



Guide to Policies, Rules, and Procedures on Student Responsibilities, Rights and Discipline



Portland Public Schools
501 N. Dixon Street
Portland, OR 97227



PORTLAND PUBLIC SCHOOLS

ENGLISH

This information is very important. If you are unable to read it, please have someone explain it to you in a language you understand, or call (503) 916-3427

SPANISH

Esta información es muy importante. Si usted no es capaz de leerlo, por favor obtenga a alguien que se lo explique en un idioma que usted pueda entender, o llame al: (503) 916-3427

RUSSIAN

Эта информация очень важна. Если вы не можете прочитать это, пожалуйста, попросите кого-нибудь, чтобы вам объяснили это на родном языке или вы можете позвонить по тел. (503) 916-3427

VIETNAMESE

Tài liệu này rất quan trọng. Nếu quý vị không đọc được tài liệu này, xin vui lòng nhờ người quen giải thích bằng ngôn ngữ mà quý vị có thể hiểu được, hoặc gọi điện thoại số (503) 916-3427

CHINESE

這些資訊是很重要的。如果閣下不懂得它的英文意思，請找某人用你瞭解的語言為你解釋，或打電話：503-916-3427。

The **Guide to Policies, Rules, and Procedures on Student Responsibilities, Rights and Discipline** is designed for use by school administrators and others including parents, who need information on student responsibilities, rights or discipline issues. It should be used in conjunction with the Policies and Administrative Directives (i.e. Regulations) which provide the rules summarized in the Guide. The Guide is distributed to all District administrators and is available online at www.pps.k12.or.us and in the school office upon request to students, parents, school staff and others.

The Board of Education has directed "The Superintendent shall, thus, develop rules, procedures, and standards, whereby those students who are disruptive of the educational setting, or who endanger the safety of others, will receive corrective counseling and be subject to disciplinary sanctions" This Guide includes these rules, procedures and standards. Reference: 4.30.010-P

Portland Public Schools recognizes the diversity and worth of all individuals and groups and their roles in society. All individuals and groups shall be treated with fairness in all activities, programs, and operations. It is the policy of the Portland Public School Board that there will be no discrimination or harassment of individuals based on the grounds of age, color, creed, disability, marital status, national origin, race, religion, sex or sexual orientation in any educational programs, activities or employment. Reference: 1.80.020-P

School District No.1 complies with Section 504, American's with Disabilities Act, Title VI, Title IX of the Federal Education Amendments Act of 1972 in prohibiting discrimination in educational programs and activities. Please contact the Office of Student Family and School Support for any questions pertaining to district compliance: 503.916.2000.

Guide to
Policies, Rules
And Procedures on
Student Responsibilities, Rights
And Discipline

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Portland Public Schools

Table of Contents

Student Responsibilities and Rights	1
Attendance.....	1
Authority of School.....	3
Before and After School/Student Safety	4
Buses, School.....	5
Clubs, School Participation	8
Community Respect and Responsibility.....	10
Complaint Procedures	11
Dress and Grooming.....	12
Fees and Fines	13
Freedom of Expression and Assembly	15
Harassment, Sexual Harassment, . Intimidation, Hazing & Bullying.....	17
Internet, Use of	19
Lost, Stolen, or Damaged Property.....	20
Medicines, Medical Emergencies	20
Political Activities	21
Prohibited Items.....	22
Records	23
Searches, Locker and Student.....	26
Special Needs: Section 504 of the Rehabilitation Act of 1973	26
Testing.....	28
Threats of Violence or Harm	28
Tobacco.....	29
Weapons.....	30

Discipline	33
Behavior Expectations and Consequences	36
Disciplinary Actions Levels	46
Exception Procedures.....	61
Alcohol and Other Drug-Related Activity.....	61
Suspension Procedures.....	68
Expulsion Procedures	72
Delayed Expulsion	80
Students with Disabilities	81

Student Responsibilities & Rights

The purpose of this section is to provide a brief description of several important responsibilities and rights.

In general, it is the intent that students should have the maximum freedom allowable under law commensurate with the school's responsibility for student education. Students are expected to be safe, respectful, and responsible and to act in a way that allows teachers to teach and students to learn. Within each school, the Principal has the responsibility for maintaining the orderly educational process. This will be done in a manner which both respects the rights and recognizes the responsibilities of students. Reference: 3.10.011-AD

ATTENDANCE

Oregon law requires parents/guardians to see that children between the ages of 7 and 18 years attend school regularly. Schools will inform parents/guardians of student absences. Parents/guardians are encouraged to contact the school if there is a concern about absenteeism. When a student's attendance is so erratic that he or she is not benefiting from the educational program, the Principal or designee will notify the student and parent/guardian of appropriate alternative programs.

State law requires schools to withdraw students who are absent ten (10) consecutive school days for any reason.

Reference: OAR 581.023.0006(11)(c)

Excused Absences From School

Absences for student sickness, family sickness requiring the student's presence, religious holidays, death in a family or absences prearranged with staff approval are excused upon notification from parents/guardians. Parents/guardians must explain a student absence in a signed letter or by a telephone call within three (3) days of the absence or it will be counted as unexcused. Parents/guardians may submit the signed letter in their home language if English is not used at home.

Making Up assignments Due To Absences From School

Students are allowed to make up assignments for an excused absence and receive credit. However, students are expected to make up assignments for unexcused absences for their own benefit, but depending on the individual circumstances and the school standards, may or may not receive credit. Student grades may not be lowered

solely due to absences. (For information regarding homework during suspension, see " Suspension Procedures" [Homework During Suspension].)

Students are required to stay at home if they have a quarantined illness or condition. Before returning to school after such an illness or condition, a student should obtain a doctor's permission to do so, or be checked by a school nurse.

Reference: 4.10.012-AD

Criteria For Exemption From School Attendance

The Superintendent may exempt a student from compulsory attendance if one of the following conditions exist:

1. Student is: (a) 16 or 17 years of age; (b) employed full time; (c) employed part time and in school part time; (d) enrolled in a community college or other approved school; (e) married or has applied for legal emancipation.
2. When considering a request for exemption from compulsory attendance, the Principal shall conduct an interview that shall include, but not be limited to, the following:
 - a. Attendance by the child and the parent or legal guardian or the emancipated minor;
 - b. Attendance by a school counselor or school administrator;
 - c. Consideration of the reasons for the request; and
 - d. Review of the following information: credit for graduation; grades; current disabling status, if applicable; prior disabling status, if applicable; results of standardized tests; teacher evaluation; counselor appraisal; immediate plans; short-range and career goals; any other relevant information.
3. If the Principal recommends that exemption from compulsory attendance should be granted, the record and his/her recommendation shall be forwarded to the Office of Alternative Education. The recommendation shall be reviewed for the Superintendent's approval. If the exemption is granted, the Principal shall give the child and the parent or legal guardian the following in writing:
 - a. A description of any alternative programs of instruction or instruction combined with counseling which are available, as provided in ORS 339.250 (6) and (7);
 - b. Notice that (1) the exemption is granted for a limited time, (2) the exemption must be renewed on a semiannual basis and (3) the exemption will be reviewed by the District on a certain date; and
 - c. Notice that the parent/student must reapply for an exemption by a specific date or the student must return to

school until she/he attains a high school diploma, GED, or the age of 18.

Principals must notify students in writing of the availability of appropriate and accessible alternative programs of instruction and instruction combined with counseling when the student's attendance is so erratic that the student is not benefiting from the educational program.

Reference: 4.30.031-AD

Procedures for reporting a student's absence

1. A note signed by a parent or guardian ordinarily is required for any tardiness or absence.
2. If a student has had an illness of a communicable nature (flu, chicken pox, measles, hepatitis A, scarlet fever, pink eye, impetigo, lice, boils, etc.), he/she must remain at home until well and present a doctor's authorization for return to school. Assistance for low-income families is available from the Multnomah County access clinics.

For information on diagnosis of communicable diseases or permits for returning to school call Multnomah Education Service District Health Department.

3. Parents/Guardians are urged to make medical or dental appointments after school hours to minimize the loss of school time.
4. Requests to leave school for any reason ordinarily must be presented in writing prior to the planned absence and signed by the parent or guardian.

The 1993 Oregon Legislature authorized Principals to issue court citations to parents if their children fail to attend school regularly.

Reference: 4.10.011-AD, 4.10.012-AD

AUTHORITY OF SCHOOL

Duty of Students

"Public school students shall comply with the rules for the government of such schools, pursue the prescribed course of study, use the prescribed textbooks, and submit to the teacher's AUTHORITY. ... Willful disobedience, open defiance of teacher's AUTHORITY, or the use of profane or obscene language is sufficient cause for punishment, suspension or expulsion from school."

Reference: ORS 339.250

Damage to school property and injury to others

No student shall willfully damage any school property or threaten or willfully injure any fellow student or faculty member. A student who commits such violations shall be disciplined, suspended or expelled.

"The amount of damage to any school property shall be determined by procedures established by the district school board and they may be assessed against the pupil willfully causing the injury or damage and against the parents or persons having legal custody of the pupil ... and action may be brought against the pupil and parents in a court of competent jurisdiction for the amount of assessed damages plus costs and reasonable attorney fees."

Reference: ORS 339.260

Teacher Authority

Teachers shall be responsible for the care, discipline and instruction of students in their charge, and for any and all students of the school outside of class hours as assigned by the Principal of the school. They shall enforce all rules governing the conduct of students, as such rules may be prescribed by the Principal, the Superintendent or the Board.

Reference: 5.20.070-AD

Principal Authority

Within each school the Principal has the responsibility for maintaining the orderly educational process. This will be done in a manner that both respects the rights and recognizes the responsibilities of students.

Reference: 3.10.011-AD

BEFORE AND AFTER SCHOOL/STUDENT SAFETY

To and from school

Students are subject to school discipline for conduct on the way to and from school, provided the conduct negatively impacts on the orderly operation of the school. School personnel are not responsible for supervision of students traveling to and from school.

Supervision of Students Before and After School

School staff are not normally present except during school hours. Unless parents/guardians make special arrangements for safety and supervision, students should not be at school before school starts or after school is out.

Reference: 4.30.010-P

SCHOOL BUSES

Rules for students riding school buses include:

- Students being transported are under authority of the bus driver.
- Fighting, wrestling or boisterous activity is prohibited in the bus.
- Students shall use the bus emergency door only in case of emergency.
- Students shall be on time during morning and evening pick-up times.
- Students shall not bring animals, firearms, weapons or other potentially hazardous material on the bus.
- Students shall remain seated while bus is in motion.
- Students may be assigned seats by the bus driver.
- When necessary to cross the road, students shall cross in front of the bus or as instructed by the bus driver.
- Students shall not extend their hands, arms, or heads through bus windows.
- Students shall have written permission to leave the bus at other than home or school.
- Students shall converse in normal tones; loud or vulgar language is prohibited aboard the bus.
- Students shall not open or close windows without permission of the bus driver.
- Students shall keep the bus clean and refrain from damaging it.
- Students shall be courteous to the bus driver, to fellow pupils and to passersby.
- Students who refuse to obey promptly the directions of the driver or refuse to obey regulations may forfeit their privilege to ride on the buses.
- "Rules Governing Pupils Riding School Buses" must be kept posted in a conspicuous place in all school buses.

Misconduct on Bus or at Bus Stop

Disciplinary action for misbehavior on the bus and at the bus stop will be administered at the school by the school Principal or Principal's designee.

Responses to bus conduct infractions will follow the same guidelines for disciplinary action specified in the "Behavior Expectations and Disciplinary Action" section. In addition, **there may be suspension from riding privileges for up to ten (10) consecutive school days at a time. Expulsion from riding privileges may also occur.**

Misconduct by a student which negatively impacts the safe orderly operation of the bus or school may cause a forfeit of the student's privilege to ride on the buses.

The Principal or designee must provide on-site supervision during bus loading and unloading for their students at school and receive written Bus Incident/Vandalism Reports from bus drivers or bus aides where assigned.

Teachers or other authorized School District personnel shall accompany students on all field trips and shall assume responsibility for their proper conduct.

Bus Incident/Vandalism Reporting

The Bus Incident/Vandalism Report, Form TD-9, is the primary means by which a driver or bus aide communicates a student's misconduct to the school and the Transportation Office. Appropriate disciplinary action will be exercised within a reasonable time by Principal or designee, after receiving Bus Incident/Vandalism Reports. Bus drivers/aides will be notified of action.

1. **Use of Bus Incident Report.** Most disciplinary problems are resolved on the bus without use of an incident report. When a student violates behavior expectations, the bus driver or aide will complete an incident report describing the incident or damage that occurred and retain two (2) copies, one for future reference and one to be sent to Student Transportation. The remaining four (4) copies are given to the Principal or designee for action and distribution to the student's parents/guardians and to Transportation Office for follow-up and driver/aide notification.
2. **Action on Bus Incident Report.** The Principal or designee upon receiving the report, will investigate the circumstances of the incident and take action deemed appropriate. For special education students where identified discipline procedures are inappropriate due to nature of disability, alternative procedures will be taken in cooperation with special education staff (refer to section on Discipline of Students with Disabilities). Generally, Principal actions include the following:
 - a. **Warning.** A written warning may be given to a student when verbal warnings have failed to change a student's behavior. The misbehavior must be of a minor nature, which does not jeopardize safety and welfare of the student, other students or operation of the bus.
 - b. **Suspension From Riding Privileges After Previous Warnings or Single Breach of Conduct.** In instances of misconduct that is dangerous or that ignores the rights of other students to a safe and reasonable environment, the

Principal or designee may choose to suspend riding privileges for a maximum of ten (10) days per incident. If a student is unable, after proper counseling, to accept the responsibility for good citizenship at the bus stop or on the bus, transportation may be lost for the balance of the semester.

- c. **Expulsion.** Expulsion from school should be applied in cases of misconduct involving the student transportation operation as if the misconduct occurred in school. Expulsions should be applied especially where the misconduct is of such a serious nature that the safety of the bus operation is jeopardized. Drivers or aides who are physically assaulted by student(s) have been advised to call School Police and Transportation Office. Victims may file assault and battery charges against their assailants. The driver or aide shall not retaliate by physically assaulting students. Such conduct could be the subject of disciplinary action. A driver and/or aide may take reasonable action to defend an assault or protect other persons. Expulsion from riding privileges may be applied when the safety of bus operations or persons inside/outside the bus are jeopardized. The length of the expulsion is for the remainder of the semester, unless the semester ends within such a short period of time that the expulsion would be too short to be effective. However, the expulsion shall not extend beyond a second semester.
3. **Disposition of Bus Incident Report.** Any disciplinary action taken by the Principal or designee shall be annotated on the report form and forwarded to the parent or guardian for signature. Simultaneously the Transportation Office must be notified so the information can be given to the driver/aide and contractor. Copies of the incident form shall also be mailed as indicated.
4. **Protection of Property.** In cases of willful damage to property, the student/parents/guardian may incur liability for the damages. Subsequent to the Bus Incident/Vandalism report, the contractor (bus or taxi company) or District may bill the student's parent/guardian directly for the cost of the incurred damages. Normally, the billing is sent two (2) to three (3) weeks after damage is incurred. There is no private contractor redress for billing through the District. Therefore, failure to pay may result in legal action against the parent/guardian by the carrier. The Principal may take disciplinary action exclusive of billing by the private contractor or the District.

5. **Unidentified Student or Group Vandalism.** If a bus stop, bus or school property is damaged and no one can be identified, the Principal or designee will inform the group of bus riders of the nature and cost of damage and of student's responsibility in identifying the involved person(s). If damage continues, bus service may be suspended pending results of investigation to determine responsibility.
6. **Appeal.** Students who have been disciplined regarding transportation privileges or their parents/guardians may appeal the Principal's decision as outlined in either the complaint procedures or other corresponding discipline section (i.e. suspension or expulsion) of this guide.

Reference: OAR 581-053-0010, ORS 820.100, ORS 820.105, ORS 820.110, ORS 820.120

STUDENT CLUBS & SCHOOL PARTICIPATION

Students participating in school clubs share common interests, perform school and community services, and recognize achievements of others.

