

CODE OF CONDUCT

(Authority ORS 339.240)

The Philomath School District shall provide students a learning climate in which rights and responsibilities are equally protected and anticipated. As a student, you are responsible for being familiar with the rules and regulations that govern your actions at school.

SCHOOL BOARD POLICY #5305 – STUDENT CONDUCT

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 district staff and conduct themselves in an orderly manner at school during the school day or during school-sponsored activities.

Careful attention shall be given to procedures and methods whereby fairness and consistency 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 climate. All staff members have responsibility for consistency in establishing and maintaining an appropriate behavioral atmosphere.

A student code of conduct, developed under the leadership of the district administration, and in cooperation with staff, will be made available to parents and students and enforced. Students in violation of Board policy, administrative regulation and/or code of conduct provisions will be subject to discipline up to and including expulsion. Additionally, students may be denied participation in extracurricular activities. Titles and/or privileges granted to students may also be 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.

STANDARDS OF CONDUCT 21-055

1. Students shall comply with the reasonable written rules of the Board of Directors, pursue the prescribed course of study, submit to the lawful authority of teachers and school officials, and conduct themselves in an orderly fashion.
2. Students shall be liable to discipline, suspension, or expulsion for misconduct, including but not limited to:
 - a. Theft
 - b. Disruption of the school
 - c. Damage or destruction of school property
 - d. Damage or destruction of private property on school premises or during a school activity
 - e. Harassment, sexual harassment, assault, or threats of harm
 - f. Unauthorized possession, use of weapons, explosives, or dangerous instruments
 - g. Unlawful use of drugs, narcotics, or alcoholic beverages
 - h. Persistent failure to comply with rules or the lawful directions of teachers or school officials

THE FOLLOWING ARE MINIMUM STANDARDS FOR STUDENT CONDUCT AND DISCIPLINE

ASSEMBLY OF STUDENTS

CONDITION DESCRIPTION

1. It is important to the orderly use of school facilities that the use of all space should be planned in advance whenever possible.
2. Students, faculty, and administration are all, in some measure, responsible for the activities that are conducted in a school.

RIGHTS

1. Students should be permitted to hold student meetings on school property. (See Board Policy #5430.)
2. Students should have the right to gather informally.

RESPONSIBILITIES

1. Assemblies must not interfere with the educational process.
2. Meetings must be scheduled in advance.
3. Normal class activities shall not be disrupted.
4. The meetings shall not be such as may be likely to incite hazard to person or property.
5. Since regular school assemblies are for the enjoyment of all students, all students are required to attend unless officially excused.
6. Meetings shall be sponsored by school officials or an official school club or organization.
7. No speaker who openly and knowingly advocates breaking the law shall be invited to speak. Invitations to speakers shall be approved by the principal or his designated representatives.
8. If a crowd is anticipated, a crowd control plan shall be filed in the appropriate office well in advance of the meeting. Attempts shall be made to present a balance of viewpoints.
9. Guidelines for proper conduct at assemblies:
 - a. Enter in a quiet and orderly manner.
 - b. Refrain from talking or visiting during the assembly.
 - c. Clapping is the only acceptable form of applause -- refrain from whistling or shouting.
 - d. Sit only in bleachers, chairs or designated areas.

DRESS AND GROOMING

CONDITION DESCRIPTION

1. Dress and grooming while in school is basically an individual responsibility of the student and his parent. When dress and grooming disrupts the learning process while in school for the individual student, other students, or the learning climate of the school, it becomes a matter for counseling with the student and/or parent.
2. 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.

RIGHTS

1. Individual dress and grooming are extremely personal.
2. Individuals must tailor their personal dress and grooming habits to their individual needs and desires without interfering with the health, welfare or peace of mind of other students.

RESPONSIBILITIES

1. Dress and grooming shall be clean and in keeping with health, sanitary and safety practices.
2. When a student is participating in special activities, his dress and grooming shall not disrupt the performance or constitute a health threat to the individual or other students. Shoes must be worn during regular school attendance. Hairnets and other kinds of protective clothing may be required for taking specialized classes. Swim suits must be worn in the swim pool.
3. Dress and grooming shall not be such as to disrupt the teaching-learning process. The wearing of clothing that is disruptive is not permitted. This includes clothing with obscene or questionable remarks, drawings, pictures or clothing that is transparent. The absence of clothing or parts of clothing that may be considered disruptive is also not permitted.
4. As per district policy 2105.02 (Tobacco-Free Environment), no clothing may be worn that promotes the use of tobacco products.

