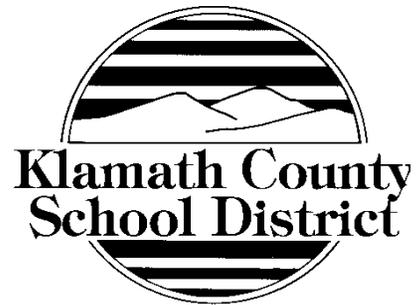


STUDENT RIGHTS AND RESPONSIBILITIES HANDBOOK



2013 – 2014

10501 Washburn Way
Klamath Falls, Oregon 97603
541-883-5000

If you have a disability and need this publication in an alternate format, please contact the Klamath County School District.
Website: <http://www.kcsd.k12.or.us>

As used in this document, the term parent includes legal guardian or person in a parental relationship. For the purpose of special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred or a foster parent, as defined in OAR581-015- 2000. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of those factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed, pursuant to ORS 109.056

**TABLE OF CONTENTS
STUDENT RIGHTS AND RESPONSIBILITIES**

Philosophy.....	1
Zero Tolerance	1
Weapons.....	2

Directory Information	3
I. Admission.....	4
II. Alcoholic Beverages.....	4
III. Alternative Education Programs.....	6
IV. Animal Dissection	9
V. Asbestos.....	9
VI. Assembly of Students	9
VII. Attendance.....	10
VIII. Bus Rules.....	14
IX. Communicable Diseases.....	16
X. Conduct	16
XI. Out of School Conduct.....	19
XII. Cyberbullying/Sexting.....	19
XIII. Damage to District Property.....	19
XIV. Discipline, Suspension, Expulsion, Serious Student Misconduct	19
XV. Distribution of Material.....	25
XVI. Dress and Grooming.....	26
XVII. Drills—Fire, Earthquake and other Emergency Drills	27
XVIII. Electronic Communications	27
XIX. Expanded Options Program.....	29
XX. Fees, Fines and Charges	29
XXI. Flag Salute	30
XXII. Gang Activities.....	30
XXIII. Grade Reduction/Credit Denial	31
XXIV. Graduation Diploma Requirements.....	32
XXV. Graduation Exercises.....	34
XXVI. Hazing, Harassment/Intimidation/Bullying/Cyberbullying/Teen Dating Violence/Menacing.....	34
XXVII. Homeless Students	36
XXVIII. Immunizations	36
XXIX. Infection Control/Bloodborne Diseases.....	38
XXX. Instruction-Goals, Growth, IDEA, and Talented and Gifted (TAG).....	38
XXXI. Laser Lights and Electronic Pointers.....	42
XXXII. Media Access to Students.....	42
XXXIII. Medicine at School.....	43
XXXIV. Parental Rights	43
XXXV. Personal Communication Devices and Social Media.....	44

XXXVI. Personally Identifiable Information	45
XXXVII. Privileged Communication	47
XXXVIII. Program Exemptions	47
XXXIX. Search and Seizure	47
XL. Special Programs	49
XLI. Staff Sexual Conduct with Student	50
XLII. Student Education Records	51
XLIII. Student/Parent Complaints	53
XLIV. Student/Parent Grievance Procedures	55
XLV. Student Restraint and Seclusion	57
XLVI. Student Vehicles	57
XLVII. Threats	58
XLVIII. Tobacco	58
XLIX. Transfer of Students	60
L. Unlawful Drugs	60
LI. Vandalism/Littering	62
LII. Video Surveillance	63
LIII. Visitors	63
LIV. Weapons	64

PHILOSOPHY

“Inspiring Today’s Students to Meet Tomorrow’s Challenges.”

One of the primary functions of the school is to introduce the child to the culture, its accumulated knowledge, its ways of thinking, its skills, and its ways of functioning. Essential to each student’s lifetime development is acquiring and developing perception, reason, choice, and evaluation. To learn and exercise such skills is necessary during the individual’s school experience.

The Klamath County School District commits itself to the belief that all students are valuable and unique. To ensure student growth and development, everything we do will provide:

- **Basic and lifelong learning skills through the commitment of quality and dedicated staff.**
- **A safe, nurturing, accessible environment.**
- **Opportunities for success when staff and students strive to be safe, respectful, and responsible.**
- **Quality programs which foster intellectual stimulation, self-esteem, healthy lifestyles, and harmony with the environment.**

Klamath County School District does not discriminate on the basis of race, religion, color, national origin, disability, marital status, gender, or sexual orientations in providing education or access to benefits of education services, activities and programs in accordance with Title VI, Title VII, Title IX and other civil rights or discrimination issues; Section 504 of the Rehabilitation Act of 1973, as amended; and the Americans with Disabilities Act.

The superintendent has been designated to coordinate compliance with these legal requirements and may be contacted at the Klamath County School District office 541-851-8767 for additional information and/or compliance issues.

The material covered within this student handbook is intended as a method of communicating to students and parents regarding general district information, rules and procedures, and is not intended to either enlarge or diminish any Board policy, administrative regulation or negotiated agreement. Material contained herein may, therefore, be superseded by such Board policy, administrative regulation or negotiated agreement.

Any information contained in this student handbook is subject to unilateral revision or elimination from time to time without notice.

No information in this document shall be viewed as an offer, expressed or implied, or as a guarantee of any employment of any duration.

Students acknowledge receipt of the Student Code of Conduct and the consequences to students who violate district disciplinary policies.

Zero Tolerance Rules Regarding – Weapons and Unlawful Drugs

This is a reminder to all parents, students, and patrons of Klamath County School District that it is the position of the Administration and Board of Directors of the Klamath County School District that schools should be weapon free and students should be free of exposure to unlawful drugs while at school, when participating in scheduled activities, and during use of facilities by members of the community regardless of time or location. In an effort to provide the greatest degree of control, the following policies are in effect, and building principals have been asked to provide strict enforcement.

WEAPONS

Students will be subject to expulsion and referral to law enforcement officials for the following, but not limited to:

- Bringing, possessing, concealing or using a weapon or replica of a weapon on or at school district property or at an activity under the jurisdiction of the district or at an interscholastic activity administered by a voluntary organization approved by the State Board of Education as defined by current ORS. (Oregon Revised Statute) (i.e., Oregon Schools Activities Association);
- Pretense (the offering of something false as real or true) to possessing, concealing or using a weapon on or at school district property or at an activity under the jurisdiction of the district or at an interscholastic activity administered by a voluntary organization approved by the State Board of Education (i.e., Oregon Schools Activities Association);

Students found to have brought, possessed, concealed or used a dangerous or deadly weapon; firearm or destructive device in violation of this policy shall be expelled for a period of not less than one year. The superintendent may, on a case-by-case basis, modify this expulsion requirement. The district is not required to provide alternative education to students facing expulsion under this policy. The district may also request suspension of a student's driving privileges or the right to apply for driving privileges with the Oregon Department of Transportation.

Dangerous weapon is defined in Oregon law as any weapon, device, instrument, material or substance which, under the circumstance in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or serious physical injury.

Deadly weapon is defined as any instrument, article or substance specifically designed for, and presently capable of, causing death or serious physical injury.

Firearm is defined in federal law as any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive. This includes the frame or receiver of any such weapon, firearm, muffler or silencer.

Destructive device is defined as any device with an explosive, incendiary or poison gas component or any combination of parts either designed or intended for use in converting any device into any destructive device or from which a destructive device may be readily assembled. A destructive device does not include any device, which is designed primarily or redesigned primarily for use as a signaling, pyrotechnic, line throwing, safety or similar device.

Weapons may also include, but not be limited to, firearms, knives, replicas of weapons, metal knuckles, straight razors, noxious, irritating gases or poisons, unlawful drugs or other items fashioned with the intent to use, sell, harm, threaten or harass students, staff members, parents and patrons.

Weapons, including replicas of weapons and knives or destructive devices possessed on or about a person while on district property are subject to seizure or forfeiture.

Incidents of students possessing weapons will be reported to the student's parents and a referral to the appropriate law enforcement agency shall be made. Appropriate disciplinary and/or legal action will be taken against students who possess weapons and with students who assist possession in any way. **Students bringing weapons to school or possessing, concealing, or using weapons at school or at school-related or interscholastic activities will be expelled for a period of not less than one year.** The superintendent may, on a case-by-case basis, modify this expulsion requirement. The district may also request suspension of a student's driving privileges or the right to apply for driving privileges with the Oregon Department of Transportation.

DIRECTORY INFORMATION

Regarding student education records, I understand that certain personally identifiable information about my student is considered directory information and is generally not considered harmful or an invasion of privacy if released to the public. Directory information includes, but is not limited to: the student's name, address (including electronic address), telephone listing, photograph, date and place of birth, 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 and the most recent previous educational agency or institution attended.

1. Public Notice

A parent or student 18 years of age or an emancipated student, may not opt out of directory information to prevent the district from disclosing or requiring a student to disclose their name, identifier, institutional email address in a class in which the student is enrolled or from requiring a student to disclose a student ID card or badge that exhibits information that has been properly designated directory information by the district in policy JOA - Directory Information.

The district forwards educational records requested by an educational agency or institution in which the student seeks to enroll or receive services, including special education services.

I also understand that the district is required by law to release secondary students' names, addresses and telephone numbers to military recruiters and/or institutions of higher education unless parents or eligible students request that the district withhold this information.

2. Exclusions

Exclusions from any or all directory categories named as directory information must be submitted in writing to the principal by the parent, student eighteen (18) years of age, or emancipated student within fifteen (15) days of annual public notice.

Directory information shall be released only with administrative direction.

Directory information considered by the district to be detrimental will not be released.

Information will not be given over the telephone except in health and safety emergencies.

Armed Forces Recruiting – Section 9528 of the ESEA requires each local school district to provide, on request by a military recruiter or an institution of higher education, access to the names, addresses, and telephone listings for secondary students. However, parents may request that such information not be released for their child without written parental consent.

I also understand that certain student information is considered personally identifiable information and may be released only with prior notification by the district of the purpose(s) the information will be used, to whom it will be released and my prior written, dated and signed consent unless otherwise permitted by law. (KCSD Board Policy JOB)

Personally identifiable information includes, but is not limited to: the student's name, the name of the student's parents or other family member, the address of the student or student's family, and personal identifiers such as the student's social security number or student identification number, a list of personal characteristics or other such information that would make the student's identity easily traceable.

I. ADMISSION

A student seeking enrollment in the district for the first time must meet all academic, age, immunization, tuition, and other eligibility prerequisites for admission as set forth in state law, Board policy and administrative regulations. Students will be allowed to attend class the day following registration and/or scheduling appointment. Students and their parents should contact their local school office for admission requirements.

The district shall deny regular school admission to non-resident students who are under expulsion from another public/private school or district for a weapons policy violation. The district shall deny regular school and alternative program admission to non-resident students who are under expulsion from another district for reasons other than a weapons policy violation.

The district shall deny regular school admission to students who have become residents and who are under expulsion from another school district for reasons other than a weapons policy violation.

The district shall deny, for at least one calendar year from the date of the expulsion, regular school admission to students who have become residents and who are under expulsion from another school district for weapons policy violation. While under no obligation to do so, the Board may provide alternative programs of instruction to students expelled for a weapons policy violation.

II. ALCOHOLIC BEVERAGES

Klamath County School District is committed to providing an alcohol/drug-free learning environment for its students; therefore, the following conditions apply:

A. Condition Description

1. A student shall not distribute, possess, use, pretense use of, pretense possession of, or be under the influence of any alcoholic beverage, or intoxicant of any kind; nor shall the student have in his/her possession any device, container, or apparatus associated with the use of the above on or near school grounds or at a school sponsored activity, regardless of time or location and while being transported on a district-provided transportation.

If possession, use, distribution or sale occurred near district grounds, disciplinary action may include removal from any or all extracurricular activities and/or denial or forfeiture of any school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.)

If possession, use, distribution or sale occurred on district grounds, at school-sponsored activities or otherwise while the student was under the jurisdiction of the school, students will be subject to discipline up to and including expulsion. Denial and/or removal from any or all extracurricular activities and/or forfeiture of any school honors or privileges may also be imposed.

A referral to community resources and/or cessation programs designed to help the student overcome alcohol use may also be made. The costs of such programs are the individual responsibility of the parent.

Clothing, bags, hats, vehicles and other personal items used to display, promote or advertise alcohol are prohibited on district grounds, at school-sponsored activities and in district vehicles.

Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of school property is a Class A felony. Punishment is a maximum of 20 years of imprisonment, \$375,000 fine or both, as defined by current ORS. (Oregon Revised Statute)

2. Breathalyzers may be used at school, and school related activities as determined by the administration.
3. Students in violation of the district's alcohol policy will be subject to disciplinary action and referral to law enforcement officials, as appropriate in accordance with the KCS D Student Rights as Responsibilities Handbook.
4. Violation of any one aspect of the condition description will be considered the first (1st) offense. Any repeated violation of the section will be considered the second (2nd) offense and will lead to further suspension or recommended expulsion.
5. Activity-athletic violations and corrective actions are outlined in the Klamath County School District Athletic/Activity Handbook (s)

B. Guidelines

1. Policy
 - a. A student shall not distribute, possess, use, or be under the influence of an alcoholic beverage of any kind; nor shall the student have in his/her possession any device, container or apparatus associated with the above.
 - b. Students who are not personally using alcohol, but remain in the presence of students who are using alcohol will be found in violation of the policy.
 - c. Students selling, supplying or sharing alcoholic beverages are also in violation of the policy and may be recommended for immediate expulsion.
 - d. A student whose activities associated with alcoholic beverages is detrimental to the safety and welfare of other students or district employees may be recommended for expulsion.

2. Accountability

In each circumstance there shall be:

- a. Notification of parents.
- b. Notification of appropriate law enforcement/service agencies.

First Violation:

- 1) Students will be suspended for up to ten (10) school days as determined by the school officials and may be subject to expulsion; and/or additionally meet all requirements of a diversion program
- 2) An interview with a police officer, for the purpose of determining any legal action.
- 3) Completion of an alcohol education program as prescribed by the administration. The costs of such programs are the individual responsibility of the parent.
- 4) Failure to complete 2) through 3) shall result in a ten (10) day suspension pending expulsion proceedings.

Second and further violations:

- 1) The student will be suspended and may be recommended for expulsion; and/or the school administration will work with the Diversion Treatment Organization to increase treatment levels.

III. ALTERNATIVE EDUCATION PROGRAMS

“Alternative education program” means a school or separate class group designed to best serve students’ educational needs and interests and assist students in achieving the academic standards of the district and the state.

Alternative education programs have been established and approved by the board to meet the individual needs of students. These programs will be made available to students who are unable to succeed in the regular programs because of erratic attendance or behavior problems; who have not met or who have exceeded all of Oregon’s academic content standards; when necessary to meet a student’s educational needs or interests; or when a public or private alternative program is not otherwise readily available or accessible. Such

programs consist of instruction or instruction combined with counseling and may be public or private. Private programs must be registered with the Oregon State Department of Education. Home schooling shall not be used as an alternative program placement.

A. Alternative Education Notification

Individual notification to students and parents regarding the availability of alternative education programs will be provided under the following situations:

1. When two or more severe disciplinary problems occur within a three-year period.
2. When attendance is so erratic the student is not benefiting from the educational program.
3. *When an expulsion is being considered for reasons other than a weapons policy violation.
4. *When a student is expelled for reasons other than a weapons policy violation.
5. When a student's parent or emancipated student applies for exemption from attendance on a semi-annual basis.

***While under no obligation to provide alternative educational opportunities to an expelled student for a weapons violation, the district may provide alternative education programs for resident students expelled for violations of applicable state or federal weapons laws.**

Individual notification shall be hand-delivered or sent by certified mail. Parents shall receive individual notification prior to an actual expulsion.

Notification shall include:

1. The student's action,
2. A list of alternative education programs for the student,
3. The program recommendations based upon the student's learning styles and needs, and
4. Procedures for enrolling the student in the recommended program.

B. In-District Alternative Education Programs – examples are not limited to, but include:

1. Evening classes,
2. Tutorial instruction,
3. Small group instruction,
4. Falcon Heights Academy,
5. Instructional activities provided by other accredited institutions,
6. Professional technical programs,
7. Cooperative and/or supervised work experience,

8. Supervised community service activities,
9. Supervised independent study, after school programs,
10. Expanded Options Program, and
11. Others as approved by the district.

