibility to participate in athletics or other activities. In addition, the student's parents or guardian may receive a truancy citation.

Each school shall notify parents/guardians by the end of the school day if their child has an unplanned absence. The notification will be either in person, by telephone, or another method identified in writing by the parent/guardian. If the parent/guardian cannot be notified by the above methods, a message shall be left, if possible.

END OF POLICY

JFC

STUDENT BEHAVIOR STANDARDS AND EXPECTATIONS

The Board expects student conduct to contribute to a productive learning climate. Students shall comply with the district's written rules, pursue the prescribed course of study, submit to the lawful authority of teachers and school officials and conduct themselves in an orderly manner at school during the school day or during school-sponsored activities. This conduct applies to students en route to and from school and district sponsored activities.

Careful attention shall be given to procedures and methods whereby fairness and consistency without bias in discipline shall be assured each student.

The objectives of disciplining any student must be to help the student develop a positive attitude toward self-discipline, realize the responsibility of one's actions and maintain a productive learning environment. All staff members have responsibility for consistency in establishing and maintaining an appropriate behavioral atmosphere.

Discipline procedures that are age appropriate and to the extent practicable use approaches that are shown through research to be effective, related to the classification of the offense and to the particular facts of the student's misconduct, shall be used by district personnel to correct behavioral problems, while supporting students' attendance to school and classes. Examples include, but are not limited to, reprimands, conferences, detention, fines for damage or loss of district property, loss of privileges including bus riding and suspension.

Students may be suspended in cases of serious infractions or repeated failure to comply with Board policy, administration regulation, school or classroom rules. 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. 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 JHFDA – Suspension of Driving Privileges. A referral to law enforcement may also be made for violations of the law.

BEHAVIOR INFRACTIONS

Disrespect

Students will show respect and courtesy toward each other and adults.

Reasonable requests by teachers, administrators, paid aides, volunteer aides, student aides, custodians, bus drivers, cooks, secretaries, etc., will be obeyed. Misconduct that disrupts and/or shows disrespect for the orderly operations of classroom learning environment will not be tolerated.

Failure to Report Serious Misconduct or the Threat of Serious Misconduct

Students are expected to immediately inform school personnel of serious misconduct by other students or potential threats to the safety of other students or staff. "Serious misconduct" means behavior that has resulted in or poses a credible threat to the safety, security or wellbeing of students, staff or school property.

Inappropriate Displays of Affection

While on school property, or in a vehicle operated by the District, or attending a school related event, students shall not engage in displays of affection that disrupt the educational process or the viewing of which make most students, staff or the public feel uncomfortable. "Inappropriate displays of affection" are public, physical exchanges between students that are overly sexualized. Occasional holding of hands, brief kissing or hugging are not typically considered inappropriate.

Leaving School Grounds

No student is to leave at any time, for any reason, with the following exceptions: (1) a specific need verified by parent and approved by the administrator; (2) students who have parent- and school-approved work-release privilege; (3) students who have written parent permission on file with the building administrator.

Students who leave school grounds for any reason other than the above exceptions are considered truant. (See Truancy)

Prohibited Recordings

Students are prohibited from making any visual or auditory recordings of conduct or activity on school premises or at a school-related activity which violates a school policy if the recording is made with intent to promote, encourage or facilitate such conduct or activity. Dissemination or publication of a prohibited recording with intent to disrupt or prevent a safe and positive educational environment will be treated as a violation of the District's cyberbullying portion of this policy.

Trespassing

Students who have been suspended, expelled or otherwise restricted from school or persons of school age who are not otherwise permitted to be on school property or at a school event shall not come upon or remain on school property or at a school related event when ordered to leave by school personnel.

Truancy

Truancy is defined as absence from school without permission.

The district believes irregular attendance is one of the factors associated with student failure and frustration with the school experience. A fundamental purpose for insisting on punctual, regular school attendance is to help each student develop habits of responsibility.

Use of Obscene/Vulgar Language, Gestures or Images

Students shall not use, produce, or broadcast obscene or vulgar language, gestures or images at school or at a school related event. When obscene or vulgar language is spoken or broadcast or obscene or vulgar gestures are used, produced or broadcast, the staff member hearing or observing the obscenity or vulgarity will confer with the student and take appropriate disciplinary action. If the staff member is not the individual student's classroom teacher, he/she will inform the classroom teacher or the appropriate administrator of the incident and the action taken. This should occur as soon as practical after the incident.

Penalties

Student behavior infractions may result in reprimand, conference, behavior contracts, detention, loss of privileges and other building level interventions as appropriate. A school official may impose additional or enhanced disciplinary action for repeat behaviors.

Procedures for Student Violations

1. If the reported incident involves any of the violations listed as behavior infractions, the infraction will be immediately addressed by the staff member who observes the violation.
2. The intervention should be commensurate with the degree of the violation and any pattern of misbehavior.
3. It is likely that low level, infrequent and unintentional violations may be addressed quickly by the staff member who observes the misconduct without involving others or even making a record of the infraction.

4. If the reported incident is unusually disruptive, recurring or intentional, such infractions may best be resolved by referral to the building administration.

5. Whenever such infractions are referred to the building administrator, a record of the incident shall be made and the administrator shall notify the student's parents as soon as is practicable.

NON-VIOLENT MISCONDUCT

The district is dedicated to providing a safe environment for students, parents, staff and the public. To this end, the following conduct is prohibited at any time during school hours or during school-related activities on or off school grounds.