Clubs **ARE:**

- democratically organized
- approved by the school Principal or designee
- open to any student
- supervised by an adult approved by the school Principal

Clubs **MAY NOT:**

- select members by vote
- conduct secret ceremonies or be sponsored by groups using secret ceremonies (e.g., fraternities or sororities)

A club is a recognized organization of students within a school which is formed for the purpose of sharing common interests, performing service, or recognizing achievements. All clubs shall operate according to democratic procedures and shall not discriminate on the basis of age, color, creed, disability, marital status, national origin, race, religion, sex or sexual orientation.

Club Approval

All clubs must obtain approval of and be recognized by the building Principal or designee according to regulations in the PPS Student Clubs Administrative Directive. Rules for forming clubs are available at each school or on-line at www.pps.k12.or.us.

Reference: 4.40.050-AD

Categories of Clubs

Clubs shall either be curricular, service, honorary, interest, religious, political or sports clubs.

Secret societies of every kind and character, including fraternities and sororities, are contrary to state law and are prohibited. The Board of Education authorizes the Superintendent to suspend or expel any student who engages in the organization or maintenance of such groups.

Membership

All students in a school shall be eligible for membership in any interest or service club. In the event applications exceed the predetermined membership number, a waiting list will be established or a second club may seek approval. Members may not be selected by vote of the membership. Clubs from different schools may meet together if the adult supervisor of each club is present.

Adult Supervision

Each club shall be supervised by an adult supervisor approved by the building Principal who may be either a member of the school faculty or other responsible adult.

Reference: 4.40.050-AD

Participation in School Affairs

Students are encouraged to participate in school affairs. Students may participate by:

- discussing school matters with teachers and Principals,
- getting involved in student government,
- working on the school newspaper,
- assisting in improving school rules and ways of hearing student concerns,
- discussing and helping plan curriculum, and/or
- participating in school-sponsored teams, field trips, plays, music programs and assemblies.

Students' efforts to have a stronger voice in the decisions which affect them are welcomed by the Board of Education.

The Board of Education views student participation in school affairs as an extension of the educational process. This District will encourage students to participate through planned programs and procedures in the government of the school and in curriculum evaluation.

Reference: 4.40.010-P, 4.40.010-AD

STUDENT RESPECT & RESPONSIBILITY TO COMMUNITY

Students are encouraged to involve themselves in community projects and to support community activities as much as possible. Students must respect the rights and properties of other persons while traveling to and from school. Students should not litter the neighborhood. Cars should be driven and bikes ridden with consideration for the property and safety of the neighborhood. Schools and students should cooperate with law enforcement officers.

Neighborhood Residents' Rights

Community residents have a right to privacy, private property and freedom from abusive behavior. Students must not loiter, litter, trespass or create nuisance conditions for residents of the community. While schools cannot be held responsible for the acts of students to and from school, they may take disciplinary action if the circumstances warrant.

Reference: 4.30.010-P

Cooperation with Law Enforcement Agencies

School personnel are responsible for cooperating with, and making it possible for, law officers to interview students on the school premises. Law officers, as necessary, advise students of their constitutional right to remain silent, and school personnel may not require that a student answer an officer's questions nor should they interfere with the officer's interview.

If an officer comes to arrest a student and has a warrant, probable cause, or a summons for that purpose, it is not only appropriate that school personnel and all other persons aid in the apprehension and detention of the student, it is also their affirmative duty to do so. In fact, it is a crime to willfully refuse to assist an officer in attempting to make a lawful arrest.

Reference: 4.50.011-AD

A principal or his/her designee may involve law enforcement in investigating violations of school policies or rules without first contacting the parents/guardians. Such investigations may include student interviews. If authorized by a law enforcement officer, school officials will attempt to notify a student's parents/guardians prior to an interview by a law officer.

Off Campus Solicitation of Funds

Unless expressly authorized by the Superintendent, no schools or school-related student groups are authorized to conduct any type of

in-home or door-to-door promotion or solicitation for the school or school groups, except sales of tickets to school programs.

Reference: 4.30.010-P, 4.40.030-P, 4.50.011-AD

COMPLAINT PROCEDURES

Student and Parent/Guardian Complaint Procedures

Informal

If the problem relates to the classroom, the parent/guardian or student should first contact the classroom teacher, or informally discuss the matter with the Principal.

Formal

If a student or parent/guardian believes the school's staff has not followed specific laws or policy, a conference may be requested with the principal. Below are outlined the steps included in filing a formal complaint.

If the student or parent/guardian complaint relates to a student expulsion, expulsion appeal procedures should be used.

Level I — Principal

1. The parent/guardian or student sends a letter to or telephones the Principal asking for a conference. The letter or call should give detailed information about the problem.
2. The Principal arranges a conference. Teachers will be included if appropriate. The conference must be scheduled within seven (7) working days of the request. Interpreters may be requested by students or parents/guardians who cannot understand English.
3. The conference is held with the Principal.
4. The Principal sends a written decision in the home language to the parent/guardian or student within seven (7) working days of the conference. A copy of the decision is sent to the school's Area Director and appropriate staff members.

Level II — Area Director

1. If dissatisfied with the Principal's decision, the parent/guardian or student asks, in writing or by telephone, for a conference with the Area Director within ten (10) working days of the Principal's decision. The letter should give the reasons for dissatisfaction. A copy of the letter should be sent to the Principal.
2. The Area Director arranges for a conference. An interpreter may be requested by students or parents/guardians who do not speak English. The conference must be scheduled within seven (7) working days of the request.

3. The conference is held with the Area Director. The Principal will attend if this is considered necessary by the Director.
4. The Area Director sends the parent/guardian or student a written decision within seven (7) working days after the conference. Copies of the decision are sent to the Superintendent, the Principal, the person making the complaint, and appropriate staff members.

Level III — Superintendent

1. If dissatisfied with the decision of the Area Director, the parent/guardian or student asks for a review by the Superintendent within ten (10) working days of that decision. The review request must identify a violation of law or School District policy. A copy of the letter is sent to the Area Director.
2. The Superintendent or his designee reviews the matter and may choose to hold a conference or a formal hearing. An interpreter may be requested by students or parents/guardians who do not speak English.
3. The Superintendent makes a decision within seven (7) working days of receiving a report from the Area Director or within seven (7) working days after the conference. The Superintendent sends his/her written recommendation to the School Board.

Reference: 4.50.030-P, 4.30.010-P, 4.30.020-AD

STUDENT DRESS & GROOMING

Appropriate dress contributes to a positive learning environment. The responsibility for the dress and grooming of a student rests primarily with the student and his or her parents/guardians. Students may be directed to change dress or grooming if it:

- interferes with the learning process or school climate,
- is unclean, or threatens the health or safety of the student or others,
- is sexually suggestive (examples include bare midriffs, visible under-garments, plunging necklines, see-through materials, or sagging pants),
- is alcohol, tobacco, or other drug related (including advertising or advocating the use of such products),
- is vulgar, lewd, obscene or plainly offensive,
- is insulting, and/or demeaning to a particular person or group,
- is indicative of gang activity or membership. Reference: 4.30.013-AD

FEES & FINES

Regular school instructional programs including textbooks and instructional materials must be provided without cost to the student or family.

Permitted Tuition

1. After-school driver training,
2. Summer school,
3. Portland Evening High School (at Benson),
4. Fee for service Kindergarten.

Fees may be charged for optional, extracurricular activities or for individual projects in courses such as woodworking, metal, clothing, etc., that are beyond the basic requirements of the class.

Permitted Fees

1. Physical education uniform and towels if not provided by student,
2. Materials used in products created by the student, in excess of minimum course requirements and at the student's option, for the personal property of the student,
3. For admission to extracurricular activities where attendance is optional,
4. The price of optional personal items such as student publications, class rings, yearbooks, and announcements,
5. Field trips which are optional and not part of the regular school program.

Waived Fees

Except for fees described in sections two (2) and four (4) above, the above fees shall be waived if:

1. Payment would be a severe hardship and/or,
2. The student is a ward of a juvenile court or of the Department of Health and Human Services (DHS) unless the court or DHS has budgeted for fees.

Fines will be charged for overdue books and damage to or loss of books or school equipment according to standards at each school.

Reference: 6.40.010-AD

Withholding of Records for Nonpayment of Fees

The District shall withhold the grade reports, diploma and records of students or former students who owe fees, fines or damages of \$50.00 or more until those debts are paid. School personnel may exercise discretion in withholding records if the debt is less than \$50.00. However, reports shall not be withheld if they are requested for use in placement of a student. Reference: 6.40.012-AD, 2.50.021-AD

Athletic Activities Fees

In order to provide a comprehensive school athletic activities program, students participating in school athletic activities will be assessed a participation fee. All fees assessed will be subject to the requirements of ORS 339.141 and ORS 339.155.

Payment

Payment should be received no later than one week before the Oregon School Activities Association's date for the first contests. Any student who has not paid or had the fee waived by the first contest can no longer practice or play in a contest. If a student turns out after this date, he or she must pay the fee before being allowed to practice or play in a contest. Receipts must be issued for funds received (three copies: (1) student, (2) bookkeeper, (3) Athletic Director). If a student transfers between district high schools, they will be credited with any participation fee assessed and paid during the current school year.

Full Waiver

Athletic Fee Waiver Request forms will be provided to each school by the district Athletic Director. Waivers will be processed as directed by the Building Principal. Students must initiate the waiver process. Full waivers will be available for the following:

- Students who qualify under the National Child Nutrition Programs for free meals. An approved application must be on file.
- Student is a ward of a juvenile court or of Department of Health and Human Services (DHS) unless the court or DHS has budgeted for fees.
- Others as prescribed by ORS 339.141 and ORS 339.155.

Reduced Fee

Students who qualify for the reduced lunch program shall pay a \$35.00 athletic participation fee per sport.

Refunds

Refund requests will be considered only up to the mid-season date (half way between the first OSAA allowable practice day and the OSAA cutoff date). Refunds will only be made under extenuating circumstances at the request of the Building Athletic Director.

Students who are "cut" by coaches to get a team to an appropriate number are entitled to a full refund. Refunds are NOT to be given in the following cases:

- Student quit the sport
- Student was removed from the sport because of ineligibility, i.e. failure to maintain appropriate grades, GPA, or violation of training rules.

Reference: 3.50.130-AD

FREEDOM OF EXPRESSION & ASSEMBLY

Freedom of Expression

Freedom of expression is a Constitutional right. It is guaranteed in the schools within a context which recognizes other basic rights of the individual student, including the right to pursue one's education without disruption.

The Board of Education considers the opportunity for students to exercise freedom of expression within the law to be an important element in the learning process. The Board welcomes expression of diverse viewpoints on political and social issues. The exercise of freedom of expression shall include the right of students to distribute to or receive from each other, literature or related materials, including buttons, arm bands, and placards and to wear political buttons, arm bands, and other badges of symbolic expression.

These freedoms, however, also carry with them responsibility. Students shall bear this responsibility in the exercise of their rights of expression. They shall not distribute or display materials which are patently racially or religiously offensive, libelous, obscene, or which create an immediate danger of physical disruption of the orderly operation of the school or create a clear and present danger of violation of the law or existing attendance regulations. Furthermore, students shall not distribute or display material which is of a commercial nature, and students shall obtain the authorization of school authorities prior to selling materials or engaging in activities which solicit student financial contributions.

Prior approval of materials to be distributed is not required. School rules shall make clear that materials which students are given to distribute do not carry the endorsement or sponsorship of the school.

School authorities may designate the time and place for distribution of literature or related materials so that they will not interfere with the school program.

Students who violate this policy shall be subject to appropriate discipline. This policy shall be applied in a manner which is nondiscriminatory and which allows the dissemination of diverse viewpoints and discussion of political and social issues. The policy shall also be applied in a manner that encourages respect for individuals without regard to age, color, creed, disability, marital status, national origin, race, religion, sex or sexual orientation.

Reference: 4.40.070-P

The school principal or designee will establish rules that:

1. May limit the time of distribution of material on school property, and circulation of petitions, to periods before school begins, after dismissal, and during lunch time, where such limitation is necessary to prevent interference with the school program.
2. May define the places where such distribution of material and circulation of petitions may be conducted so as to permit the normal flow of traffic within the school and at exterior doors.
3. May define the manner of distributing materials and circulating petitions so as to prevent undue levels of noise and to prevent the use of coercion in obtaining signatures on petitions, and may establish reasonable requirements for removing litter which results from distribution of materials and circulation of petitions.
4. Shall provide at least one student bulletin board of reasonable size.
5. May require that material posted on bulletin boards be dated before posting and be removed after a reasonable time to assure full access to the bulletin board.
6. Shall describe the manner of identifying the name and address of the individual or organization sponsoring the material, petition, or notice.
7. Shall prescribe methods to inform students of the Board Policy and Administrative Guidelines.
8. Will develop school guidelines in consultation with the student government.

Reference: 4.40.071-AD, 4.40.072-AD

Student Assembly

Students may meet on school premises to express and espouse views in the exercise of their right of free expression under the Policy of the Board of Education on Freedom of Expression on School Premises. Participation shall be open to all students without regard to age, color, creed, disability, marital status, national origin, race, religion, sex or sexual orientation. The time and place of meetings shall not interfere with the school program. If students use the name of the school for identification of their group, they shall disclaim any school endorsement.

The Superintendent's regulations under this policy include:

1. Place of Assembly. Since physical arrangements and facilities vary from school to school, students should examine rules published in their school to identify the places of assembly, such as the student lounge, cafeteria, gymnasium bleachers and other facilities which are customary gathering places for students.
2. Students from Other Schools. Authorization for the presence in the building of students from other schools must be secured from

the Principal, or his/her designee, according to policies and regulations governing visitations to schools.

3. Other Related Matters. Students at such a meeting may distribute literature and circulate petitions to those in attendance without any further designation of time and place by the school.
4. Equal Access. Students may reserve space after school for meetings having political, religious, or philosophical purposes under the conditions set out in Administrative Directive 4.40.061. Groups of students who do not represent a recognized club, may not use materials or equipment of the school. Such groups may use student bulletin boards in accordance with the policy and regulations on freedom of expression, but shall not be permitted to issue announcements on school public address system or in school bulletins.

Any literature of such a group using the name of the school for identification of the group must carry prominently the following disclaimer:

“The activities of this group do not, in any way, have the endorsement of the school.”

Such literature must also identify the name and address of the sponsoring individual or group leader.

Reference: 4.40.050-P, 4.40.050-AD, 4.40.060-AD, 4.40.061-AD

Student Demonstrations

Demonstrations or protests which are not disruptive and which do not interfere with the school program or other people's rights are permissible. A student may not be penalized simply for espousing unpopular causes as long as the student does not interfere with the orderly operation of the school or others' rights.

Disorder and disruption of the school program will not be tolerated, and students attempting such actions will be held accountable. Students who engage in disruptive demonstrations will be required by their Principal or designee to desist and disperse immediately. Failure to comply with the directive to disperse may subject students to state or local laws pertaining to trespass. School administrators are not authorized to “negotiate” on any demands in order to end a demonstration.

Reference: 3.40.030-P, 3.40.032-AD

HARASSMENT, SEXUAL HARASSMENT, INTIMIDATION, HAZING, AND BULLYING

Harassment or discrimination against persons on the basis of age, color, creed, disability, marital status, national origin, race, religion, sex or sexual orientation is prohibited and is subject to

school discipline. Students shall avoid any conduct or action that could be characterized as harassment, intimidation, or bullying.

Bullying/Harassment (student to student) includes intimidating, coercing, threatening, or any other act that is **repeated or severe** and substantially interferes with a student's educational opportunities, or performance.

Bullying/Harassment includes but is not limited to:

- Threatening, insulting, demeaning, or systematically excluding any student or group of students in such a way as to disrupt or interfere with the District's mission or the education of any student.
- Inciting or creating a hostile educational environment.
- Placing a student in reasonable fear of physical or social/emotional harm or damage to the student's property.
- Physically harming a student or damaging a student's property.
- Bullying and harassment can also include any form of harassment using electronic means.

Sexual Harassment

1. Portland Public Schools is committed to maintaining a learning environment that is free of sexual harassment. Sexual harassment will not be tolerated.
2. "Sexual harassment" means sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature which creates a hostile, intimidating, or offensive environment; or sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that is repeated after there has been a clear statement that the harassment shall stop.
3. Sexual harassment of an individual student, a staff member or a group of students is prohibited. This includes, but is not limited to:
 - a. Letters, notes, telephone calls, e-mail, distribution or display of materials of a sexual nature;
 - b. Deliberate touching, leaning over, cornering or pinching;
 - c. Sexually suggestive looks or gestures;
 - d. Pressure for sexual favors;
 - e. Pressure for dates;
 - f. Sexual teasing, jokes, remarks or questions.