HAZING, HARASSMENT, INTIMIDATION, BULLYING, MENACING

CONDITION DESCRIPTION

The Board is committed to providing a positive and productive learning and working environment. To this end, hazing, harassment, intimidation, bullying or menacing by students, staff or third parties is strictly prohibited and shall not be tolerated in the district.

DEFINITIONS

1. "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 interdistrict and intradistrict athletic competitions or other school events.
2. "District" includes district facilities, district premises and nondistrict property if the student or employee 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 or where the employee is engaged in district business.
3. "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., 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.
4. "Harassment, intimidation, bullying or menacing" means any act that substantially interferes with a student's educational benefits, opportunities or performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, and that has the effect of:
 - a. Physically harming a student or damaging a student's property;
 - b. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property;
 - c. Creating a hostile educational environment.
 - "Harassment" includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written, physical or emotional nature on the basis of age, race, religion, color, national origin, disability, marital status, sexual orientation, physical characteristic, cultural background, socioeconomic status or geographic location.

- “Intimidation” includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another’s property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury.
- “Menacing” includes, but is not limited to, any act intended to place a school employee, student or third party in fear of imminent serious physical injury.

All complaints about behavior that may violate this policy shall be promptly investigated. Any student, employee or third party who has knowledge of conduct in violation of this policy or feels he/she has been a victim of hazing, harassment, intimidation or menacing in violation of this policy is encouraged to immediately report his/her concerns to the building principal or superintendent who have overall responsibility for all investigations. A student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate district official.

Complaints against the building principal shall be filed with the superintendent. Complaints against the superintendent shall be filed with the Board chairman. The complainant shall be notified of the findings of the investigation and, as appropriate, that remedial action has been taken.

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. Staff whose behavior is found to be in violation of this policy will be subject to discipline, up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or Board.

Individuals may also be referred to law enforcement officials. Staff will be reported to Teacher Standards and Practices Commission, as provided by OAR 584-020-0041.

Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

The superintendent shall be responsible for ensuring notice of this policy is provided to students, staff and third parties.

RESPONSIBILITY AND PROCEDURE

Building principals and the superintendent have responsibility for investigations concerning hazing, harassment, intimidation or menacing. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

All complaints deemed serious by Site Administrators or the Superintendent will be investigated in accordance with District Policy 5306.1

**MOTORIZED AND NONMOTORIZED
VEHICLES**

CONDITION DESCRIPTION

Certain school regulations are necessary because of insufficient parking and dangerous traffic patterns. Also, it is the desire of many parents to have the school know the whereabouts of their children during the school day.

RIGHTS

1. Bicycles -- Any student may ride a bicycle to school provided he follows the rules governing bicycles.
2. Any licensed driver may drive a vehicle onto the school premises under the conditions listed for motor vehicles.

RESPONSIBILITIES

Non- Motorized:

1. Bicycles are not to be ridden on athletic fields or lawns.
2. Bicycles ridden to school should be parked in the bike rack and if possible, locked.
3. No student is to borrow a bicycle without the owner's permission.
4. Bicycles ridden to school are not to be ridden at recess or noon without permission from the school authorities.

Motorized:

1. All such vehicles must be registered with school administration.
2. No student vehicles will be permitted to leave the school grounds during the hours in which school is in session without the permission of the school administration.
3. School rules and local and state traffic laws must be followed when operating vehicles on school premises. The speed limit on school property for any motorized vehicle on Philomath School District No. 17J school grounds is 10 m.p.h.
 - a. Parking permits will be issued to students who register their driver's license and show proof of having liability insurance.
 - b. Cars are to be locked.
 - c. Permission may be obtained at the school office for cars to leave at noon or at other times during the school day.
 - d. Students given permission to leave the school parking lot are not to take other students without official approval.
 - e. Violations of driving or parking regulations will result in the loss of the privilege to drive to school.
 - f. Anyone driving a car to school after losing his driving privileges will face suspension or expulsion.
 - g. Pedestrians have the right of way on school property.
 - h. Motor vehicles are not allowed on athletic fields, walkways or school lawns.

STUDENT CONDUCT ON BUSES

Riding a school bus is an extension of the school setting. Disruptive behavior on a bus will result in school disciplinary action. The school district shall work closely with the bus contractor (Olson Bus Company). The primary goal of this procedure will be to modify behavior and resolve the difficulty.

All students taking advantage of the bus transportation to and from school deserve reasonable safeguards. Bus transportation for students is a privilege, and, because of a paramount need for safety, it is necessary for all students to know the rules and to obey the rules. Students who ignore or fail to obey the rules shall be subject to disciplinary action which may include loss of the privilege to ride a bus.