Damaging or Destroying School Property or the Property of Others

A student present on district property, engaged in a school-related activity or attending a school related activity is prohibited from intentionally or recklessly damaging or destroying school property. Any person who damages or destroys school property will be asked to pay the cost of replacement or restoration of the damaged property in addition to being subjected to appropriate disciplinary actions and legal proceedings. Parents or guardians of a minor student who damages or destroys school property or the property of a student or school employee is liable for all costs associated with repairing or replacing the damaged or destroyed property.

Slander and Libel

Students may not slander or libel other students or school staff. "Slander" is the verbal communication of a falsehood from one person to one or more other persons. "Libel" is the written or electronic publication of a falsehood from one person to one or more other persons.

Theft/Criminal Mischief

A student present on district property, engaged in a school-related activity or attending a school-related activity is prohibited from exercising control over the property of any other person or damaging the property of any other person or the school without the consent of the owner of such property.

Unjustified Interference with School Authorities

Students shall not willfully disobey, defy, intimidate or threaten a school employee or use or threaten to use force or violence against a school employee during the employee's performance of his or her duties.

Vandalism/Graffiti

Students are prohibited from vandalizing or defacing school property or the property of another student or school employee with unwelcome words, symbols or artwork. Vandalism is the act of damaging property. The parent or guardian of a student is liable for the cost to repair or replace property damaged by vandalism or graffiti if the student is a minor.

Penalties

Any student who engages in any of the prohibited conduct outlined above will be subject to the following:

1. Criminal or juvenile action if the violation is such that it warrants a referral to the appropriate agency;
2. Ejection from and/or banishment from school property or the area where a school-related activity is being conducted;
3. A school official may impose additional or enhanced disciplinary action for repeat behaviors.
4. Disciplinary action up to and including expulsion from school.

Procedures for Non-Violent Offenses

1. The staff member who observes the offense will immediately intervene and address the infraction.
2. Intervention should be commensurate with the degree of the violation and the history of misbehavior.
3. The staff member will report the offense to the building administrator if appropriate.
4. If the infraction is reported to the building administrator, he/she shall impose sanction up to 10 days suspension.

5. In cases involving an actual and credible risk of injury or which are otherwise aggravated or recurring, the administrator may refer for expulsion.

VIOLENT MISCONDUCT

The district is dedicated to providing a safe environment for students, parents, staff and the public. To this end, the following conduct is prohibited at any time during school hours or during school-related activities on or off school grounds.

Arson - "Arson" is the intentional use of fire to damage or attempt to damage property of a student's or the school. Setting off or reporting false fire alarms is also grounds for disciplinary action.

Assault - A student present on school property, engaged in a school-related activity or attending a school-related activity is prohibited from fighting with or assaulting any other person.

1. "Assault" is defined as intentional, unauthorized physical contact with another person which causes physical, mental or emotional injury or would reasonably be expected to cause such an injury. "Physical injury" is defined as meaning impairment of physical condition or substantial pain.

Assault does not include physical pain or discomfort resulting from or caused by:

- a. Training for or participation in athletic competition voluntarily engaged in by a student;
- b. Recreational activity voluntarily engaged in by a student;
- c. 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 vocational education projects; or

- d. Physical restraint or the use of aversive techniques as part of a behavior management program in a student's individual education program which has been signed by a parent and is carried out according to district procedure and policy.

2. A person may use physical restraint on another when and to the extent that is necessary to defend the student or another person from the imminent unlawful physical force or from imminent danger.

Disruptive or Unsafe Behavior - A student present on school property, engaged in a school-related activity or attending a school-related activity is prohibited from engaging in disruptive, unsafe or abusive conduct that deprives other students of the opportunity to learn or participate in a school related activity or interferes with the instructional program in the classroom. Such behavior includes but is not limited to:

1. Engaging in violent or threatening behavior;
2. Disturbing a classroom or school activity;
3. Initiating or circulating a report, knowing it to be false, concerning an alleged or impending fire, explosion, crime, catastrophe or other emergency; or
4. Intentionally creating a hazardous or physically offensive condition.

Explosive Devices or Materials

The use or threatened use, possession or sale of explosive devices or materials or look-alike explosive devices on school grounds or at a school related activity is prohibited. "Explosive devices" means any device or inert facsimile of such a device that has an explosive, incendiary or poison gas component. Explosive materials are substances that are capable of producing an explosive, incendiary or poisonous gas reaction.

Fighting

"Fighting" means mutual participation in any form of physical altercation or acts of person-to-person aggression. "Mutual participation" includes inciting or encouraging others to fight or watching others who are fighting. Students are prohibited from fighting on or near school grounds in school vehicles or at a school related event.

Gang Activities - A "gang" is defined as a group that identifies itself through the use of a name, unique appearance or language including hand signs, claiming of geographical territory or the espousing of a distinctive belief system that frequently results in criminal activity. Gangs or organizations which initiate, advocate or promote activities threatening the safety or well-being of persons or property on school grounds or disturbing the school environment are harmful to the educational process. Such acts are contrary to a productive climate and educational objectives and create an atmosphere where unlawful acts or violations of school regulations may occur. It shall therefore be the policy of the district to prohibit the following activities:

1. Wearing, possessing, using, distributing, displaying or selling any clothing, jewelry, emblem, badge, symbol, sign or other things which are evidence of membership or affiliation in an illegal gang or group involved in illegal activities;
2. Use speech or commit any act or omission in furtherance of the interest of any gang or gang activity;
3. Participation incidents involving initiations, hazing, intimidations and/or related activities of such group affiliations which are likely to cause bodily danger, physical or mental harm to students or employees.