Hazing

Hazing is any activity that recklessly or intentionally endangers the mental health, physical health, or safety of a student for the purpose of initiation or membership in or affiliation with any student group, organization, or class. "Endanger the physical health" shall

include, but not be limited to, any brutality of a physical nature or other forced physical activity that could adversely affect the physical health or safety of the individual. "Endanger the mental health" shall include any activity that would subject an individual to extreme mental stress such as forced conduct that could result in extreme embarrassment, or any other forced activity that could adversely affect the mental health or dignity of the individual. Any hazing activity, whether by an individual or a group, shall be presumed to be a forced activity even if a student willingly participates.

Reporting Harassment, Sexual Harassment, Intimidation, Hazing and Bullying

Each school will have a prompt and confidential system for receiving, investigating, and resolving reports of harassment, sexual harassment, intimidation, hazing, and bullying.

Students who believe they have been harassed, sexually harassed, intimidated, hazed, or bullied are encouraged to immediately inform a teacher, counselor, administrator, or other school staff.

Retaliation against students or staff members who report sexual harassment or participate in an investigation of sexual harassment is prohibited. All incidents of retaliation should be immediately reported to the building Principal or Area Director.

USE OF THE INTERNET

To use the Internet at school, a student must sign and also have signed permission from a parent or guardian. Student use of the Internet is subject to the PPSNet Acceptable Use Regulation sent home in the registration packet and available from each school. The PPSNet Acceptable Use Regulation addresses personal safety, illegal and destructive activities, security, inappropriate conduct, respect for privacy and resource limits, plagiarism and copyright infringement, and inappropriate access to material and web sites. Violation of the provisions may result in revocation of Internet access and appropriate disciplinary actions. For more information refer to the Student Acceptable Use Policy at

<http://www.ithome.pps.k12.or.us/docs/pg/10124>

Reference: 8.60.040-P

LOST, STOLEN, OR DAMAGED PROPERTY

The District does not provide payment for student property which is lost, stolen or damaged at school. All items, including bicycles and skateboards, are brought to school at the sole risk of the owner. Expensive items invite theft and lockers are not safe places to store valuable items. Reference: 4.50.040-AD

MEDICINES, MEDICAL EMERGENCIES

If it is essential that medication be taken at school, the parent/guardian must take the medication to the Principal or designee who will make arrangements for the student to receive the medication. Any medication must be in the original labeled container. Students in grades 9-12 are allowed to administer their own medication under certain limited conditions. Reference: 4.50.026-P, 4.50.027-AD

Self-Medication

Grades K-8 – Self-medication of prescription and nonprescription medication is not allowed except in cases where a student must carry such medication on his/her person for immediate access and the necessary permission form and written instructions have been submitted as required.

Grades 9-12 – Self-medication of prescription and nonprescription medication may be allowed subject to the following:

1. A permission form must be submitted to the principal or designee for self-medication of all prescription medications. No permission form is required for self-medication of nonprescription medications.
2. Students who are developmentally and/or behaviorally unable to self-medicate will be provided assistance by designated school staff. A permission form and written instructions will be required.
3. All prescription and nonprescription medication must be kept in its appropriately labeled, original container, as follows:
 - a. Prescription labels must specify the name of a student, name of the medication, dosage, route and frequency or time of administration and any other special instruction.
 - b. Nonprescription medication must have the student's name affixed to the original container.
4. The student may have in his/her possession only the amount of medication needed for that school day.
5. Sharing and/or borrowing of medication with another student is strictly prohibited.

Permission to self-medicate may be revoked if the student violates the Board's policy governing administering non-injectable medicines to students and/or this Regulation (4.50.026-P, 4.50.027-AD). Additionally, students may be subject to discipline, up to and including expulsion, as appropriate.

Student Medical Emergencies

Medical assistance, as necessary, will be ordered for students by the school at parent/guardian expense. Reference: 3.40.100-AD

POLITICAL ACTIVITIES

With the approval of the Principal, political candidates or persons who support or oppose candidates or ballot measures may be invited by teachers to speak at a school. If one candidate or point of view is represented, an opposing side must be given a reasonably equal chance to speak.

In furtherance of students' education for citizenship, teachers may provide students with the opportunity in school to hear from opposing candidates for public offices and from opposing sides with respect to ballot measures. The Board of Education welcomes the expression of diverse viewpoints on political issues and ballot measures.

Teachers may invite candidates for public office and proponents or opponents of ballot measures (i.e., opposing sides), to address students on school grounds on behalf of their candidacies or sides during the regular school day; provided, however, if a candidate or proponent or opponent of a ballot measure is not a student enrolled in the school s/he must be invited in accordance with the following procedures:

1. If a teacher intends to extend an invitation to appear before his/her class, the teacher shall proceed in accordance with District policies and regulations for inviting resource speakers to speak to a class and shall, to the extent practicable, offer reasonably equivalent opportunities to opposing candidates and sides.
2. With respect to other invitations from either a teacher or a student, the teacher or student shall make arrangements with the Principal or an established assembly committee of the student body, prior to extending the invitation, as to the time and place of the appearance, and shall offer reasonably equivalent opportunities to opposing candidates and sides. Such a meeting shall not interfere with the school program and attendance at such meetings shall be voluntary. Should the Principal conclude that in unusual circumstances the appearance of a particular speaker would endanger the safety of students, she/he may deny

the request and shall report this decision immediately to the Area Director, the assembly committee involved, and the individual making the request.

3. If the Principal or the assembly committee extends an invitation, reasonably equivalent opportunities shall be offered opposing candidates and sides.
4. Campaign literature of candidates and proponents and opponents of ballot measures may be distributed to those in attendance at the meeting.
5. There shall be no soliciting of funds, distribution of literature, or other activities for political purposes by employees of the District while on duty.

Reference: 3.30.030-P, 6.20.010-P

PROHIBITED ITEMS

Students may not have dangerous or prohibited items at school, on school property, or at school activities, including:

1. Dangerous or deadly weapons including, but not limited to, firearms, knives, metal knuckles, straight razors, weapons of the nunchaku (numchuk) type, blackjack, sap, sap glove, and other instruments capable of inflicting injury to persons or property, facsimiles or simulated weapons;
2. Explosives (including ammunition/bullets);
3. Noxious, irritating, or poisonous gases;
4. Poisons;
5. Intoxicants and drugs (except medicines);
6. Items used in the transport, sale or use of illegal drugs (including paraphernalia, matches/lighters);
7. Stolen property;
8. Material or devices which endanger the physical safety of persons or property;
9. Gang members' identifying markings or paraphernalia;
10. Materials, devices, identifying markings or paraphernalia which are patently racially, religiously or sexually offensive including those associated with clubs, sects or groups avowing or practicing discrimination against persons on the basis of age, color, creed, disability, marital status, national origin, race, religion, sex, or sexual orientation; and
11. Other items or materials prohibited by the policies, regulations or school rules.

Reference: 4.30.040-P

RECORDS

Student education records include information on academic progress and behavior. They are used in determining a student's educational needs.

Parents'/Guardians' Rights Pertaining to Student Education Records

Parents/guardians are notified annually of their rights as they pertain to student education records. This notification is printed on the back of the Student Registration Form and in the Annual Notices booklet.

A parent/guardian has the right to:

1. Inspect and review the student's education records.
2. Request an amendment to ensure that records are not inaccurate or misleading or otherwise in violation of the student's privacy or other rights.
3. Consent to the disclosure of personally identifiable information contained in the student's education records, except where the law allows disclosure without parental consent.
4. File with the U. S. Department of Education a complaint concerning alleged failures of the school to comply with the requirements of the Family Educational Rights and Privacy Act (34 CFR 99.64).
5. Obtain a copy of the District's policy on student records, available online or in the Policy and Regulations Manual at each school.

Access by Non-Custodial Parent

Unless prohibited by court order, the school will review student records with non-custodial parents on request.

Transferring Records Between K-12 Schools

When a student transfers to a new school, the student education records will be transferred within ten (10) days of receipt of a request from the enrolling school. Discipline Records are considered part of the education record and will be transferred as well.

Directory Information

The following information may be released for school purposes without parent/guardian consent. However, within the first thirty (30) days after registering a student with the District, the parent/guardian may request, in writing to the school, that this information not be released while the student is enrolled:

- student's name
- major field of study

- participation in officially recognized activities and sports
- weight and height of members of athletic teams
- dates of attendance
- degrees and awards received
- the most recent school attended

Retention of Student Education Records

Student education records are maintained the minimum period set by Oregon Administrative Rules (OAR).

Reference: OAR 166-400-0060

Retention of Special Education Records

District will retain speech pathology and physical therapy records until the student reaches 21 years old or five (5) years after last seen, whichever is longer. District will retain all other Special Education records for a minimum of five (5) years after the school year in which these records were created. The District may destroy these records after these periods of time unless the parent/guardian or adult student requests these records.

Student Records

Student records are established and maintained by schools for each student. Such records are designed to provide information to (1) professional staff members for diagnosing the student's educational needs, (2) parents and special agencies which may be called upon by the school to work for the educational benefit and welfare of the student, and (3) other institutions of learning or prospective employers to which the student has made application for enrollment or employment.

Types of Records Included In Student Education Records

Student records include the permanent record which contains the student's full name, date of birth, parents'/guardians' names, entry and leave dates, achievement or academic ability tests, courses taken and grades received, credits earned, and attendance information. Student records may also contain parent-teacher conference reports, health records, records of conversations, incidents of student behavior, communications between school and parent/guardian, social worker and psychological reports and other similar information likely to be of value to the school in helping the student achieve educationally.

Rights of Parents and Students

Educational agencies give full rights to either parent unless the agencies receive an order from a court specifically revoking these

rights (OAR 581-21-230). Parent rights with respect to student records become the rights of students 18 years of age or over.

Access to Records — Confidentiality

Student records are confidential and are accessible only according to the provisions of District policy.

Professional Use of Records

1. Access to a Student's Records. Access to a student's records is limited, except as provided below to:
 - Authorized representatives of the Board, the Office of the Superintendent, Area Directors, and members of a school staff designated by the Principal, who have a need to use that student's records in carrying out professional or official responsibilities.
 - Federal and state agency representatives conducting audits of federally or state supported programs.
 - Independent researchers, with the authorization of the Office of Superintendent, who are conducting studies requiring student data; but researchers may not record, copy or reveal personally identifiable information unless authorized by written consent of the parents.
 - Other disclosures authorized under state and Federal laws.
2. Handling and Processing of School Records. The posting of grades on report cards, grade books or other record forms is performed by teachers or members of the clerical staff or teacher aides. Individual students or representatives of student organizations are not permitted to handle or inspect any student records other than directory information (described above), or other than their own grade records under the supervision of a member of the school staff.

Judicial Use of Records

Student records will be made available in compliance with a judicial order or lawfully issued subpoena. A reasonable effort will be made to notify the parent/guardian in advance of compliance.

Releasing/Transferring Student Records

Copies of records will be released to third parties specified in written and signed requests from parents/guardians. A fee may be charged for the copies.

Records will be transferred without parent consent to other District schools in which a student is enrolled. Within ten (10) days of enrolling a student, the enrolling school is to notify the former school of the enrollment and request transfer of the student's education

records. The records are to be transferred within ten (10) days following the receipt of the request by the former school.

Reference: ORS 326.575

Emergency Information

In emergencies, a student's records may be released to appropriate persons without parent approval if it is necessary in the judgment of the Principal or his/her designee to protect the health or safety of the student or other persons.

LOCKER & STUDENT SEARCHES

Locker Checks — Random

Lockers and other places where students keep things are the property of, and are under the control of, the school and may be checked at any time by the school for dangerous and prohibited items.

Students may use student storage for the limited purpose of temporarily keeping items needed by the student to participate in school instruction and activities only. No other purpose is permitted.

Students are particularly warned that food must be fresh and tightly packaged.

Locker and Student Searches

The school may search a student or a specific locker or assigned storage areas if the school has a reasonable suspicion that a prohibited item will be found.

1. The school first phones the office of the Area or High School Director to explain the circumstances and obtain approval. The Director makes a written record of the approval. If it is necessary to search beyond outer clothing, the Portland Police Bureau is called and police procedures for a search are used.
2. If there is an emergency, the school has authority to proceed with a search without prior approval.
3. Except in an emergency, there should be two adults present during a search. It is recommended that the student be present for the search of his/her locker or other assigned storage areas. If at all possible, an interpreter should be available to students who cannot understand English who are present at the search of their lockers.
4. Prohibited items are held for the student, the student's parents/guardians or the police as necessary.
5. Police using police authority can search a student or student storage areas.

6. After a search, the Principal reports to the Area or High School Director what occurred and what was found.

Locker Cleanout/Search Student Right to Privacy

Each student shall have the privacy at school with respect to his/her person which is accorded public school students by law. Under the law, each student's conduct is necessarily limited by the school's need to protect its educational climate from disruption by the presence of weapons, explosives, drugs, or other dangerous or prohibited items.

Student Notification

A student need not be notified in advance of any check of the assigned student storage. Following any student storage check, if anything was removed, the Principal shall, in writing, notify the student that the assigned student storage has been checked, the time of the check, the persons present, the items which were taken from the student storage, and when and where returnable items will be available for the student or the student's parents/guardians.

Cleanout

From time to time, the Principal may set aside a time period during which all students shall clean the assigned student storage.

Disposition of Prohibited Items

Items found in student storage which are not permitted shall be removed and held for the student except that prohibited items shall only be released to the student's parents/guardians, contraband will be destroyed or held for police, and stolen items will be returned to the owner or the police.

Limitations on Checks

Checks of the student storage are only permitted on a random basis for the purpose of encouraging compliance by the students with school rules and shall not be used by the school to focus on a particular student by searching an assigned student storage area. However, if the Principal has a reasonable suspicion that evidence of a prohibited item will be found in a particular student storage, applicable policies and regulations for Locker and Student Searches should be followed

Reference: 4.30.040-P

Searches

In order for a specific student to be searched, the Principal or designee must have a reasonable suspicion that a prohibited item is on a student's person or in a particular student's storage area. Searches of a student's person should be conducted in the presence of two adults; one of whom must be the same sex of the student.

Reference: 4.30.040-P

STUDENT INFORMATION REGARDING SPECIAL NEEDS: SECTION 504 OF THE REHABILITATION ACT OF 1973

Section 504 prohibits discrimination against students with a disability in any program receiving Federal financial assistance.

A student with a disability is anyone who:

1. has a mental or physical impairment which substantially limits one or more major life activities (major life activities include caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working);
2. has a record of such an impairment; or
3. is regarded as having such an impairment.

Under Section 504, the Portland School District has a duty to avoid discrimination in policies and practices affecting students with disabilities.

The School District has specific responsibilities under the Act to identify, evaluate, and, if the child is determined to be eligible under Section 504, to develop a written plan to afford access to appropriate educational services.

A parent or guardian who disagrees with the Section 504 decisions made by the District has a right to a hearing with an impartial hearings officer.

If there are concerns about compliance, contact the Section 504 Compliance Officer at (503) 916-2000.

TESTING

All Students in grades three (3) through eight (8), plus tenth (10) graders are tested each year in reading and math. Writing is tested at grades four (4), seven (7), and ten (10). Science is tested at grades five (5), eight (8), and ten (10). All tests come from the Oregon Department of Education (ODE) and are used in every school in the state. A variety of testing options are available so that most students including those with disabilities, can be tested at their appropriate level. Parents/guardians with questions about the testing program should contact the principal for more information.

THREATS OF VIOLENCE OR HARM

Words and actions, including email, that threaten other people at school are inappropriate, even in jest or among friends. Threats will be taken seriously and are a discipline issue.

Oregon law requires that school districts notify staff and parents/guardians of students whose names appear on a target list (hit list) or when threats of violence or harm are made by a student. School administration must attempt to notify the staff or parents/guardians within 12 hours of discovery of the threat; written notification will be sent within 24 hours. While Federal and state law generally protects the privacy of student information, the state law concerning threats requires disclosure of the name of the person making the threat to those threatened.