Parents may request additional in-district alternative education programs by submitting written requests to the principal.

C. Non-District Alternative Education Programs

1. Other school(s) / program(s),
2. Klamath Institute,
3. Integral Youth Services,
4. Klamath Community College,
5. Oregon Institute of Technology, Central Oregon Intergovernmental Council and
6. Others as approved by the district.

D. Program Costs

1. The district pays the alternative education program cost or an amount equal to 80% of the district's estimated current year's average per student cost, whichever is less, for placing students in a non-district alternative education program. The student's placement must have the prior approval of the district.
2. The district will not assume alternative education costs for any student not placed in an alternative program according to procedures established by the district and Oregon law.
3. If a parent receives an exemption on a semiannual basis to withdraw a student age sixteen (16) or seventeen (17) from school, the district has no obligations to pay for an alternative program.
4. If a student is not successful in the alternative education program or the program is not accepted by the students and/or parents, there is no obligation to propose or fund a second alternative.

E. Alternative Education Programs – Establishment

Proposals from parents or students for the establishment of an alternative education program shall be submitted in writing to the superintendent or designee.

Proposals for alternative education programs shall include the following:

1. Goals;
2. Criteria for enrollment;
3. Proposed Budget;
4. Staffing;
5. Location;
6. Assurance of non-discrimination.

Proposals must be submitted to the superintendent prior to November 1 for programs to be implemented the following year.

The Director of Curriculum will establish an evaluation committee to review proposals based on district criteria. The committee shall provide a written report to the superintendent by February 1 stating why the proposal should be accepted, rejected or modified.

The superintendent's recommendation to accept, reject, or accept with modifications will be presented to the Board for consideration by April 15.

IV. ANIMAL DISSECTION

In courses including animal dissection, a student may request alternative coursework rather than participate in dissection activities on any animal. The district will provide alternative materials and methods of learning the course curriculum. A student will not be penalized for exercising this option for alternative instruction opposed to animal dissection.

V. ASBESTOS

The Klamath County School District has complied with the Asbestos Hazard Emergency Response Act (AHERA) by having its buildings inspected by accredited inspectors and the development of a management plan for the control of this substance. The management plan is available for public inspection in the district office. The maintenance supervisor serves as the district's asbestos program manager and may be reached for additional information.

VI. ASSEMBLY OF STUDENTS

For violations of conditions for assemblies, students will be subject to discipline, including: detention, suspension, expulsion, denial and/or loss of awards and privileges, and/or referral to law enforcement officials.

A. Condition Description

1. It is important to the orderly use of school facilities that the use of all space be planned in advance whenever possible.
2. Students, faculty, and administration are all in some measure responsible for the activities that are conducted in a school. School personnel are held accountable by the School Board and the public for the image of the institution. Also, all members of the school community are accountable to each other.

B. Guidelines

1. Rights

- a. Students shall be permitted to hold student meetings on school property upon approval from the school administration.
- b. Students shall have the right to gather informally.

2. Responsibilities

a. Student meetings:

- 1) The meeting shall be scheduled in advance.
- 2) Normal class activities shall not be disrupted.
- 3) The meeting shall not be such as may be likely to incite hazard to person or property.
- 4) The meeting shall be sponsored by school officials or an official school club or organization.
- 5) No speaker who openly and knowingly advocates breaking the law shall be invited to speak. Invitations to speakers shall be approved by the principal or his designated representatives. Attempts shall be made to present a balance of viewpoints.
- 6) If a crowd is anticipated, a crowd control plan shall be filed in the appropriate office well in advance of the meeting.

VII. ATTENDANCE

A. Condition Description

- 1. In all Klamath County schools regular attendance in all classes is expected. Attendance practices by students that are anything other than regular will cause the student to miss valuable class discussions, lectures, demonstrations, etc., ultimately causing the learning process to be impaired. Thus, lack of attendance will affect grades and possibly cause the student to receive no credit in classes.
- 2. Writing, reading, or even meeting with teachers after class hours for the purpose of getting “make-up” work after an absence cannot be a proper substitute for actual classroom discussion and instruction.
- 3. An important part of school training is to learn responsible habits. Regular attendance is a responsible habit that needs to be emphasized because of its value later in life.
- 4. All students between the ages of 7 and 18 who have not completed grade 12 are required to regularly attend school unless otherwise exempted by law. School staff will monitor and report violations of the state compulsory attendance law. All students five or six years of age who have been enrolled in a public school are required to attend regularly.
- 5. A person who has passed the age requirement may petition the school district to attend school as outlined in Oregon Revised Statutes.

6. School attendance is the responsibility of the students and their parents. The responsibility of the school is to provide instruction and to inform parents of absences.
7. A student who is absent from school or from any class without permission will be considered truant and will be subject to disciplinary action including detention, suspension, expulsion, ineligibility to participate in athletics or other activities, loss of driving privileges and/or citations for truancy, as outlined in the ORS (Oregon Revised Statutes).

B. Regulations

1. State Compulsory Attendance Laws-Oregon School Law are as follows.

- a. **339.010 School attendance required; age limits.** Except as provided in ORS 339.030, all children between the ages of 7 and 18 years who have not completed the 12th grade are required to attend regularly a public full-time school of the school district in which the child resides.
- b. **339..020 Duty to send children to school.** Except as provided in ORS 339.030, every person having control of any child between the ages of 7 and 18 years who has not completed the 12th grade is required to send such child to and maintain such child in regular attendance at a public full-time school during the entire school term.
- c. **339.065 Estimates of attendance; irregular attendance; excused absences.**
 - 1) In estimating regular attendance for purposes of the compulsory attendance provisions of ORS 339.005 to 339.030, 339.040 to 339.125, 339.137, 339.420 and 339.990, the principal or teacher shall consider all unexcused absences. Eight unexcused one-half day absences in any four-week period during which the school is in session shall be considered irregular attendance.
 - 2) An absence **may be** excused by a principal or teacher if the absence is caused by the pupil's sickness, by the sickness of some member of the pupil's family or by an emergency. A principal or teacher **may also** excuse absences for other reasons where satisfactory **arrangements are made in advance of the absence.**
 - 3) Any pupil may be excused from attendance by the district school board for a period not to exceed five days in a term of three months or not to exceed 10 days in any term of at least six months. Any such excuse shall be in writing directed to the principal of the school which the pupil attends.
- d. **339.990 Penalties.** Violation of ORS 339.020 or the requirements of ORS 339.035 is a Class C violation.

2. Excused Absences

- a. An administrator may see fit to excuse students from school when circumstances are justifiable. In cases where an absence is anticipated for reasons other than illness, the following procedure should be followed.
 - 1) Advance Approval and Advance Planning: A student should discuss planned absences with his/her principal. If approval is obtained, the student shall then go to his/her teachers for advance assignments and learn the due date for the completed work.
 - 2) When an emergency situation requires that a student be absent from school, the parent must notify the school as soon as possible.
 - 3) Students may be excused on a limited basis from a preplanned classroom activity or from selected portions of the established curriculum on the basis of a disability or for personal, religious or ethnic considerations.

- 4) A student shall not be released from school at times other than regular dismissal hours except with the principal's permission or according to school sign-out procedures. The teacher will determine that permission has been granted before allowing the student to leave. A student will not be released to any person without the approval of his/her parent or as otherwise provided by law.

C. Policies and Procedures

1. Attendance Policies

- a. Parents are legally responsible for students attending school. Truancy will not be condoned. Absences totaling more than twelve (12) days in an eighteen (18) week period could be considered irregular attendance and may result in failure to earn credit.
- b. Any parent who fails to send a student to school within three (3) days of notification by the district that their student is not complying with compulsory attendance requirements may be issued a citation by the district for the student's failure to attend school. Violation is a Class C violation of law and is punishable by a court imposed fine as defined by current ORS. (Oregon Revised Statute)
- c. The district will notify the parent in writing that, in accordance with law, the principal will schedule a conference with the non-attending student and his/her parent(s) to discuss attendance requirements. The written notice will include the following:
 - 1) The principal or the designee has the authority to enforce the provisions of the compulsory attendance laws;
 - 2) Failure to send a student to school is a Class C violation;
 - 3) A citation may be issued by the district
 - 4) A conference with the parent and student is required.

The written notification will be in the native language of the parent.

Additionally, a parent or guardian, or other person lawfully charged with the care or custody of a student under 15 years of age, may receive a citation and may be found by the courts to have committed the offense of failing to supervise a child who has failed to attend school as required. ORS. (Oregon Revised Statute)

Students who fail to maintain regular enrollment in school may have either their driving privileges suspended or the right to apply for driving privileges suspended.

- d. Students may also be issued a citation as defined by current ORS. (Oregon Revised Statute) for failure to attend school regularly.

All children between the ages of 7 and 18 years who have not completed the 12th grade are required to attend regularly a public full-time school of the school district in which the child resides.

- e. A student will have one (1) day, for each day missed, to make up work presented in class on the day the excused absence occurred. The teacher (upon request) will give assignments; the student must complete and turn in this work for credit. Allowances for exceptional cases may be made by the teacher or administrator. Work or tests assigned prior to the absence are due when the student returns to school; athletic/activity absences fall within this expectation. The parent/student must notify the school describing the reason for the absence in a timely manner.

f. Absence from school or class will be excused under the following circumstances:

- 1) Illness of the student;
- 2) Illness of an immediate family member when the student's presence is necessary;
- 3) Emergency situations that require the student's absence;
- 4) Field trips and school-approved activities;
- 5) Medical or dental appointments. Confirmation of appointments may be required;
- 6) Other reasons deemed appropriate by the school administrator when satisfactory arrangements have been made in advance of the absence.

Each school shall notify parents/guardians by the end of the school day if their child has an unplanned absence. The notification will be either in person, by telephone, or another method identified in writing by parent/guardian. If the parent/guardian cannot be notified by the above methods, a message shall be left, if possible.

Students may be excused on a limited basis from a preplanned classroom activity or from a preplanned classroom activity or from selected portions of the established curriculum on the basis of a disability or for personal, religious or ethnic considerations.

A student who must leave school during the day must have prior notification from his/her parent. A student who becomes ill during the day should, with the teacher's permission, report to the school office. The building administration will decide whether or not the student should be sent home and will notify the student's parent as appropriate.

g. The attendance procedures below are based on each semester grading period. Absenteeism will not be used as sole criterion for the reduction of grades.

h. Suspension of Driving Privileges

Students who fail to maintain regular enrollment in school may have either their driving privileges suspended or the right to apply for driving privileges suspended. The superintendent may, as defined by current ORS. (Oregon Revised Statute) notify the Oregon Department of Transportation (ODOT) of the withdrawal of a student who is at least 15 years of age and under 18 years of age. Upon notice by the district that a student has withdrawn from school, (ODOT) shall notify the student that driving privileges will be suspended on the 30th day following the date of notice unless the student presents documentation as defined by current ORS. (Oregon Revised Statute) A student shall be considered to have withdrawn from school if the student has:

- 1) More than 10 consecutive school days of unexcused absences; or
- 2) Fifteen school days total of unexcused absences during a single semester.

The student has the right to appeal the superintendent's or Board's decision through district suspension/expulsion due process procedures.

2. Attendance Procedures

- a. All teachers are responsible for recording attendance in every class period.
- b. Students on field trips, athletic events, and other school business will be considered an excused absence from class.

3. Unexcused Absences/Truancy

A truancy means being out of an assigned area, or being absent from school while an assigned class is in session. Students found to be off campus without permission or found to be out of their assigned area are truant. If a student is found to be truant it means they have an unexcused absence. Students may not receive credit or be allowed to make up work while truant. A citation may be issued.

If a student misses one (1) or more periods a day without an excuse, the absence constitutes one (1) unexcused absence.

- a. After the first (1st) and second (2nd) unexcused absence, the school personnel will confer with the student and the parents will be notified. The student may be assigned other corrective action, be assigned to make up missed time during the supervised study program, or be suspended from school for two (2) days.
- b. After three (3) separate unexcused absences during the semester, there will be a conference with the student and the administrator and/or counselor. The student may be suspended from school for three (3) days and parents will be notified.
- c. After a total of four (4) separate unexcused absences, a student may be automatically suspended for five (5) days. A parent conference with school officials may be held, and a referral may be made to the Klamath Youth Attendance Team.
- d. After a total of five (5) separate unexcused absences during a semester, a student may be recommended for expulsion. Parents will be notified of this action.
- e. When the principal has determined that a student's attendance pattern is so erratic that the student is not benefiting from the educational program and is being recommended for expulsion, the principal will refer the matter to the District Hearings Officer. The District Hearings Officer shall consider and propose to the student prior to expulsion and document to the parent alternate programs of instruction or instruction combined with counseling for the student.

4. Unexcused Tardies

- a. In all Klamath County Schools arriving to each class on time and being punctual is expected. Each school is required to adopt and develop a tardy policy that best suits its students. All tardies, whether excused or unexcused, are determined and classified by the school's administration or his/her designee.

VIII. BUS RULES

A. Condition Description

It is necessary for the district to have rules and regulations concerning the use of buses by students.

B. Guidelines

1. Rights

- a. Rules governing students riding buses must be kept posted in a conspicuous place in all school buses.
- b. Suspensions from the school bus are considered suspensions from school if they effectively prevent the student from accessing the school.

2. Responsibilities

- a. Students should be aware that the bus driver is responsible for the safety of the students and will determine operating procedures under hazardous conditions.
- b. When on a field trip or similar activity, the certified teacher or supervisor is responsible for the behavior of the students.
- c. Students must follow the rules listed below governing the riding of school buses and obey promptly the directions of the bus driver. Students who violate these regulations will be subject to disciplinary action which may include suspension, expulsion or they may forfeit the privilege of riding the bus.
 - 1) Students being transported on regular bus routes are under the authority of the bus driver.
 - 2) Students shall not fight, wrestle, or engage in any boisterous activity on the bus.
 - 3) Students shall use the emergency door only in case of emergency.
 - 4) Students shall be on time for the bus both morning and evening
 - 5) Students shall not possess firearms, weapons, or other potentially hazardous material on the bus.
 - 6) Students shall not bring animals, except approved assistance guide animals on the bus;
 - 7) Students shall remain seated while the bus is in motion.
 - 8) Students may be assigned seats by the bus driver.
 - 9) Students shall cross in front of the bus or as instructed by the bus driver when necessary to cross the road.
 - 10) Students shall not extend their hands, arms, or head through bus windows.
 - 11) Students shall have written permission to leave the bus other than at home or school
 - 12) Students shall converse in normal tones; loud or obscene language is prohibited.
 - 13) Students shall not open or close windows without permission of the bus driver.
 - 14) Students shall keep the bus clean and must refrain from damaging it.
 - 15) Students shall be courteous to the driver, to fellow students, and to passersby.

- 16) Students who refuse to promptly obey the directions of the driver or refuse to obey regulations may forfeit their privilege to ride the bus.

IX COMMUNICABLE DISEASES

Parents of a student with a communicable or contagious disease are asked to telephone the principal so that other students who have been exposed to the disease can be alerted. A student with certain school restrictable diseases is not allowed to come to school while the disease is contagious. This restriction is removed by the written statement of the local health officer or a licensed physician (with the concurrence of the local health officer) that the disease is no longer communicable to others in the school setting. For those diseases indicated by an asterisk (*) below, the restriction may be removed by a school nurse. For head lice, indicated by a double asterisk (**) below, the restriction may be removed after the parent provides a signed statement that a recognized treatment has been initiated. These diseases include chicken pox*, cholera, diphtheria, measles, meningitis, mumps*, lice infestations**, whooping cough, plague, rubella, scabies*, staph infections*, strep infections*, tuberculosis and pandemic flu. Parents with questions should contact the school office.

X. CONDUCT

Students are responsible for conducting themselves properly, in a safe, respectful, responsible manner, in accordance with the policies of the district and the lawful direction of staff. The district has the responsibility to afford students certain rights as guaranteed under federal and state constitutions and statutes.