Fair treatment for students shall be such as to protect them from arbitrary and unreasonable decisions.

All decisions affecting students shall be based on careful and reasonable investigations of the facts and the consistent application of rules and regulations.

All bus students shall be apprised of the bus rules and procedures governing busing and the process by which discipline is administered. At the beginning of each school year all students shall receive a copy of the bus rules and discipline procedures with a parental sign off sheet. All students must return the sign off sheet one week after issue in order to retain bus riding privileges.

RESPONSIBILITY AND PROCEDURE

Students shall comply with the rules governing busing and submit to the lawful authority of bus drivers and administrators.

Suspension of riding privileges, loss of riding privileges, or other appropriate disciplinary action may result depending on the severity or frequency of the misbehaviors in question. All citations for student misbehavior shall be handled in the following manner:

1. The bus driver will record the offense on a 3 part NCR form and leave it with the appropriate building administrator as soon as possible.
2. The building administrator will conference with the offending student as appropriate, contact the parents as needed, record the disciplinary action on the citation form, and send the appropriate copies to the bus company and the parents.
3. Administrators may schedule parent conferences as needed.

RULES AND CONSEQUENCES

Suspension or riding privileges, loss of riding privileges, or other appropriate disciplinary action may result for the following offenses:

1. Disruptive, or inappropriate behavior, which is liable to distract the driver from the safe operation of the bus or which is liable to place students in danger. This includes, but is not limited to, the following:
 - Horseplay (fighting, wrestling, boisterous activity, or vulgarity)
 - Unauthorized use of emergency door
 - Pupils not in seats while bus is in motion
 - Pupils not remaining in assigned seats
 - Pupils failing to cross roads in front of the bus or as instructed by the bus driver
 - Pupils extending hands, arms, heads, or other objects through bus windows
 - Pupils leaving a bus, other than at home or school, without written parental permission
 - Pupils talking in loud voices or shouting
 - Pupils opening windows without driver permission
 - Pupils littering the bus
 - Pupils acting in a rude or discourteous manner to the driver, other students, or passersby
 - Pupils who refuse to promptly obey the bus driver
 - Harassment of other students
 - A. **First Infraction** - Warning from the bus driver. Driver may require corrective action which may include but is not limited to the following:
 - An appropriate apology
 - Clean up activity
 - Assigned seat
 - B. **Second Infraction** - Warning from building administrator. Administrator may assign corrective action as well as add written warning onto citation to be sent home.
 - C. **Third Infraction** - The offending student may have his riding privileges suspended for five school days. The building administrator shall inform the student of the specific charges and provide the student with an opportunity to present his view of the alleged misconduct before taking action to suspend the student. The administrator shall notify parents by mail as well as personally.
 - D. **Fourth Infraction** - The offending student may have his riding privileges suspended for up to ten school days. The building administrator shall inform the student of the specific charges and provide the student with an opportunity to present his view of the alleged misconduct before taking action to suspend the student. The administrator shall notify parents by mail as well as personally.
 - E. **Fifth Infraction** - The offending student may have his riding privileges suspended for up to another ten days. The building administrator shall inform the student of the specific charges and provide the student with an opportunity to present his view of the alleged misconduct before taking action to suspend the student. The administrator shall notify parents by mail as well as personally. In addition the building administrator may recommend to the Superintendent that the student be expelled from riding the bus for a period not to exceed one school year. In such an instance the recommendation to expel will result in a hearing before the Superintendent or his designee, at which time the student and/or parent(s) will have the opportunity to respond to the charges.

2. Openly defiant behavior or behavior which jeopardizes immediately the safe operation of the vehicle or the safety of the driver, other students or passersby. This includes but is not limited to the following:
 - Fighting (mutual consent)
 - Throwing objects
 - Hazing of other students
 - Use of tobacco
 - Threatening, abusive, or profane language directed at the driver
 - A. **First Infraction** - The offending student may have his riding privileges suspended for up to ten school days. The building administrator shall inform the student of the specific charges and provide the student with an opportunity to present his view of the alleged misconduct before taking action to suspend the student. The administrator shall notify parents by mail as well as personally.
 - B. **Second Infraction** - The offending student may have his riding privileges suspended for up to another ten days. The building administrator shall inform the student of the specific charges and provide the student with an opportunity to present his view of the alleged misconduct before taking action to suspend the student. The administrator shall notify parents by mail as well as personally. In addition the building administrator may recommend to the Superintendent that the student be expelled from riding the bus for a period not to exceed one school year. In such an instance the recommendation to expel will result in a hearing before the Superintendent or his designee, at which time the student and/or parent(s) will have the opportunity to respond to the charges.