Reference: ORS 339.325, 4.30.020-P, 4.30.011-AD

TOBACCO

The use or distribution of tobacco products is prohibited by all parties in School District buildings, in vehicles used for school transportation and school-related work, on school property, and at all school-related activities at all times. In addition, the possession of tobacco in any form by students of any age on or about the school premises is prohibited. Tobacco products will be collected and destroyed if not picked up by a parent/guardian within three (3) school days. Emancipated students 18 years and older may pick up tobacco products after school within three (3) days.

Reference: 3.30.021-P, 3.40.060-AD, 4.30.011-AD, 4.30.022-AD

1. "Tobacco includes, but is not limited to any lighted or unlighted cigarette, cigar, pipe, clove cigarette or any smoking product or spit tobacco product such as smokeless tobacco, dip, chew, or snuff, in any form. The use of any of these products is prohibited by all parties on or about District properties including buildings, grounds, vehicles and any other property.
2. The possession or distribution of tobacco products and tobacco paraphernalia (e.g., lighters, rolling papers) shall be prohibited on or about District properties including buildings, grounds, vehicles and any other property by all students, regardless of age.
3. Students, regardless of age, are prohibited from using, possessing, or distributing tobacco products during any school activity including, but not limited to:
 - The school day;
 - School dances;
 - Club meetings, regardless of the meeting location and time; and
 - Athletic practices and activities. Students participating in school athletic programs are subject to the tobacco prohibition and usage at all times.

4. Tobacco use shall be prohibited on all school buses and other District-provided transportation when transporting students for school activities. Tobacco use is prohibited at all times in any District-owned or leased vehicles.
5. Advertising of tobacco products and/or tobacco companies shall be prohibited in all school publications, in all District buildings and at all school functions. This prohibition includes, but is not limited to tobacco industry sponsorship, gifts, funding or other marketing incentives. Tobacco promotional items, including clothing, bags, lighters, and other personal articles and paraphernalia, shall not be permitted on school grounds, in school vehicles, or at school-sponsored activities. Individuals (parents, volunteers, etc) supervising students off school property while engaged in a school sponsored activity, shall not use or distribute any tobacco products while in the presence of students, or at any time while engaged in any activities directly involving students.

Reference: 3.30.021-P

WEAPONS

Weapons, facsimiles, and weapons-related activities are prohibited in the schools, on school grounds, at school activities, and school sponsored activities. No person shall have on School District property any weapon, explosive or incendiary device.

Reference: 3.40.014-P

Oregon and Federal law require expulsion of PPS students for one (1) calendar year under the following circumstances:

- Bringing firearms, and/or possessing firearms at school, on school grounds, at school activities and at school-sponsored activities.
- Bringing deadly weapons and/or possessing deadly weapons in school, on school grounds, at school activities, during school hours and school sponsored activities.
- Using, attempting to use, or threatening to use dangerous weapons at school or at school sponsored activities.

Any weapon or facsimile possessed on or about a person while on District property or at school activities or events is subject to seizure and/or forfeiture.

Student possession of weapons will be reported to the student's parents/legal guardians and the Portland Police Bureau. Appropriate disciplinary and/or legal action will be taken against students who possess weapons and students who assist weapons possession in any way.

Weapons under the control of law enforcement personnel are permitted. The Superintendent may authorize other persons to possess weapons in school buildings.

Reference: 20 United States Code Section 715 (b)(1)

The law allows the District to unilaterally move a student with a disability who brings a firearm to school to an interim alternative education placement for a maximum of 45 calendar days.

Federal and State Laws

The United States Gun-Free Schools Act of 1994 provides that any student found to have brought a firearm to school must be expelled for not less than one (1) calendar year. A firearm as defined under Section 921 of Title 18 of the United States Code includes the following:

- any weapon which will or is designed to or may readily be converted to expel a projectile by the action of an explosive;
- the frame or receiver of any weapon described above;
- any firearm muffler or firearm silencer;
- any explosive, incendiary, or poison gas
 - (1) bomb
 - (2) grenade
 - (3) rocket having a propellant charge of more than four (4) ounces
 - (4) missile having an explosive or incendiary charge of more than one-quarter ounce
 - (5) mine, or
 - (6) similar device;
- any weapon which will, or which may be readily converted to, expel a projectile by the action of an explosive or other propellant;
- any combination of parts either designed or intended for use in converting any device into any destructive device described in the two (2) immediately preceding examples, and from which a destructive device may be readily assembled.

Note: Portland Public schools does not exempt antique firearms, rifles, fireworks and other devices.

Oregon law requires school districts to expel students who bring and/or possess deadly weapons to school for a period of not less than one (1) calendar year, which is subject to limited modification on a case-by-case basis. Such expulsions shall be reported to law enforcement.

Reference: ORS 339.250(6)

Under the Oregon statute, 'deadly weapon' is defined as "any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury." This

includes, but is not limited to firearms, noxious gasses, knives, chains, clubs, brass knuckles, black-jacks, and bombs.

Reference: ORS 161.015 (2)

Oregon law requires school districts to expel students who use, attempt to use, or threaten to use dangerous weapons on school property or at school events or activities for a period of not less than one (1) calendar year, which is subject to limited modification on a case-by-case basis. Such expulsions shall be reported to law enforcement.

Reference: ORS 339.250(6)

Under the Oregon statute, "dangerous weapon" is defined as meaning "any weapon, device, instrument, material or substance which under the circumstances in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or serious physical injury." This includes, but is not limited to pens, pencils, compass, rat-tail comb, ice pick, air gun, bb gun, mace, pepper spray, and chains.

Reference: ORS 161.015 (1)

Portland Public Schools Policy

Weapons, explosives and fire bombs.

1. No person except a Peace Officer shall have or enable another to have a weapon on School District property. "Weapon" shall include but not be limited to any device which projects a missile by spring, explosion, or compressed gas or a device which is capable of disabling a person by the emission of electric charge or gas.
2. No person except a Peace Officer shall have or enable another to have an explosive or fire bomb on School District property. "Explosive" includes a device which by heat, impact, friction or detonation will explode with such force as to injure a person or damage property. "Fire bomb" means a breakable vessel containing a substance with a flash point below 151 degrees Fahrenheit that includes a device for its intentional ignition.

Students and parents are hereby notified that student behavior is immediately subject to these state and Federal standards.

Reference: 3.40.014-P

NOTE: With regard to a student with a disability, discipline must be handled only in relationship to the Individualized Education Plan (IEP) and with participation of the IEP Team or to the Section 504 Plan and with participation of the Section 504 Team as provided by state and Federal law. Different procedures apply to students who have (IEPs) and students who have Section 504 plans.

Discipline

Discipline Philosophy of Portland Public Schools

Discipline for all students in the Portland Public Schools shall be designed to promote behavioral changes enabling students to function successfully.

Corporal (physical) punishment which willfully intends to inflict pain on a student is prohibited. This prohibition includes strenuous exercises that cause physical pain when exercise is used as punishment. Teaching methods to help students control movement or action are not considered punishment.

In response to extreme and urgent circumstances, the use of reasonable physical force or restraint by school personnel to protect students or staff, put down disturbances, protect property or to help students get control of themselves is permitted. When reasonable force is used, it must be reported immediately to the Principal, who in turn must report it to the parent or guardian and the Superintendent's office within 24 hours.

Due process is ensured to students as part of a suspension informal hearing procedure, expulsion procedure, and for alcohol and drug violations.

Self-discipline is the ultimate goal. Discipline should be directed toward developing skills necessary for young people to:

1. solve problems successfully,
2. develop positive relationships with others,
3. become productive individuals,
4. recognize when their actions are interfering with the rights of others,
5. recognize their rights within the limits of society,
6. respect the property rights of others,
7. understand and appreciate other races and cultures,
8. develop a sense of responsibility for their actions and an awareness of probable consequences, and
9. succeed in school.

Reference: 4.30.010-P, 4.30.020-AD

Roles and Responsibilities in Discipline

PARENTS/GUARDIANS

Have a Responsibility To:

1. Assist school staff by sharing ideas for improving student learning and preventing or resolving student discipline problems.
2. Provide supervision for the student's health, physical and emotional well-being, and prompt and regular attendance.
3. Provide the school with written explanations for student absences or tardiness and attend parent conferences.
4. Help enforce student compliance with school rules.
5. Provide appropriate supervision of students before and after school.
6. Review and discuss this book with students as well as other similar materials such as the school discipline plan.
7. Support the school self-discipline and conflict resolution programs.

Have a Right To:

1. Receive regular official reports of the student's academic progress and attendance.
2. Make recommendations and give input to educational planning.
3. Participate in conferences with teachers and/or the principal.
4. Receive explanations from teachers for student's grades.
5. Read all school records pertaining to their students, within appropriate guidelines.
6. Obtain further clarification on any rights referred to in this handbook.
7. Receive discipline information in a language they can understand in accordance with the district translation policy.

STUDENTS

Have a Responsibility To:

1. Attend school regularly, arrive on time, bring appropriate materials, and be prepared to participate in class and do homework.
2. Do one's best.
3. Respect the rights, feelings and property of other students, parents, school personnel, visitors, guests and school neighbors.
4. Behave properly on school grounds, school buses, at bus stops, at any school-related activity, and in the classroom so as not to interfere with teaching and learning.
5. Follow classroom, school, and district rules.
6. Read and understand the Student Responsibilities, Rights and Discipline Handbook.
7. Report violations of school rules.

Have a Right To:

1. Discuss educational concerns with teachers and other school staff.
2. Receive a copy of the Student Responsibilities, Rights and Discipline Handbook.
3. Receive fair discipline without discrimination.
4. Report any concerns including incidents of verbal or physical threats including bullying, harassment, menacing or abuse.
5. Access their school records within appropriate guidelines.
6. Receive discipline information in a language they can understand in accordance with the district translation policy.

BEHAVIOR EXPECTATIONS & CONSEQUENCES

When and Where the Rules Apply

District behavior expectations apply to students whenever they are:

- present in any school or on property of the School District
- at any school-sponsored activity, regardless of its location
- traveling to and from school as defined in this document in the “Before and After School/Student Safety” section

Rules for participants in District athletic programs are in force during the entire season — seven (7) days a week, 24 hours a day, at any location. Reference: 4.30.010

Students with Disabilities

Students with disabilities are subject to disciplinary procedures to promote positive changes in their behavior and to protect others from a destructive influence. Federal and State law identify additional procedures that may apply to the discipline of students with disabilities.

In cases where the disciplinary action includes a suspension or expulsion, the parents/guardians/surrogates of students with disabilities will be notified by the school administrator in the same manner as with non-disabled students. The Special Education Department will notify the parent/guardians/surrogates of any special education meetings.

Summary of Behavior Expectations

Attendance and Punctuality — Students are expected to attend school and classes regularly and on time. Parents/guardians are legally responsible to have their children in school.

Protection of Property — Students are expected to recognize the property rights of staff members, other students and the public by:

1. using property (equipment) only for its intended purposes without damage to property;
2. obtaining permission to use property belonging to others; and
3. reporting to school officials situations which may result in damage to, loss of, or misuse of property.

Protection of Physical Safety and Mental Well-Being — Students are expected to respect the educational climate and the physical safety and emotional well-being of other students and staff. Students are expected to resolve conflicts by discussion, problem-solving techniques, and with assistance by staff members.

Appropriate Learning Environment — Students are expected to act in a manner permitting teachers to teach and students to learn without interference or disruption.

Tobacco — Students are not to use, possess, sell or transfer tobacco or other drug products in school district buildings, in vehicles used for school transportation and school-related work, on school property, and at all school-related activities at all times.

Drug Related Activity (Alcohol/Drugs) — Students will not use, possess, or sell/transfer alcohol and illegal drugs in the schools, on school grounds, at school activities or during school hours. In addition, drug or alcohol-impaired learning is prohibited. Use of prescribed medication in school is defined by Board Policy 4.50.21 (2.i.).

Examples of conduct which violate each of the categories are listed. Other similar types of misbehavior, even if they are not listed specifically, may result in disciplinary action.

Summary of Disciplinary Consequences and Interventions

There is a range of consequences for student misbehavior. They are:

Action Levels

Level 1 — Conferences

Level 2 — Interventions

Level 3 — Suspension/Temporary Removal/Reassignment/Referral

Level 4 — Expulsion/Delayed Expulsion/Reassignment/Referral

Level 5 — Mandatory Expulsion

Level 6 — Mandatory One-Year Expulsion

Action options for each disciplinary level are described in the following section.

Seniors may be disqualified from commencement exercises if they are found to be in violation of the district drug and alcohol policy or any violation resulting in a disciplinary action level 3 or greater within sixty (60) days of the last senior day.

See Discipline of Students with Disabilities for special procedures which apply to students on IEPs and formal Section 504 Plans.

Summary of Behavior Expectations and Consequences

Some violations may result in referral to Portland Police Bureau

Examples of conduct which violates expectation	Definition	Occurrence	Disciplinary action min— max
ATTENDANCE & PUNCTUALITY			
Class Cutting/ Leaving Without Permission	Failure to attend assigned class without permission or excuse; leaving the building, classroom or assigned area without prior approval of the teacher and/or administrator.	Minor/First Serious/Rep	1 — 2 2 — 4
Loitering	Remaining around the school building without permission and staff supervision for purposes other than an educational assignment.	Minor/First Serious/Rep	1 — 2 2 — 3
Off Limits	Entering a location in a building or any school property which has been restricted from student use or entering a location which has been restricted from student use during certain times of the day.	Minor/First Serious/Rep	1 — 2 2 — 4
Tardiness	Failure to be in a place of instruction at the assigned time.	Minor/First Serious/Rep	1 — 1 2 — 3
Trespassing	Entering any school property or into school facilities without proper authority; during school hours; includes any school entry during a period of suspension or expulsion.	Minor/First Serious/Rep	1 — 3 3 — 4
Truancy	Failure to report to school without permission or excuse.	Minor/First Serious/Rep	1 — 2 2 — 4
Other Similar Offenses	Any other prohibited actions involving attendance and punctuality or the location of students on school property.	Minor/First Serious/Rep	Same as related offenses

Examples of conduct which violates expectation	Definition	Occurrence	Disciplinary action min— max
PROTECTION OF PROPERTY			
Arson	Action which may cause a fire, but none results, such as throwing a lighted match in a trash container which fails to ignite or intentionally starting any fire or combustion on school property regardless of whether any damage occurs	Minor/First Serious/Rep	3 — 4 5
Bomb Threat	Reporting to school, police or fire officials the presence of a bomb on or near school property without a reasonable belief that a bomb is present on school property.	Minor/First Serious/Rep	3 — 4 4
Burglary	Unauthorized entry into a School District building for the purpose of committing a crime when the building is closed to students and the public.	Minor/First Serious/Rep	3 — 4 5
Deliberate Misuse of Property	The intentional use without proper permission of property belonging to the school or an individual for a purpose other than that for which it was intended or in a manner likely to damage the property.	Minor/First Serious/Rep	1 — 2 2 — 3
False Fire Alarm	Reporting a fire to school or fire officials or setting off a fire alarm without a reasonable belief that a fire exists.	Minor/First Serious/Rep	3 — 4 4
Gambling	Playing any game of skill or chance for money or anything of value.	Minor/First Serious/Rep	1 — 2 2 — 4
Possession Of Stolen Property	Having in one's possession or under one's control property which has been stolen when the person possessing it has reasonable cause to believe the property has been stolen, or possession without permission of property belonging to another.	Minor/First Serious/Rep	1 — 3 3 — 4

Level 1 Conferences Level 2 Interventions Level 3 Suspension/Temporary Removal / Reassignment / Referral	Level 4 Expulsion/Delayed Expulsion/ Reassignment/ Referral Level 5 Mandatory Expulsion Level 6 Mandatory one-yr Expulsion (weapons/firearms)
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See Discipline of Students with Disabilities for special procedures that apply to students on IEPs and Formal Section 504 Plans

Level 1 Conferences Level 2 Interventions Level 3 Suspension/Temporary Removal / Reassignment / Referral	Level 4 Expulsion/Delayed Expulsion/ Reassignment/ Referral Level 5 Mandatory Expulsion Level 6 Mandatory one-yr Expulsion (weapons/firearms)
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See Discipline of Students with Disabilities for special procedures that apply to students on IEPs and Formal Section 504 Plans