A. Student Rights and Responsibilities

Among these student rights and responsibilities are the following:

1. Civil rights - including the rights to equal educational opportunity and freedom from discrimination, the responsibility not to discriminate against others,
2. The right to attend free public schools, the responsibility to attend school regularly and to observe the school rules essential for permitting others to learn at school,
3. The right to due process of law with respect to suspension, expulsion and decisions, which the student believes injure his/her rights,
4. The right to free inquiry and expression, the responsibility to observe reasonable rules regarding these rights,
5. The right to assemble informally, the responsibility to not disrupt the orderly operation of the educational process, nor infringe upon the rights of others,
6. The right to privacy, which includes privacy in respect to the student's education records, and
7. The right to know the behavior standards expected the responsibility to know the consequences of misbehavior.

B. Student Code of Conduct

The district has authority and control over a student at school during the regular school day, at any school-related activity, including behavior outside of school that continues to adversely impact the learning environment, regardless of time or location and while being transported in district provided transportation.

Students will be subject to discipline including detention, suspension, expulsion, denial and/or loss of awards and privileges, and/or referral to law enforcement officials for the following, but not limited to:

1. Threats by an individual or conspiracy to harm others;
2. Conspiracy to commit a crime or violate school rules;
- **3. Substance abuse or any possession or use of tobacco, alcohol, or unlawful drugs, including drug paraphernalia;
4. Pretense (the offering of something false as real or true) use of or pretense possession of tobacco, alcohol, or unlawful drugs;
- ***5. Assault or menacing of a district employee or another student. Menacing means by word or conduct the student intentionally attempts to place a district employee, another student, or third party in fear of imminent serious physical injury;
- ***6. Use of threats, intimidation, harassment, bullying, teen dating violence, cyberbullying, hazing, or coercion against any fellow student, district employee, or third party;
- ***7. Willful damage, defacement or destruction of district property;
8. Willful damage or destruction of private property on district premises or during district activities;
9. Arson, attempted arson, igniting, possessing, or transferring an explosive device such as a firecracker, smoke bomb, or other dangerous object (lighter, matches, etc.)
10. Theft;
11. Use or display of profane or obscene language.
12. Inappropriate public display of affection.
13. Inappropriate/improper use of the Internet, computers, cell phones or other technology; (this includes sexting and telephonic harassment)
14. Violations of district transportation rules;
15. Activities causing disruption of the learning environment such as, disorderly conduct, false threats, and other activities.
16. Plagiarism or “cheating”; forgery or other forms of dishonesty, including lying to school staff members.
17. Leaving school grounds or school-sponsored events without permission;
18. Not in an assigned area or leaving class and not returning in a timely manner.
19. Insubordination, open defiance, such as disobeying directives from school personnel or school policies, rules, and regulations;
20. Committing extortion, coercion or blackmail, that is, obtaining money or other objects of value from an unwilling person or forcing an individual to act through the use of force or threat of force;

21. Name-calling, ethnic or racial slurs or derogatory statements that may substantially disrupt the school environment or incite violence;
 22. Inappropriate physical or sexual contact disruptive to other students or school environment;
 23. Offensive conduct of a sexual nature, whether verbal, non verbal, or physical, which may include requests for sexual favors or other intimidating sexual conduct, directed toward another student;
 24. Persistent failure to comply with rules under the lawful directions of staff or district officials.
 25. Making a false report.
 26. Failure to attend assigned detention.
 27. Possession of a pocketknife in all cases, the school will confiscate the knife. A pocketknife may be returned to the parent at the discretion of the administration.
 28. Disrespectful to staff member (s).
 29. Students shall not fight, wrestle or engage in any boisterous activity, i.e. horseplay.
 30. Violation of dress code and grooming building policy.
 31. Bomb threat.
 32. Pulling a fire alarm without reasonable cause.
- ** In accordance with Oregon law, any person under age eighteen (18) possessing a tobacco product is subject to a fine. Any person who distributes sells or causes to be sold, tobacco in any form or a tobacco burning device, to a person under eighteen (18) years of age is subject to a fine. An unlawful drug is any drug not prescribed by a licensed medical practitioner. Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of district property is a Class A felony.
- *** In accordance with Oregon law, the superintendent may request that the driving privileges of the student or the right to apply for driving privileges be suspended for no more than one year for any student who has been expelled for bringing a weapon to school or suspended or expelled at least twice for assaulting or menacing a district employee or another student, for willful damage or injury to district property or for use of threats, intimidation, harassment or coercion against a district employee or another student.
A second such request for subsequent violation may result in suspension of driving privileges or to apply for driving privileges until the student is age twenty-one (21).
- A meeting with the parent or guardian will be held prior to submitting such request to the Department of Transportation.
- A student may appeal district decisions regarding driving privileges under established due process procedures for suspensions and expulsions.

XI. OUT OF SCHOOL CONDUCT

Students whose actions violate any of the Code of Conduct provisions in a setting outside of school are also subject to disciplinary action, up to and including expulsion, if their actions can reasonably be anticipated to substantially disrupt or materially interfere with the operations of the schools or to intrude upon the rights of other students.

XII. CYBERBULLYING/SEXTING

The district prohibits any form of harassment, including harassment, intimidation or bullying through electronic means, i.e. text messaging, which is known as cyberbullying. Sexting” the transmitting of sexual images or dialogue via cell phones in most instances is an illegal activity. If a student receives a “sexting” message they should not forward it to anyone and should notify school administrators or the school resource officer immediately. A student may be subject to discipline, up to and including expulsion, for a violation. A student may also be referred to law enforcement for a violation. The district will take any report of cyberbullying/sexting seriously and will investigate credible reports promptly. Students are encouraged to report an incident immediately to a teacher or principal, who will take appropriate action. Students who make a report are expected, but not required, to preserve evidence of cyberbullying. For example, a student may save or bring a copy of an email, text message, picture or other electronic transmission that the student believes was intended to harm, insult or humiliate.

XIII. DAMAGE TO DISTRICT PROPERTY

A student who is found to have damaged district property will be held responsible for the reasonable cost of repairing or replacing that property. The district will notify students and parents of all such charges. If the cost is \$50 or more, the district will notify the student and parent. If the amount due is not paid within 10 calendar days of receipt of the district’s notice, the amount will become a debt owed and certain penalties and/or restrictions may be imposed. Law enforcement may be contacted. See Fee, Fines and Charges.

XIV. DISCIPLINE, SUSPENSION, EXPULSION, SERIOUS STUDENT MISCONDUCT

A. Condition Description

1. All students in our schools deserve reasonable safeguards in the consideration of all matters affecting their school life. Careful attention must be given to procedures and methods whereby fairness and consistence in discipline shall be assured each student.
2. Special problems confront administrators and teachers in conducting school programs free from disruption and free from the kinds of distracting behavior which impedes the learning of any student. School officials may find it necessary to discipline a student or even remove the student from the formal learning environment for a period of time.

3. Teachers and administrators need discretionary powers in invoking disciplinary actions and procedures, and in maintaining a climate conducive to learning and protection of life and property.

The district’s disciplinary options include using one or more discipline management techniques including counseling by teachers, counselors and administrators, detention, suspension, expulsion, and removal to an alternative education program. Disciplinary measures are applied depending on the nature of the offense. The age and past pattern of behavior of a student will be considered prior to any suspension or expulsion.

In addition, when a student commits substance abuse, drug or drug paraphernalia, alcohol and/or tobacco-related offenses or any other criminal act, he/she may also be referred to law enforcement officials. Violations of the district weapons policy, as required by law, shall be reported to law enforcement.

4. Disciplinary procedures initiated at a Klamath County school will be continued at a receiving Klamath County school if the student transfers.

B. Guidelines

1. Rights

- a. Fair treatment for each student shall be such as to protect the student from arbitrary and unreasonable decisions. A student's due process rights will be observed in all instances, including the right to appeal the discipline decisions of staff and administrators.
- b. All decisions affecting students shall be based on careful and reasoned investigation of the facts and the consistent application of rules and regulations.
- c. Schools shall make an effort to apprise students and parents of the rules and procedures by which schools are governed and the processes by which discipline may be involved.

2. Responsibilities

- a. Students shall comply with the rules for government of schools, pursue the prescribed course of study and shall submit to the lawful authority of teachers or school officials. A student who violates the Student Code of Conduct shall be subject to disciplinary action.
- b. The following types of conduct shall make the student liable for discipline, suspension, or expulsion:
 - 1) Disruption of school is any conduct in or out of school towards students or staff that substantially disrupts school, or school functions, or is likely to do so. Such conduct includes, but is not limited to, name calling, making racial slurs, verbal harassment, use of obscenity or profanity, attempting to incite violence, horseplay, or inappropriate physical/sexual contact.
 - 2) Theft, damage or destruction of school and/or private property: A student shall not cause nor attempt to cause damage to school and/or private property, nor steal nor attempt to steal school and/or private property either on the school grounds or during a school activity, function, or school event off school grounds.
 - 3) Extortion, coercion, threats or assault on a school employee, another student, or other person not employed by the school: A student shall not intentionally do bodily injury to any person or threaten any persons, or knowingly bring, possess, conceal, use, handle, or transmit any object that can reasonably be considered a weapon:
 - a) On school property during school hours and immediately before or immediately after school hours.
 - b) On school property at any other time when the school is being used by a school group or at an activity under the jurisdiction of the school or at an interscholastic activity administered by a voluntary organization approved by the State Board of Education.
 - c) Off school property at any school activity, function, or event.
 - d) To and from school, immediately before or immediately after school hours.
 - e) Off school property at any given time if it causes a disruption to the school process.

4) Fighting

Elementary, Junior High and High School – It will be handled on an individual basis by the principal or his/her designee.

Counseling procedures will take place to attempt to settle the problem. In all instances, the parents will be notified.

a) The following discipline procedures are recommended:

1) First Offense – two (2) day suspension

2) Second Offense – three (3) to five (5) day suspension

3) Third Offense – possible expulsion

b) Students may be cited by law enforcement or administration.

c) Under unusual and/or extreme circumstances, the above may not be followed and the building principal may take a different course of action and could recommend expulsion immediately.

5) Insubordination:

A student shall comply with reasonable directions of a teacher and/or other authorized personnel during any period of time when he or she is properly under the authority of the school. Students who do not respond to guidelines or minor discipline or who are constantly at odds with school discipline must accept the consequence of such action. Willful disobedience, open defiance of a teacher's authority and/or other school personnel, or the use of profane or obscene language or gestures is also sufficient cause for discipline, suspension, or expulsion from school.

6) School functions:

It is reasonable to expect individuals attending school functions to conform to the rules of good school conduct. This applies to school grounds as well as to the building. No one attending a function not open to the general public (school dance, school party) may leave the building and return without permission. Students are expected to arrive at a dance or other school function within a reasonable time after the start of the event.

7) Public display of affection:

Public display of affection is disruptive and not appropriate. Violation of this policy may result in a parent conference and/or disciplinary action.

8) Violation of rules or policies:

The violation of any rules or policies of the Klamath County School District, including Attendance, Dress and Grooming, Narcotics, Alcoholic Beverages, Drugs, Tobacco, Dangerous/Illegal Weapons, Gang Activities/Behaviors, and all other rules and policies shall make the student liable for discipline, suspension, or expulsion.

C. Procedure – Suspension, Expulsion and Alternative Programs

Discipline for a minor infraction or of an emergency nature may be handled without going through all the steps of a formal procedure. In all cases, written record shall be maintained in the student’s discipline file and parents or legal guardians shall be notified.

1. Definitions

a. Out-of-school suspension - defined as one of the following:

- 1) A temporary exclusion from school for a period of up to and including ten (10) school days.
- 2) Exclusion in cases being investigated, pending expulsion.

b. In-school suspension - defined as student under direct supervision, assigned academic work or (with parent approval) non-academic work during the school day.

c. Expulsion - defined as release of a student from school attendance for no longer than one (1) calendar year.

d. Detention - Supervised Study or Wednesday/Saturday School - defined as a supervised period of time. Students assigned to this program are obligated to bring their work with them and stay at task during the assigned period of time.

e. The term “student’s parents” includes the student’s legal guardian or person in parental relationship to the student.

During a period of suspension or expulsion, a student may not attend after school activities and athletic events, be present on district property nor participate in activities directed or sponsored by the district without special permission from the principal.

At the administrator’s discretion, disciplinary consequences assigned to students might vary on a case-by-case basis due to the age of the student, the student’s past patterns of behavior, parental support, seriousness of offense, and other factors.

f. Diversion - Students in violation of KCSD policies which may be subject to expulsion from school could be eligible for the expulsion diversion program. The expulsion diversion program is an option decided upon by the school and/or district administration in lieu of expulsion and after a period of suspension allows a student to continue an uninterrupted course of study with specific behavioral and academic expectations. Violation of the expulsion diversion program agreement may result in suspension pending an expulsion.

2. Detention

A student may be detained outside of school hours for not more than three (3) hours per day on one (1) or more days if the student violates the Student Code of Conduct. The detention shall not begin, however, until the student’s parents have been notified of the reason for the detention and can make arrangements for the student’s transportation on the day(s) of the detention.

3. Suspension

- a. The student shall have notice of charge(s) in such terms as will permit him/her to change his/her course of conduct, or afford the student the opportunity to defend his/her right to engage in the conduct, or show that he/she is innocent of the conduct charged. Students may hear directly from the teacher or the staff member the specific complaints or descriptions of unacceptable behavior when the student so desires or the circumstances permit.
- b. The student is informed of the charge, including the specific acts that support the charge, and that he/she is suspended, the length of the suspension, a plan for readmission, and an opportunity to appeal the decision.
- c. Every reasonable and prompt effort will be made to notify the parents of a suspended student. The parents or guardians are notified by telephone whenever possible of the suspension and the reasons for the action. When parents cannot be contacted, the decision to send the student home, to allow him to remain on school premises, or refer him to proper authorities must be made with consideration of the student's age, maturity, and the nature of the misconduct that caused the suspension.
- d. A letter is mailed to the parents or guardians with a copy of the letter to the superintendent or designee, stating the day, the charge, and the specific acts that support the charge for the suspension, with procedures to be followed by the student and his/her parents or guardians for reinstatement.
- e. The district may require a student to attend school during non-school hours as an alternative to suspension.
- f. The parents or guardians may request and be given a conference with the building principal.
- g. Students will be allowed to make up and receive credit for daily assignments, laboratory experiments, class discussions or presentations, quizzes, unit examinations, midterm and final examinations without an academic penalty. Assignments provided for the student during the suspension period shall be due on the date that the student returns to school from the suspension.

4. Expulsion

A student may be expelled for violations of the Student Code of Conduct, and for violation of any of the rules and policies of the Klamath County School District.

The student is entitled to a hearing unless he/she and his/her parents or guardians waive the right. Waiver may take place by the parent or the student, if eighteen (18) years of age or older, notifying the school district in writing of waiver of the right to a hearing. Failure to contact the District Expulsion Officer confirming the time and date of the hearing will result in waiving the right to a hearing.

- a. The student and parents are notified in writing by the principal or designee of the specific charge or charges and that a hearing before a hearing officer will take place. The notice shall state a recommendation of expulsion. The notice shall also propose modifications and adaptations to his/her educational program, alternate programs of instruction or instruction combined with counseling for the student.
- b. A notice shall also be sent by the superintendent or his/her designee to the student and the parents or guardians by personal service or certified mail and regular mail, citing the charge or charges and the specific facts that support the charge or charges. The notice shall include the statement of intent to consider the charges as reason for expulsion. The notice will also give the time, date, and place of the hearing and the right to representation. This notice shall be furnished at least five (5) days prior to the hearing unless waived by the parents or guardians. The notice shall also propose alternate programs of instruction or instruction combined with counseling to a student expelled for reasons other than a weapons policy violation.

- c. Unless the parents or guardians waive the privilege, the hearings officer shall conduct the hearing as defined by current ORS. (Oregon Revised Statute) (Executive Session) and maintain control over and conduct the hearing review. In case of foreign language differences or other serious communication handicaps, the District shall provide a translator.
- d. The student may be represented by counsel or other persons.
- e. The student shall be afforded the right to defend charges brought against him/her and may use oral testimony, affidavits, writings, or other exhibits in exercising this right.
- f. The student shall be permitted to hear the evidence presented against him/her. The building principal may maintain confidentiality when information is provided by another student.
- g. The hearings officer shall determine the facts of each case on the evidence presented at the hearing. The evidence may include the relevant school records of the student. At or subsequent to the hearing, the hearings officer shall make written findings of fact and conclusions. The hearings officer shall determine the appropriate discipline, if any. The hearings officer shall determine that the district has proposed to the student and documented to the student's parents modifications and adaptations to their educational program or alternative programs of instruction or instruction combined with counseling for the student. If the hearings officer expels the student, the hearings officer shall set the length of the expulsion. A true copy of the hearings officer's written order shall be mailed to the student and the student's parents and shall otherwise be made available to the student and the student's parents.
- h. Strict rules of evidence shall not apply to the proceedings. However, this provision shall not limit the hearing officer's control of the meeting.
- i. The hearings officer shall make a record of the hearing and the superintendent or his/her designee shall make the record available to the student upon request.
- j. The decision may be appealed to the Board. At its next regular or special meeting, the Board will review the hearings officer's decision and will affirm, modify, or reverse the decision. Parents of students who wish to appeal the hearings officer's decision will have the opportunity to be heard at the time the Board reviews the decision.
- k. Expulsions shall not extend beyond one calendar year.