3. Theft, vandalism, damage of school or private property, possession of or use of narcotics or alcoholic beverages, or assault:
 - A. **First Infraction** - The offending student may have his riding privileges suspended for up to ten days. The building administrator shall inform the student of the specific charges and provide the student with an opportunity to present his view of the alleged misconduct before taking action to suspend the student. The administrator shall notify parents by mail as well as personally. In addition the building administrator may recommend to the Superintendent that the student be expelled from riding the bus for a period not to exceed one school year. In such an instance the recommendation to expel will result in a hearing before the Superintendent or his designee, at which time the student and/or parent(s) will have the opportunity to respond to the charges.

4. Bringing animals, firearms, weapons, or other potentially hazardous items or material on the bus (this includes axes).
 - A. **All Infractions** - All items which the driver judges to fall in the above category shall not be allowed on the bus.

Prohibited items which students have smuggled on board a bus shall be confiscated and turned over to the appropriate building administrator. Students smuggling prohibited items onto a bus will be dealt with under the procedure outlined in Section Roman Numeral II of this procedure.

Bringing a firearm, weapon, or other dangerous item on the bus may result in a recommendation to expel the student from riding the bus for a period not to exceed one school year.

A decision to suspend or expel a student from riding the school bus may be appealed to the Superintendent and then to the School Board, if so desired.

SEARCH AND SEIZURE

CONDITION DESCRIPTION

The Board seeks to create a climate in the school which assures the safety and welfare of all. Equipment, such as lockers, belongs to the school district and students are allowed to use this equipment as a convenience.

RIGHTS

1. Locker assignments are made from the school office.
2. Students may be assured that the rights of the individual shall always be balanced with the needs of the school.

Students shall not bring to school firearms or other possessions reasonably determined by the proper school authorities to be a threat to the safety or security of themselves or others. Students shall not keep evidence of an illegal act or school violation secret.

RESPONSIBILITIES

1. If it is properly determined that a student is secreting evidence of an illegal act or school violation, a search of the student's person and/or property may be made.
2. Illegal items (firearms, weapons, etc.) or other possessions reasonably determined by the proper authorities to be a threat to the safety or security of the possessor or others may be seized by school officials.
3. Items which may be used to disrupt or interfere with the educational process may be temporarily removed from the student's possession.
4. A general search of school property including, but not limited to, lockers or desks may occur at any time, and items belonging to the school may be seized.
5. A student must use the locker or desk assigned to him. Any change in locker assignments must be approved by the administration.
6. No person shall place in a locker or desk any of the following items:
 - a. Intoxicants
 - b. Narcotics or illegal drugs
 - c. Stolen property
 - d. Explosives or firearms
 - e. Illegal knives
 - f. Any item which threatens the health and welfare of occupants of the school building, or
 - g. Any items, the possession of which is unlawful.
7. The administration may inspect lockers or desks at any time for the following reasons:
 - a. To look for lost or stolen school materials or textbooks
 - b. To remove health hazards or maintain sanitary control
 - c. To check for necessary repairs
 - d. To handle emergency situations, and
 - e. To confiscate illegal items.

All items seized shall be returned to the proper authorities or the true owner.

**POSSESSION OR USE OF WEAPONS
AND
OTHER DANGEROUS ITEMS**

CONDITION DESCRIPTION

The Board seeks to create a climate in the school which assures the safety and welfare of all.

RIGHTS

1. The school shall make every effort to protect the physical safety and mental well-being of all students, employees, and officials of the District.
2. Students shall not bring to school firearms or other possessions reasonably determined by the proper school authorities to be a threat to the safety or security of themselves or others.

RESPONSIBILITIES

1. Firearms, weapons or other possessions reasonably determined by the proper authorities to be a threat to the safety or security of the possessor or others are forbidden from being on school district property.
2. Students found to be in violation of this provision will be subject to disciplinary procedures which may include immediate suspension and/or expulsion from school and related activities.
3. See District Policy 5499 for complete detail.

SEXUAL HARASSMENT

CONDITION DESCRIPTION

The Board seeks to maintain an environment that is free from any form of harassment related to a person's gender.

RIGHTS

1. Students have the right to attend school free from unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other conduct or communication of a sexual nature.
2. Students found to be in violation of this provision will be subject to disciplinary procedures which may include immediate suspension and/or expulsion from school and related activities.
3. See District Policy 5318 for complete detail.