Examples of conduct which violates expectation	Definition	Occurrence	Disciplinary action min— max
PROTECTION OF PROPERTY			
Theft, Minor	Theft: taking property belonging to the school or any individual or group without prior permission. Minor Theft: includes items with a retail value of less than (\$20), but excluding personal items such as wallets, purses or keys.	Minor/First Serious/Rep	1 — 3 3 — 4
Theft, Major	Includes items with a retail value of more than (\$20) or any keys, purses or wallets regardless of the value of its contents.	Minor/First Serious/Rep	2 — 4 3 — 4
Vandalism, Minor	Vandalism: intentionally causing damage to or defacing school or property of others. Minor Vandalism: includes situations in which minor damage can be repaired or replaced at no cost to the School District.	Minor/First Serious/Rep	1 — 2 2 — 3
Vandalism, Major	Includes situations that will cost the School District to repair or replace the damage, or damage that involves a substantial disruption of school activities, such as destruction of school records.	Minor/First Serious/Rep	2 — 4 3 — 4
Other Similar Offenses	Other similar actions which threaten or result in the loss or destruction of property.	Minor/First Serious/Rep	Same as related offense
PROTECTION OF PHYSICAL SAFETY AND MENTAL WELL-BEING			
Assault/ Menacing	Wrongfully and intentionally causing fear of immediate physical harm; attempting, with unlawful force, to inflict bodily injury, accompanied by the apparent present ability to give effect to the attempt. May include sexual assault. (Also see Threat of Violence)	Minor/First Serious/Rep If Staff	3 — 5 5 5-day min. suspension

Examples of conduct which violates expectation	Definition	Occurrence	Disciplinary action min— max
PROTECTION OF PHYSICAL SAFETY AND MENTAL WELL-BEING			
Battery	Intentionally, knowingly, or recklessly causing physical harm to another, but not mutual combat; unlawful application of force; physical contact that is willful and harmful.	Minor/First Serious/Rep If Staff	3 — 5 4 — 5 5
Bullying/ Harassment	Disturbing consistently, by pestering or tormenting; abusive words.	Minor/First Serious/Rep	1 — 2 3 — 4
Display of Patently Offensive Material	Displaying sexually, racially, or religiously patently offensive materials.	Minor/First Serious/Rep	1 — 3 3 — 5
Extortion	Forcing other persons to act against their will, such as the demand for money.	Minor/First Serious/Rep	2 — 4 3 — 4
Fighting	Fighting involves the exchange of mutual physical contact, such as pushing, shoving and hitting, with or without injury (i.e., mutual combat).	Minor/First Serious/Rep	1 — 4 2 — 4
Firecrackers or Explosives	Using or possessing any firecrackers, fireworks, bullets, ammunition, or explosive materials or device.	Serious/Rep If Weapon	3 — 5 6
Intimidation	Forcing or discouraging an action by creating fear; extortion. (Also see Extortion)	Minor/First Serious/Rep	1 — 2 3 — 4
Reckless Vehicle Use	Using any motorized or self-propelled vehicle on or near school grounds in a reckless manner or so as to threaten health or safety or to disrupt the educational process.	Minor/First Serious/Rep	2 — 3 3 — 4
Robbery	Taking property from a person by force or threat of force.	Minor/First Serious/Rep	3 — 4 4
Sexual Harassment	Sexual advances, requests for sexual favors, other verbal or physical conduct, inappropriate touching.	Minor/First Serious/Rep	1 — 2 3 — 4
Threat of Violence	Threat of harm to self or others, including threats of severe property damage. (Also see Assault/Menacing)	Minor/First Serious/Rep If Staff	1 — 3 3 — 4 5-day min. suspension

Level 1 Conferences Level 2 Interventions Level 3 Suspension/Temporary Removal / Reassignment /Referral	Level 4 Expulsion/Delayed Expulsion/ Reassignment/ Referral Level 5 Mandatory Expulsion Level 6 Mandatory one-yr Expulsion (weapons/firearms)
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See Discipline of Students with Disabilities for special procedures that apply to students on IEPs and Formal Section 504 Plans

Level 1 Conferences Level 2 Interventions Level 3 Suspension/Temporary Removal / Reassignment /Referral	Level 4 Expulsion/Delayed Expulsion/ Reassignment/ Referral Level 5 Mandatory Expulsion Level 6 Mandatory one-yr Expulsion (weapons/firearms)
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See Discipline of Students with Disabilities for special procedures that apply to students on IEPs and Formal Section 504 Plans

Examples of conduct which violates expectation	Definition	Occurrence	Disciplinary action min— max
PROTECTION OF PHYSICAL SAFETY AND MENTAL WELL-BEING NOTE: Discipline for any weapon violation regardless of type, must be done in consultation with the District Student Conduct Program Manager.			
Weapon, Dangerous	Any weapon, device, instrument, material or substance which under the circumstances in which it is used, attempted to be used, or threatened to be used, is readily capable of causing death or serious physical injury. (Examples: ice pick, bb gun, air gun, pellet gun, mace, pepper spray, chain, etc.)	Possession Serious/Rep	3 — 5
		Use, attempted use, or threatened use	6
Weapon, Deadly	Any instrument, article or substance specifically designed for and capable of causing death or serious physical injury. (Examples: dagger, stiletto, dirk, butterfly knife, club, brass knuckles, blackjack, etc.)	Possession or use, attempted use, or threatened use.	6
Weapon, Firearm	Possession of a gun; including but not limited to a firearm which is “designed to or may readily be converted to expel a projectile by the action of an explosive and any explosive, incendiary, or poison gas.” (Section 921 of Title 18 of the U.S. Code.) Examples: starter gun, shotgun, handgun, rifle, silencer, bomb, grenade, some rockets and fireworks, mines, and missiles. “Possession” is defined to include, but not limited to having a weapon located: (1) in a space assigned to a student such as a locker or desk, (2) on the student’s person or property (on the student’s body, in student’s clothing, in an automobile), (3) under the student’s control, or accessible or available; for example: hidden on school property. Confiscated guns are turned over to the police.	Any occurrence	6

Examples of conduct which violates expectation	Definition	Occurrence	Disciplinary action min— max
PROTECTION OF PHYSICAL SAFETY AND MENTAL WELL-BEING NOTE: Discipline for any weapon violation regardless of type, must be done in consultation with the District Student Conduct Program Manager.			
Weapon, Simulated	Possession of articles that resemble, but are not, knives, guns or other weapons, including toys.	Possession/ use Serious/Rep	3 — 5
Other Similar Offenses	Engaging in other similar acts which endanger the physical safety or mental or emotional well-being of others.	Minor/First Serious/Rep	Same as related offense
APPROPRIATE LEARNING ENVIRONMENT			
Abusive/ Profane Language	Writing or saying anything which ridicules or humiliates another person on account of age, color, creed, disability, marital status, national origin, race, religion, sex or sexual orientation.	Minor/First Serious/Rep	1 — 2 3 — 4
Disruptive Conduct	Behaving in a manner which disrupts or interferes with the educational process, including consensual sexual activity.	Minor/First Serious/Rep	1 — 2 2 — 4
Forgery	Providing a false signature or altering school documents.	Minor/First Serious/Rep	1 — 2 2 — 3
Gang-Member Identifier	Displaying material that identifies student as a member of a gang.	Minor/First Serious/Rep	1 — 3 3 — 4
Inappropriate Dress	Dressing or grooming in a manner that disrupts the educational climate or process, is unclean or a threat to the learning opportunity, health or safety of the student or any other person.	Minor/First Serious/Rep	1 — 2 2 — 3
Indecent Gesture/ Indecent Exposure	Making gestures which convey a grossly offensive, obscene or sexually suggestive message.	Minor/First Serious/Rep	1 — 2 3 — 4
Insubordination	Failure to comply with a proper and authorized direction or instruction of a staff member.	Minor/First Serious/Rep	1 — 2 3 — 4

Level 1 Conferences Level 2 Interventions Level 3 Suspension/Temporary Removal / Reassignment /Referral	Level 4 Expulsion/Delayed Expulsion/ Reassignment/ Referral Level 5 Mandatory Expulsion Level 6 Mandatory one-yr Expulsion (weapons/firearms)
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See Discipline of Students with Disabilities for special procedures that apply to students on IEPs and Formal Section 504 Plans

Level 1 Conferences Level 2 Interventions Level 3 Suspension/Temporary Removal / Reassignment /Referral	Level 4 Expulsion/Delayed Expulsion/ Reassignment/ Referral Level 5 Mandatory Expulsion Level 6 Mandatory one-yr Expulsion (weapons/firearms)
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See Discipline of Students with Disabilities for special procedures that apply to students on IEPs and Formal Section 504 Plans

Examples of conduct which violates expectation	Definition	Occurrence	Disciplinary action min— max
APPROPRIATE LEARNING ENVIRONMENT			
Interference with School Personnel	Preventing or attempting to prevent school personnel from engaging in their responsibilities through threats, violence or harassment.	Minor/First Serious/Rep	2 — 4 3 — 4
Open Defiance	Orally refusing to comply with a direction or instruction of a staff member.	Minor/First Serious/Rep	1 — 2 3 — 4
Plagiarism/ Cheating	Representing another person's work as one's own.	Minor/First Serious/Rep	1 — 2 3 — 4
Willful Disobedience	Repeated refusal or failure to comply with a direction or instruction of a staff member.	Minor/First Serious/Rep	2 — 3 3 — 4
Other Similar Offense	Engaging in other similar conduct that disrupts the educational process or interferes with teaching and learning.	Minor/First Serious/Rep	Same as related offenses
Tobacco, Use and/or Possession	Using or possessing by any age student any form of tobacco on or adjacent to school property and at all activities without regard to location.	Minor/First Serious/Rep	1 — 3 3

ALCOHOL/DRUG DISCIPLINARY MEASURES			
PREVIOUS VIOLATION	CURRENT VIOLATION		DISCIPLINARY ACTION
If first violation was for...	Within the past 3 years, is this the 1st, 2nd, or 3rd finding? *	Was this violation for possession/use or transfer/sale?	Then the Disciplinary Action Level will be:
N/A	First	Possession/Use	Level A
N/A		Transfer/Sale	Level B
Possession/Use	Second	Possession/Use	Level B
Transfer/Sale		Possession/Use	Level C
Possession/Use		Transfer/Sale	Level B
Transfer/Sale		Transfer/Sale	Level C
Any Violations	Third	Possession/Use	Level C
Any Violations		Transfer/Sale	Level C

* In order for an incident to qualify as a "finding" there must be a hearing conducted by an administrator and a letter to parents/guardians stating the decision.

DISCIPLINARY ACTION LEVEL	DESCRIPTION
Level A	Insight Class and student barred from competition, games, performances for 28 days. In addition, at the administrator's discretion, the student may be suspended for up to five (5) school days and/or be required to perform up to eight (8) hours of community service.
Level B+	Expulsion. May be delayed if the student is accepted into a school-approved alternative program or treatment service which addresses the student's alcohol and other drug issues. Student is excluded from District schools and School District activities.
Level C+	Expulsion.

+ In lieu of these Disciplinary Actions, an alternative plan may be developed.

Special procedures must be followed for students with disabilities or formal Section 504 plans who are suspended for more than ten (10) consecutive days in any school year, for additional removals of up to ten (10) school days that do not constitute a pattern, for separate acts of misconduct which constitute a pattern, or if student is being considered for expulsion.

Level 1 Conferences Level 2 Interventions Level 3 Suspension/Temporary Removal / Reassignment /Referral	Level 4 Expulsion/Delayed Expulsion/ Reassignment/ Referral Level 5 Mandatory Expulsion Level 6 Mandatory one-yr Expulsion (weapons/firearms)
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See Discipline of Students with Disabilities for special procedures that apply to students on IEPs and Formal Section 504 Plans

Level 1 Conferences Level 2 Interventions Level 3 Suspension/Temporary Removal / Reassignment /Referral	Level 4 Expulsion/Delayed Expulsion/ Reassignment/ Referral Level 5 Mandatory Expulsion Level 6 Mandatory one-yr Expulsion (weapons/firearms)
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See Discipline of Students with Disabilities for special procedures that apply to students on IEPs and Formal Section 504 Plans

DISCIPLINARY ACTION LEVELS

Most disciplinary problems can be resolved in the classroom by the teacher in accordance with good principles of learning, classroom rules, the school discipline plan, and classroom removals. The School Discipline Plan describes the procedures followed by staff within the school.

Administrative action will be taken if student behavior expectations are not met. Six levels of disciplinary action, ranging from least to most serious, are defined and specified for various kinds of misbehavior. Within each level, options for disciplinary action are defined. The responsibility of the administrator is to work within these parameters to apply effective correction action.

It is the administrator's responsibility to determine what constitutes "Minor/First" or "Serious/Repetitive" occurrence.

When there is repetition of misbehavior, even though it is not in the same category, the school administrator may take more serious corrective action.

Students with disabilities may be excluded for up to ten (10) consecutive days or cumulative school days to protect the school program and/or other students. Special procedures are followed if the exclusion will exceed ten (10) consecutive school days, if additional removals up to ten (10) school days for separate acts of misconduct constitute a pattern, or if the student is being considered for expulsion.

The use of the disciplinary action levels is intended to increase school-to-school consistency in identifying and handling problems.

Administrators are not bound to select the disciplinary level that teachers identify; in most cases there are ranges of discipline and an administrative judgment to be made as to whether the instance is "minor" or "serious" and/or "repetitive."

A student with a disability shall be subject to disciplinary action. Those disciplinary actions designated with a "D" in the following sections that must involve the participation of the student's IEP Team or a Section 504 Team.

Nothing in this section prevents the temporary exclusion of a student with a disability if the condition or behavior of the student constitutes an interruption of the school program or imminent danger to the health or safety of the student or others. See "Discipline of Students with Disabilities" section of this guide for additional information.

DISCIPLINARY ACTION LEVEL 1

Conferences

Disciplinary Action:	Definition:
Conference with Student and/or Staff Member	A meeting with a student during which unacceptable student conduct is discussed and better ways of behaving are reviewed.
Conference with Parent/Guardian/ Student	A meeting between staff, parent/guardian and, in some cases, the student, during which student achievement and unacceptable conduct are discussed, better ways of behaving are reviewed, and a plan for future behavior is outlined. A talk with parents/guardians may be by telephone if a meeting is not feasible.
Contact Parent/ Guardian	Notification of the parent/guardian through a meeting, telephone call, or letter that a behavior problem exists and/or that some form of action has been taken.
Contract with Student	A written statement listing steps to be taken by the student to improve behavior, describing the support to be provided by school staff and/or parent/guardian, and a timeline for contract review.
Official Warning to Student	A verbal or written administrative notice to the student specifying the action to be taken if the same or similar misconduct is repeated within a stated period of time.
Other School-Authorized Actions	Other disciplinary actions which comply with School District policies, administrative directives and the school discipline plan

Reference: 4.30.020-P, 4.30.021-AD

Suggested Procedures for Action Level I

Teacher/Staff Action Upon Witnessing Misbehavior

1. Inform student that the conduct is unacceptable and instruct him/her to cease misbehavior.
2. Non-certificated personnel should report misbehavior to an administrator.
3. Certificated personnel should select one or more of the disciplinary actions listed above.
4. Certificated personnel are not required to make an administrative referral/report unless:
 - a. the student fails/refuses to cease misbehavior, or
 - b. the misbehavior is repetitive.

Administrative Action Upon Receiving a Report or Referral

1. Review the referral information and discuss the alleged misbehavior with student and the teacher.
2. Determine if evidence supports the charges.
3. If referral was initiated by non-certificated staff person and the charge(s) supported by evidence, the administrator should select one or more of the disciplinary actions listed above. No administrative record should be placed in student's file.
4. If referral results from a failure of student to cease misbehavior when instructed to do so, the administrator should determine what additional charge(s) are appropriate (e.g. insubordination, open defiance, willful disobedience) and complete the corresponding procedure. A record of all actions should be placed in student's file.
5. If referral results from repetitive misconduct, the administrator should select one or more of the disciplinary actions listed above. A record of all actions should be placed in student's file.
6. Inform staff member who initiated the referral of the administrative action taken.

