

Student Conduct**

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, but not limited to, shall be subject to discipline, suspension or expulsion:

1. Assault;
2. Hazing, harassment, intimidation, bullying, menacing, cyberbullying or teen dating violence;
3. Coercion;
4. Threats of violence or harm;
5. Disorderly conduct;
6. Bringing, possessing, concealing or using a weapon;
7. Vandalism, malicious mischief or theft or willful damage or destruction of private property on district premises or at district-sponsored activities;
8. Sexual harassment;
9. Use of tobacco, alcohol or drugs;
10. Use or display of profane or obscene language;
11. Disruption of the school environment;

12. Open defiance of a teacher's authority, including persistent failure to comply with the lawful directions of teachers or school officials;
13. Violation of law, Board policy, administrative regulation, school or classroom rules.

The district recognizes that under the Unsafe School Choice Option of the No Child Left Behind Act of 2001 (NCLBA), a school can be deemed unsafe as a whole entity or for an individual student based on expulsions for weapons violations, violent behavior or expulsions for students arrested for the following criminal offenses occurring on district grounds, on district-sponsored transportation and/or at district-sponsored activities:

1. Assault;
2. Manufacture or delivery of a controlled substance;
3. Sexual crimes using force, threatened use of force or against incapacitated persons;
4. Arson;
5. Robbery;
6. Hate/Bias crimes;
7. Coercion; or
8. Kidnapping.

The district will record and report these infractions to the Oregon Department of Education, as required.

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

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):

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

[ORS 659.850](#)

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

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).
No Child Left Behind Act of 2001, 20 U.S.C. § 7912 (2006).
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).

Oregon School Boards Association Selected Sample Policy

Code: JFC
Adopted:

Student Conduct and Discipline** (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.

~~Disciplinary procedures that are age appropriate, and to the extent practicable, uses approaches that are shown through research to be effective, 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 and denial of participation in cocurricular and extracurricular activities. Titles and/or privileges available to or granted to students may be denied and/or revoked (e.g., valedictorian, salutatorian, student body, class or club office positions, field trips, senior trip, prom, etc.). The district shall consider the age of the student and the student's past pattern of behavior prior to a suspension or expulsion of the student.~~

~~Students may be suspended in cases of serious infractions or repeated failure to comply with Board policy, administrative 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, except that expulsion may not be used to address truancy; or c) when required by law.~~

~~The use of out of school suspension or expulsion for discipline of a student in the fifth grade or below, is limited to:~~

- ~~1. Nonaccidental conduct causing serious physical harm to a student or employee;~~
- ~~2. When a school administrator determines, based on the administrator's observation or upon a report from an employee, the student's conduct poses a threat to the health or safety of students or employees; or~~
- ~~3. When the suspension or expulsion is required by law.~~

~~When an out of school suspension is imposed on a student, the district shall take steps to prevent the recurrence of the behavior that led to the out of school suspension, and return the student to a classroom setting to minimize the disruption of the student's academic instruction.~~

~~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. Parental assistance shall be requested when persistent violations occur.~~

[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.]

~~Students shall be subject to discipline, suspension or expulsion, for misconduct including, but not limited to:~~ The following forms or displays of student misconduct, but not limited to, shall be subject to discipline, suspension or expulsion:

1. Assault;
2. [Hazing,] [h]arassment, 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;
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/Theft and JFCB - Care of District Property by Students,] or willful damage or destruction of private 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. Use of tobacco, alcohol or drugs [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] [JFCH - Alcohol and JFCI - Substance/Drug Abuse];
10. Use or display of profane or obscene language;
11. Disruption of the school environment;

12. Open defiance of a teacher's authority, including persistent failure to comply with the lawful directions of teachers or school officials;
13. Violation of law, Board policy, administrative regulation, school or classroom rules.

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ORS 659.850

OAR 581-021-0050 to -0075

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Pendleton School District 16R

Code: JFC
Adopted: 8/11/03
Revised/Readopted: 7/12/10; 3/10/14; 9/21/15
Orig. Code(s): JFC

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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 - 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;
6. Bringing, possessing, concealing or using a weapon as prohibited by Board policy JFCJ - Weapons in the Schools;
7. Vandalism, malicious mischief or theft or willful damage or destruction of private property on district premises or at district-sponsored activities;
8. Sexual harassment;
9. Use of tobacco, alcohol or drugs 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 JFCH - Alcohol and JFCI - Substance/Drug Abuse;
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No Child Left Behind Act of 2001, 20 U.S.C. § 7912 (2006).

Cross Reference(s):

ECAB - Vandalism/Malicious Mischief/Theft

IGAEC - Anabolic Steroids and Performance-Enhancing Substances

JF/JFA - Student Rights and Responsibilities

JG - Student Discipline