5. Discipline of Students with Disabilities

- a. When a student being served by an individualized education program (IEP) engages in conduct which would warrant suspension of more than 10 total days or expulsion for a Students with Disabilities the student's parents will be notified immediately (within 24 hours) of the circumstances of the misbehavior and the time and location of the student's IEP team meeting addressing the infraction and its relationship to the disability. (Manifestation Determination Meeting)
- b. The IEP team will determine whether the misconduct is a manifestation of the student's disability. Should the IEP team conclude the misconduct was not caused by the student's disability, or the result of failure to implement the IEP services, then the student may be disciplined in the same manner as would other students.
- c. If the IEP team concludes the misconduct is a consequence of the student's disability, the team may review and revise the student's IEP and determine whether a change in placement is needed. The district may choose not to suspend for more than 10 days or expel a Student with Disabilities or terminate educational services for any behavior which is a manifestation of the disability.

- d. A student may be removed from the current educational placement to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than 45 calendar days in a school year for a drug or weapon violation as provided in district procedures. Additionally, the district may request an expedited due process hearing to obtain a hearing officer's order to remove a student to an interim alternative educational setting for not more than 45 days if the student is exhibiting injurious behavior. For the purpose of this request, "injurious behavior" is defined as behavior that is substantially likely to result in injury to the student or to others.

XV. DISTRIBUTION OF MATERIAL

All aspects of school-sponsored publications, including newspapers and/or yearbooks, are completely under the supervision of the teacher and principal. Students may be required to submit such publications to the administration for approval.

Written materials, handbills, photographs, pictures, petitions, films, tapes or other visual or auditory materials may not be sold, circulated or distributed on district property by a student or a non-student without the approval of the administration.

Materials not under the editorial control of the district may be subject to administrative review, restricted or prohibited. Materials shall be reviewed based on legitimate educational concerns. Such concerns include whether the material is defamatory, age appropriate to the grade level and/or maturity of the reading audience, poorly written, inadequately researched, biased or prejudiced, not factual, or not free of racial, ethnic, religious or sexual bias. Materials include advertising that is in conflict with public school laws, rules and/or Board policy, deemed inappropriate for students or may be reasonably perceived by the public to bear the sanction or approval of the district.

If the material is not approved within twenty-four (24) hours of the time that it was submitted, it must be considered disapproved. Disapprovals may be appealed by submitting the disapproved material to the superintendent; material not approved by the superintendent within three (3) days is considered disapproved. This disapproval may be appealed to the Board at its next regular meeting when the individual shall have a reasonable period of time to present his/her viewpoint. The district may designate the time, place and manner for distribution.

XVI. DRESS AND GROOMING

A. Condition Description

The district's dress code is established to promote appropriate grooming and hygiene, prevent disruption and avoid safety hazards.

1. Dress and grooming, while in school, is basically an individual responsibility of the student and his/her parents. When dress and grooming disrupts the learning process for the individual student, other students, or the learning climate of the school, it becomes a matter for counseling with the student and/or parent.
2. The total learning climate of the school is important to the satisfactory progress of students. This system places major emphasis upon developing an environment where the teacher-learning process will flourish with as few constraints as possible.

B. Guidelines

1. Rights
 - a. The district shall reduce all rules and regulations on dress and grooming to writing, and make such rules widely available to the parents and student.
 - b. Student dress and grooming is the responsibility of the individual and his/her parents under the following guidelines.

2. Responsibilities

- a. Dress and grooming shall be clean and in keeping with health, sanitary, and safety practices.
- b. When a student is participating in special activities, the student's dress and grooming shall not disrupt the performance or constitute a health threat to the individual or other students.
- c. Provisions for dress and grooming in special activities and athletics should arise directly out of the needs of the activity. The student is a representative of the school and community and may be required to meet additional dress and grooming standards approved by the principal and may be denied the opportunity to participate if those standards are not met.
- d. Dress and grooming shall not be such as to disrupt the teaching-learning process.
- e. Lewd, sexually suggestive, alcohol, tobacco or drug oriented, inciteful, violent and profane statements on clothing are considered disruptive and are not allowed on school premises.

C. Refer to individual schools for specific dress code guidelines.

XVII. DRILLS – FIRE, EARTHQUAKE AND OTHER EMERGENCY DRILLS

Instruction on fire and earthquake dangers and drills for students shall be conducted for at least 30 minutes each month.

At least one (1) fire drill will be conducted each month for students in grades K-12.

At least two (2) drills on earthquakes will be conducted each year for students in grades K-12.

Schools may have other emergency drills during the year to insure the safety of all students and staff.

A map/diagram of the fire escape route to be followed is posted near all classroom doorways and reviewed with students. When the fire alarm is sounded, students must follow the direction of staff quickly, quietly, and in an orderly fashion.

XVIII. ELECTRONIC COMMUNICATIONS

A. Condition Description

- 1. Access to the district's system is authorized to students in grades K – 12 with parent approval and when under the direct supervision of staff.

B. Guidelines

The following conduct is strictly prohibited:

- 1. Attempts to use the district's system for:
 - a. Unauthorized solicitation of funds;

- b. Distribution of chain letters;
 - c. Unauthorized sale or purchase of merchandise and services;
 - d. Collection of signatures;
 - e. Membership drives;
 - f. Transmission of any materials regarding political campaigns.
2. Attempts to upload, download, use, reproduce or distribute information, data, or software, or file share music, videos or other materials on the district's system in violation of copyright law or applicable provisions of use or license agreements;
 3. Attempts to degrade, disrupt or vandalize the district's equipment, software, materials or data or those of any other user of the district's system or any of the agencies or other networks connected to the district's system;
 4. Attempts to evade change or exceed resource quotas or disk usage quotas;
 5. Attempts to send, intentionally access or download any text file or picture or engage in any communication-that includes material which may be interpreted as:
 - a. Harmful to minors;
 - b. Obscene or child pornography as defined by law or indecent, vulgar, profane or lewd as determined by the district;
 - c. A product or service not permitted to minors by law;
 - d. Harassment, intimidation, menacing, threatening or constitutes insulting or fighting words, the very expression of which injures or harasses others;
 - e. A likelihood that, either because of its content or the manner of distribution, it will cause a material or substantial disruption of the proper and orderly operation of the school or school activity;
 - f. Defamatory, libelous, reckless or maliciously false, potentially giving rise to civil liability, constituting or promoting discrimination, a criminal offense or otherwise violates any law, rule, regulation, Board policy and/or administrative regulation.
 6. Attempts to gain unauthorized access to any service via the district's system which has a cost involved or attempts to incur other types of costs without specific approval. The user accessing such services will be responsible for these costs;
 7. Attempts to post or publish personal student contact information unless authorized by the system coordinator or teacher and consistent with applicable Board policy pertaining to student directory information and personally identifiable information. Personal contact information includes photograph, age, home, school, work or e-mail addresses or phone numbers or other unauthorized disclosure, use and dissemination of personal information regarding students;
 8. Attempts to arrange student meetings with anyone on the district's system, unless authorized by the system coordinator or teacher and with prior parent approval;

9. Attempts to use the districts name in external communication forums such as chat rooms without prior district authorization;
10. Attempts to use another individual's account name or password, fail to provide the district with individual passwords or to access restricted information, resources or networks to which the user has not been given access.

C. Responsibilities

Students must;

1. Adhere to the same standards for communicating on-line that are expected in the classroom and consistent with Board policy and administrative regulations;
2. Respect other people's time and cyberspace;
3. Take pride in communications. Check spelling and grammar;
4. Respect the privacy of others. Do not read the files of others without their permission;
5. Cite all quotes, references and sources;
6. Be forgiving of the mistakes of others and share your knowledge. Practice good mentoring techniques;
7. Report security problems to the supervising teacher;

D. Violations / Consequences

1. Students who violate general system user guidelines shall be subject to discipline up to and including expulsion and/or revocation of district system access up to and including permanent loss of privileges.
2. Violations of law will be reported to law enforcement officials and may result in criminal or civil sanctions.
3. Disciplinary action may be appealed by parents, students and/or a representative in accordance with established district procedures.

XIX. EXPANDED OPTIONS PROGRAM

Upon providing evidence of successful completion of a post-secondary course through the Expanded Options Program, the district will grant credit to the student. By February 15th the high school will send a notice about the program explaining eligibility requirements. A student may apply to and be accepted by a post-secondary institution. If accepted and if a student wishes to take an eligible course through this program, a student must notify the district no later than May 15th of that year. The selected student will meet with an advisory team to establish goals and develop an educational learning plan.

XX. FEES, FINES AND CHARGES

Materials that are part of the basic educational program are provided without charge to a student. A student is expected to provide his/her own supplies of pencils, paper, erasers and notebooks and may be required to pay certain other fees or deposits, including:

- Club dues;
- Security deposits;
- Materials for a class project the student will keep in excess of minimum course requirements and at the option of the student;
- Personal physical education and athletic equipment and apparel;
- Voluntary purchases of pictures, publications, class rings, graduation announcements, etc.;
- Student accident insurance and insurance on school-owned instruments;
- Instrumental rental and uniform maintenance;
- Student identification cards;
- Fees for damaged library books and school-owned equipment;
- Lock or locker deposits;
- Field trips considered optional to the district’s regular school program;
- Admission fees for certain extracurricular activities;
- Participation fees or “pay to play” for involvement in activities.
- Parking

Any required fee or deposit may be waived if the student and parent are unable to pay. Application for such a waiver may be made to the principal

The district may impose certain restrictions and/or penalties until fees, fines, or damages are paid. All such imposed restrictions and/or penalties shall be cleared upon payment of moneys owed. Fees, fines and charges owed to the district may be waived at the discretion of the superintendent or designee if:

- The district determines that the parent of the student is unable to pay the debt;
- The payment of the debt could impact the health or safety of the student;
- The creation of the notice of the debt owned would cost more than the potential total debt collected relating to the notice;
- There are mitigating circumstances as determined by the superintendent or designee that preclude the collection of the debt.

A written or oral notice will be provided to the student and his/her parents(s) of the district’s intent to collect fees, fines and charges owed. Notice will include the reason the student owes money to the district; and itemization of the fees, fines or damages owed and the right of the parent to request a hearing. The district may pursue possible restrictions and/or penalties through a private collection agency or other method available to the district.

Debts not paid within 10 calendar days of the district’s notice to the student and parent will result in possible restrictions and/or penalties until the debt is paid and possible referral of the debt to a private collection agency or other methods available to the district. A request to waive the student’s debt must be submitted in writing to the superintendent or designee. Such requests must be received no later than 10 calendar days following the district’s notice.

XXI. FLAG SALUTE

Students will be provided an opportunity to salute the United States flag at least weekly by reciting *The Pledge of Allegiance*.

XXII. GANG ACTIVITIES

The presence of gangs and gang-like activities can cause a substantial disruption with school and school activities. “Gang” means a group that identifies itself through the use of a name, unique appearance or language, including hand signs, the claiming of geographical territory or the espousing of a distinctive belief system that frequently results in criminal activity. No student on or about school property or at any school activity:

1. Shall wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge, symbols, sign or other items which are evidence of membership or affiliation in any gang.

2. Shall commit any act, or use any speech, either verbal or nonverbal (gestures, graffiti, writing, handshakes, etc.) showing membership or affiliation in a gang.
3. Shall use any speech or commit any act or omission in furtherance of the interests of gang or gang activity including, but not limited to:
 - a) Soliciting others for membership in gangs;
 - b) Requesting any person to pay protection or otherwise intimidating or threatening anyone;
 - c) Committing any other illegal act or other violation of school district policies;
 - d) Inciting other students to act with physical violence upon any other person.
4. Students may be suspended and/or recommended for expulsion for these types of conduct as stated in the *District Code of Conduct*.

XXIII. GRADE REDUCTION/CREDIT DENIAL

Grade reduction or credit denial determination may include student attendance. Student attendance may not be a sole criterion. However, if attendance is a factor, prior to grade reduction or credit denial, the following shall occur:

1. The teacher will identify how the attendance and class participation is related to the instructional goals of the subject and course;
2. Parents and students will be informed;
3. Procedures in due process are available to the student when the grade is reduced or credit denied for attendance rather than academic reasons;
4. Reasons for non-attendance are considered and the grade is not reduced or credit denied based upon absences due to:
 - a. Religious reasons;
 - b. A student's disability; or
 - c. An excused absence, as determined by the District's policy.

A. Make-Up Work/Credit

Students who are absent due to illness or school-related activities will be allowed one day to make up work for each single day missed. Full credit value will be given to all of the work submitted.

B. Truancy

A truancy means being out of an assigned area, or being absent from school while an assigned class is in session. Students found to be off campus without permission or found to be out of their assigned area are truant. If a student is found to be truant it means they have an unexcused absence. Students may not receive credit or be allowed to make up work while truant.

C. Truancy, Suspension, and Grades

Teachers may consider a student's attendance (unexcused absences) in determining a grade reduction or credit denial, though attendance will not be the sole criterion used. Such decisions will not be based on disability or excused absences, as determined by the school administration. At the discretion of the individual classroom teacher, students may not receive credit or be allowed to make up work missed if absence (s) are unexcused.

Students who are suspended, or incarcerated for less than ten days, will be allowed to make up work missed during those absences.

XXIV. GRADUATION DIPLOMA REQUIREMENTS

The Board establishes graduation requirements for the awarding of a high school diploma, modified diploma, extended diploma and alternative certificate which meet or exceed state requirements.

A student may satisfy graduation requirements in less than four years. The district will award a diploma to a student fulfilling graduation requirements in less than four years if consent is received by the student's parent or guardian or by the student if they are 18 years of age or old or emancipated.

Students will have onsite access to the appropriate resources to achieve a diploma, modified diploma, extended diploma or alternative certificate at each high school. The district provides age appropriate and developmentally appropriate literacy instruction to all students until graduation.

Essential Skills

The district will allow English Language Learner (ELL) students to demonstrate proficiency in the Essential Skills of Apply Mathematics, in a variety of settings, in the student's language of origin for those students who by the end of their 11th grade year are:

1. On track to meet all other graduation requirements; and
2. Unable to demonstrate proficiency in the Essential Skills in English.

The district will allow ELL students to demonstrate proficiency in Essential Skills other than Apply Mathematics, in a variety of settings, in the student's language of origin for those students who by the end of their 11th grade year:

1. Are on track to meet all other graduation requirements;
2. Are unable to demonstrate proficiency in the Essential Skills in English;
3. Have been enrolled in a U.S. school for five years or less; and
4. Receives at least a level 3 (Intermediate) on the English Language Proficiency Assessment (ELPA).

The district will develop procedures to provide assessment options as described in the *Test Administration Manual*, in the ELL student's language of origin for those ELL students who meet the criteria above, and will develop procedures to ensure that locally scored assessment options administered in an ELL student's language of origin are scored by a qualified rater.

The district may not deny a student, who has the documented history of an inability to maintain grade level achievement due to significant learning and instructional barriers, or of a medical condition that creates a barrier to achievements, the opportunity to pursue a diploma with more stringent requirements than a modified diploma or an extended diploma for the sole reason the student has the documented history.

The district may award a modified diploma or extended diploma to a student only upon the written consent of the student's parent or guardian. The district shall receive the written consent during the school year in which the modified diploma or extended diploma is awarded. This requirement does not apply to a student who is emancipated or has reached the age of 18 at the time the modified diploma or extended diploma is awarded.