Potentially Harmful Object/Device Possessions - No student shall bring to school or possess on school grounds or at a school activity any device, instrument, material, substance or animal which is determined by the proper school authority to create an unreasonable risk to the safety or security of the student, of other persons, or of the property of the school, of school employees, of students, or of other persons.

Any school employee shall take control of any such device, instrument, material, substance or animal and deliver it to the principal and the principal shall, as is reasonable, take steps to make it safe or return it to the student after school hours or return it to the student's parent or destroy it or otherwise dispose of it.

The principal may allow a device, instrument, material, substance or animal which would otherwise fall within this policy to remain on school premises if there is a legitimate educational purpose for the object's presence, and if appropriate, safeguards are taken.

If an object or device in a student's possession qualifies as a dangerous weapon or deadly weapon or firearm, then it shall be dealt with as a deadly/dangerous weapons violation.

Knives, which do not meet strict definition requirements of "weapon", including pocketknives, will usually be treated as potentially harmful possessions under this policy, and may result in expulsion from school depending on the degree of the credible threat.

Illegal items or other possessions reasonably determined by the proper school authorities to be a threat to the safety or security of the possessor or others may be seized by school officials in accordance with the school district's property confiscation procedures. Items, which may be used to disrupt or interfere with the educational process, shall be temporarily removed from the student's possession. (See JFG, Student Searches and Questioning)

Reckless Endangering

Students are prohibited from engaging in conduct while at school or in a vehicle operated by the District or at a school related activity which creates a substantial risk of physical, mental or emotional injury to themselves or others or school property.

Penalties

Any person who engages in any of the prohibited conduct outlined above will be subject to the following:

1. Criminal or juvenile action if the violation is such that it warrants a referral to the appropriate agency;
2. Ejection from and/or banishment from school property or the area where a school-related activity is being conducted;
3. A school official may impose additional or enhanced disciplinary action for repeat behavior.
4. Disciplinary action up to and including expulsion from school.

Procedures for Violent Offenses

1. If the reported incident involves any of the violations listed above, the infraction will be immediately referred to the building administration.
2. The consequence should be commensurate with the degree of the violation and the history of misbehavior.
3. In cases not falling under Deadly/Dangerous Weapons, the building administrator shall impose sanctions up to 10 days suspension.
4. In cases involving an actual and credible risk of injury or which are otherwise aggravated or recurring, the administrator may refer for expulsion.

FIREARMS AND DEADLY WEAPONS

The district prohibits any student present on school property, engaged in a school-related activity or attending a school-related activity from bringing, possessing, concealing, using or threatening to use a weapon.

Weapons under the control of law enforcement personnel are permitted. The superintendent may authorize other persons to possess weapons for courses, programs and activities approved by the district and conducted on district property.

A weapon, or replica of a weapon, found on school property or at school-related activities shall be confiscated and the incident reported to local law enforcement agencies. The superintendent shall prepare a procedure for confiscating, forfeiting and disposing of any weapons found on school property or at school-related activities.

A "weapon" means a firearm, destructive device, dangerous weapon or deadly weapon as those terms are defined in the Oregon Criminal Code, as amended.

"Possession" means a conscious awareness of the ability to control the object.

Penalties

The following penalties may apply when any person is accused of violating the weapons policy:

1. Forfeiture of any firearm, dangerous weapon or deadly weapon found on school property or at a school-related function;
2. Criminal or juvenile action if the violation is such that it warrants a referral to the appropriate agency;
3. Ejection from and/or banishment from school property or the area where a school-related activity is being conducted;
4. Disciplinary action up to and including expulsion for a period of at least one year.

Procedures for Student Violations

1. 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.

2. If the reported incident involves possessing, bringing, concealing or using a weapon on school property or during a school-related activity, the student shall be immediately suspended from school for a period of up to five days during which a designated administrator shall conduct an investigation of the incident.

3. If the administrator finds no violation of school policy, the suspension shall end immediately and the student allowed to return to school. If, after completing the investigation, the administrator has reason to believe that the student possessed, brought or concealed a firearm or deadly weapon or used a dangerous weapon with the intent to cause or threaten to cause physical injury, the suspension shall continue while the administrator initiates expulsion proceedings.

4. Students found to have brought, possessed, concealed or used a firearm in violation of this policy or state law 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.

5. The superintendent may, on a case-by-case basis, modify this 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.

6. Any student expelled for violating the policy prohibiting the possessing, bringing or concealing or using a weapon on school property or at a school-related activity may petition the Board for a conditional readmission to school.

7. Any student expelled for violating the weapons policy may, at the discretion of the district, enroll in or receive any alternative educational programs or counseling available through the district.

8. The superintendent shall notify the Board if any reported violation of this policy results in an investigation as well as the outcome of the investigation.

END OF POLICY

JFC-AR(1)

Student Misconduct

Student Rights and Responsibilities

The Board has the responsibility to afford students the rights that are theirs by virtue of guarantees offered under federal and state constitutions and statutes. In connection with rights are responsibilities that must be assumed by students.

Among these student rights and responsibilities are the following:

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.

Students have the right to know the behavior standards expected of them as well as to know the consequences of misbehavior. Students have the right to use the processes and procedures outlined in Policy AC-AR to report a complaint or harassment, bullying, intimidation, hazing, etc. Such complaints will be investigated and resolved using the processes and procedures outlined in AC-AR.

