

Policy Introduction

OSBA Model Sample Policy

Code: JFC
Adopted: 10/23/95
Revised:

OSBA Summary

Districts have multiple procedures to handle various types of complaints. These procedures prohibit retaliation for good faith reports, however, districts can also prohibit knowingly making false reports, or knowingly providing false information as part of an investigation.

Student Conduct**

(Version 2)

The Board expects student conduct to contribute to a productive learning climate. Students shall comply with the district's policies, administrative regulations, school and classroom 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 during the school day and during 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.

Students are subject to discipline for conduct while traveling to and from school, at the bus stop, at school-sponsored events, while at other schools in the district and while off campus whenever such conduct causes a substantial and material disruption of the educational environment or the invasion of the rights of others.

The following forms or displays of student misconduct, including but not limited to, shall be subject to discipline, suspension or expulsion as per Oregon Revised Statute (ORS) 339.250:

1. Assault;
2. Hazing, harassment, intimidation, bullying, menacing, cyberbullying or teen dating violence [as prohibited by Board policy JFCF - Hazing/Harassment/Intimidation/Bullying/Menacing/Cyberbullying/Teen Dating Violence/Domestic Violence – Student and accompanying administrative regulation];
3. Coercion;
4. Threats of violence or harm [as prohibited by Board policy JFCM - Threats of Violence];
5. Disorderly conduct;

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6. Bringing, possessing, concealing or using a weapon [as prohibited by Board policy JFCJ - Weapons in the Schools];
7. Vandalism, malicious mischief or theft [as prohibited by Board policies ECAB - Vandalism, Malicious Mischief or Theft and JFCB - Care of District Property by Students,] or willful damage or destruction of private or district property on district premises or at district-sponsored activities;
8. Sexual harassment [as prohibited by Board policy JBA/GBN - Sexual Harassment and accompanying administrative regulation];
9. Possession, distribution or use of tobacco products, inhalant delivery systems, alcohol, drugs or other controlled substances [as prohibited by Board policy(ies)] [JFCG/JFCH/JFCI - Use of Tobacco Products, Alcohol, Drugs or Inhalant Delivery System] [~~JFCG/KGC/GBK - Prohibited Use, Possession, Sale or Distribution of Tobacco or Inhalant Delivery System~~];
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 Every Student Succeeds Act (ESSA), 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.

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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.

Students are prohibited from making knowingly false statements or knowingly submitting false information in bad faith as part of a complaint or report, or associated with an investigation into misconduct.

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. These procedures will include a system of consequences designed to correct student misconduct and promote acceptable behavior.

END OF POLICY

Legal Reference(s):

¹ The district is prohibited from retaliating against any student “for the reason that the student has in good faith reported information that the student believes is evidence of a violation of a state or federal law, rule or regulation.” ORS 659.852.

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[ORS 339.240](#)
[ORS 339.250](#)

[ORS 659.850](#)

[OAR 581-021-0050 - 0075](#)

Nondiscrimination on the Bases of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Tinker v. Des Moines Sch. Dist., 393 U.S. 503 (1969).

Hazelwood Sch. District v. Kuhlmeier, 484 U.S. 260 (1988).

Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986).

Shorb v. Grotting and Powers Sch. Dist., Case No. 00CV-0255 (Coos County Circuit Ct.) (2000).

Ferguson v. Phoenix Talent Sch. Dist. #4, 172 Or. App. 389 (2001).

Every Student Succeeds Act, 20 U.S.C. § 7912 (2012).

Morse v. Frederick, 551 U.S. 393, 127 S. Ct. 2618 (2007).

C.R. v. Eugene S.D. 4J, No. 12-1042, U.S. District Court of OR (2013).