A student shall have the opportunity to satisfy the requirements for a modified diploma, extended diploma, or alternative certificate in either four years after starting the ninth grade, or until the student reached the age of 21, if the student is entitled to a public education until the age of 21 under state or federal law. A student may satisfy the requirements for a modified diploma, extended diploma or alternative certificate in less than four years but not less than three years. In order to satisfy the requirements for a modified diploma, extended diploma or alternative certificate in less than four years, the student's parent or guardian or a student who is emancipated or has reached the age of 18 must provide written consent which clearly states the parent, guardian or student is waiving the fourth year and/or years until the student reaches the age of 21. A copy of the consent will be forwarded to the district superintendent who will annually report to the Superintendent of Public Instruction the number of such consents.

Beginning in grade five, the district will annually provide information of the availability of a modified diploma, an extended diploma, and an alternative certificate and the requirement for the diplomas and certificate to the parents or guardians of a student taking an alternate assessment.

A student who receives a modified diploma, extended diploma or alternative certificate will have the option of participating in a high school graduation ceremony with the student's class.

A student who received a modified diploma, extended diploma or alternative certificate shall have access to individually designed instructional hours, hours of transition services and hours of other services that equals at least the total number of instructional hours that is required to be provided to students who are attending a public high school, unless reduced by the IEP team.

The district awards to students with disabilities a document certifying successful completion of program requirements. No document issued to students with disabilities educated in full or in part in a special education program shall indicate that the document is issued by such a program. When a student who has an individualized education program ("IEP") completes high school, the district will give the student an individualized summary of performance.

Eligible students with disabilities are entitled to a Free Appropriate Public Education ("FAPE") until the age of 21, even if they have earned a modified diploma, an extended diploma, an alternate certificate or completion of a General Education Development document. The continuance of services for students with disabilities for a modified diploma, extended diploma or alternative certificate is contingent on the IEP team determining the student's continued eligibility and special education services are needed.

Students and their parents will be notified of graduation and diploma requirements through written communication and website postings.

XXV. GRADUATION EXERCISES

Because the Board believes that completion of the requirements for a diploma from the public schools is an achievement that improves the community as well as the individual, the Board wishes to recognize that achievement in a publicly celebrated graduation exercise.

Accordingly, appropriate graduation programs will be planned by high school principals on the date or dates selected by the Board.

The district's valedictorian (s), salutatorian (s) or others at the discretion of the building principal or designee may be permitted to speak as part of the district's planned graduation program. All such speeches will be reviewed and approved in advance by the building principal or designee.

All students in good standing who have successfully completed the requirements for a senior high school diploma, a senior high school modified diploma, a senior high school extended diploma, a senior high school alternative certificate, or are within one credit of earning a diploma or certificate may participate in graduation ceremonies.

XXVI. HAZING/HARASSMENT/INTIMIDATION/BULLYING/CYBERBULLYING/MENACING/TEEN DATING VIOLENCE

Hazing, harassment, intimidation, cyberbullying or bullying, including cyberbullying, menacing or teen dating violence by students, staff or third parties toward students is strictly prohibited and shall not be tolerated in the district.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. The district may also file a request with the Oregon Department of Transportation to suspend the driving privileges or the right to apply for driving privileges of a student 15 years of age or older who has been suspended or expelled at least twice for menacing another student or employee, willful damage or injury to district property or for the use of threats, bullying, intimidation, harassment or coercion. Staff whose behavior is found to be in violation of this policy will be subject to discipline, up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or Board.

Individuals may also be referred to law enforcement officials. Staff will be reported to Teacher Standards and Practices Commission.

"Hazing" includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored or grade level attainment, ie., forced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a student; requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article, assignment of pranks to be performed or other such activities intended to degrade or humiliate. It is not a defense against hazing that the student subjected to hazing consented to or appeared to consent to the hazing.

"Harassment, intimidation or bullying" means any act that substantially interferes with a student's educational benefits, opportunities or performance, that takes place on or immediately adjacent to school grounds, at any school-sponsored activity, on school-provided transportation or at any official school bus stop, that may be based on but not limited to, the protected class of a person having the effect of:

1. Physically harming a student or damaging a student's property;
2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property;
3. Creating a hostile educational environment including interfering with the psychological well being of the student.

"Protected class" means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, national origin, marital status, familial status, source of income or disability.

"Teen dating violence" means:

1. A pattern of behavior in which a person uses or threatens to use physical, mental or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or
2. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

“Cyberbullying” is the use of any electronic communication device to harass, intimidate or bully. Students and staff will refrain from using personal communication devices or district equipment to violate this policy.

“Menacing” includes, but is not limited to, any act intended to place a student in fear of imminent serious physical injury.

“Retaliation” means hazing, harassment, intimidation, menacing or bullying and acts of cyberbullying toward a person in response to a student for actually or apparently reporting or participating in the investigation of hazing, harassment, intimidation, menacing or bullying and acts of cyberbullying or retaliation. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

The principal will take reports and conduct a prompt investigation of any report of an act of harassment, intimidation or bullying and acts of cyberbullying. Any employee who has knowledge of conduct in violation of this policy shall immediately report his/her concerns to the principal who has overall responsibility for all investigations. Any student who has knowledge of conduct in violation of this policy or feels he/she has been harassed, intimidated, or bullied, a victim of teen dating violence and acts of being cyberbullied in violation of this policy shall immediately report his/her concerns to the principal who has overall responsibility for all investigations. This report may be made anonymously. A student may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate district official.

Complaints against the principal shall be filed with the superintendent. Complaints against the superintendent shall be filed with the board chair.

The district shall incorporate age-appropriate education about teen dating violence into new or existing training programs for students in grades 7 through 12.

All complaints will be promptly investigated in accordance with the following procedures:

Step I Any [hazing,] harassment, intimidation or bullying[, menacing], acts of cyberbullying and incidents of teen dating violence information (complaints, rumors, etc.) shall be presented to [employee position title]. Information may be presented anonymously. All such information will be reduced to writing and will include the specific nature of the office and corresponding dates.

Step II The district official receiving the complaint shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The district official will arrange such meetings as may be necessary with all concerned parties within five working days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The districts officials (s) conducting the investigation shall notify the complainant and parents as appropriate, in writing, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

Step III If the complainant is not satisfied with the decision at Step II, he/she may submit a written appeal to the superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step II decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant’s appeal within 10 working days.

Step IV If the complainant is not satisfied with the decision at Step III, a written appeal may be filed with the Board. Such appeal must be filed within 10 working days after receipt of the Step III decision. The Boards shall, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the complaint. The Board shall provide a written decision to the complainant within 10 working days following completion of the hearing.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office of Civil Rights.

Documentation related to the incident may be maintained as a part of the student’s education records. Additionally, a copy of all harassment, intimidation, bullying or acts of cyberbullying and incidents of teen dating violence complaints and documentation will be maintained as a confidential file in the district office.

XXVII. HOMELESS STUDENTS

The district provides full and equal opportunity to students in homeless situations as required by law, including immediate enrollment. School records, medical records, proof of residence or other documents will not be required as a condition for admission. A student is permitted to remain in his/her school of origin for the duration of his/her homelessness or until the end of any academic year in which he/she moves to permanent housing.

Transportation to the student's school of origin will be provided at the request of the parent, or in the case of an unaccompanied student, at the request of the district's liaison for homeless students. For additional information concerning the rights of students and parents of students in homeless situations or assistance in accessing transportation services, contact the Federal Programs Coordinator, the district's liaison for homeless students.

XXVIII. IMMUNIZATIONS

In order to attend any Oregon school, children must be:

1. Fully immunized as required, or
2. In the process of receiving immunizations, or
3. Exempt (medical or religious grounds) from immunizations.

The following immunizations are required for most Oregon school children as defined by current ORS. (Oregon Revised Statute)

A child entering Kindergarten thru 5th Grade needs:

- 5 Diphtheria/Tetanus/Pertussis (DTaP)
- 4 Polio
- 1 Varicella (chickenpox)
- 2 Measles
- 1 Mumps
- 1 Rubella
- 3 Hepatitis B
- 2 Hepatitis A

A student entering Grade 6th

- 5 Diphtheria/Tetanus/Pertussis (DTaP)
- 4 Polio
- 1 Varicella (chickenpox)
- 2 Measles
- 1 Mumps
- 1 Rubella
- 3 Hepatitis B

A student entering 7th through 12th Grade needs:

- 5 Diphtheria/Tetanus/Pertussis (DTaP)
- 1 Tdap- New requirement began in 2008**
- 4 Polio
- 1 Varicella (chickenpox)
- 2 Measles

- 1 Mumps
- 1 Rubella
- 3 Hepatitis B

*Doses required varies by a child's age and how long ago they were vaccinated. Please check with your child's school or local health department for details.

If a child has had chicken pox, the parent/guardian must sign the Certificate of Immunization Status form indicating date of disease.

Proof of immunization must be presented prior to entry into school. If a child transfers from another school, proof of immunization must be presented within thirty (30) days of transfer. Proof consists of a signed "Certificate of Immunization Status" form documenting either evidence of immunization or a religious and/or medical exemption. The form may be obtained from your child's school.

If there is an outbreak of any disease with state immunization requirement, school children with medical and religious exemptions may be excluded from school for their protection until the incubation period for the disease has passed.

Should a child not meet the immunization requirement, parents will receive an exclusion notice from the Health Department in January or February, allowing approximately two (2) weeks to meet the requirements of the immunization law. If, after two (2) weeks, the child still does not meet the requirements of the immunization law, the child will not be allowed to attend school until the requirements are met. Contact your health care provider or school district nurse if there are any questions regarding a child's immunization status.

XXIX. INFECTION CONTROL/BLOODBORNE DISEASES

Although Human Immunodeficiency Virus (HIV), Acquired Immune Deficiency Syndrome (AIDS), Hepatitis B Virus (HBV) and Hepatitis C Virus (HCV) can be serious illnesses, the risk of contracting the disease in school is extremely low and generally limited to situations where non-intact skin or mouth, eye or other mucous membranes would be exposed to blood or any body fluids contaminated with blood from an infected person.

Since any risk is serious, however, the district requires that staff and students approach infection control using standard precautions. (OSHA Standards-29CFR) That is, each student and staff member is to assume all direct contact with human blood and body fluids is regarded as known to be infectious for HIV, AIDS, HBV, HCV and/or other infectious diseases.

A. Human Sexuality, AIDS/HIV, HBV, and HCV and Instruction

An age-appropriate plan of instruction about Human Sexuality, AIDS/HIV, HBV, and HCV and has been included as an integral part of the district's health curriculum. Any parent may request that his/her student be excused from that portion of the instructional program required by Oregon law as defined by current ORS. (Oregon Revised Statute) by contacting the principal for additional information and procedures.

B. Human Sexuality, AIDS/HIV, HBV, and HCV and Students

A student infected with, AIDS/HIV, HBV, and HCV is entitled to remain in a regular classroom setting and eligible for all rights, privileges and services as provided by law and Board policy. The district recognizes that a student and/or parent has no obligation to report an AIDS/HIV, HBV, and HCV and condition diagnosis to the district.

1. If the district is informed, the district is prohibited by law from releasing information unless the infected person or parent gives permission for such release.
2. If a student and/or parent wishes to divulge such information and the student continues attending school, the district will meet with the student and/or parent to develop appropriate procedures.

Individuals with questions regarding these requirements of law or district procedures should contact the school nurse.

XXX. INSTRUCTION- GOALS, GROWTH, IDEA, AND TALENTED AND GIFTED (TAG)

A. Instructional Goals:

- The Klamath County School District, in recognition of its educational responsibilities, will develop goals for guiding the instructional program. These goals will be developed through involvement of staff, parents, and community in the decision-making and goal setting process.
- The instruction in the Klamath County School District is based on program goals for each subject. The Essential Learning Skills and Common Curriculum Goals adopted by the State Board are included in the program. Course content is covered in Planned Course Statements at the high school and in Course Goals at the elementary school. Each document includes Course Goals and objectives.
- Copies of the district programs, planned course statements and elementary course goals are available in the district office, each building office, and in the library. Parents, the public, and students may examine these documents at any time during the regular hours of operation.
- Student progress is assessed to determine how well the student is doing in reaching the instructional goals in each course taken. Periodic assessments are recorded in the teacher's grade book. Progress is averaged and calculated into a grade.
- Parents may make an appointment with the teacher, the building principal or the counselor if they desire to find out what the progress has been on any of the course work used to determine the grade. Instruction is related to the program guides, planned course statements and course goals.

B Human Growth/Development

An age-appropriate plan of instruction about Human Growth/Development which may include sexually transmitted diseases (STD's) and infections is an integral part of the district's health curriculum. Any parent may request that his/her student be excused from that portion of the instructional program required by Oregon law. Parents will be notified in advance when the course of study will be taught and invited to inspect the instructional materials to be used before or during the time the class is taught. Parents should direct in writing that their students be excused from the class as defined by current ORS. (Oregon Revised Statute) Where appropriate, students will be given an alternate assignment.

Unlawful drug, alcohol and tobacco interferes with both effective learning and healthy development of students. The district has a fundamental and ethical obligation to prevent drug, alcohol and tobacco use and to maintain a drug-free educational environment. An aggressive intervention program to eliminate unlawful drug, alcohol and tobacco use has been implemented throughout the district. As part of this program, an age-appropriate drug, alcohol and tobacco prevention curriculum will be taught annually to all students. The program also includes staff training in district procedures for the identification and referral of students whose behavior is interfering with their potential success socially, emotionally, physiologically and/or legally as a result of unlawful drug, alcohol and tobacco use.

The district's unlawful drug, alcohol and tobacco prevention program will be reviewed and updated annually.

Parents are encouraged to contact the counseling office for information on district and community resources available to assist students in need.

C. Parent/Student Rights in Identification, Evaluation, and Placement

Section 504 of the Rehabilitation Act of 1973

The following is a description of the rights granted by federal law to students with handicaps. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions.

You have the right to:

1. Have your child take part in, and receive benefits from public education programs without discrimination of his/her handicapping condition;
2. Have the school district advise you of your rights under federal law;
3. Receive notice with respect to identification, evaluation, or placement of your child;
4. Have your child receive a free appropriate public education; this includes the right to be educated with non-handicapped students to the maximum extent appropriate; it also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school-related activities;
5. Have your child educated in facilities and receive services comparable to those provided non-handicapped students;
6. Have your child receive special education related services if he/she is found to be eligible under the Individuals with Disabilities Education Act (I.D.E.A.) or less intense services for accommodation at part of Section 504 of the Rehabilitation Act.
7. Have evaluation, educational, and placement decisions made based upon a variety of information sources, and by persons who know the student, the evaluation date, and placement options;
8. Have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the district;
9. Have your child be given an equal opportunity to participate in non-academic and extracurricular activities offered by the district;
10. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement;
11. Obtain copies of educational records at a reasonable cost unless the fee would effectively deny you access to the records;
12. A response from the school district to reasonable requests for explanations and interpretations of your child's records;
13. Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading or otherwise in violation of the privacy rights of your child. If the school district refuses this request for amendment, it shall notify you within a reasonable time, and advise you of the right to a hearing;

14. Request mediation or an impartial due process hearing related to decisions or actions regarding your child's identification, evaluation, educational program or placement. You and the student may take part in the hearing and have an attorney represent you. Hearing requests must be made to the State Superintendent of Public Instruction, Oregon Department of Education, 700 Pringle Parkway SE, Salem, Oregon 97310-0290, as defined by current OAR. (Oregon Administrative Regulation).
15. Ask for payment of reasonable attorney fees if you are successful on your claim;
16. File a local grievance.

The person in this district who is responsible for assuring that the district complies with Section 504 is the Special Services Director (547-851-8760). The principal in each school is considered the Building 504 Officer.

D. Talented and Gifted Program

1. Identification of Talented and Gifted Students

The District serves academically talented and gifted students in grades K-12, including talented and gifted (TAG) students from such special populations as ethnic minorities, the economically disadvantaged, the culturally different, the underachieving gifted and students with disabilities. Students will be identified based on:

- a. Behavioral, learning and/or performance information;
- b. A nationally standardized mental ability test for assistance in identifying intellectually gifted students;
- c. A nationally standardized academic achievement test for assistance in identifying academically talented students or Oregon Assessment of Knowledge and Skills (OAKS).