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

The student code of conduct, developed under the leadership of the district administration, and in cooperation with staff, will be made available to parents and enforced in the school.

Each building discipline guide or handbook (a part of which will include the school rules) shall be discussed by school staff and the school improvement advisory committee on an annual basis. Parents shall be informed of the above guide and school rules.

School rules shall be read and discussed with all students during the first two weeks of school. A list of school rules shall be posted in all classrooms and discussed periodically with the students.

In cases of student misconduct as defined in Board policy JFC, Student Misconduct, students shall be subject to discipline up to and including expulsion. In those cases where the sanction for student misconduct does include suspension or expulsion, lawful procedures for such sanctions will be followed as outlined in Board policy JG/JGD/JGE, Discipline - Suspension/Expulsion.

In the event of a student's expulsion from the district, appropriate accessible educational alternatives shall be proposed in writing to the student or student's parents in accordance with Board policy IGBHC, Alternative Education Notification.

JFCA

Student Dress and Grooming **

Dress and grooming while in school is basically an individual responsibility. When, in the opinion of the principal, the student dress is disruptive, unsafe or non-hygienic, appropriate action will be taken. When dress and grooming disrupts the learning process while in school, for the individual students or the learning climate of the school, it becomes a matter for counseling with the student and/or parent.

The total learning climate of a school is important to the satisfactory progress of students. This system places major emphasis upon developing an environment where the teaching-learning process will flourish with as few constraints as possible.

Student dress and grooming is the responsibility of the individual and his/her parents under the following guidelines:

1. Dress code:

a. Dress and grooming shall be clean and in keeping with health, sanitary and safe practices;

b. Dress and grooming shall conform to the district's Secret Societies/Gang Activities policy. Wearing any clothing, jewelry, emblem, badge, symbol, sign or other item determined by building administrators as evidence of membership or affiliation in an illegal gang or group involved in illegal activities is strictly prohibited;

c. When a student is participating in special activities, his/her dress and grooming shall not disrupt the performance or constitute a health threat to the individual or other students;

d. Provisions for dress and grooming in special activities should arise directly out of the needs of the activity;

e. Dress and grooming shall not be such as to disrupt the teaching-learning process. Extremes will be avoided.

2. Hair code:

Hair, for both boys and girls, shall be clean and free from disease. In any class involving machinery, flame or harmful chemicals, all hair shall be shielded or suspended so as to be safely protected from contact. The latter will also apply to physical education if, in the opinion of the instructor, the length or condition of the student's hair constitutes a risk. Finally, no disruption, disorder, delay or inattention to instruction due to hair length, style or upkeep shall be tolerated of any student while upon district property.

END OF POLICY

JFCB

Academic Honesty

Standards of Academic Honesty

Roseburg Public Schools expects every student to conduct their educational pursuits with the highest degree of honesty, accountability for their own work and respect for the intellectual property of others. It is the responsibility of each student to understand the proper method of using source materials and crediting the work of others. Failure to adhere to the standards of academic honesty will result in appropriate sanctions, as acts of dishonesty destroy the integrity of the educational process for the student and their classmates.

Definitions

The major categories of academic dishonesty are defined as:

Academic Cheating. Academic cheating is any act of academic deception, which includes such things as receiving or communicating information to another student during a test or other assessment; looking at another's test or assessment during the exam; using notes or obtaining information during a test or assessment when prohibited; obtaining information about the questions or answers for an assessment prior to the administration of the exam; or whatever else is deemed contrary to the rules of fairness with respect to school work or assessment, including special rules developed by the instructor of the course.

Plagiarism. Plagiarism is the representation of someone else’s ideas or words as one’s own without crediting the source. It is the use, whether by paraphrase or direct quotation, of the published or unpublished work of another without full and clear acknowledgment through proper citation format. The submission of an assignment or parts of an assignment written by someone other than the student, including but not limited to, other students, commercial organizations, or electronic sources.

Academic Misrepresentation. Academic misrepresentation occurs when a student has another student or individual substitute for himself or herself during the taking of a test or other assessments.

Academic Collusion. Academic collusion is the sharing of test or other assessment questions or answers with another student without the instructor’s permission. Academic collusion includes copying another student’s homework without the instructor’s permission or allowing another student to copy one’s work. It also includes group collaboration on individual assignments without the instructor’s permission.

Dishonesty in Papers. Dishonesty in papers entails using a writing service or having someone else write a paper for the student. All work submitted for a course must be the student’s own original work unless the sources are cited.

Self-Plagiarism (Work Done for One Course and Submitted in Another).

Self-Plagiarism occurs when a student for a class refers to work previously submitted in another class at any Roseburg Public School or any other school in order to fulfill the academic requirements in that class. This includes repeated classes. Slightly altered work that has been resubmitted is also considered to be self-plagiarism. In some instances instructors may allow a certain amount of work from a prior course to be repurposed; students who wish to do this must seek express approval from the instructor in advance.

Other Academic Misconduct. Other academic misconduct includes, but is not limited to, stealing assessments; altering academic tests or assessments, grades or other student records; sabotaging the work of another student; distributing materials for the purpose of cheating; altering, forging, or misusing any Roseburg Public Schools official documents.

Violations of the Academic Honesty policy may result in appropriate discipline up to and including expulsion, subject to the principles for appropriate discipline as set out in Policy JFC.