DISCIPLINARY ACTION LEVEL 2

Interventions

Disciplinary Action:	Definition:
Exclusion from Extracurricular Activities	Denying the student opportunity to participate in extracurricular activities for a specified period of time.
Class Exclusion	Denying the student the right to attend particular classes for a period of up to two (2) days. This is an administrative action not to be confused with Class Removal, the decision of the teacher to remove from class a student whose misbehavior requires immediate action
Insight Class	A six-hour program for students and their families about issues involved in student misbehavior (i.e., alcohol and drug use, disruptive conduct and fighting).
Alcohol/Drug Assessment	An evaluation for the student and parent(s)/guardian(s) to determine if the student has an alcohol/drug problem.
Minor Suspension	Action taken after a disciplinary conference which denies a misbehaving student the right to attend school, including all classes and school activities, for a period of up to 24 hours. A minor suspension does not become a part of the cumulative record. It is preceded by a meeting or other contact with the parent/guardian.
Time-out System and Time-out Room (if available)	A program, coordinated by a certified staff member, teachers or school administrators, to assign a student to a different location in the classroom or the building.
After-School Detention	Requiring students to remain in school for up to one-half hour after the dismissal of school in the afternoon. Parents/guardians of primary-school students, pre-kindergarten through grade 5, will be notified prior to the detention. All detained students will be under the supervision of school personnel, and will not be deprived of eating lunch. Detention may be required by teachers or administrators.

Collection of Unauthorized Material	School administrators and teachers may collect materials which students are prohibited from possessing during the school day, for example, cigarettes, radios, tape recorders, CD players, toys, and rubber bands. When unauthorized materials are collected, students should be informed that the impounded items may be claimed at a later time. Prohibited items should be held for the students' parents/guardians or the police as necessary.
Financial Settlement	If student misbehavior results in damage, destruction or loss of property, the parents/guardians and student will be expected to pay the reasonable cost of repair or replacement. The school administrator is responsible for determining the terms of repayment or replacement.
Other Interventions ^D	Referral to Building Screening Committee, and referral to outside agency resources may be used at this level to respond to student misbehavior. For students with disabilities, a change of placement to a special school or other special education class/program may be considered

Reference: 4.30.021-AD, 4.30.022-AD

^D Please Note: Special procedures may need be followed for students with disabilities or formal Section 504 plans who are suspended for more than ten (10) days in any school year

Suggested Procedures for Action Level 2

Teacher/Staff Action Upon Witnessing Misbehavior

1. Inform student that the conduct is unacceptable and instruct him/her to cease misbehavior.
2. Using established building procedures, the staff member should refer/report and send the student to administrative personnel.
3. Complete building referral form for transmittal to administrative personnel.
4. Be available for conference or hearing.

Administrative Action Upon Receiving a Report or Referral

1. Investigate incident and obtain evidence including written statement (referral/report) from staff member; may confer with staff member prior to the student returning to class.
2. If student is found in an investigation or through a drug alcohol hearing to have misbehaved, the administrator should select one or more of the disciplinary actions listed above.
3. The administrator should complete any procedures associated with the disciplinary action selected. Methods different from those tried earlier should be used.
4. Inform the student of the disciplinary action to be taken and any conditions which the student must meet in conjunction with the disciplinary action imposed.
5. Notify the parent/guardian and teacher of the action taken.
6. A summary of the incident and action taken should be placed in the student's file and any required District report(s) of incident and action should be compiled.

DISCIPLINARY ACTION LEVEL 3

Suspension/Temporary Removal /Reassignment/ Referral

Disciplinary Action:	Definition:
In-School Suspension (if available)	After an informal hearing, a student may be barred from attending scheduled classes and, instead, be required to attend a program of in-school suspension. An in-school suspension may be imposed for up to five (5) consecutive school days.
Emergency Suspension	Removal of a student from school prior to a hearing when the school administrator determines that the student's continued presence is an immediate danger to persons or property or is disruptive to orderly school operation. The hearing shall take place as soon as possible after the student has been removed.
Major Suspension ^D	After an informal hearing, action taken temporarily to deny the disruptive student the right to attend school, including all classes and school activities, for a period of more than one-day (24 hours), but not more than ten (10) school days. If suspension is for threat of violence or assault of staff, the minimum disciplinary action is five (5) days. A conference ordinarily must be held with the parent/ guardian to seek resolution of the misconduct within ten (10) school days, unless by mutual consent of the school administrator and parent/guardian a later date is selected. A student will be readmitted after ten (10) school days of suspension.
Major Suspension Program	Option for students grades 4-12 who are suspended for more than one day for violations related to "Protection of Physical Safety and Mental Well-being. of others. The program assists students, families, and schools develop plans to enhance school success and minimize risk behaviors.
Non-Participation in Commencement Activities	Seniors may be disqualified from participation in commencement exercises and related activities if within sixty (60) days of the last senior school day they are found to be in violation of any district policies/directives covered in this handbook.

Probation	Action taken following reinstatement from suspension or expulsion. This action might include academic probation under which the student will forego participation in all activities, plays, athletics, student offices, club membership, assemblies, class meetings, and other activities not directly related to classwork be imposed for up to five (5) consecutive school days.
Placement in Alternative/ Optional Educational Program ^D	The Principal may recommend that a student who presents a second or subsequent occurrence of a severe discipline problem requiring: Suspension Pending Possible Expulsion, or Mandatory Suspension Pending Possible Expulsion within three (3) consecutive academic school years may, in combination with expulsion, be placed into an alternative educational program. Expelled students are eligible only for non-District (private) programs; other students are eligible for District or non-District placement.
Other School-Authorized Actions ^D	Other actions including police referral and/or referral to other instructional programs in the school may be used at this level to respond to student misbehavior.

See also Disciplinary Actions previously described.

^D Please Note: Special procedures may need to be followed for students with disabilities or formal Section 504 plans who are suspended for more than ten (10) days in any school year

Reference: 4.30.021-AD, 4.030.022-AD, 4.30.031-AD

Suggested Procedures for Action Level 3

1. Teacher/Staff Action Upon Witnessing Misbehavior
2. Intercede (with assistance of other staff, if necessary) to stop misbehavior, if necessary.
3. Immediately notify administrative personnel of the incident and refer/send student, if possible.
4. Complete building referral form as soon as practical.
5. Be available for conference or hearing.

Administrative Action Upon Receiving a Report or Referral

1. Investigate incident and obtain evidence including written statement (referral/report) from staff member and confer with staff member prior to the student returning to class.
2. Meet with student and conduct suspension hearing or alcohol and drug hearing in accordance with Administrative Directives.
3. If student is found in a hearing to have misbehaved, the administrator should select one or more of the disciplinary actions listed above. Methods different from those tried earlier should be used. Drug-related activities have mandatory consequences; consult the alcohol and other drug-related activity section of this document.
4. The administrator should complete any procedures associated with the disciplinary action selected.
5. Inform the student of the disciplinary action to be taken and any conditions which the student must meet for readmission.
6. Notify the parent/guardian and teacher of action taken.
7. A summary of the incident and action taken should be placed in the student's file and any required District report(s) of the incident or action should be completed.

Reference: 4.30.021-AD, 4.30.022-AD

DISCIPLINARY ACTION LEVEL 4

Expulsion/Delayed Expulsion/Reassignment/Referral

Disciplinary Action:	Definition:
Exemption from Attendance D	An action taken by the Superintendent, at the request of the parent/guardian on the recommendation of school personnel, which exempts the high school student from the obligation to attend school.
Suspension Pending Possible Expulsion D	A suspension imposed after a hearing in which the school administrator determines: <ul style="list-style-type: none"> ▪ that the offense requires expulsion under District policy; or ▪ that the evidence indicates the possible need for expulsion. This suspension can be up to ten (10) days unless the conditions for extension of the time outlined in District policy are met.
Police Referral	School Resource Officer (SRO) or other Portland Police will be notified in appropriate circumstances.
Expulsion D	An action taken by the Principal after a hearing which denies a student the right to attend school, including all classes and activities, for up to one (1) calendar year. If the expulsion is to be longer than 20 weeks, prior approval by the Area Director is required. Return from expulsion for a drug-related activity is conditional on completion of an approved therapy program (not at District expense) and/or approval by a school administrator of a plan to protect the student and the school from future drug-related activity.
Delayed Expulsion Alternatives D	"Delayed expulsion" programs or plans may be available for students who are expelled for reasons of drug use or drug related-activity, assault, fighting, or some weapons-related incidents. If the student completes the program and/or plan, the expulsion does not go into effect. (See Expulsion Procedures)
Delayed Expulsion School Counseling Center (DESCC)	An option for students in grades 6-12 who are expelled for alcohol or drug violations or for violent behavior. DESCSC counselors work with students and families wanting to address issues that led to expulsion and with schools willing to consider readmission

See also Disciplinary Actions previously defined:

^D Placement in Alternative/Optional Educational Program

^D Please Note: Special procedures may need to be followed for students with disabilities or formal Section 504 plans who are suspended for more than ten days in any school year

Suggested Procedures for Action Level 4

Teacher/Staff Action Upon Witnessing Misbehavior:

1. Intercede (with assistance of other staff, if necessary) to stop misbehavior, if necessary.
2. Immediately notify administrative personnel of the incident and refer/send student, if possible.
3. Complete building referral form as soon as practical.
4. Be available for conference or hearing.

Administrative Action Upon Receiving a Report or Referral

1. Investigate incident and obtain evidence including written statement (referral/report) from staff member and confer with staff member prior to the student returning to class.
2. Meet with student and conduct suspension hearing in accordance with the Administrative Directives.
3. If student is found in the hearing not to have misbehaved, all information pertaining to the incident should be removed from the student's file and destroyed.
4. If student is found in the hearing to have misbehaved, he/she should be suspended pending an expulsion hearing in accordance with the suspension procedures outlined in Section 4.30.021 of the Administrative Directives.
5. Conduct an expulsion hearing in accordance with the procedures of expulsion outlined in Section 4.30.021 of the Administrative Directives.
6. If the student is found to have misbehaved, the Principal should select one of the actions listed above and notify the parent/guardian and teacher of the action taken. Drug-related activities have mandatory consequences; consult the alcohol and other drug-related activity section of this document.
7. The Principal should complete any procedures associated with the disciplinary action selected.
8. A summary of the incident and action(s) taken should be placed in the student's file and any required District report(s) of the incident and action should be completed.

Reference: 4.30.02-AD1, 4.30.022-AD

DISCIPLINARY ACTION LEVEL 5

Mandatory Expulsion

Disciplinary Action:	Definition:
Suspension Pending Possible Expulsion _D	See action level 4 for definition Suspension Pending Expulsion. Administrator has no option but expulsion. See Action Level 4 for definition of expulsion.
Mandatory Expulsion _D	Administrator has no option but expulsion. See Action Level 4 for definition of expulsion.
Mandatory Expulsion and Probation _D	See Action Level 3 for definition of probation

^D Please Note: Special procedures may need to be followed for students with disabilities or formal Section 504 plans who are suspended for more than ten (10) days in any school year

Suggested Procedures for Action Level 5

Teacher/Staff Action Upon Witnessing Misbehavior:

1. Intercede (with assistance of other staff, if necessary) to stop misbehavior, if necessary.
2. Immediately notify administrative personnel of the incident and refer/send student, if possible.
3. Complete building referral form as soon as practical.
4. Be available for conference or hearing.

Administrative Action Upon Receiving a Report or Referral:

1. Investigate incident and obtain any evidence including written statement (referral/report) from staff member initiating referral or report, witnesses' names and physical evidence. Confer with staff member.
2. Meet with student and conduct suspension hearing in accordance with Administrative Directives.
3. If student is found in the hearing not to have misbehaved, all information pertaining to the incident should be removed from student's file and destroyed.
4. If student is found in the hearing to have misbehaved, he/she should be suspended pending further investigation for possible expulsion in accordance with Section 4.30.021 of the Administrative Regulations. For alcohol and drug behaviors refer to alcohol and other drug-related activity section of this document.

5. Conduct an expulsion hearing in accordance with the procedures for expulsion outlined in Section 4.30.021 of the Administrative Regulations.
6. If the student is found in the expulsion hearing not to have misbehaved, all information pertaining to the incident should be removed from the student's file and destroyed.
7. If the student is found in the expulsion hearing to have misbehaved, the Principal shall impose an expulsion for a period prescribed above unless the Principal obtains permission not to expel from the Area Director.
8. If expulsion is imposed, the administrator should complete all procedures outlined in Section 4.30.021 of the Administrative Regulations.
9. Notify the student and parent of the disciplinary action to be taken and condition(s) which the student must complete for readmission.
10. A summary of the incident and action taken should be placed in student's file and any required District report(s) of the incident or action should be completed.
11. A report should be filed with the Portland Police Bureau.

Reference: 4.30.021-AD, 4.30.022-AD

DISCIPLINARY ACTION LEVEL 6
Mandatory One-Year Expulsion Weapons/Firearms

Disciplinary Action:	Definition:
Suspension Pending Possible Expulsion ^D	See Action Level 4 for definition.
Mandatory Expulsion for a period of not less than one (1) calendar year ^D	<p>The student is expelled for a period of no less than one (1) calendar year. This is an action taken by the Principal, which denies the student the right to attend public school, including all classes and activities. The Superintendent has the power to modify the expulsion requirement on a case-by-case basis and approve entry into an approved violence prevention education program during the period of expulsion.</p> <p>In addition, a student may apply to a community-based alternative program which meets these requirements:</p> <ol style="list-style-type: none"> 1. It is therapeutically sound; 2. It provides the student the opportunity to learn skills of anger management, impulse control, communications, problem solving, and personal awareness; 3. Parent/Guardian/Family involvement is mandated; 4. The school shall be authorized to receive information and regular reports on student progress. 5. It contains criteria and time frames for determining if and when student completes or has abandoned the plan. <p>At the end of the one-year expulsion period and successful completion of an approved violence prevention education program, a student may return to public school.</p>

^D Please Note: Special procedures may need be followed for students with disabilities or formal Section 504 plans who are suspended for more than ten (10) days in any school year

SUGGESTED PROCEDURES FOR ACTION LEVEL 6

Teacher/Staff Action Upon Witnessing Misbehavior:

1. If appropriate and necessary, intercede (with assistance of other staff, if necessary) to stop violation.
2. Immediately notify administrative personnel of the incident and refer/send student to the administrator. Administrative personnel call Portland Police Bureau, if necessary.
3. Document the incident as soon as practical and give copy to the administrator.
4. Be available for conference or hearing.

Administrative Action Upon Receiving a Report or Referral:

1. Investigate incident and obtain any evidence including written statement (referral/report) from staff member initiating referral or report, witnesses' names and physical evidence. Confer with staff member. Contact Portland Police Bureau.
2. Meet with student and conduct suspension hearing in accordance with Administrative Directives.
3. If student is found in the hearing not to have violated policy, all information pertaining to the incident should be removed from student's file and destroyed.
4. If student is found in the hearing to have violated policy, he/she should be suspended pending further investigation for possible expulsion in accordance with Section 4.30.021 of the Administrative Directives.
5. Conduct an expulsion hearing in accordance with the procedures for expulsion outlined in Section 4.30.021 of the Administrative Directives.
6. If the student is found in the expulsion hearing to have violated the policy, the Principal shall impose an expulsion for not less than a one calendar year period unless the Principal obtains permission from the Superintendent not to expel. The Principal shall contact the Area Director for that permission.
7. If expulsion is imposed, the administrator should complete all procedures outlined in Section 4.30.021 of the Administrative Directives.
8. Notify the student and parent of the disciplinary action to be taken in accordance with Administrative Directives. Student must complete an approved violence prevention education program prior to reinstatement in a regular District school.
9. A summary of the incident and action taken shall be placed in student's file and any required District report(s) of the incident or action should be completed. Reference: 4.30.021-AD

EXCEPTION PROCEDURES

To make an exception to disciplinary actions outlined in this Guide, the Principal shall consider these factors and inform the Area Director within five (5) working days of the initial investigation:

1. The student's behavior and attitude and whether it shows substantial improvement over time;
2. The availability of an alternative form of disciplinary action or a special program which is more likely to produce acceptable behavior than the Guide's disciplinary action;
3. The existence of extenuating circumstances which, in the judgment of the Principal, indicate the student is responsible only partially for the misconduct.

The Area Director will review the information received from the Principal and make recommendations within five (5) working days if the Principal's recommendation is to be modified.

It is the Principal's responsibility to ensure that the process is applied consistently within the school.

It is the responsibility of the Area Director to ensure that this exception procedure is applied consistently between schools of similar grade levels in their region.

