



FIRST READING OF SCHOOL BOARD POLICIES

POLICY ISSUE/SITUATION:

Attached are OSBA and BSD staff suggested changes presented for a first reading. The following will be reviewed:

- **JFC/JG** – Student Conduct/Student Discipline
- **JGD/JGE** – Suspensions and Expulsions

BACKGROUND INFORMATION:

Departments are continuing to work to reach compliance of the policies pertinent to their areas. During this school year the district will continue to present various sets of new policy changes for review.

RECOMMENDATION:

It is recommended that the School Board review this first reading.

District Goal: WE empower all students to achieve post-high school success.

The Beaverton School District recognizes the diversity and worth of all individuals and groups. It is the policy of the Beaverton School District that there will be no discrimination or harassment of individuals or groups based on race, color, religion, gender, sexual orientation, gender identity, gender expression, national origin, marital status, age, veterans' status, genetic information or disability in any educational programs, activities or employment.

STUDENT CONDUCT/STUDENT DISCIPLINE

The District is committed to providing safe and effective learning environments where all students experience success. The quality of education depends ~~not only upon~~ on the responsibilities of students, ~~but also upon~~ as well as the quality of relationships among students, families, teachers, administrators and other school personnel.

~~The Board expects students to contribute to a productive learning climate. All students shall comply with the District's written rules, pursue the prescribed course of study, submit to the lawful authority of District staff 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.~~

~~The school discipline program shall promote the following fundamental concepts for living~~
Recognizing that student discipline practices are closely related to student achievement, the District supports school practices that:

1. Provide consistency, fairness, unbiased and proportionate equitable interventions and consequences across all schools in the District;
2. Eliminate Address disparities in the application of applying discipline by assuring equitable reasonable interventions and consequences across all racial and ethnic groups, by gender, and among those with disabilities and other protected classes;
3. Define and communicate expectations for student behavior;
4. Balance the needs of the student, the needs of those directly affected by a student's behavior, and the needs of the overall school community; and
5. Engage parents/guardians in the disciplinary process.
- ~~6. Understanding and respect for individual rights, dignity and safety;~~
- ~~7. Understanding and respect for the law, District policies, procedures, rules and regulations;~~
- ~~8. Understanding of and respect for public and private property rights.~~

The District's student discipline philosophy is also based upon the need for an effective communication system that promotes open discussion and resolution of issues.

Discipline methods and procedures shall be fair, consistent and unbiased. The objectives of disciplining any student must be to help the student develop the self-discipline necessary to remain in school and to function successfully in the educational and social environment, realize the responsibility of one's actions and maintain a productive learning environment.

A student code of conduct, developed under the leadership of the District administration, and in cooperation with staff, will be available electronically, ~~made available annually and distributed to~~ parents, students, and employees outlining student conduct expectations and possible disciplinary

actions that are age- appropriate, commensurate with the behavior, and to the extent practicable, research-based.

Students are expected to comply with the District's written rules and/or policies, submit to the authority of District staff as granted by law, and conduct themselves in an orderly manner at school during the school day or during school sponsored activities. This expectation applies to students en route to and from school and District sponsored activities.

A student whose conduct is seriously detrimental to the school's best interests may be excluded from school. ~~Students may be expelled for any of the following circumstances: a) when a student's conduct poses a threat to the health or safety of students or employees; b) when other strategies to change the student's behavior have been ineffective; or c) when required by law.~~

The District will ensure careful consideration of the rights and needs of the individual concerned, as well as the best interests of other students and the school program as a whole. ~~Students may be denied participation in extracurricular activities. Titles and/or privileges available to or granted to students may also be denied and/or revoked (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). A referral to law enforcement may also be made.~~

The District will annually record and report expulsion data for conduct violations as required by the Oregon Department of Education.