END OF POLICY

JFCC

Student Conduct on Buses

Students who ride buses to and from school or school-sponsored activities will be notified of the rules and regulations governing their conduct on buses as well as of the consequences for violation of those rules.

END OF POLICY

JFCEB

Personal Communication Devices and Social Media

Student possession or use of personal communication devices on district property, in district facilities during the school day and while the student is in attendance at district-sponsored activities may be permitted subject to the limitations set forth in this policy and consistent with any additional school rules as may be established by the principal and approved by the superintendent.

A “personal communication device” is a device that emits an audible signal, vibrates, displays a message or otherwise summons or delivers a communication to the possessor of the device. These devices include, but are not limited to, walkie talkies, either long -or short-range portable radios, portable scanning devices, cellular telephones and pagers, other digital audio devices (iPODs), personal digital assistants (PDAs), laptop computers and similar devices with wireless capability.

Cellular telephones, pagers, and other digital audio devices shall be turned off during instructional or class time or at any other time where such use of the device would cause a disruption of school activities. Cellular telephones which have the capability to take “photographs” or “moving pictures” shall not be used for such purposes while on district property or while a student is engaged in district-sponsored activities, unless as expressly authorized in advance by the principal or designee. Laptop computers and PDAs brought to school will be restricted to classroom or instructional-related activities only. The district will not be liable for personal communication devices brought to district property and district-sponsored activities.

Students may not access social media sites using district equipment, while on district property or at district-sponsored activities unless the posting is approved by a district representative. The district will not be liable for information/comments posted by students on social media Web sites.

Social media Web sites are Web sites such as, but not limited to, Facebook, MySpace, and Twitter.

Exceptions to the prohibitions set forth in this policy may be made for health, safety or emergency reasons with prior principal or designee approval or when use is provided for in a student’s individualized education program (IEP).

Students are subject to disciplinary action up to and including expulsion for using a personal communication device in any manner that is academically dishonest, illegal, or violates the terms of this policy¹. A referral to law enforcement officials may also be made. Personal communication devices brought to district property or used in violation of this policy are subject to confiscation and will be released to the student’s parent or property owner, as appropriate.

The superintendent shall ensure that the Board’s policy and any subsequent school rules developed by building administrators are reviewed and approved in advance to ensure consistency with this policy and that pertinent provisions of policy and rules are communicated to students and parents through building handbooks and other means.

END OF POLICY

JFCF

Hazing/Harassment/Intimidation/Menacing/Bullying/Cyberbullying/Teen Dating Violence/Domestic Violence – Student **

The Board, in its commitment to providing a positive and productive learning environment will consult with parents/guardians, employees, volunteers, students, administrators and community representatives in developing this policy in compliance with applicable Oregon Revised Statutes. Hazing, harassment, intimidation or bullying, menacing, 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 principal and the superintendent are responsible for ensuring that this policy is implemented.

Definitions

“District” includes district facilities, district premises and non-district 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 inter-district and intra-district athletic competitions or other school events.

“Hazing” includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored activity or grade level attainment, (i.e., personal servitude, sexual stimulation/sexual assault, forced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a student); requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article; assignment of pranks to be performed or other such activities intended to degrade or humiliate. It is not a defense against hazing that the student subjected to hazing consented to or appeared to consent to the hazing.

“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 and may be based on, but not limited to, the protected class of the person.

“Protected class” means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation¹, national origin, marital status, familial status, source of income or disability. **“Sexual 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.**

“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
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.

“Domestic violence” means abuse as defined by Oregon Revised Statute (ORS) 107.705 between family and household members, as those terms are described in ORS 107.705.

“Cyberbullying” is the use of any electronic communication device to harass, intimidate or bully. Students and staff will refrain from using personal communication devices or district equipment to violate this policy.

“Retaliation” means hazing, harassment, intimidation or bullying, menacing, 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 hazing, harassment, intimidation or bullying, menacing, teen dating violence and acts of cyberbullying or retaliation.

“Menacing” includes, but is not limited to, any act intended to place a district employee, student or third party in fear of imminent serious physical injury. ¹ “Sexual 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.

Reporting

The building principal will take reports and conduct a prompt investigation of any report of an act of hazing, harassment, intimidation or bullying, menacing, 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 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. Failure of an employee to report an act of hazing, harassment, intimidation or bullying, menacing or an act of cyberbullying to the building principal 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 hazed, harassed, intimidated or bullied, menaced, 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 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 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 and district complaint procedures.

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

The district shall incorporate age-appropriate education about teen dating violence and domestic 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 domestic 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's website, and school and district office and the development of administrative regulations, including reporting and investigative procedures. Complaint procedures, as established by the district, shall be followed.

Domestic violence posters provided by the Oregon Department of Education (ODE) shall be posted in clearly visible locations on school campuses in accordance with rules adopted by the ODE.

END OF POLICY

JFCG/JFCH/JFCI

Use of Tobacco, Alcohol or Drugs

The personal use of tobacco products, controlled substances, alcoholic beverages and intoxicants by students shall be prohibited on all district property. The manufacturing, distribution, dispensing and/or use of tobacco products, alcohol or illicit drugs by students is prohibited while on district property, during school hours (including meal periods), during breaks and while attending any and/all school functions, including those held after or in addition to regular school hours.

Use or Possession

A student shall not knowingly be under the influence, possess, use, transport, administer or manufacture a controlled substance, tobacco products, alcoholic beverages or intoxicant of any kind while present on district property, engaged in a school-related activity, either on or off the district property or while traveling to or from school or a school sponsored activity or athletic event in any vehicle furnished by the district for such travel.