Identified students shall score at or above the 97th percentile on one of these tests. Other students who demonstrate the potential to perform at the eligibility criteria, as well as additional students who are talented and gifted, may be identified.

2. Appeals

Parents may appeal the identification process services and/or placement of their student in the district's TAG program as follows:

- a. Informal Process
 - 1) The parent (s) will contact the district TAG coordinator/teacher to request reconsideration;
 - 2) The coordinator/teacher will confer with the parent (s) and may include any additional appropriate persons, e.g., principal, counselor, teacher, etc. At this time, information pertinent to the selection or placement of services will be shared.

3) If an agreement cannot be reached, the parent (s) may initiate the Formal Process.

b. Formal Process

- 1) Parents (s) shall submit a written request for reconsideration of the identification/placement to the program supervisor;
- 2) The program supervisor shall acknowledge in writing the receipt of the request with five working days and shall forward copies of the request and shall forward copies of the request and acknowledgement to the TAG coordinator/teacher;
- 3) The program supervisor, TAG coordinator/teacher and other appropriate administrator shall review the student's file and earlier decisions within 10 working days of the original request. Additional data may be gathered to support or change the earlier decision;
- 4) Parent (s) may be provided an opportunity to review school/district data and present additional evidence;
- 5) If deemed necessary, a formal hearing will be conducted by the district hearings officer utilizing the appropriate procedures;
- 6) A decision will be made within (20) working days after receipt of the written request for reconsideration. The parent (s) shall be notified of the decision in writing and the decision shall be forwarded to the superintendent;
- 7) The decision may be appealed to the Board;
- 8) If the parent (s) is still dissatisfied, he/she has access of appeal to the State Superintendent of Public Instruction following the procedures outlined in the Oregon Administrative Rules (OAR). The district shall provide a copy of the appropriate OAR upon request.

3. Programs and Services

The district's Talented and Gifted program and service options will be developed and based on the individual needs of the student.

Programs and Services Complaints

- a. Individuals with complaints regarding the appropriateness of programs or services provided for talented and gifted students should complete the Talented and Gifted Standards Complaint form available through the school office. All complaints will be reported to the superintendent who will arrange for a review committee to meet within two school days of receiving the written complaint to review all pertinent information.
- b. A recommendation will be submitted to the superintendent within ten (10) school days of receiving the original complaint. The superintendent will report the recommendation to the Board whose decision will be final.
- c. The complainant may file an appeal with the State Superintendent of Public Instruction if dissatisfied with the decision of the Board ninety (90) or more days have elapsed since the original filing of a written complaint alleging a violation of standards with the district. An appropriate copy of the Oregon Administrative Rules will be provided upon request.

XXXI. LASER LIGHTS AND ELECTRONIC POINTERS

Students will not possess laser lights or electronic pointers while on school property or while attending a school-sponsored activity on or off school property unless approved by the principal.

Students in possession of a laser light or electronic pointer are in violation of school rules and are subject to disciplinary action. Laser lights and electronic pointers are subject to being confiscated and forfeited to the district.

XXXII. MEDIA ACCESS TO STUDENTS

Media representatives may interview and photograph students involved in instructional programs and school activities, including athletic events. Information obtained directly from students does not require parental approval prior to publication.

Parents who do not want their student interviewed or photographed should direct their student accordingly. District employees may release student information only in accordance with applicable provisions of the educational records law and Board policies governing directory information and personally identifiable information.

XXXIII. MEDICINE AT SCHOOL

The District recognizes that administering medication to students and self-medication may be necessary when failure to take such medication would jeopardize the health of the student or the student would not be able to attend school if medication were not made available during school hours.

District Administered Medication

Prescription and Non Prescription Medication

All requests for the district to administer medication to a student shall be made by the parent in writing by filling out the Medication Permission Form. Requests shall include the written instructions of the physician for the administration of a prescription medication to a student or the written instructions of the parent for the administration of non-prescription medication to a student. A prescription label will be deemed sufficient to meet the requirements for written physician instructions.

All medication to be administered by the district is to be brought to school by the parent in its original container. Medication not picked up by the parent within five (5) school days of the end of the medication period or at the end of the school year, whichever occurs first, will be disposed of by the district.

The district reserves the right to reject a request to administer prescription or non-prescription medication when such medication is not necessary for the student to remain in school.

Self-Medication

Self-medication of prescription and non-prescription medication is allowed in grades K – 12. A Self-Medication Permission Form must be submitted for self-medication of all prescription and non-prescription medication. School administration permission is required. In case of prescription medication, permission and instructions from the physician are also required. Such permission and instruction may be indicated on the prescription label. All medication must be kept in its appropriately labeled, original container. The student's name is to be affixed to non-prescription medication. Students may have in their possession only the amount of medication needed for that school day. Sharing or borrowing medication is strictly prohibited. Permission to self-medicate may be revoked if the student is found to be in violation of these requirements. Students may also be subject to disciplinary action as outlined in the Unlawful Drugs Policy XLII. Students who violate this policy may be suspended pending expulsion hearing.

For students who are self-medicating with prescribed bronchodilators or epinephrine, school staff will request that the parent or guardian provide back up medication for emergency use by that student.

Contact the school office or school nurse for additional information. Forms are available on the district website and in the school office.

XXXIV. PARENTAL RIGHTS

Parents of students may inspect any survey created by a third party before the survey is administered or distributed by the school to students. Parents may also inspect any survey administered or distributed by the district or school containing one or more of the following items:

- Political affiliations or beliefs of the student or the student’s parent;
- Mental psychological problems of the student or the student’s parent;
- Sex behavior or attitudes;
- Illegal, anti-social, self-incriminating or demeaning behavior;
- Critical appraisals of other individuals with whom respondents have close family relationships;
- Legally-recognized privileged or analogous relationships such as those of lawyers, physicians or ministers;
- Religious practices, affiliations or beliefs of the student or the student’s parents;
- Income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance.

A student’s personal information (name, address, telephone number, social security number) will not be collected, disclosed or used for the purpose of marketing or for selling that information without prior notification, and opportunity to inspect any instrument used to collect such information and permission of the student’s parent(s) or the student, if age 18 or older. Instructional materials used as part of the school’s curriculum may also be reviewed by the student’s parent(s).

Requests to review materials or to excuse students from participation in these activities, including any non-emergency, invasive physical examination or screenings administered by the school and not otherwise permitted or required by state law should be directed to the office during regular school hours.

XXXV. PERSONAL COMMUNICATION DEVICES AND SOCIAL MEDIA

Student possession or use of personal communication devices on district property, in district facilities during the school day and while the student is in attendance at school-sponsored activities may be permitted subject to the limitations set forth in this policy and consistent with any additional school rules as may be established by the building principal and approved by the superintendent.

A “personal communication device” is a device that emits an audible signal, vibrates, displays a message or otherwise summons or delivers a communication to the possessor of the device. These devices include, but are not limited to, walkie talkies, either long-or short-range portable radios, portable scanning devices, cellular telephones and pagers, personal digital assistants (PDAs), laptop computers and similar devices with wireless capability.

Students may use and possess personal communication devices on district grounds subject to the following:

1. Personal communication devices shall not be used in a manner that disrupts the educational process, school programs or activities, or in a manner that violates law, Board policy, administrative regulation or school rules¹;
2. Unless as authorized in advance by the building principal or designee for health or safety reasons, or in the event of an emergency situation that involves imminent physical danger, devices shall be turned on and operated only before and after the regular school day. Personal communication devices may be used according to individual school student handbooks;
3. At no time will any personal communication device which allows for a wireless, unfiltered connection to the Internet be allowed to be used for such purposes while on district property or while the student is engaged in school-sponsored activities;
4. Personal communication devices which have the capability to take “photographs, videos or moving pictures” shall not be used for such purposes while on district property

or at school-sponsored events unless as expressly authorized in advance by the building principal or designee;

5. The district shall not be responsible for loss, theft or damage to personal communication devices brought to district property or school-sponsored events;
6. Personal communication devices may be used as electronic study aids during the school day if provided as a part of a student's individualized education plan (IEP), or if permission is received from the student's teacher;
7. The use of personal communication devices in any way to send or receive messages, data or information that would pose a threat to academic integrity, contribute to or constitute academic dishonesty is strictly prohibited;
8. The use of personal communication devices in any manner that would violate the confidentiality or privacy rights of another individual is strictly prohibited;
9. Students shall comply with any additional school rules as established by the building principal and classroom rules as approved by the building principal concerning the appropriate use of personal communication devices;
10. Personal communication devices used in violation of law, Board policy, administrative regulation or approved school rules will be confiscated, turned in to the school office and returned to the student or parent following parent notification, conference, detention, suspension, expulsion and/or referral to law enforcement officials as appropriate.
11. Students may not access social media sites using district equipment, while on district property or at district-sponsored activities unless the posting is approved by a district representative.

¹The taking, disseminating, transferring, or sharing of obscene, pornographic, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring, or sharing obscene, pornographic, or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.

Students are subject to disciplinary action up to and including expulsion for using a personal communication device in any manner that is academically dishonest, illegal or violates the terms of this policy. A referral to law enforcement officials may also be made. Personal communication devices brought to district property or used in violation of this policy are subject to confiscation and will be released to the student's parent or property owner, as appropriate.

XXXVI. PERSONALLY IDENTIFIABLE INFORMATION

Personally identifiable information includes, but is not limited to:

- Student's name, if excluded from directory information, as requested by the student/parent in writing;
- Name of student's parents or other family member;
- Address of the student or student's family, if excluded from directory information, as requested by the student/parent in writing;
- Personal identifier such as the student's social security number;
- A list of personal characteristics that would make the student's identity easily traceable, and
- Other information that would make the student's identity easily traceable.

A. Prior Consent to Release

Personally identifiable information will not be released without prior written and dated consent of the parent, student eighteen (18) years or older or emancipated. Notice of and/or request for release of personally identifiable information shall specify the records to be disclosed, the purpose of disclosure, and the identification of person(s) to whom the disclosure is to be made. Upon request of the parent or eligible student, the district will provide a copy of the disclosed record.

B. Exceptions to Prior Consent

The district may disclose personally identifiable information without prior consent under the following conditions:

1. To personnel within the district who have legitimate educational interests,
2. To personnel for an education service district or state regional program where the student is enrolled or is receiving services,
3. To personnel of another school, another district, or institution of post-secondary education where the student seeks and intends to enroll,
4. To personnel connected with an audit or evaluation of federal or state education programs or enforcement of or compliance with federal or state legal requirements of the district,
5. To personnel determining a financial aid request for the student,
6. To personnel conducting studies for or on behalf of the district,
7. To personnel in accrediting organizations fulfilling accrediting functions,
8. To comply with a judicial order or lawfully issued subpoena, law enforcement agencies, Department of Human Services.
9. For health or safety emergency,
10. By request of a parent of a student who is under eighteen (18) years of age,
11. By request of a student who is eighteen (18) or older or emancipated, and
12. Because information has been identified as “directory information.”

It is the policy of the district that a licensed staff member of an elementary or secondary school should not be examined in any civil action, suit, or proceeding as to any conversation between the licensed staff member and a student which relates to the personal affairs of the student or the student's family and which, if disclosed, would tend to damage or incriminate the student and his/her family.

Unless notified differently by parents, the school assumes that permission is granted for publication of names, date of birth, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees, and awards received for school communications to the public.

XXXVIII. PROGRAM EXEMPTIONS

Students may be excused from a state-required program or learning activity for reasons of religion, disability or other reasons deemed appropriate by the district.

An alternative program or learning activity for credit may be provided.

All such requests should be directed to the principal by the parent in writing and include the reason for the request.

XXXIX. SEARCH AND SEIZURE

A. Condition Description

District officials may search the student, his/her personal property and property assigned by the district for the student's use at any time on district property or when the student is under the jurisdiction of the school. Such searches will be conducted only when there is reasonable suspicion to believe evidence of a violation of a law, Board policy, administrative regulations, school rules, or the Student Code of Conduct is present in a particular place. The district may use search techniques that may include drug-detection.

Searches will not be excessively intrusive in light of the age, sex, maturity of the student and nature of the infraction. Strip searches are prohibited by the district. District officials may also search when they have reasonable information that emergency/dangerous circumstances exist.

District-owned storage areas assigned for student use, such as lockers and desks may be routinely inspected at any time. Such inspections may be conducted to ensure maintenance of proper sanitation, to check mechanical conditions and safety and to reclaim overdue library books, texts or other instructional materials, property or equipment belonging to the district. The student may be permitted to be present during the inspection.

Drug Detection Dogs

The Superintendent may authorize the use of drug-detection dogs if determined that there is a need, based upon reasonable information. After such need has been determined, drug-detection dogs may be used to sniff out contraband in district-owned storage areas or in student vehicles parked on district property.

See policy JFG-AR.

Items found which are evidence of a violation of law, policy, regulation, school rules, or the Student Code of Conduct may be seized.

B. Guidelines

1. Rights

- a. At the time of locker assignment or registration, students will be informed of the conditions of use governing the lockers.
- b. Students may be assured that the rights of the individual shall always be balanced with the needs of the school. In a search and seizure situation, the following procedures shall be followed:
 - 1) A search of a student's person should be limited where there is individualized, reasonable suspicion that the student is withholding evidence of an illegal act. Failure to cooperate with an appropriate search and seizure shall be deemed insubordination, and may result in discipline, suspension, or expulsion.
 - 2) Illegal items (weapons, firearms, alcohol, illegal drugs, etc.) or other possessions reasonably determined by the proper school authorities to be a threat to the safety or security of the possessor or others may be seized by school officials.
 - 3) Items which may be used to disrupt or interfere with the educational process may be temporarily removed from the student's possession.
 - 4) A general inspection of school properties including, but not limited to, lockers or desks may occur at any time. Items belonging to the school or which are unlawful or are in violation of district policy may be seized.
 - 5) The student may be given the opportunity to be present when a search of personal possessions is conducted, if he/she is in attendance and if there is no reason to believe that his/her presence would endanger his/her health or safety.
 - 6) Students will be notified that searches of school property have occurred and will be notified of any items seized as appropriate.

2. Responsibilities

- a. Students shall not bring to school, nor have on a school bus, any possession reasonably determined by the proper school authority to be a threat to the safety or security of themselves or others or a violation of a law, Board Policy, administrative regulations, school rules or the student Code of Conduct. Students will not bring dangerous/illegal weapons such as shotguns or rifles in their vehicles to school.
- b. Students shall not conceal evidence of an illegal act or school violation.
- c. Students who violate these regulations will be subject to disciplinary actions as per district policies.

3. Questioning

- a. An effort will be made to notify parents when law enforcement officials find it necessary to question students during the school day or during periods of extracurricular activities. The principal or designee will be present when possible.
- b. Parents are advised that when an Oregon Department of Human Services or a law enforcement official is questioning a child whom the investigating agent believes may have been a victim of abuse of a child, the investigator may exclude district personnel from the investigation and may prohibit personnel from contacting parents.

XL. SPECIAL PROGRAMS

A. English Language Learners

The district provides special programs for bilingual students. A student or parent with questions about these programs should contact the Federal Programs Coordinator.

In conjunction with the school's language instruction educational program for limited English proficient and immigrant students, parents of limited English proficient students identified for participation, or participating in such a program will be informed of:

- The reasons for the identification of their student as limited English proficient and in need of placement in a language instruction educational program;
- The student's level of English proficiency, how such level was assessed and the status of the student's academic achievement;
- The methods of instruction used in the program, in which their student is or will be participating, and the methods of instruction used in other available programs, including how such programs differ in content, instructional goals, and the use of English and a native language in instruction;
- How the program, in which their student is or will be participating, will meet the educational strengths and needs of their student;
- How such program will specifically help their student learn English, and meet age-appropriate academic achievement standards for grade promotion and graduation;
- The specific exit requirements for the program including the expected rate of transition from such program into classrooms that are not tailored for limited English proficient students and the expected rate of graduation from secondary school for such programs;
- In the case of a student with a disability, how such programs meet the objectives of the individualized education program (IEP) of the student;
- Parental rights that include written guidance:
 - Detailing the right to have their student immediately removed from such program upon their request;
 - Detailing the portions that parents have to decline to enroll their student in such program or to choose another program or method of instruction, if available;
 - Assisting parents in selecting among various programs and methods of instruction, if more than one program or method is offered by the district.