ATTENDANCE

CONDITION DESCRIPTION

1. Since irregular attendance is one of the prime factors associated with student failure and frustration with the schooling experience, school officials must make every effort to enforce the compulsory attendance laws for the state.
2. The fundamental purpose for insisting on punctual, regular school attendance is to help each student develop habits of responsibility which will help him succeed in the world of work.

RIGHTS

1. The school shall make every effort to provide a meaningful experience and to encourage full individual development for each student.
2. Teachers will, whenever possible, provide an educational experience for students who are undergoing a long period of illness.

RESPONSIBILITIES

1. Each student shall comply with the rules and regulations of the school he/she attends and shall pursue the prescribed course of study.
2. Students shall be punctual in reporting to school and to classes and shall attend regularly.
3. Students may not attend school when they, or others in their family or home, have a communicable disease unless such attendance is authorized by a qualified health official.
4. Students may not attend school when they have been excluded for disciplinary reasons.

**ADMINISTRATION OF PUPILS
ATTENDANCE**

1. Minors who claim to reside within the district but whose parents or guardians reside outside the district must submit evidence of living in locoparentis with an adult who resides in the district. Legal guardianship papers, a signed and notarized power of attorney, or a ward of the court will suffice as evidence.
2. A student who has reached his/her senior year of high school as a resident of the district and whose parents or guardian find it necessary to leave the district may, upon request, be permitted to complete his/her senior year in the district tuition free provided that a signed interdistrict agreement is on file.
3. The district may refuse enrollment of a student expelled from another district for the duration of the term of his expulsion.
4. As defined in ORS 339.065, "Eight unexcused one-half day absences in any four week period during which the school is in session shall be considered irregular attendance."

COMPULSORY ATTENDANCE

1. As provided for in ORS 339.010, all children between the ages of 7 to 18 years of age who have not completed the twelfth grade are required to attend regularly a public full-time school in the district.
2. As provided for in ORS 339.020, every person having control of any children between the ages of 7 and 18 years of age who has not completed the twelfth grade is required to send and maintain such children in regular school attendance during the entire school year.
3. 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. Violation is a Class B infraction and is punishable by a citation of up to \$100.

In addition, a parent or guardian who is not supervising their student by requiring school attendance may be subject to a fine of up to \$1000.

**EXEMPTION FROM COMPULSORY
ATTENDANCE**

The following situations merit exemption from compulsory attendance:

1. Students between 16 and 18 years of age who are employed full time; employed part time and attending school; attending a community college; or having mutual consent of the school administration and the parent or legal guardian that the student not attend.
2. Children attending private or parochial school.
3. Children proving they have acquired knowledge equivalent to that taught in grades 1-12 in public schools.
4. Children who are mentally or physically unable to attend.
5. Children being taught in an approved program.
6. Children who have completed grade eight and whose further attendance would be educationally unprofitable or cause a family hardship.

DISCIPLINE, SUSPENSION AND EXPULSION

CONDITION DESCRIPTION

1. All students in the Philomath School District deserve the safeguards of due process in all matters affecting their school life. Due process and consistency in discipline shall be assured each student.
2. Teachers and administrators must have wide prerogative in invoking disciplinary procedures to maintain a school climate conducive to learning and assuring safety of life and property.
3. School disciplinary actions are a civil, not criminal, matter; therefore, the usual court procedures, power to subpoena witnesses and trial by jury do not apply.
4. If a student commits a criminal act as defined in Section 2 below, the school will take appropriate action whether or not legal action is taken against the offending student by the courts.

RIGHTS

1. Students shall not be subject to unreasonable decisions.
2. Decisions affecting discipline, records and continuance of a student in school shall follow (1) careful and reasoned investigation of the facts and (2) reasonable application of rules and procedures.
3. When possible, all students and parents or guardians shall be apprised of school rules, procedures by which schools are governed, and disciplinary processes.

RESPONSIBILITY

The purpose of this section is to make clear the kinds of actions for which a student may be disciplined, suspended, or expelled. The authority for these is vested in state law or in school regulations which are developed under authority granted by state law.