ALCOHOL & OTHER DRUG-RELATED ACTIVITY

Definitions

- Drug: includes all mood-altering substances, or facsimiles thereof, including alcohol, which have not been medically prescribed for the student. (Also see tobacco.)
- Drug-impaired learning: the degradation of student learning, participation or behavior which is caused by the presence of drugs or alcohol or their residuals in the body.
- Drug-related activity: includes but is not limited to use, transfer, sale or possession of drugs or drug paraphernalia, drug-impaired learning, drug-influenced behavior, and any act assisting or promoting such activity.

Possession, selling, drug or alcohol-impaired learning, or use of alcohol, drugs or facsimiles is not tolerated in the schools, on school grounds, at school activities by students, staff or other persons. Additionally, this rule applies to students during school hours regardless of location.

Reference: 4.20.046-P, 4.30.010-P, 4.30.022-AD

Athletics

Rules prohibiting participants in District athletic program from drug-related activity are in force during the entire season — seven (7) days a week, 24 hours a day, at any location.

Violations will result in the following actions:

When Violations Occur

The District has a system of rules and consequences for drug-related activity which applies to students at all grade levels in all schools. Students receive services as consequences for drug-related activity. They are not suspended prior to a hearing unless they are under the influence or charged with drug transfer and the school is unable to serve them separately from other students.

Procedures

1. Preliminary Hearing

A preliminary hearing with the student is held and the student is informed of the offense, student's explanation is considered, school may investigate further, and administrator determines if it is likely that student violated rules.

Students who are under the influence are excluded for the rest of the day. Additionally, students charged with drug transfer may be excluded prior to the hearing if the school has no space or staff to serve the student separately from other students.

2. Violation of State Law

Portland Police are notified if the law has been violated.

3. Parent/Guardian Notification

Parent/Guardian is sent a letter by regular mail and phoned. In the letter and phone call, the parent is advised of the offense or acts that occurred, a time within five (5) days for a parent/guardian/student hearing is arranged, and the parent is advised of the educational and disciplinary consequences.

If the parents/guardians are non-English speakers, all discipline communications will be in accordance with the district translation policy

4. Failure to Attend Hearing

Reasonable effort will be made to ensure a parent's attendance at the hearing. If the parent/ guardian and student or their representative fails to attend the hearing, the hearings officer holds the hearing, writes the decision, and sends a copy to the parent/guardian and the student.

5. Hearing

At the hearing, the parent/guardian and student may have a lawyer or advocate present evidence, bring witnesses, ask

questions of witnesses, and explain their side. The hearings officer must consider all evidence.

6. Finding

The hearings officer determines if the student violated the District's prohibitions against drug-related activity and at the hearing, or later in the same day, advises the parent/guardian and student of the decision.

7. Mandatory Consequences

If it is determined that a student violated the rules, the hearings officer imposes the following requirements. (See end of this section for provisions which apply to students with disabilities.)

- a. First violation, except sale or transfer: (Level A)
 - The student shall attend with a parent/guardian the six-hour Insight Class.
 - The student is barred from performing, competing and/or representing the school in school-sponsored competition, games, performances, dances and other similar activities which are either after school, off campus, or intramural for a period of 28 consecutive calendar days starting with the day after the hearing.
 - If the event or activity is academic in nature and required for a student to obtain a grade, and a suitable alternative is not available, the administrator may permit the student to participate.
 - The student is also barred from attending school-sponsored activities, games, performances, dances, and other similar activities which are either after school, off campus or intramural for a period of 28 consecutive calendar days starting with the day after the hearing.
 - An athlete, performer and/or participant on a team, club, and school organization may be required to attend games or events with the team/club/organization. In such case, an athlete is expected to practice. They may also be required to attend games, remain with the team, not dress down, and not compete.
 - The student may be required to attend practices, meetings, etc. with the team or organization but not serve as a representative of the school for the duration of the 28-day period.

- At the administrator's discretion, the student may be suspended for up to five (5) days and/or be required to perform up to eight (8) hours of approved community service.
 - A student who does not make satisfactory progress toward completing Level A requirements within four weeks of the hearing date shall be expelled. The expulsion may be delayed if the student is accepted into a school-approved alternative program or treatment service which addresses the student's alcohol and other drug issues. During this time the student is excluded from all other District schools and School District activities. If the alternative program or treatment service is successfully completed, the expulsion will not go into effect. Satisfactory progress is defined as having completed the community service requirement, if any, and having no unexcused absences from the Insight Class.
- b. First violation which is transfer or sale or assisting in transfer or sale: (Level B)
- The student shall be expelled and, in addition, provided an education at a non-District alternative school.
 - To be readmitted to the referring school or another District school, the student shall have participated in an approved therapy program (not at district expense) and/or agree to a plan approved by the school administrator to protect the student and school from further drug-related activity.
 - The expulsion may be delayed if the student is accepted into a school-approved alternative program or treatment service which addresses the student's alcohol and other drug issues.
 - In the case of a delayed expulsion, the student is excluded from all other District schools and District activities. If the alternative program or treatment service is successfully completed, the expulsion will not go into effect.
- c. Second violation within three years if the first was not for transfer or sale: (Level B)
- The student shall be expelled, and, in addition, provided an education at a non-District alternative school.
 - To be readmitted to the referring school or another District school, the student shall have participated in an approved therapy program (not at district expense) and/or agree to

- a plan approved by the school administrator to protect the student and school from further drug-related activity.
 - The expulsion may be delayed if the student is accepted into a school-approved alternative program or treatment service which addresses the student's alcohol and other drug issues. During this time the student is excluded from all other District schools and School District activities. If the alternative program or treatment service is successfully completed, the expulsion does not go into effect.
- d. For any second drug-related activity, if the first was for transfer or sale: (Level C)
- The student shall be expelled and, in addition, provided an education at a non-District alternative school. The student is excluded from all District schools and School District activities.
 - Re-entry to a District school shall be conditioned upon the student's satisfactory completion of an approved therapy program (not at District expense), which includes urinalysis (not at District expense).
 - The student/parent/guardian shall authorize the program to provide information to the school on the student's progress and urinalysis results.
- e. Third drug-related activity when the last finding of activity was within three years of the current drug-related activity: (Level C)
- The student shall be expelled and, in addition, provided an education at a non-District alternative school. The student is excluded from all District schools and School District activities.
 - Re-entry to a District school shall be conditioned upon the student's satisfactory completion of a therapy program (not at District expense), which includes urinalysis (not at District expense).
 - The parent/guardian shall authorize the program to provide information to the school on the student's progress and urinalysis results.

8. **Alternative Plan**

If it is determined that a student has violated alcohol/drug district regulations, an alternative plan may be proposed by the family within two days of the hearing. In order for an alternative plan to be substituted for the prescribed "mandatory consequences" it must have the approval of the Principal and the Student Conduct

Office. For Level A alternative plans, satisfactory progress must be shown within four weeks from the date of the hearing. Hearings officer or designee will determine the criteria for satisfactory progress. The alternative plan must meet these requirements:

- the plan is therapeutically sound,
- it insulates the school from drug-related activities to the same extent or more than the prescribed action,
- it will be therapeutically more effective than the prescribed action,
- the school shall be authorized to receive information and regular reports on student progress,
- it contains conditions of and place for re-enrollment when student completes the plan,
- it contains action to be taken if student does not successfully complete the plan, and
- it contains criteria and time frames for determining if and when student completes or has abandoned the plan.

9. **Appeal**

If parent/guardian or student wishes to appeal the decision of the hearings officer, a request for appeal must be filed with the Area Director within five (5) days of the decision. Procedures for an appeal will be the same as those used in the expulsion appeal process.

10. **Failure to Comply**

Students who do not make satisfactory progress toward completing Level A requirements within four weeks of the hearing date are eligible for expulsion. Satisfactory progress is defined as having completed the community service requirement, if any, and having no unexcused absences from the Insight Class.

- An expulsion hearing will take place at the time the student becomes non-compliant to determine the extent of progress made toward completing all of the prescribed Level A sanctions. The expulsion hearing is to determine progress toward completing Level A sanctions, NOT to reopen the original Level A hearing. (For students not enrolled in school, the expulsion hearing shall be convened in their absence.) If the student is in Special Education, a manifestation determination shall take place and all Special Education IDEA regulations followed. For more information, contact your Special Education Coordinator.
- If it is determined that the student has not made satisfactory progress toward completing Level A requirements, the

expulsion or other appropriate intervention shall go into effect. The expulsion may be delayed if the student is accepted into a school-approved alternative program or treatment service which addresses the student's alcohol and other drugs issues. During this time the student is excluded from all other District schools and School District activities. If the alternative program or treatment service is successfully completed, the expulsion will not go into effect.

- The District may also report the student to Juvenile Court, subject to Federal confidentiality rules, for failure to follow through with disciplinary requirements at Level A, Level B, and Level C.

11. **Voluntary Disclosure**

A student who tells of a violation to get help is not subject to discipline action. However, a voluntary plan for corrective action will be developed. It is not considered self-disclosure when a student admits alcohol/drug use to a staff person who has observed symptoms of use or when a student admits alcohol/drug use in the course of an investigation of a possible policy violation.

12. **Confidentiality**

All information regarding student drug or alcohol treatment is confidential.

13. **Students with Disabilities**

A hearing is held to determine whether a violation occurred and whether the violation qualifies as action Level A, Level B, or Level C. Once it is determined that a Level B or Level C violation did occur or that a Level A student failed to make satisfactory progress within four weeks of the hearing, the matter is referred to the IEP Team or Section 504 Team to determine whether the behavior is related to the disability (manifestation determination). If there is a relationship between the behavior and the disability, the student cannot be expelled. The IEP or Section 504 Team will review the IEP or Section 504 Plan and placement and can change them if appropriate. It is through this process that interventions are documented and implemented to address the potential for any further violations.

- In a case involving a student with an IEP, if the behavior is not related to the disability as determined by the IEP Team, the student can be expelled or participate in other programs. In compliance with the law, under no circumstances can the District cease providing the education services set forth in the IEP.

- In a case involving a student with a Section 504 Plan, educational services do not have to be continued if the behavior is not related to the disability as determined by the Section 504 Team. The student may be disciplined like any regular education student. Reference: 4.30.010-P, 4.30.022-AD

Student Witnesses

If information from a student witness is presented at the hearing, the identity of that student is not revealed if, in the judgment of the hearing's officer, it would adversely impact the student's school experience. If the identity of a student witness is not disclosed, the hearing officer shall carefully and thoroughly interview the witness, form a judgment as to the accuracy of the information, and ask any questions requested by the parent/guardian/representative of the student who is charged. Reference: 4.30.010-P, AD 4.30.022-AD

Commencement Disqualification

Seniors may be disqualified from participation in commencement exercises and related activities if within sixty (60) days of the last senior school day if they are found to be in violation of District Drug and Alcohol policy or any violation resulting in a disciplinary action Level 3 or greater. Reference: 4.20.046-AD

SUSPENSION PROCEDURES

A suspension temporarily denies a student the right to attend school, including all classes and school activities, for a period up to ten (10) consecutive school days except as provided below.

Due Process Procedures for Suspension

The student should ordinarily be given an informal hearing (as outlined in the section below.) before the Principal, Vice Principal or their designee decides to suspend a student.

Emergency Suspension

The Principal, Vice Principal or their designee may remove a student without an informal hearing if the school administrator determines that it is not possible to conduct a hearing because the student's continued presence is an immediate danger to persons or property or may physically disrupt the school's orderly operation. Whenever a student is removed, a parent/guardian should be notified when the informal suspension hearing will be held. This hearing will normally be provided within three (3) school days.

Informal Hearing Procedures

1. Notice

1. The Principal, Vice Principal, or their designee must attempt to inform the student of the misconduct in a language understood by the student
2. If the student admits the misconduct, the school administrator then determines the appropriate disciplinary action.
3. If the student denies the misconduct, the school administrator gives the student an explanation of the evidence resulting in the charge(s). The school administrator has authority to decide if the explanation of evidence will include the names of witnesses.
4. The school administrator then gives the student a reasonable opportunity to state the student's side of the story.
5. After weighing the evidence, the school administrator determines if the charge is supported by the evidence. If the student is found not have engaged in misconduct, the incident is closed.

Determination of Disciplinary Action

If the student is found to have engaged in misconduct, the school administrator determines the appropriate disciplinary action in accordance with School District policies and guidelines and professional judgment.

General Procedures for Suspension

1. Effective Time of Suspension

Suspension becomes effective after the informal suspension hearing and notification of the parent/guardian/emergency contact or at the end of the school day.

2. Parent/Guardian Notification of Suspension

- a. Reasonable effort must be made by the school to notify the parent/guardian/emergency contact of the suspension and reasons for the action before a student is sent home. Middle school, primary school or students with disabilities must not be sent home before contacting a parent/guardian/or emergency contact.
- b. A letter, translated or interpreted when needed, is mailed to the parent/guardian, with a copy to the Area Director and Student Conduct Office containing this information:
 - 1). The time, date and specific reason(s) for the suspension.
 - 2). The procedures to be followed by the student and parent/guardian for possible student reinstatement.

- 3). The maximum length of the suspension in the absence of other administrative action, such as review for possible expulsion.
 - 4). A request that the parent/guardian contact the school administrator to arrange a mutually agreeable time for a conference prior to readmission date.
 - 5). Notice to the parent/guardian that a student is automatically reinstated after ten (10) school days unless other action is pending or except as provided in other sections of these procedures.
 - 6). A notification of available alternative education programs if the suspension is a second occurrence within any three (3) consecutive academic school years of a severe discipline problem that requires a Suspension Pending Possible Expulsion or Mandatory Suspension Pending Possible Expulsion (Action Level 4 or 5).
 - 7). Parents/guardians should be informed that student suspension includes a denial of opportunity to participate in any school-related activities and the student is not to enter any Portland Public Schools property without prior authorization of the Principal or designee.
- c. The letter and a copy of the section on “Suspension Procedures” from the Guide to Policies, Rules And Procedures on Student Responsibilities, Rights and Discipline should be sent home with the student.

3. Student Notification of Suspension

If the decision is made to suspend a student, the student should be informed of:

- a. The student suspension and the length of suspension, not to exceed ten (10) school days.
- b. The reason(s) for the action.
- c. The student's right to return to school at the end of suspension, unless other administrative action is pending, such as review for possible expulsion.
- d. The suspension includes a denial of opportunity to participate in any school-related activities.
- e. The student is not to enter any Portland Public Schools property without prior authorization of the Principal or designee.

4. Student Reinstatement Conference for Parents

- a. A meeting ordinarily must be held with the parent/guardian to seek resolution of the misconduct and consider reinstatement within ten (10) school days unless:
 - 1). by mutual consent of the school administrator and parent/guardian a later date is selected because of special circumstances; or
 - 2). the suspension is continued because of physical or mental illness, incarceration of the student in a juvenile home or similar institution; or
 - 3). pending an expulsion hearing when, in the judgment of the Principal or Principal's designee, the student's return would pose a threat to the safety of any person or to the orderly operation of school programs.
- b. The parent/guardian and the school administrator should arrange a mutually satisfactory time for a conference. If the parent/guardian does not ask for a conference within five (5) days, the school administrator should initiate contact. If the parent/guardian finds it difficult because of working hours, family responsibilities or distance from school to come to the school for a conference, the school administrator should find some alternative means for the conference.
- c. During the conference, the student's achievements as well as difficulties will be reviewed to determine additional steps to be taken by the school, the student and the parent/guardian to ensure the student's future success when reinstated
- d. A major suspension temporarily denies the disruptive student the right to attend school, including all classes and school activities, for a period of more than 24 hours, but not more than ten (10) school days, except as provided below. In implementing this regulation, school personnel shall make special efforts to advise students and parents/guardians that a student is automatically reinstated after ten (10) days if no other administrative procedure, such as expulsion, is pending. If a suspended student does not return after the ten (10) day limit, a telephone call shall be made to encourage the student to reenter.

5. Homework During Suspension

To ensure continuation of learning, suspended students are expected to complete schoolwork during their time of suspension.

Upon request, a suspended student should be told of assignments during the period of suspension. Students must be given make-up assignments, projects or examinations only when those activities will be graded and used to determine a grade for the course. Teachers should not be required to spend additional time in working with a student to prepare the assignments because of the student's misbehavior.