Sale or Delivery

A student or other person shall not sell, deliver, furnish or give away tobacco products, a controlled substance, alcoholic beverages or intoxicants of any kind while on district property or within 1,000 feet of district property, engaged in a school-related activity, either on or off district property or while traveling to or from school or a school-sponsored activity or athletic event in any vehicle furnished by the district for such travel.

Drug Paraphernalia

A student or other person shall not possess, sell, deliver or manufacture drug paraphernalia while on district property, engaged in a school-related activity or attending a school-related activity.

Confiscation

Any tobacco products, controlled substances, alcoholic beverage, intoxicant or drug paraphernalia found on district property or in the possession of a student or person in violation of this policy shall be confiscated by school personnel in accordance with administrative regulations as established by the district.

Penalties

Any student or person who engages in any of the prohibited conduct outlined above may be subject to the following:

1. A criminal or juvenile action if the violation is such that it warrants a referral to an appropriate agency;
2. Removal from district property or the area where the school-related activity is being conducted;
3. In the case of a student, disciplinary action up to and including expulsion.
4. Parents will be notified of all violations involving their student and subsequent action taken by the school. Information about cessation support and/or research based tobacco education programs and how students can access these programs will be provided. At the discretion of the building principal, attendance and completion of such programs, or successful completion of a behavior modification plan, may be allowed as a substitute for, or as part of student discipline.

Definitions

The following definitions apply to this policy:

1. For the purpose of this policy “tobacco” is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew, snuff, in any form, nicotine or nicotine delivering devices, chemicals or devices that produce the physical effect of nicotine substances or any other tobacco substitute (e.g., e-cigarettes).
2. “Controlled substance” means a drug or its immediate precursor classified in Schedules 1 through 5 under the Federal Controlled Substance Act, 21 USC SS 811 to 812 as modified under Oregon Revised Statutes. By way of example, but not limitation, a controlled substance includes: marijuana, including all parts of the plant, Cannabis family Moraceae, whether growing or not, the seeds thereof, the resin extracted from any part of said plant and any compound, manufacture, sale derivative, mixture or preparation of said plant, its seeds or resin, coca leaves, morphine, cocaine, LSD, hallucinogenic drugs, opium, heroin, amphetamines, methamphetamine, barbiturates, derivatives thereof or any other drugs having similar properties;
3. “Alcoholic beverages” means any beverage having an alcoholic content, with the exception of medicines lawfully and duly prescribed by a licensed physician. Alcoholic beverages shall include: beer, wine, whiskey, liquors or any other beverage containing any alcohol content whatsoever, whether mixed or otherwise;
4. “Intoxicant” means any substance including controlled substances and alcoholic beverages as defined above, which is toxic, corrosive, an irritant, a strong sensitizer, flammable, combustible, generates or is used to generate pressure, if such substance or mixture of substances may cause substantial personal injury or severe illness when induced by any means into the human body;

5. “Drug paraphernalia” means all equipment, products and materials of any kind which are marketed for the use or designed for the use in manufacturing, compounding, converting, producing, processing, preparing, analyzing, packaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise inducing into the human body a controlled substance or intoxicant.

Prescribed Medicines

Nothing in this policy will prohibit a student from possession or using medicines prescribed by a licensed physician or in the case of non-prescription medicines, authorized in writing by a parent or physician or dispensed through the school nurse or student health center. However, the use of or distribution of any prescription medicine other than for the specific person for whom the medicine is prescribed is a violation of this policy.

END OF POLICY

JFG

Student Searches and Questioning **

The Board expects a climate in the schools which assures the safety and welfare of all. Equipment, such as lockers, belongs to the district and students are allowed to use this equipment as a convenience. The district insists that lockers be properly cared for and not used for the storage of illegal items.

Guidelines

1. Right: At the time of locker assignments or registration, students will be informed of use governing the locker.

Right: Students may be assured that the rights of the individual shall always be balanced with the needs of the school. In a search and seizure situation, the following procedures shall be observed:
 - a. A search of the student’s person should be limited to a situation where there is probable cause that the student is secreting evidence of an illegal act or school violation;
 - b. Illegal items (firearms, weapons, etc.) or other possessions reasonably determined by the proper school authorities to be a threat to the safety or security of the possessor or others may be seized by school officials in accordance with the school district’s property confiscation procedures;
 - c. Items which may be used to disrupt or interfere with the educational process may be temporarily removed from the student’s possession;
 - d. A general inspection of district properties, including but not limited to, lockers or desks may be conducted on a regular basis. Items belonging to the school may be seized;
 - e. All items seized shall be returned to the proper authorities or the true owner in accordance with district’s property confiscation procedures;

f. The student shall be given the opportunity to be present when a search of personal possessions is conducted, if he/she is in attendance and if there is no reason to believe that his/her presence would endanger his/her health and safety.

2. Responsibility a. Students shall not bring to school firearms or other possessions reasonably determined by the proper school authority to be a threat to the safety or security of himself/herself or others. Students shall not secrete evidence of an illegal act or school violation.

END OF POLICY

JFI

Assembly of Students

The use of all district facilities should be planned in advance and approved by the administration.