1. Committing or participating in acts that are defined as criminal under state law at any time while the student is under the jurisdiction of the school or on school property will result in disciplinary actions whether or not criminal charges result. This will include each act as:
 - Arson
 - Assault
 - Burglary
 - Possession, use or threatened use of guns, weapons or other dangerous items, including explosives.
 - Extortion

- Theft
 - Malicious mischief
 - Harassment
 - Sexual Harassment
 - Robbery
 - Sale, use or possession of alcoholic beverages, tobacco, or illegal drugs
 - Trespassing or loitering
 - Unlawful interference with or intimidation of school authorities
 - Menacing school employees or other students
 - Injury to school property by student
2. Smoking or chewing tobacco: the use of tobacco in any form on school property, while attending school-sponsored activities, or at any time while under the jurisdiction of the school is prohibited.
 3. Dress and appearance: SEE THAT SECTION
 4. Attendance: SEE THAT SECTION
 5. Disruptive conduct: A student's conduct is acceptable until it materially and substantially interferes with the educational process.
 6. Cooperation with school personnel: The lawful instructions of school personnel must be obeyed by all students.
 7. Refusal to identify self: Upon request of proper school authorities, students shall identify themselves.
 8. Profane or obscene language: SEE THAT SECTION
 9. Textbooks and course of study: Students are to pursue courses of study and use textbooks issued to them.
 10. Controlled campus: Students receiving permission from the principal's office may leave the school grounds after they arrive at school in the morning and before they are dismissed in the evening.
 11. Bus conduct: Rules posted on each bus shall be followed by all passengers. (An administrator may revoke the privilege of riding a bus at any time for cause.) See bus regulations included in this book.
 12. Fighting: All forms of fighting are unacceptable in the school buildings, on or near the school grounds, on buses, or at school sponsored activities.
 13. Use of threats, intimidation, harassment or coercion against any fellow student or school employee.
 14. Thefts against a fellow student, the school district, or any other party are prohibited. Thefts may bring a referral to the appropriate law enforcement agency. (Students are urged not to bring valuables or large amounts of money to school.)
 15. School-sponsored events: Students at all school sponsored events shall be governed by school district rules and regulations and are subject to the authority of school district officials whether the events occur on or off school grounds.
 16. Building rules: A building principal may develop reasonable published rules for the operation of his/her building in addition to, but not in conflict with, the regulations in this document.
 17. Compliance with school rules: As stated in state law, "Public school pupils shall comply with rules for the government of such schools..."

DISCIPLINE PROCEDURES

1. Definitions
 - a. Summary Discipline Procedures - Discipline for a minor infraction may be handled without going through all the steps of formal procedure. In some cases, a written record may be maintained in the student's file
 - b. Out-of-School Suspension - It is defined as one of the following:
 - 1) A temporary exclusion from school for a period not to exceed ten school days.
 - 2) Exclusion in cases being investigated pending expulsion.
 - 3) In special circumstances a suspension may be continued until some specific pending action occurs.
 - c. In-School Suspension - It is defined as suspension of refractory students from class attendance.
 - d. Expulsion - It is defined as release of a student from school attendance for no longer than one calendar year.
2. Hearing the Accuser
 - a. Staff Complaints - Students may hear directly from the teacher or the staff member the specific complaints or descriptions of unacceptable behavior where the student so desires.
 - b. Student Complaints - It is recognized that a school official, as a public officer, shall not be examined as to communications made in official confidence when the public interest would suffer by such disclosures. For this reason, in recognition of the special jeopardy in which the student witnesses may be placed and the possible traumatic effects of adversarial proceedings conducted by attorneys, police officers, or court officials, the complaining students may not be required to face the accused, nor have their 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.

3. Suspension of Driving Privileges - The Superintendent is authorized to ask the Department of Transportation to suspend the driving privileges or the right to apply for driving privileges for any student who is at least 15 years of age and has been expelled for bringing a weapon to school; or has been expelled or suspended at least twice for assaulting or menacing a school employee or another student; willfully damaging or injuring district property; or using threats, intimidation, harassment or coercion against a school employee or other students".
4. Disciplinary Action - Appropriate disciplinary action, other than suspension or expulsion, may be administered by a staff member to someone who is in violation of any law or school regulation where the student is under the jurisdiction of the school. The student and/or the parents shall have the right to appeal such action to the building principal or delegated representative in an informal setting.
5. Physical Discipline - Public schools and their employees are no longer permitted to apply corporal punishment to students. Corporal punishment is defined in Oregon Law as the "willful infliction of, or willfully causing the infliction of, physical pain on a pupil". Such punishment is expressly prohibited in Philomath Schools.

**SUSPENSION AND EXPULSION
PROCEDURES
FOR STUDENTS WITH A DISABILITY**

The following guidelines are derived from the Codes of Federal Regulation (CFR's) 300.579 through 300.529 (published March of '99) of the Individuals with Disabilities Education Act (IDEA) of 1997. Any variation, discrepancy, or omission in these guidelines implies that the CFR's take precedence.

Certified Handicapped students will be disciplined in the same manner as other students, unless it has been determined that the actions of the student have a direct relationship to the handicap or the student has been inappropriately placed.

