

Morrow County School District

Code: **JFC**
Adopted: 5/12/03
1st Rdg Revision 12-12-05
2nd Rdg/Adoption 1-16-06

Grounds for Discipline/Suspension/Expulsion

Students shall comply with the rules for government of schools, pursue the prescribed and agreed-upon course of study and submit to the authority of teachers or school officials.

The following types of conduct shall make the student liable to discipline, suspension or expulsion including, but not limited to:

1. Disruption of school - Any conduct that substantially disrupts a school function or is likely to be forbidden;
2. Damage or destruction of district property - A student shall not cause or attempt to cause damage to district property or steal or attempt to steal district property;
3. Damage or destruction of private property - A student shall not cause or attempt to cause damage to private property or steal or attempt to steal private property either on district grounds, or during a school activity, function or other event off district grounds;
4. Weapons in the schools - Students shall not bring, possess, conceal or use a weapon on or at district property, activities under the jurisdiction of the district or interscholastic activities administered by a voluntary organization approved by the State Board of Education (i.e., Oregon School Activities Association), as provided by Board policy JFCJ - Weapons in the Schools.
5. No student shall:
 - a. Intentionally harass, annoy or alarm another person, subject another person to offensive physical contact, publicly insult another person by abusive or obscene words or gestures or otherwise conduct himself/herself in a manner likely to provoke annoyance, alarm or a violent or disorderly response, as provided by Board policies JBA/GBN - Sexual Harassment and JFCF/GBNA - Hazing/Harassment/Intimidation/Bullying/Menacing and accompanying administrative regulations;
 - b. Intentionally attempt by word, act or conduct to place another person in fear of imminent bodily injury;
 - c. Recklessly engage in conduct which creates a substantial risk of bodily harm or injury to another person;
 - d. Intentionally cause or attempt to cause bodily pain or injury to any person;
 - e. Engage in disorderly conduct.
6. Prohibited conduct related to student drug and alcohol use - The district recognizes that chemical dependency is a treatable health problem which does not respect any group or age. In keeping with the goal of maintaining the schools of Morrow County as free as possible from intoxicants, or

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unlawful drugs¹ and as provided by state and federal law, the district will enforce a strict policy prohibiting the possession, use, sale or supply of alcohol and unlawful drugs on or near the district grounds in accordance with law, or at any time students are being transported by the district to any school-sponsored activity or otherwise engaged in a school-sponsored activity. This prohibition includes substance abuse² and drug paraphernalia³:

Violations:

- a. Possession and use - Students in violation of the unlawful drugs, alcohol, substance abuse or drug paraphernalia prohibitions of this policy for the first time by being in possession or using any unlawful drug, including drug paraphernalia and substance abuse or alcohol will be suspended from school. A conference with the parents or guardian will be required. Parents may agree to psychological counseling and/or informational seminars for the student and/or agree to have their student undergo a voluntary assessment in a program acceptable to the district and at the parent's expense. Successful completion of the program may be considered by the district as an alternative to discipline or to mitigate disciplinary action taken. Upon a second finding or violation of being in possession or using, the student will be suspended and will be recommended for expulsion;
- b. Sale and supply - Students involved in selling or supplying unlawful drugs, drug paraphernalia, chemicals/materials for substance abuse purposes or alcohol shall be suspended and shall be mandatorily recommended to the superintendent and the Board for expulsion;
- c. Students feigning the selling, supplying, using or being under the influence of unlawful drugs, chemicals/materials for substance abuse or alcohol will be subject to disciplinary action commensurate with the seriousness of the act.

Unlawful drug and alcohol violations by students either in possession, use or sale of such prohibited substances will be reported to the proper law enforcement agencies for subsequent followup action on their part.

Use of a prescription medication, as authorized by a physician, or nonprescription medication within the guidelines of Board policies JHCD - Administering Noninjectable Medicines to Students and JHCDA - Administering Injectable Medicines to Students and accompanying administrative regulations, shall not be considered a violation of this policy.

¹ “Unlawful drug” means any drug as defined by the Controlled Substances Act including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP). As used in this policy, unlawful drug also means possession, use, sale or supply of prescription and nonprescription drugs in violation of Board policy JHCD - Administering Noninjectable Medicines to Students, JHCDA - Administering Injectable Medicines to Students and any accompanying administrative regulations.

² “Substance abuse” means the use of any chemical or chemical compound which releases vapors or fumes or substance not otherwise excepted by law, Board policy or administrative regulation, which is toxic, corrosive, an irritant, a strong sensitizer, flammable, combustible, generates or is used to generate pressure, if such chemical or chemical compound, substance or mixture of substances is used in a manner that may cause intoxication, inebriation, stupefaction, personal injury or illness when induced by any means into the human body.

³ “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, producing, processing, preparing, analyzing, packaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise inducing a controlled substance or intoxicant into the human body.

7. Prohibited conduct related to tobacco - It is the school’s obligation to protect the health, welfare and safety of students. In light of scientific evidence that use of tobacco is hazardous to health, and to be consistent with the content of district curriculum and Oregon law, the possession, use or distribution of tobacco in any form on district premises or while attending school-sponsored activities or being transported by the district to school-sponsored activities is prohibited.

Possession, use or distribution of tobacco as prohibited by this policy will lead to appropriate disciplinary action up to and including expulsion, and if appropriate, referral to law enforcement for citation.

The principal is authorized to conduct periodic locker inspections and may, if deemed necessary, make spot locker checks at any time, as provided by Board policy JFG - Student Searches and accompanying administrative regulations.

These prohibitions shall apply to students:

1. On district grounds on buses or at bus stops, immediately before, during and immediately after school hours;
2. On district grounds at any other time when the school is being used by a school group;
3. At any school activity, function or event, whether on or off school grounds, and to and from the activity on school buses/vehicles.
4. **Off campus misconduct that disrupts educational process or threatens the safety and welfare of the student body.**

END OF POLICY

Legal Reference(s):

[ORS 339.240](#)
[ORS 339.250](#)
[ORS 339](#)

.260
[ORS 659.150](#)
[OAR 581-021](#)

-0050 to -0075

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

Bethel School District No. 403 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(s):

JG - Student Discipline