Right

Students will be permitted to hold meetings and gather informally under the following conditions:

Responsibilities: Student Meetings

1. The meeting shall be scheduled in advance;
2. Normal class activities shall not be disrupted;
3. The meeting shall not be such as may be likely to incite hazard to a person or the meeting;
4. The meeting shall be sponsored by school officials or an official school club or organization;
5. No speaker who openly and knowingly advocates breaking the law shall be invited to speak. Invitation to speakers shall be approved by the principal or his/her designated representatives;
6. If a crowd is anticipated, a crowd control plan shall be filed in the appropriate office well in advance of the meeting;
7. Attempts shall be made to present a balance of viewpoints.

Responsibilities: Informal Student Gatherings

1. Students gathering informally shall not disrupt the orderly operation of educational process;
2. Students gathered informally shall not infringe upon the rights of others to pursue their activities.

END OF POLICY

JG/JGD/JGE

Discipline - Suspension/Expulsion

Definitions

1. **Summary Discipline Procedures** - discipline for a minor violations of classroom rules or District policy may be handled by the teaching staff or school administrators without using a formal disciplinary procedure. A school administrator may temporarily exclude a student from school for less than one school day using a summary discipline procedure appropriate for the situation. In all summary discipline cases, the students, parents or guardians must be informed of the action taken and a written notation maintained in the student's school records.
2. **In-School Suspension** - is defined as a temporary exclusion of a refractory student from regular class attendance.
3. **Out-of-School Suspension** - is defined as one of the following:
 - a. A temporary exclusion of a refractory student from school for at least one school day and not more than ten school days;
 - b. Exclusion in cases being investigated pending expulsion;
 - c. A mandatory exclusion from school for a period of five school days in cases being investigated for violation of the weapons policy;
 - d. In special circumstances, a suspension may be continued until some specific pending action occurs such as a physical or mental examination or incarceration by court action;
 - e. If an administrator investigating a complaint recommends an expulsion, the suspension shall continue until the hearing process is complete and a decision rendered or until the appeal process is completed.

4. **Expulsion** - is defined as exclusion of a refractory student from school attendance for longer than ten school days up to the maximum period allowed by law.

5. **Prior Notice** – The school administration shall use all reasonable means to inform students, parents and guardians of District policies concerning student behavior expectations, consequences for failure to meet expectations, and the procedures to deal with refractory students. Copies of these policies shall, at a minimum, be made available in written and electronic formats to students, parents, guardians and the general public at each school site. At the beginning of each school year, each school site administrator shall cause the student behavior expectations and consequences policies to be reviewed with their student bodies.

6. **Prior Notice of Disciplinary Action to Students** – Except in emergency situations, any student facing out-of-school suspension or expulsion shall be provided with prior written or electronic notice of the specific rule or policy alleged to have been violated and of the opportunity for the student to present his or her response to the alleged violation.

7. **Prior Notice of Disciplinary Action to Parents or Guardians** – School administrators shall provide parents or guardians of refractory students with written or electronic notice of informal or summary disciplinary action and in-school suspensions. In the case of out of school suspensions or expulsions, unless it is an emergency situation, school administrators shall provide parents or guardians with written or electronic notice of the specific rule or policy alleged to have been violated by the student and the date and time when the student's response may be heard.

8. **Emergency Situations** – The administration may forego the prior notice requirements for disciplinary matters and immediately suspend a student in situations where there is serious risk that substantial harm to the student or others will occur. As soon as practicable, the administration shall provide students, parents or guardians suspended in emergency situations with written or electronic notice of the alleged violation and an opportunity to hear the student's response to the allegations.

Complaints

1. **Staff Complaints** - students should hear directly from the teacher or the staff member the specific complaints or descriptions of unacceptable behavior where the student so desires.
2. **Student Complaints** - it is recognized that a district official as a public officer shall not be examined as to communications made to him/her in official confidence, when the public interest would suffer by such disclosures. For this reason, in recognition of the special jeopardy in which student witnesses may be placed, and the possible traumatic effects of adversary proceedings conducted by attorneys, police officers or court officials, the complaining student may not be required to face the accused, nor have his/her identity revealed. However, the administrator or other official conducting an investigation is under special obligation to assure careful and cautious investigation of all relevant facts and testimony. When it is determined that the student may not face the accused, the district official then becomes the official complainant.

Suspension

A student alleged to have violated a school rule or District policy and facing possible out-of-school suspension shall receive notice of the alleged violation in such terms as will permit the student and his/her parents or guardians the opportunity to defend the student's conduct or show that he/she is innocent of the alleged violation(s).

Suspension Hearing Procedure

1. The suspension hearing shall be conducted by the School Building Principal or his/her designee.

2. Prior to the hearing, the school shall attempt to contact the student's parents or guardians to inform them of the allegations and invite them to attend the hearing. When parents or guardians cannot be contacted, the decision to send the student home, to allow him/her to remain on school premises or refer him/her to the proper authorities must be made with the consideration of the student's age, maturity and the nature of the misconduct that caused the suspension.
3. The Building Principal shall provide students suspended under emergency conditions with the same suspension procedures as soon as the emergency condition has passed. These procedures may be postponed in emergency situations relating to health, possible violations of the weapons policy and safety. Emergency situations shall be limited to those instances where there is a serious risk that substantial harm will occur if suspension does not take place immediately.
4. No out of school suspension can exceed ten school days.
5. The parents or guardians of a suspended student may petition the School Board to review the decision or conditions of suspension using the appeal procedure outlined below.

Expulsion

A student alleged to have violated a school rule or District policy and facing a possible expulsion shall receive written or electronic notice of the allegations in such terms as will permit the student and his/her parents or guardians the opportunity to defend the students conduct or show that he/she is innocent of the alleged violation(s).