Disciplinary action of students with disabilities, on an Individualized Education Program (IEP), in effect necessitates a special consideration in accordance with Federal and State regulations.

Expulsion of a student with a disability, being served on an IEP, or suspensions for more than 10 consecutive school days, is considered a change in placement, and requires prior written notice and sending of "procedural safeguards" to parents.

District staff may discipline students according to the school conduct code during any emergency situation where a student may endanger him/herself or others.

1. Suspensions totaling ten (10) days during any one semester period will necessitate an IEP Team meeting to review and consider recommendations regarding the student's education program, and conduct a Functional Behavior Assessment.
2. Whenever possible, in-school suspension procedures should be used.
3. Prior to recommendation for expulsion, an IEP Team meeting must be held to determine if a relationship exists between the student's misconduct and (1) his or her handicap, or (2) any inappropriate placement, as per Code of Federal Regulations (CFR) 300.523.
4. An IEP Team Meeting is required, prior to any district expulsion hearing, to consider appropriate alternative placements.

FREEDOM OF EXPRESSION

CONDITION DESCRIPTION

1. One of the basic purposes of schooling is to prepare students for responsible self-expression in a democratic society. Citizens in our democracy are permitted free expression under the 1st and 14th Amendments of the United States Constitution. Students, as citizens, have the right of free expression and must bear the responsibility for the consequences of such expression.
2. Since schooling is a learning experience, the matter of free expression must also be viewed as a part of the learning process.

RIGHTS

1. Students are entitled to express their personal opinions under reasonable circumstances.
2. Students are encouraged to express personal opinions and writings in school publications and participate in publishing school publications.
3. Students may refuse to participate in patriotic exercises as long as the manner of such nonparticipation does not disrupt the educational process.
4. Students may wear certain distinctive insignias so long as they do not trespass on the rights of others or interfere with the orderly operation of the school.

RESPONSIBILITIES

1. The use of sexually harassing remarks, obscenities, and threats of harm to person or property are prohibited.
2. Students are encouraged to express personal opinions or writings in school publications. Students must assume responsibility for materials they have written. Libelous and obscene matter are prohibited from all school publications.
3. Student publications may be distributed in the main hall and gymnasium before school, at noon, and after school. Special permission must be obtained for the distribution of school publications at other times.
4. Students shall be permitted to hold meetings on school property but such meetings shall be scheduled in advance, shall not disturb classes, and shall cause no hazard to person or property.
5. Students shall not distribute or display material which is of commercial nature. Students shall obtain the authorization of school authorities prior to selling materials or engaging in activities which solicit students' financial contributions.

Failure to comply with the above rules and regulations may render students subject to suspension and/or expulsion under ORS 339.250.

Willful disobedience, open defiance of a teacher's or school official's lawful authority, shall be sufficient cause for discipline.

Any publication sponsored or in any way funded by the school, shall be known as a school publication as opposed to a student publication. Example -- a school newspaper should reflect the total life of a school community. Even though the publication may be accomplished by a student effort, the student has a responsibility to the total school community. Libelous and profane or obscene matter are prohibited from all school publications.

NONSTUDENT LOITERING

CONDITION DESCRIPTION

Visitors are permitted on school premises so long as their presence is for constructive, not disruptive, purposes and school officials are aware of their visit.

RESPONSIBILITIES

1. Visitors in the school building during a normal school day shall first come to the main office and arrange to conduct their business.
2. No individual may loiter in or near a school building or grounds. Loitering means not having any reason or relationship involving custody of or responsibility for a student, or upon inquiry, not having a specific, legitimate reason for being there.

ALCOHOL, DRUGS, AND TOBACCO

CONDITION DESCRIPTION

The local Board seeks to assure a climate in the school which is appropriate for institutions of learning and which assures the safety and welfare of personnel and students.

RIGHTS

1. Students have the right to be informed of the health hazards in regard to the use of tobacco, alcohol and drugs.

RESPONSIBILITIES

1. Anyone 17 years or younger may not possess tobacco.
2. The use of tobacco in any form on the school premises or while attending school sponsored activities is prohibited.

Consumption, possession, or sale of any alcoholic beverage on or about school premises, or at any school activity, is prohibited -- (ORS 471.410 and ORS 471.430). Violations of this regulation will result in suspension or expulsion. Violations occurring at times other than school hours or school activities on school property may be referred to the proper law enforcement agencies. (See Board Policy #5495 -- Pupil Personnel Substance Abuse Policy.)