B. Students with Disabilities

The school provides special programs and services for students with disabilities. A student or parent with questions may contact the Special Education Director if they have questions unanswered by the teaching staff or building administration

Parents and/or certified school staff concerned that a child may be physically or educationally handicapped should request/initiate a meeting with building special education staff (classroom teacher, special education teacher, speech pathologist, nurse, and/or principal) to clarify plans for Special Educational evaluation or further classroom interventions. The school has an Effective Behavior and Instructional Services (EBIS) Team to assist in this process.

C. Title I Requirements

The school provides special services for disadvantaged learners. Parents of eligible students are encouraged to become involved in the organized, ongoing planning, review and improvement of the school's Title I program efforts. Notification will be provided of meetings held to inform parents of participating students of the school's participation in and requirements of Title I. Students or parents with questions should contact a building administrator or counselor. Please contact the school for specific information regarding Title I services.

The school will also provide parents, upon request, information regarding the professional qualifications of the student's classroom teachers, including, at a minimum the following:

- Whether the teacher has met state qualification and licensing criteria of the grade levels and subject areas in which the teacher provides instruction;

- Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived;
- The baccalaureate degree major of the teacher and any other graduate certification or degree held by the teacher, and the field of discipline of the certification or degree;
- Whether the student is provided services by paraprofessionals and, if so, their qualifications.

Additionally, the school will provide parents with:

- Information on the level of achievement of the parent's student in each of the state academic assessments as required by law; and
- Timely notice any time that the parent's student has been assigned, or has been taught for four or more consecutive weeks by, a teacher who is not highly qualified, as required by law.

XLI. STAFF SEXUAL CONDUCT WITH STUDENTS

Sexual conduct by district/school employees as defined by Oregon law will not be tolerated. All district employees are subject to this policy.

“Sexual conduct” as defined by Oregon law is any verbal or physical (or other) conduct by a school employee that is sexual in nature; directed toward a kindergarten through grade 12 student; unreasonably interferes with a student's educational performance; and creates an intimidating, hostile or offensive educational environment. The definition for sexual conduct does not include behavior that would be considered child abuse as outlined by Oregon law and district Board policy JHFE and JHFE-AR - Reporting of Suspected -Abuse of a Child.

The district will post in each school building the name and contact information of the person designated to receive sexual conduct reports, as well as the procedures the personnel director will follow upon receipt of a report. When the personnel director takes action on the report, the person who initiated the report must be notified.

The district will provide annual training to district employees, parents and students regarding the prevention and identification of sexual conduct.

XLII. STUDENT EDUCATION RECORDS

The information contained below shall serve as the district's annual notice to parents of minors and eligible students (if eighteen (18) or older) of their rights, the location and district official responsible for education records. Notice will also be provided to parents of minor students who have a primary or home language other than English.

Education records are those records related to a student maintained by the district. A student's education records are confidential and protected from unauthorized inspection or use. All access and release of education records with and without parent and eligible student notice and consent will comply with all state and federal laws.

Personally identifiable information shall not be disclosed without parent or eligible student authorization or as otherwise provided by Board policy and law. Education records are maintained in a minimum one-hour fire-safe place in the school by the principal. Permanent records shall include:

- Full legal name of student;
- Name and address of educational agency or institution;
- Student birth date and place of birth;
- Name of parent/guardian;
- Date of entry into school;
- Name of school previously attended;

- Course of study and marks received;
- Data documenting a student's progress toward the achievement of state standards and must include a student's Oregon State Assessment result;
- Credits earned;
- Attendance;
- Date of withdrawal from school; and
- Such additional information as the district may prescribe.

Memory aids and personal working notes of individual staff members are considered personal property and are not to be interpreted as part of the student's education records, provided they are in the sole possession of the maker.

A. Social Security Number

The provision of the student's social security number is voluntary and will be included as part of the student's permanent record only as provided by the eligible student or parent. The district will notify the eligible student or parent as to the purposes a social security number will be used.

B. Transfer of Education Records

The district shall transfer originals of all requested student education records, including any ESD records, relating to a particular student to the new educational agency when a request to transfer such records is made to the district. The transfer shall be made no later than ten (10) days after receipt of the request. The district shall retain a copy of the education records that are to be transferred in accordance with applicable Oregon Administrative Rules.

Student report cards, records or diplomas may not be withheld for non-payment of fines or fees. See Fees, Fines, and Charges. Records requested by another school district to determine the student's progress may not be withheld.

C. Request for Education Records

The district shall, within ten (10) days of a student seeking enrollment in or services from the district, notify the public or private school, education service district, institution, agency or youth care center in which the student was formerly enrolled and shall request the student's education record.

D. Access/Release of Education Records

By law, both parents, whether married, separated or divorced, have access to the records of a student who is under eighteen (18) unless the district is provided evidence that there is a court order, state statute, or legally binding documents relating to such matters as divorce, separation or custody that specifically revokes these rights.

Parents of a minor, or an eligible student (if eighteen (18) or older), may inspect and review education records during regular district hours.

E. Provision for Hearing to Challenge Content of Education Records

Parents of a minor, or eligible student (if eighteen (18) or older), may inspect and review the student's education records and request a correction if the records are inaccurate, misleading or otherwise in violation of the student's privacy or other rights. If the district refuses the request to amend the contents of the records, the requester has the right to a hearing as follows:

1. Parent shall make request for hearing in which the objections are specified in writing to the principal;

2. The principal shall establish a date and location for the hearing agreeable to both parties;
3. The hearings panel shall consist of the following:
 - a. The principal or designated representative;
 - b. A member chosen by the eligible student or student's parent (s); and
 - c. A disinterested, qualified third party appointed by the superintendent.
4. The hearing shall be private. Persons other than the student, parent or guardians, witnesses and counsel shall not be admitted.

The principal or designated representative shall preside over the panel. He/she shall hear evidence from the staff and from the parents to determine the point or points of disagreement regarding the education records. The panel shall make a determination after hearing the evidence and determine what steps, if any, are to be taken to correct the education record. Such actions are to be made in writing to the parents.

If, after such hearing is held as described above, the parents are not satisfied with the recommended action, the parents may appeal to the Board where the action of the hearings panel may be reviewed and affirmed, reversed or modified. Procedure for appeal beyond the local Board follows the prescribed actions as set forth in federal regulations. The parent or eligible student may file a complaint with the Federal Family Compliance Office, United States Department of Education regarding an alleged violation of the Family Education Rights and Privacy Act. File complaints with the Family Policy Compliance Office, U.S. Department of Education, Washington D.C., 20202.

A copy of the district's education records policy and administrative regulation may be obtained by contacting the office.

XLIII. STUDENT/PARENT COMPLAINTS

A. District Personnel Complaints

A student or parent who has a complaint concerning a classroom/teacher issue should first bring the matter to the appropriate teacher. If the outcome is not satisfactory, a conference with the principal can be requested within five (5) calendar days following the conference with the teacher. If the outcome of this conference is not satisfactory, the student or parent may file a written, signed complaint with the superintendent within fifteen (15) calendar days who will investigate the complaint and render a decision. If the complainant is dissatisfied with the decision of the superintendent, he/she may appeal to the Board in care of the superintendent within ten (10) calendar days following receipt of the superintendent's decision. The superintendent will provide the complainant with necessary Board appeal procedures. Board decisions are final.

B. Discrimination on the Basis of Sex Complaints

A student and/or parent with a complaint regarding possible discrimination of a student on the basis of sex should contact the building principal.

C. Education Standards Complaints

Any resident of the district or parent of a student attending district schools may make an appeal or complaint alleging violation of the district's compliance with an educational standard as provided by the State Board of Education. The complainant should first discuss the nature of the alleged violation with the individual involved. If the complainant wishes to pursue the matter further, he/she will be provided upon request a copy of all applicable district procedures. After exhausting local procedures or forty-five (45) or more days after filing a written complaint with the district (whichever occurs first), any complainant may make a direct appeal to the State Superintendent of Public Instruction.

D. Instructional Materials Complaints

Complaints by students or parents about instructional materials should be directed to the principal. Should the student or parent, following initial efforts at informal resolution of the complaint, desire to file a formal complaint, a “Reconsideration Request Form for Re-evaluation of Instructional Materials” may be requested from the school office. The principal will be available to assist in the completion of such forms as requested. All “Reconsideration Request Forms” must be signed by the complainant and filed with the superintendent.

A reconsideration committee, comprised in accordance with Board policy, will review the material and forward a recommendation to the superintendent for appropriate action and notification to the complainant. A copy of the committee’s recommendation and justification will be forwarded to the complainant together with the superintendent’s written decision.

The complainant may appeal the superintendent’s decision to the Board, whose decision will be final.

E. Students with Disabilities Complaints

A complaint or concern regarding the identification, evaluation or placement of a student with disabilities or the accessibility of the district’s services, activities or programs to a student, should be directed to the supervisor of special services 541-851-8760.

Parents in the complaint process regarding a documented or perceived disability must notify the school district Special Services Director prior to unilaterally placing a child in a private placement – either at an IEP meeting, or in writing at least ten (10) days prior to making the unilateral placement change.

F. Homeless Students Complaints on Placement/Enrollment

In the event a dispute arises over school selection or enrollment of a student in a homeless situation, the student will be immediately admitted to the school in which enrollment is sought pending a resolution of the dispute. The student/parent may appeal the school’s written decision in accordance with established district procedures. Additional information may be obtained by contacting the district’s Federal Programs Coordinator.

G. Students with Sexual and/or other Harassment Complaints

Sexual and/or other harassment by staff and students is strictly prohibited in the district. District includes district facilities, district premises and non-district property if the student or employee is at any district-sponsored, district approved or district-related activity or function, such as field trips or athletic events where students are under the control of the district or where the employee is engaged in district business.

Harassment includes, but is not limited to, harassment on the basis of race, color, religion, sex, national origin, disability, marital status or age. A complaint regarding harassment by a member of the staff to a student, by a student to another student, or by a third party (volunteer, visiting guest speaker, etc.) to a student should be filed with the principal.

The district is committed to taking appropriate steps to prevent recurrence of any harassment and to correct its discriminatory effects on complainants and others as provided by law.

Sexual harassment of students means unwelcome sexual advances, request for sexual favors and other verbal or physical conduct of a sexual nature when:

1. Submission to the conduct or communication is made either explicitly or implicitly a term or condition of a student’s education or participation in district programs or activities or as a condition of employment for staff.
2. Submission to or rejection of the conduct or communication is used as the basis for decisions affecting a student or employment or assignment of staff.

3. The conduct or communication has the purpose or effect of unreasonably interfering with a student's educational performance or with an employee's ability to perform his/her job.
4. The conduct or communication has the effect of creating an intimidating, offensive or hostile educational or working environment.
5. The conduct or communication has the purpose or effect of demanding sexual favors in exchange for benefits.

Building principals and the superintendent have responsibility for investigations concerning sexual or other harassment. All complaints and other reported incidents shall be investigated. The investigator shall be a neutral party having had no involvement in the complaint presented.

- Step I: Any sexual or other harassment complaint shall be presented in writing or orally to the building principal or superintendent. If the complaint is submitted in writing, it should include the specific nature of the sexual or other harassment and corresponding dates.
- Step II: The district official shall promptly initiate an investigation. He/she will arrange such meetings as may be necessary to discuss the complaint or reported incident with all concerned parties within five (5) working days after the receipt of the complaint or notification of a reported incident. The district official conducting the investigation shall notify the student and student's parents in writing when the investigation is concluded.
- Step III: The letter, together with any other documentation related to the sexual harassment incident will be forwarded to the superintendent. If the complainant is not satisfied with the decision at Step II he/she may submit a written appeal to the superintendent or designee. Such appeal must be filed within ten (10) working days after receipt of the Step II decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant's appeal within ten (10) working days.
- Step IV. If the complainant is not satisfied with the superintendent or designee's decision, a written appeal with the Board may be filed within ten (10) working days after the receipt of the Step III decision. The Board shall, within twenty (20) working days, conduct a hearing at which time the complainant shall be given an opportunity to present the written appeal. The Board shall provide a written decision to the complainant within ten (10) working days following completion of the hearing.

Direct complaints related to employment may be filed with the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries. Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099. Additional information regarding filing of a complaint may be obtained through the principal, compliance officer or superintendent.

Changes to the above procedure may be made if an administrator is named in the complaint or reported incident.

Confidentiality will be maintained. The educational assignments or study environment of the student or staff shall not be adversely affected as a result of the good faith reporting of sexual or other harassment.

Students or parents with complaints not covered by this student handbook should contact the principal.

XLIV. STUDENT/PARENT GRIEVANCE PROCEDURES

A. Definition

A grievance shall mean a complaint in writing filed by a student or by the student's parent or guardian on his/her behalf dealing with a concern for curriculum, educational standards, instruction, school or classroom policies or procedures, school activities, or perceived discrimination involving equal educational opportunity rights.

B Purpose

The primary purpose of this procedure is to secure at the earliest possible level, equitable solutions to a claim by or on behalf of a student, if the claim is justifiable. The proceeding shall be kept confidential at each level of these procedures.

C. Timelines

A grievance should be filed within ten (10) calendar days of the date of the alleged violation or within ten (10) calendar days after knowledge of the alleged violation.

D. Procedures

(Process may start with Level Two) Changes to the Student/Parent Grievance Procedures may be made if an administrator is named in the complaint.

1. Level One - Informal Grievance Level:

The student and/or parents or guardian shall first present the complaint to the teacher or other individual who the alleged violation concerns. If the complainant is not satisfied with the results of this conference, an appeal will be made to the building principal.

2. Level Two - Building Principal Level:

A complaint may be taken initially to the building principal, or within five (5) calendar days of a Level One conference, an unresolved complaint must be so presented. The building principal will investigate the grievance and report these findings to the complainant and to the superintendent or his designated representative(s). If the complainant is not satisfied with the results of these findings, the complainant must put the complaint in writing to the superintendent and ask the principal to forward the complaint.

3. Level Three - Superintendent - Formal Complaint Level:

The building principal must file the complaint with the superintendent no later than ten (10) calendar days after the decision of the building principal. If the superintendent assigns the complaint to designated representative(s), as may occur with an alleged violation of equal opportunity rights, such representative(s) will investigate the complaint and attempt its equitable resolution. If the matter remains unresolved, the superintendent may conduct his own investigation and will notify the complainant of his decision within five (5) calendar days of the conclusion of this inquiry period. If the complainant is not satisfied with the decision of the superintendent, the complainant may request that the superintendent forward the complaint to the Klamath County School District Board of Directors for appeal.

4. Level Four - Board of Directors:

At the complainant's request, the complaint is to be filed with the Board of Directors no later than thirty (30) calendar days after the decision of the superintendent.

The principal, superintendent, or Board may require a formal statement in writing (including all supporting statements and evidence) as a prerequisite to processing or continuing the grievance.

5. If the complaint is not satisfactorily settled, an appeal may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Avenue, Room 3310, Seattle, Washington, 98174-1099.

E. Withdrawal

A complaint may be withdrawn by the complainant at any level without prejudice.

F. Retaliation

No retaliation will be permitted against parents or students for good faith use of the Student/Grievance procedure.

XLV. STUDENT RESTRAINT AND SECLUSION

The use of physical restraint and/or seclusion is permitted only as a part of a behavior support plan when other less restrictive interventions would not be effective and the student's behavior poses a threat of imminent, serious physical harm to self or others.

Except in the case of an emergency, only staff current in the required training in accordance with the district-designated physical restraint and seclusion training program will implement physical restraint or seclusion with a student.

In an emergency, physical restraint and/or seclusion may also be used by a school administrator, teacher or other school employee [or trained volunteer] as necessary when the student's behavior imposes a reasonable threat of imminent, serious bodily injury to the student or to others. The use of physical restraint/seclusion under these circumstances is only allowed so long as the student's behavior poses a threat of imminent, serious physical harm to themselves or to, others.

Any student being restrained or secluded within the district whether an emergency or as part of a plan shall be constantly monitored by staff for the duration of the intervention.

Parents will be notified if their student has been restrained or secluded as described above.

XLVI. STUDENT VEHICLES

A. Condition Description

It is necessary that the school have certain regulations governing the use of student vehicles on school property, at any school activity, function, or event. The parking of student vehicles on district property is a privilege and not a right. Students will be notified that as a condition of parking on district property, district officials may conduct searches of vehicles upon reasonable suspicion of a policy, rule, and/or procedure violation. The district assumes no responsibility or liability for loss or damage to vehicles or bicycles. Violation of these guidelines may result in disciplinary actions, including: warnings, fines, detentions, suspension, loss of permit, and up to expulsion.