Expulsion Hearings

1. The School Board may expel, or delegate authority to a hearings officer to expel, a student for violating school rules or District policy provided the student and the student's parents or guardians are given notice of the alleged violations and an opportunity to be heard at a hearing. The student's parent(s) or guardian, or the student if 18 years of age or older, may waive the right to a hearing. Waiver may take place by the parent, guardian or the student, if 18 years of age or older, notifying the District office in writing of waiver of the right to a hearing. Waiver may also take place by the parent, guardian, or the student, if 18 years of age or older, failing to appear after notice, at the place and time set for the hearing.
2. The hearing may be conducted by a hearings officer designated by the Board. If authority to expel the student is delegated to a hearings officer, the student's parents or guardians, or the student if 18 years of age or over, shall have the right to appeal the hearings officer's decision to the Board.
3. Notice to the student and to the parent or guardian of the scheduled expulsion hearing shall be delivered by personal service or certified mail. The notice shall identify the school rule or District policy alleged to have been violated and the specific facts that support the alleged violation. The notice shall include the statement of intent to consider the allegations as reason for expulsion. Where notice is given by personal service, the person serving the notice shall file a return of service with the District office. Where notice is given by certified mail, the notice shall be placed in the mail at least five working days before the date of the hearing.
4. The student shall be permitted to be present at the hearing and to hear the evidence presented by the District.
5. Where the student or the student's parents or guardians cannot understand the spoken English language, an interpreter shall be provided by the District.
6. The District and student may be represented at the hearing by counsel or other persons.
7. The District and student shall be permitted to introduce evidence by testimony, writings, or other exhibits.
8. Strict rules of evidence shall not apply to the proceedings; however, this provision shall not limit the hearings officer's control of the hearing.
9. The hearings officer or the District may make a record of the hearing.
10. Unless the parents or guardians or a student, 18 years of age or older requests a public hearing, the hearing will be closed to the public and the proceeding kept strictly confidential. Witnesses will be excluded except during presentation of their testimony.

11. The hearings officer shall determine the facts of each case on the evidence presented at the hearing. This may include the relevant past history and the records of the student. Based on the evidence presented at the hearing, the hearings officer shall determine whether or not the student violated school rules or District policy as alleged. If the student is found to be in violation of a school rule or District policy, the hearings officer will determine appropriate disciplinary action, including the duration and conditions of expulsion. The hearings officer's decision shall be communicated in writing to the parents or guardians and the student within five working days of the hearing. The written decision shall inform the student and parents or guardians of the right to appeal the order of expulsion. The superintendent shall inform the Board of the hearings officer's decision and the discipline imposed.
12. The hearings officer's decision is final unless the parents or guardians or a student, 18 years of age or older submits to the superintendent a written request for review by the Board within ten working days of receipt of the decision.
13. If a student, parent or guardian files a request for review of the hearings officer's decision, the student shall remain suspended from regular school attendance until the Board acts.
14. Expulsion of a student shall not extend beyond the maximum allowed by law.

Post Expulsion Matters

1. The parents or guardians of an expelled student or a student 18 years or older who has been expelled may petition the Board at any time for conditional re-admission to school, modification of the terms of expulsion or modification of any other disciplinary action.

2. Any student who is suspended or expelled may be permitted to enroll in or receive any alternative educational program or counseling that may be available through the district. Any expelled student who completes the required course work and attains the requisite credits for graduation may be allowed to participate in graduation ceremonies.

END OF POLICY

JG/JGD/JGE – AR(2)

Expulsion Order Appeal

Any student subject to an order of expulsion may appeal the order to the School Board. All expulsion orders shall contain a notice that a request to appeal the order must be submitted, in writing, to the Superintendent within ten (10) days of the date the order is issued.

Upon receipt of the request for an appeal of the expulsion order, the Superintendent shall set a time and place for the appeal hearing and notify the School Board, the student and the student's parents or guardians.

At least three (3) days prior to the time set for the hearing, the Superintendent shall deliver to the School Board, student, and the student's parents or guardians, a copy of the hearings officer's decision and the expulsion hearing record. If the decision is appealed to the School Board for review, the School Board shall be provided findings as to the facts and the decision of the hearings officer. The record established by the hearings officer is the only record to be reviewed on appeal. No additional testimony or evidence shall be received or reviewed by the School Board on appeal except with regard to sanction, and the parties shall be so informed when a copy of the record is delivered.

The standard of review on appeal shall be whether: a) The hearings officer's decision is supported by substantial evidence; b) The hearings officer's conclusions flow logically from the findings of fact.

The hearings officer's decision to impose an expulsion is reviewable on appeal. Parties may present evidence and arguments relevant to the severity of the sanction imposed, but shall not repeat arguments and evidence already in the record. The School Board shall use its judgement to determine whether expulsion is the appropriate penalty based on the facts and the law.

At the hearing, the student and/or the student's parents or guardians shall first present their argument for overturning the expulsion order and the administration shall then be given the opportunity to argue why the order should be sustained. The School Board shall make inquiries of either party regarding their arguments. At the conclusion of the arguments, the School Board will excuse the parties and deliberate. After deliberating, the School Board will recall the parties and announce its decision. The School Board shall either sustain, overturn the order, or remand the order to the hearings officer to reconsider his/her decision in light of the School Board's decision, or impose a penalty less severe than expulsion.