The unlawful possession, use, sale, or supply of any narcotics or dangerous drugs on or about school premises, or at any school activity, is prohibited. Violations of this regulation will result in suspension and/or expulsion from school. Appropriate health and law enforcement agencies may be involved in a consultative and investigative capacity and parents will be notified. (See Board Policy #5495 -- Pupil Personnel Substance Abuse Policy.)

Tobacco Use: In order to protect the health of students, staff, and the general public, provide a healthy working environment, and promote good health for students; tobacco use shall be prohibited on all District property, while attending school-sponsored activities, and in District-owned vehicles. (See Board Policy #2105.02 - Tobacco Free Environment)

Tobacco use is defined as the carrying or smoking of any kind of lighted pipe, cigar, cigarette, or any other smoking equipment or material, or the chewing or sniffing of a tobacco product.

PHYSICAL DISCIPLINE

Public schools and their employees are no longer permitted to apply corporal punishment to students. Corporal punishment is defined in Oregon Law as the "willful infliction of, or willfully causing the infliction of, physical pain on a pupil." Such punishment is expressly prohibited in Philomath Schools.

STUDENT RECORDS

CONDITION DESCRIPTION

1. Student education records are those records that are directly related to a student and maintained by the District, or by a party acting for the District.
2. The school shall keep and maintain a permanent record on each student which includes the:
 - a. Name of school;
 - b. Full name of the student;
 - c. Student birth date;
 - d. Name of parents/guardian;
 - e. Date of entry in school;
 - f. Name of school previously attended;
 - g. Subjects taken;
 - h. Marks received;
 - i. Credits earned;
 - j. Attendance;
 - k. Date of withdrawal from school; and
 - l. Such additional information as the District may prescribe.

The district may also request the social security number of the student and will include the social security number on the permanent record only if the student or parent complies with the request.

RIGHTS

All student records shall be confidential and except as hereinafter provided, shall be open for inspection only in accordance with the law and such rules and regulations as duly adopted by the district school board. Personnel having access to student records shall not violate the confidentiality of those records.

RESPONSIBILITIES

1. Student records shall be available for inspection by any parent or legal guardian requesting to see such individual records through the following methods:
 - a) An appointment must be made through the appropriate school office.
 - b) Approval of the local school administration must be obtained in order to see a student's records.
 - c) Certain records such as those that might be found in a child's record related to special education needs may require the presence of an individual qualified to interpret the record. In such a case the record shall be released only in the presence of an individual qualified to explain or interpret the records.
 - d) Students 18 years of age or older must give their approval.
2. If a parent or eligible student (18 years of age or older) believes the education records relating to the student contain information that is inaccurate, misleading or in violation of the student's rights of privacy or other rights, he or she may ask the building principal to amend the record. The Principal shall decide whether the record warrants amendment and shall inform the parent or eligible student of the decision and their right to appeal.
3. The District shall transfer all student education records relating to the particular student to any public or private school when notice of the student's enrollment is received from said school or institution. The transfer shall be

- made no later than ten (10) working days after receiving the request.
4. Release of student education records for use in any proceedings, civil or criminal, in any court of this state, will be made only by the superintendent or his designated representative to comply with a judicial order or lawfully issued subpoena. The District will make a reasonable effort to notify the parent or the eligible student of the order or subpoena in advance of compliance.
 5. Student education records shall be available to all teaching staff, with legitimate educational interests, to parents or legal guardians (until such time as the rights and privileges transfer to the student) and upon request to other agencies having demonstrated interest in the student.
 6. Permanent records are to be kept rather than destroyed. They shall be kept in a safe, vault, or file having a minimum 1-hour fire safe rating.
 7. The school shall keep a record of all releases of pupil information. This record shall include the name of the person giving and receiving this information, the reason for and the date of release.
 8. No information concerning pupil or personnel records of a restricted nature should be released by telephone. The administration must be certain of the identity of the person with whom they are dealing.
 9. Each request for inspection of information should be handled separately unless it is for the purpose of research studies, the information must be handled in such a way that individual pupils cannot be identified.
 10. Any school or educational institution may transfer without penalty to any other school or any other educational institution all student records relating to a particular individual providing they have received notice of the student enrolling in said institution.
 11. A transcript of the student record may be sent to any educational institution upon the request of the student's parent, legal guardian, or the pupil who has reached age 18.
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NOTICE:

In compliance with the "Family Education Rights and Privacy Act" of 1974, should your child enroll in another school or school system, an official transcript and copy of the education record will be sent to the school upon our receipt of notification of the student's enrolling in said institution. Prior to the withdrawal of your child from our district, you have a right to see your student's records and to challenge the content of the record. You may receive a copy of the record to be transferred if you desire.

(See Board Policy #5310 Student Personnel Records.)