END OF POLICY

Legal References:

~~ORS 243.650~~
~~ORS 332.107~~
~~ORS 332.061~~
~~ORS 339.115~~
~~ORS 332.072~~
~~ORS 339.240 339.27080~~
~~ORS 659.850~~
~~OAR 581-021-0045~~
~~OAR 581-021-0050 to 0075~~

ORS 339.240
ORS 339.250
ORS 659.850
OAR 581-021-0050 to 0075

Hazelwood School District v. Kuhlmeier, 484 U.S. 260 (1988).
Bethel School District No. 403 et al. v. Fraser, 478 U.S. 675 (1986).
Leslie Shorb v. Donald L. Grotting and Powers School District No. 31, Case No. 00CV-0255
(Coos County Circuit Court) (June 1, 2000).
Ferguson v. Phoenix Talent School District #4, 172 Or. App.389 (2001).
No Child Left Behind Act of 2001, P.L. 107-110, Title IX, Section 9532.

Cross Reference:

Policy JGD/JGE - Suspensions and Expulsions

SUSPENSIONS AND EXPULSIONS

The District expects, encourages, and trusts our students to be safe and make healthy decisions regarding their behavior. When students make poor decisions, there may be interventions and responses to those actions that include exclusion from the school environment.

Suspension (*in or out of school*) temporarily removes from a student the right of attending school or school activities. After reviewing available information, suspensions may be made by the principal or ~~vice~~ *assistant* principal with the approval of the principal. The length of the suspension shall be determined by the severity of the act and previous ~~deportment~~ *behavior* of the student.

The period of suspension is not to exceed a maximum of 10 school days. In specific circumstances, a suspension may be continued until some specific pending action occurs such as physical or mental examination or incarceration by court action. There is no appeal process beyond the school principal for suspensions.

Expulsion is the termination of the student's right to attend school and school activities for a substantial period not to extend beyond one calendar year. Expulsion should be used only in cases of extreme severity. 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. An alternative education program will be provided for students expelled from school.

In cases where a student brings a firearm or dangerous weapon to school or is in possession of a firearm or dangerous weapon at school, the expulsion period shall be no less than one calendar year in length unless a modification is warranted. Alternative education programs will not be provided to students bringing weapons on school property. The student shall be suspended by the principal pending possible expulsion to protect the welfare of the students and staff and to protect District property.

~~Expulsion should be used only in cases of extreme severity. When expulsion is being considered, the right to a hearing is guaranteed. This right may be waived by the parents/guardians or by the student if he/she is eighteen years of age. The student must receive notification of recommended alternative programs.~~

The District believes that no student should be suspended or expelled without an appropriate level of due process. Students and their parents/guardians will receive notice regarding the ~~incident~~ *constituting the grounds for discipline-suspected misconduct* and will be offered an opportunity to explain their side of the story ~~position~~. When expulsion is being considered, the right to a hearing is guaranteed. This right may be waived by the parents/guardians or by the student if he/she is eighteen years of age.

~~While Board policies concerning student behavior, suspensions and expulsions clearly do not exclude certified disabled students, special procedures must be followed if a disabled student is suspended or expelled and a relationship is shown between the behavior and the disability. Special procedures must be followed if a disabled student is suspended or expelled, and a relationship is shown between the behavior and the disability.~~

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

1. Non-accidental 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 *after the suspension period has concluded* return the student to a classroom setting to minimize the disruption of the student's academic instruction.

The superintendent will prepare administrative regulations to implement this policy. ~~These regulations must be constructed to guarantee "due process" in the sense of assuring fair treatment for each student. The regulations shall also specify procedures for providing notification of alternative programs.~~

END OF POLICY

Legal References:

ORS 192.660

ORS 332.061

ORS 336.615 - 336.655

ORS 339.115

ORS 339.240 - 339.250

~~ORS 339.260~~

OAR 581-021-00650050 to 0075

~~OAR 581-021-0070~~

Cross References:

Policy IGBHC - Alternative Education Notification

Policy JGDA/JGEA - Discipline of Disabled Students

Policy JHFDA - Suspension of Driving Privileges