6. **Appeal process**

The Student and Parent Complaint Procedure for suspension may be followed if the student or parent chooses to appeal the suspension for failure to follow due process or other applicable policies. For a copy of the complaint procedures, contact your school office or locate them on-line at <http://cms9.pps.k12.or.us/docs/pg/5682>

EXPULSION PROCEDURES

Whenever the parent/guardian is notified by letter of an expulsion hearing, a copy of the Guide to Policies, Rules, and Procedures on Student Responsibilities, Rights, and Discipline, or a copy of the expulsion section from the Guide, will be attached. In expulsions involving a student with severely limited English skills, or a student whose parent/guardian has severely limited English skills, an interpreter may be requested.

Definition and Consequences of Expulsion

Expulsion denies the student attendance at school or school activities in any Portland Public School for up to one calendar year.

- When a student is expelled, even at the end of a semester, the student may lose credit for the semester involved.
- Students expelled because of a Level C drug violation are required to participate in treatment during the expulsion period.
- The Principal, at the time of the conference to readmit the student after expulsion, will review the student's progress in treatment (if appropriate) and provide information from the student's teachers on possible partial credit for work completed prior to the expulsion and record credit earned at an alternative school attended during expulsion.

General Summary of Expulsion Procedure

In general, when a student is suspected of having violated district rules such that consideration of expulsion is appropriate, the following general steps will be taken:

- A Suspension pending the expulsion hearing. A student may be removed before an informal hearing if the student is a threat to

any person or to the orderly operation of school programs (see Suspension Procedures in this guide). A Hearing Notice is mailed to the home

- An Expulsion Hearing is held
- A Decision is made and a Notice of Hearing Decision is mailed
ORS 339.115(4) permits recognition of expulsions from other school districts without a hearing.

Reinstatement Pending Expulsion Hearing

After ten (10) consecutive days on suspension pending an expulsion hearing, the student must be readmitted until the expulsion hearing unless:

- in the judgment of the Principal or designee, the student's return would pose a threat to the safety of any person or to the orderly operation of school programs; or
- the expulsion hearing has been held and a decision made to expel the student; or
- the expulsion hearing has been postponed by an agreement of the parent/guardian; or
- because of the physical or mental illness or incarceration of the student, or similar reasons.

In the absence of one of the exceptions above, a student shall not be kept out of school for more than ten (10) consecutive days.

Initiation of Expulsion Procedure

1. When the evidence from the suspension hearing and/or the investigation indicate possible grounds for expulsion, the Principal should be informed. Expulsion procedures may be initiated only by the Principal.
2. The expulsion procedures are formally initiated by the Principal sending the notice of expulsion hearing letter described next.

Notice of Expulsion Hearing

1. When invoking expulsion procedures, the Principal shall send a notice by certified and regular mail to the parent/guardian and the student in a language they understand.
2. The notice letter shall specify the following information
 - a. The specific charge(s) and the act(s) which support the charge(s).
 - b. A statement that if the evidence supports the charge(s), it may result in expulsion from the School District.
 - c. The time, date and location of the hearing to consider the issues bearing on a possible expulsion. The hearing shall not occur before five (5) school days from the date the notice is mailed, unless the parent/guardian is notified

personally or by phone and an earlier hearing date giving two (2) days notice can be offered. The parent/guardian may request an extension of time to a date and time made available by the Principal. The student shall not be kept out of school more than ten (10) consecutive school days, unless the expulsion hearing has been held and a decision made to expel the student, or unless the expulsion hearing has been postponed by an agreement of the parent/guardian and school because of the physical or mental illness or incarceration of the student, or similar reasons.

- d. A reminder that the rights of students and parent/guardians are detailed in the Guide to Policies, Rules and Procedures on Student Responsibilities, Rights and Discipline and a copy of this section should be attached to the letter.
- e. A notification of the availability of appropriate and accessible alternative education programs of instruction.

Postponement of Hearing at Parent/Guardian Request

If it is not possible for the parent/guardian to attend the hearing at the time specified in the letter, the parent/guardian may call the Principal to arrange an alternative time. If postponement is necessary, the hearing must be held within seven (7) days of the original hearing date.

Pre-Hearing Considerations for Expulsion

1. Use of Interpreter

An interpreter should be included when the student or parent does not understand English.

2. Expulsion Without a Hearing

A student may not be expelled without a hearing. If after appropriate notice of the place and time set for the hearing:

- a. neither a parent, guardian, the student nor a representative appears; or
- b. the student, if 18 years of age or over or an emancipated minor, or representative, does not appear; or
- c. the parent/guardian, or the student, if 18 years of age or older or emancipated, waives in writing the rights to a hearing, then a hearing will be held to determine the facts of the situation; a decision will be made based on the facts; a record will be made of the hearing, the facts and the decision; and the parent/guardian and/or student will be provided with the standard notice of the decision and alternative education as appropriate.

3. Authority to Expel

Authority to expel is delegated by the Board to an administrator. Every effort will be made to ensure that the hearings officer shall not also be the primary investigator.

4. Representation

- a. The parent/guardian and student may be accompanied at the hearing by a third party or legal counsel, if they choose.
- b. The parent/guardian and student shall notify the Principal by telephone at least two (2) days prior to the hearing who, if anyone, will accompany them to the hearing.

5. Witnesses and Questioning Witnesses

- a. The parent/guardian and student may produce their own witnesses at the hearing and question adverse witnesses. **Students as Witnesses-** If information from a student witness is presented at the hearing, the identity of that student is not revealed if in the judgment of the hearings officer it would adversely impact the student's school experience. If the identity of a student witness is not disclosed, the hearings officer shall carefully and thoroughly interview the witness, form a judgment as to the accuracy of the information, and ask any questions requested by the parent/guardian/representative of the student who is suspected of misconduct.
- b. The parent/guardian and student shall notify the Principal at least two (2) days prior to the hearing which witnesses, if any, they will produce at the hearing and which adverse witnesses, if any, they currently wish to question.
- c. At the parent/student hearing, the parent and student may have a lawyer or advocate present evidence, bring witnesses, ask questions of witnesses, and explain their side. The hearings officer must consider all evidence.

6. Failure to Notify Principal of Counsel or Witnesses

If no prior notice is given to the Principal, and counsel or witnesses are brought, the Principal may, if reasonably necessary, postpone the hearing for two (2) days.

7. Legal Counsel Access to Information and Records

- a. Legal counsel may ask the Principal for more information prior to the hearing, but within the limitations of Board policy on student records.
- b. At the hearing, the Principal may rely upon District and school records. Such records are available for inspection by the student and/or his/her representative prior to the

hearing within the limitations of Board policy on student records.

8. Failure to Attend Hearing

Reasonable effort shall be made to ensure parent/guardian attendance. If the parent/guardian fails to attend the hearing, the hearings officer shall hold the hearing with the student if possible, write the decision, and send a copy to the parent/guardian and the student.

9. Enrollment Status at the Time of a Hearing

Students are not required to be enrolled at the time of the hearing. If the student has withdrawn prior to the hearing and the misconduct is thought to have occurred prior to the student's withdrawal, the hearing is still required to occur.

Conduct of Hearing

The following lists the minimum required elements of an expulsion hearing:

1. The Principal should allow the parties to clearly explain their respective points of view and to submit whatever relevant information they have.
2. The parent/guardian and student may discuss the expulsion and present any information and witnesses that are pertinent to expulsion.
3. The parent/guardian and student may directly or, through counsel, question any other witnesses presented.
4. During the hearing, the Principal may let the Vice Principal, the investigators and other school personnel submit the relevant information to the extent feasible. This shall not preclude the Principal from submitting pertinent information of his/her own when the interests of a complete understanding of the issues may require it.
5. Strict rules of evidence shall not apply to the proceedings. However, this provision shall not limit the hearings officer's control of the hearing.
6. The Principal may rely upon District and school records as well as information presented at the hearing.
7. The Principal shall make an electronic record of the hearing (i.e., tape recording, CD) and the student or his/her counsel may make a record.

Post-Hearing Procedure for Expulsion

1. Determining Facts and Appropriate Disciplinary Action
 - a. After the hearing, the Principal should review all information and make decisions in light of the facts.

- b. The Principal shall determine if the information supports the charge(s).
- c. The Principal shall determine whether or not to expel the student.

2. Notice of Hearing Decisions to Parent/Guardian

- a. The decision of the Principal is communicated at the hearing or by phone later in the same day of the hearing or on the following day and within three (3) days after the hearing the Principal shall mail to the parent/guardian, by Certified and Regular mail, a notice of the decision in a language they understand.
- b. If the decision is to expel, the letter shall state:
 - that the expulsion will be effective on a specified date;
 - the period of the expulsion;
 - the specific reason(s) for the expulsion;
 - that the parent/guardian and/or student may request that the Area Director review the expulsion by requesting such a review in writing or by telephone to the Area Director within five (5) days of the receipt of the notice of expulsion;
 - that the student has the right to re-enroll in school at the end of the expulsion period, the continuance of such enrollment being contingent on maintaining standards required by the school of all students;
 - the notice of the availability of private alternative education programs of instruction.

3. Forwarding Hearing Decision to Area Director. The Principal will forward all pertinent information to the Area Director, including the Principal's decision and findings as to the facts.

Alternative Education Programs. Alternative Education Programs

Prior to the decision to expel, the school will inform parents and students of District Alternative Education programs. In the event of expulsion the school will notify the parents and student of available education options.

Loss of Credit.

When it becomes necessary for a student to be expelled from school even at the end of a semester, loss of credit can occur if the student does not complete the appropriate work at an alternative school. During any subsequent readmission conference, a review of the student's academic status by the Principal may determine that some credit be granted for work completed prior to the expulsion.

Readmission

1. Readmission from Expulsion

Except for those expelled for drug-related activities, students shall be readmitted to school after the period of expulsion. When students are readmitted to school, all reasonable efforts will be made to help the students plan to complete their educational program.

2. Readmission from Level 6 Expulsion

Expelled students shall be readmitted to school at the end of one calendar year period of expulsion and successful completion of an approved violence prevention education program. The program will provide the school with information regarding the student's progress.

The student and parent/guardian meet with a school administrator to plan what efforts will be made by each party to help the student complete the education program and to determine appropriate placement upon readmission.

Readmission from Drug-Related Activities Expulsion.

Level A Non-Compliant and Level B

Expelled students shall be readmitted to school if the following has been completed:

- An alcohol and drug assessment (at District expense).
- Recommendations of assessment are being followed (not at District expense).

Level C

Expelled students shall be readmitted to school if the following has been completed:

- Satisfactory completion of an approved therapy program which includes urinalysis (not at District expense).
- The program has provided the school with information regarding the student's progress and urinalysis results.
- In all cases, the returning student and parent/guardian shall meet with an administrator and agree on a plan to protect the student and the school from further drug-related activity. Pending completion of these requirements, the student shall remain in an alternative school placement.

Exemption from Attendance

In some circumstances, it may be more desirable for the parent to request that the student be exempted from school attendance rather than returning after the expulsion ends. See "Attendance" in this

document for the procedures and conditions to exempt a student from school attendance.

Appeal Procedures

A review may only occur for one of the following reasons:

Failure to follow due process. Due process is:

- appropriate and adequate notice of the hearing and the results,
- the opportunity to be present at the hearing,
- the opportunity to be heard at the hearing,
- the opportunity to present information at the hearing.

New information about the incident not reasonably available at the time

1. Area Director Level Review

Within five (5) working days of receiving the Principal's letter of expulsion, the parent/guardian and student may request by phone or letter that the Area Director review the Principal's decision. The appeal request will specify the reasons for the appeal as listed above.

The Area Director will contact by certified or registered letter the parent/guardian within five (5) working days. This letter will explain the review procedures and specify the time and location of a review hearing, if such a hearing is necessary. The Principal and an interpreter will be available if needed.

The Area Director will inform the parent/guardian and student of his/her decision by letter within three (3) school days after any review hearing.

2. Board Level Review

Request for Review to the Board. The parent/guardian may appeal an expulsion to the Board of Education by requesting such a review in writing or by telephone to the Office of the Superintendent within five (5) days of receipt of the notice of the review decision from the Area Director.

Forwarding of File to Board. If the Area Director review decision is appealed to the Board, the Area Director's decision, findings of fact and any other essential evidence and records, and the Principal's decision and findings of fact shall be forwarded to the Superintendent or his designee who acts as a hearings officer. A summary of findings, conclusions of law, and a recommendation for the Board will be prepared. The Board will uphold, modify, or reverse the decision of the Area Director. Reference 4.30.021-AD

DELAYED EXPULSION

Delayed expulsion is a disciplinary option available for students who have committed an action level 4 expellable offense who, in the administrator's judgment, would benefit from an alternative such as the District's Delayed Expulsion School Counseling Center (DESCC), or another referral or plan, approved by Area Director, to delay expulsions. Delayed expulsions are not an option for discipline action level 5 or 6. The Principal uses the following steps:

- The administrator conducts an expulsion hearing to determine if there are grounds to expel the student and sets **the beginning and ending dates for the expulsion and states them in writing**. The administrator will inform the student and the family that the expulsion will be delayed to give them an opportunity to complete an alternative, and that if the student is successful in the alternative that is offered, the expulsion will not go into effect. The administrator will send a letter to Parent/Guardian regarding Result of Expulsion Hearing—Delayed Expulsion.
- The principal will refer the student to the alternative and inform the program that this is a delayed expulsion. (If this is not a PPS alternative, the administrator will need to remind them of the importance of communicating about the student's success in completing the alternative.)
- If the school is informed that the student has successfully completed the alternative, no expulsion letter is sent.
- For delayed expulsion to be an effective consequence: If the school is informed that the student is not accepted into the alternative, or does not complete or make satisfactory progress in the alternative, the expulsion paperwork should then be sent to the family, student discipline file, Area Director, and Student Conduct Office notifying them that the expulsion has gone into effect. The start date for the expulsion is immediately following the original hearing and includes any time served in district alternatives.

If there is a subsequent offense during the delayed expulsion period, a hearing on the most recent offense will be held at the student's home school, which may impose sanctions up to and including expulsion appropriate for the most recent offense. If the student is expelled as the result of a violation which occurs during the delayed expulsion period, the expulsion begins the day following the most recent hearing.

STUDENTS WITH DISABILITIES

Discipline of Students with Disabilities

All students are subject to disciplinary procedures to promote positive changes in their behavior and to protect others.

Please Note: For students with disabilities, additional procedures may need to be followed to determine whether the student may be removed for disciplinary reasons.

Special Procedures for Students with Disabilities—Students on IEPs and Formal Section 504 Plans

In cases where the disciplinary action includes a suspension or expulsion, the school administrator must notify parents/guardians/surrogates in the same manner as non-disabled students. The Special Education Department will notify the parents/guardians/surrogates of any special education meetings.

When a school administrator has sufficient information to consider expulsion, a hearing is held to determine whether a violation occurred and whether the violation requires disciplinary action. If it is determined that a violation did occur and it would result in expulsion or a disciplinary removal that is a "change in placement" the matter is referred to the IEP Team or the Section 504 Team. A disciplinary removal that is a "change of placement" includes:

- Removal for more than 10 consecutive days,
- Expulsion,
- A pattern of removals, and
- Removal to a 45-school day interim alternative placement for drugs, weapons, or causing serious bodily injury.

The team determines whether the student's behavior is related to the disability (manifestation determination). If the behavior is a manifestation of the student's disability, the student may not be expelled. The IEP Team or Section 504 Team may review the IEP or Section 504 Plan, make revisions to that plan, or change the student's placement to a more restrictive program if appropriate. It is through this process that interventions are documented and implemented to address the potential for any further violations.

In a case involving a student on an IEP or formal Section 504 Plan, if the behavior is not related to the disability as determined by the IEP/504 Team, the student may be expelled which may include participation in other programs for the same extent and duration as non-disabled students. The student may be disciplined like any non-disabled student.

In a case involving a student on an IEP or formal Section 504 Plan, if the behavior is related to the disability as determined by the IEP/504 Team, the student may not be expelled. The IEP/504 Team must meet and revise the IEP/504 Plan to address the potential for any further disciplinary violations. Under state and federal law the student must continue to receive educational services although these may be delivered in a different setting.

The student may be placed in a 45-school day interim alternative educational setting for violations involving weapons or drugs, or inflicting serious bodily injury, regardless of whether a student's misconduct is related to his or her disability,

There are other procedural requirements under federal and state law that apply to the disciplinary removal of students with disabilities.