B. Guidelines

1. Rights

a. If the school provides for student vehicles on school premises, rules and regulations governing the use of student vehicles shall be reasonable and widely circulated.

2. Responsibilities

a. School rules and local and state traffic laws must be followed when operating vehicles on school premises.

- b. Vehicles parked on district property are under the jurisdiction of the district.
- c. Vehicles may be required to be registered with the school administration.
- d. No student vehicles will be permitted to leave the school ground during the hours in which school is in session without the permission of the school administration.
- e. Students shall not be in a vehicle, including the parking lot, at any time during the school hours unless they have permission from the administration.
- f. Students will not bring anything considered a weapon to school in their vehicles.
- g. Bicycles ridden to school by students must be parked in the designated area on school grounds and should be locked.
- h. Students under the age of sixteen (16), who ride bicycles, must wear a helmet as required by law.
- i. If students choose to ignore the responsibilities set forth in this section, the school will notify the student's parents or guardians. This may result in the loss of the right to use or park the vehicle on school property or possible referral to the appropriate authority, or discipline, suspension or expulsion.
- j. Lewd, sexually suggestive, alcohol, tobacco or drug oriented, inciteful, violent and profane statements on vehicle or school property are considered disruptive and are not allowed on school premises.

XLVII THREATS

Student conduct that tends to threaten or intimidate and disrupt the educational environment, whether on or off school property, will not be tolerated. The district prohibits student violence or threats of violence in any form. A student may not verbally or physically threaten or intimidate another student, staff member, or third parties on school property. A student also may not use electronic equipment to threaten harass or intimidate another. Additionally, false threats, including false threats to school property, will not be tolerated.

Students in violation of this policy will be assessed by the student threat assessment team protocols. Students in violation of the district's threats policy will be subject to discipline under the Student Code of Conduct and may be subject to civil or criminal liability.

XLVIII. TOBACCO

A. Condition Description

1. The school's obligation is to protect the health, welfare, and safety of the students. In light of scientific evidence that nicotine and tar are hazardous to health, to be consistent with the content of the curriculum, and to safeguard students from the danger of fire, the following rules shall be effective.
2. Student possession, use, distribution or sale of tobacco, on or near district grounds or while participating in school-sponsored activities is prohibited and will result in disciplinary action.
3. If possession, use, distribution or sale occurred near district grounds, disciplinary action may include removal from any or all extracurricular activities and/or denial or forfeiture of any school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.)

4. If possession, use, distribution or sale occurred on district grounds, at school-sponsored activities or otherwise while the student was under the jurisdiction of the school, students will be subject to discipline up to and including expulsion. Denial and/or removal from any or all extracurricular activities and/or forfeiture of any school honors or privileges may also be imposed. A student may be referred to law enforcement officials. Parents will be notified of all violations involving their student and subsequent action taken by the school.
5. A referral to community resources and/or cessation programs designed to help the student overcome tobacco use may also be made. The costs of such programs are the individual responsibility of the parent and the private health care system.
6. Clothing, bags, hats, vehicles, and other personal items used to display, promote or advertise tobacco are prohibited on district grounds, at school-sponsored activities and in district vehicles.
7. Any person under age 18 possessing a tobacco product commits a Class D violation and is subject to a court-imposed fine up to \$100, as defined by current ORS. (Oregon Revised Statute)
8. Any person who distributes, sells or causes to be sold, tobacco in any form or a tobacco-burning device, to a person under 18 years of age commits a Class A violation and is subject to a court-imposed fine of not less than \$100 and not exceeding \$600, as defined by current ORS. (Oregon Revised Statute)
9. Violation of any one aspect of the condition description will be considered the first (1st) offense. Any repeated violation of the section will be considered the second (2nd) offense and corrective action will be awarded for the second (2nd) offense as outlined under the responsibilities section. Corrective action will be awarded on the basis of the school year.
10. Activity-athletic violations and corrective actions are outlined in the Klamath County School District Athletic/Activity Handbook (s).

B. Guidelines

1. Rights

- a. Students have the right of attending a public school or school sponsored activity without being subjected to or offended by individuals who are using tobacco.

2. Responsibilities

- a. Student possession, use, distribution or sale of tobacco, on or near district grounds while attending or being transported to and from school sponsored activities is prohibited and will result in disciplinary action.

For the purpose of this policy, “tobacco” is defined to include any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also know as smokeless, dip, chew, snuff, in any form, nicotine or nicotine delivering devices, chemicals or devices that produce the physical effect of nicotine substance or any other tobacco substitute (e.g., e-cigarettes, fake chew). This does not include FDA approved nicotine replacement therapy products used for the purpose of cessation.

A facility shall not permit any person under eighteen (18) years of age to possess tobacco products, as defined by current ORS. (Oregon Revised Statute) while the person is present on facility grounds or in facility building or attending facility-sponsored activities as defined by current ORS. (Oregon Revised Statute)

b. Elementary Schools

The first (1st) offense for possession of tobacco will result in a parent conference and/or written notice or suspension. Repeated violations may lead to suspension or recommended expulsion.

c. Secondary Schools

1) The first (1st) offense for possession of tobacco may result in a parent conference and/or written notice or suspension. Tobacco citations may be issued by building administration. A repeated violation may lead to suspension or recommended expulsion.

2) The first (1st) offense for the use of tobacco may result in a parent conference and/or a two (2) day out-of-school suspension or assignment of Saturday or Wednesday School. Tobacco citations may be issued by building administration. A repeated violation will lead to further suspension or recommended expulsion.

XLIX. TRANSFER OF STUDENTS

Parents may request a transfer of their student(s) to another school in the district in the event the school the student is attending is identified as persistently dangerous; the student has been a victim of a violent criminal offense in or on the grounds of the school the student attends. The transfer must be to a safe school. Additionally, requests to transfer to another school in the district for other reasons or to a school outside the district may be approved in certain circumstances. Contact a building administrator or a counselor for additional information.

L. UNLAWFUL DRUGS

Klamath County School District is committed to providing a drug-free learning environment for its students. Since Unlawful drug use interferes with both effective learning and the healthy development of students. The district has a fundamental and ethical obligation to prevent unlawful drug use and to maintain a drug-free educational environment; therefore, the following conditions apply:

A. Condition Description

1. A student shall not possess, use, distribute, pretense use of, pretense possession of, or be under the influence of any unlawful drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, intoxicant of any kind; with the exception of properly used medication (in compliance with KCSD policy JHCD) prescribed to the student, nor shall the student have in his/her possession any device, container, or apparatus associated with the use of the above on school grounds or at a school sponsored activity, regardless of time or location and while being transported on a district-provided transportation.

If possession, use, distribution or sale occurred near district grounds, disciplinary action may include removal from any or all extracurricular activities and/or denial or forfeiture of any school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.)

If possession, use, distribution or sale occurred on district grounds, at school-sponsored activities or otherwise while the student was under the jurisdiction of the school, students will be subject to discipline up to and including expulsion. Denial and/or removal from any or all extracurricular activities and/or forfeiture of any school honors or privileges may also be imposed. A student will be referred to law enforcement officials. Parents will be notified of all violations involving their student and subsequent action taken by the school.

A referral to community resources and/or cessation programs designed to help the student overcome unlawful drug use may also be made. The costs of

such programs are the individual responsibility of the parent and the private health care system.

Clothing, bags, hats and other personal items used to display, promote or advertise unlawful drugs are prohibited on district grounds, at school-sponsored activities and in district vehicles.

An unlawful drug is any drug as defined by the Controlled Substances Act including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP). As used in this policy, unlawful drug also means possession, use, sale or supply of prescription and non-prescription drugs in violation of Board Policy JHCD – Administering Non-injectable Medicines to Students and any accompanying administrative regulations.

2. Delivery of any unlawful drug to a student or minor within 1,000 feet of school property is a Class A felony. Punishment is a maximum of 20 years of imprisonment, \$300,000 fine or both, as defined by current ORS. (Oregon Revised Statute)
3. Students in violation of the district's unlawful drug policy will be subject to disciplinary action and referral to law enforcement officials, as appropriate in accordance with the student code of conduct.
4. Activity – Athletic violations and corrective actions are outlined in the Klamath County School District Athletic/Activity Handbook (s).

B. Guidelines

1. Policy

- a. A student shall not possess, use, distribute or be under the influence of unlawful drugs of any kind; nor shall the student have in his/her possession any paraphernalia associated with the above.
- b. Students who are not personally using unlawful drugs, but remain in the presence of students who are using unlawful drugs will be found in violation of the policy.
- c. Students selling, distributing, sharing or whose activities are associated with unlawful drugs are also in violation of the policy and will be recommended for immediate expulsion.

2. Accountability

In each circumstance there shall be:

- a. Notification of parents.

- b. Notification of appropriate law enforcement/service agencies.

First Violation:

- 1) Students will be suspended for up to ten (10) school days as determined by the school officials and may be subject to expulsion; and/or additionally meet all requirements of a diversion program
- 2) An interview with a police officer, for the purpose of determining any legal action.
- 3) Completion of an alcohol education program as prescribed by the administration. The costs of such programs are the individual responsibility of the parent.
- 4) Failure to complete 2) through 3) shall result in a ten (10) day suspension pending expulsion proceedings.

Second and further violations:

- 2) The student will be suspended and may be recommended for expulsion; and/or the school administration will work with the Diversion Treatment Organization to increase treatment levels.

LI. VANDALISM/LITTERING

A. Condition Description

Vandalism is the willful or malicious destruction of public or private property.

B. Guidelines

1. Rights

- a. Students have a right to a clean school and need not tolerate the littering or damaging of school property without recourse.

2. Responsibilities

- a. Students should assist in the maintenance of a clean school, refrain from littering and damaging property, and report to the school authorities those who do so.
- b. Evidence or knowledge of vandalism to the school or private property shall be reported to school authorities.
- c. Disciplinary action resulting in suspension, expulsion, or referring the matter to law enforcement officers will be taken by the school against those students who commerce or abet acts of vandalism. In most cases, such conduct will result in payment to the school for damages incurred.

LII. VIDEO SURVEILLANCE

A. Condition Description

The Klamath County School District Board recognizes the district's responsibility to maintain order and discipline on school property and in school vehicles. The Board also desires to afford students and staff privacy in respect to the records maintained by the district. The Board recognizes the value of electronic

surveillance systems in monitoring activity on school property and in school vehicles in furtherance of protecting the health, welfare, and safety of its students and staff. The students and staff of the district recognize that their security and safety depends upon the capacity of the district to maintain discipline and that a certain amount of restraint upon the activities of students is assumed and expected.

B. Guidelines

The Board, having carefully weighed and balanced the rights of privacy of students and staff against the district's duty to maintain order and discipline, finds that it is appropriate to provide for the use of video camera surveillance in its transportation vehicles and on school grounds, as follows:

1. The students are hereby notified that video surveillance may occur on any school property or on any transportation vehicle.
2. The use of video surveillance equipment on transportation vehicles shall be supervised by the district transportation supervisor. The use of video surveillance equipment on school grounds and on other district property shall be supervised and controlled by the building administrator or other responsible administrator.
3. The use of video recordings from surveillance equipment shall be subject to the other policies of the district, including policies concerning the confidentiality of student and personnel records.
4. Video surveillance shall only be used to promote the order, safety and security of students, staff and property.

LIII. VISITORS

A. Condition Description

To help protect student and school property, to ensure the safety and welfare of students and to prevent disruptive activity, school officials must know if any persons who are not members of the staff or student body are inside the building or on school grounds. Individuals not having any reason or relationship involving custody of or responsibility for a student, or upon inquiry, not having a specific legitimate reason for being there, are considered loiterers. The principal will approve requests to visit as appropriate.

B. Guidelines

1. Rights

- a. Visitors are permitted on school premises so long as their presence is for constructive, not disruptive, purposes and school officials, being made aware of their visit, have granted the visitors permission.
- b. Photo ID of visitors may be requested. In the absence of photo ID, a visitor may be denied access to the district facility.
- c. Schools will deny student visitors during school hours.

2. Responsibilities

- a. Students will not be permitted to bring adult visitors to school without prior approval of the principal or designee.
- b. Visitors in the school building during a normal school day shall first come to the main office and arrange to conduct their business.

- c. No individual may loiter in or near a school building or grounds. An individual may be issued a criminal no-trespassing warning notice by the administration.
- d. Individuals refusing to leave a school building or grounds as requested by school authorities will be given a criminal trespassing citation.
- a. Individuals in school buildings or on school grounds shall comply at all times with the school district's policies and procedures. An individual may be issued a criminal no-trespassing warning notice by the administration.

LIV. WEAPONS

- A. Students will be subject to expulsion and referral to law enforcement officials for the following, but not limited to:
 - 1. Bringing, possessing, concealing or using a weapon or replica of a weapon on or at school district property or at an activity under the jurisdiction of the district or at an interscholastic activity administered by a voluntary organization approved by the State Board of Education as defined by current ORS. (Oregon Revised Statute) (i.e., Oregon Schools Activities Association);
 - 2. Pretense (the offering of something false as real or true) to possessing, concealing or using a weapon on or at school district property or at an activity under the jurisdiction of the district or at an interscholastic activity administered by a voluntary organization approved by the State Board of Education as defined by current ORS. (Oregon Revised Statute) (i.e., Oregon Schools Activities Association);

Students found to have brought, possessed, concealed or used a dangerous or deadly weapon; firearm or destructive device in violation of this policy shall be expelled for a period of not less than one year. The superintendent may, on a case-by-case basis, modify this expulsion requirement. The district is not required to provide alternative education to students facing expulsion under this policy. The district may also request suspension of a student's driving privileges or the right to apply for driving privileges with the Oregon Department of Transportation.

Dangerous weapon is defined in Oregon law as any weapon, device, instrument, material or substance which, under the circumstance in which it is used, attempted to be used or threatened to be used, is readily capable of causing death or serious physical injury.

Deadly weapon is defined as any instrument, article or substance specifically designed for, and presently capable of, causing death or serious physical injury.

Firearm is defined in federal law as any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive. This includes the frame or receiver of any such weapon, firearm, muffler or silencer.

Destructive device is defined as any device with an explosive, incendiary or poison gas component or any combination of parts either designed or intended for use in converting any device into any destructive device or from which a destructive device may be readily assembled. A destructive device does not include any device, which is designed primarily or redesigned primarily for use as a signaling, pyrotechnic, line throwing, safety or similar device.

Weapons may also include, but not be limited to, firearms, knives (with blade longer than 2 ½ inches), replicas of weapons, metal knuckles, straight razors, noxious, irritating gases or poisons, unlawful drugs or other items fashioned with the intent to use, sell, harm, threaten or harass students, staff members, parents and patrons.

Weapons, including replicas of weapons and knives or destructive devices possessed on or about a person while on district property are subject to seizure or forfeiture. In accordance with Oregon law, any employee who has reasonable cause to believe a student or other person has, within the previous 120 days, unlawfully been in possession of a firearm or destructive device as defined by this policy, shall immediately report such violation to an administrator, his/her designee or law enforcement. Employees who report directly to law enforcement shall also immediately inform an administrator.

Administrators shall promptly notify the appropriate law enforcement agency of staff reports received and at any other time there is reasonable cause to believe violations have occurred or that a student has been expelled for bringing, possessing, concealing or using a dangerous or deadly weapon, firearm or destructive device. Parents will be notified of all conduct by their student that violates this policy. Employees shall promptly report all other conduct prohibited by this policy to an administrator.

Incidents of students possessing weapons will be reported to the student's parents and a referral to the appropriate law enforcement agency shall be made. Appropriate disciplinary and/or legal action will be taken against students who possess weapons and with students who assist possession in any way. Students bringing weapons to school, or possessing, concealing, or using weapons at school or at school-related or interscholastic activities will be expelled for a period of not less than one year.

Under state and federal law, expulsion from school is required for a period of not less than one year for any student who is determined to have brought a weapon to school. The superintendent may modify the expulsion requirement for a student on a case-by-case basis. Additionally, in accordance with Oregon law, any person who intentionally possesses a firearm, unless the person possesses a valid license under ORS 166.291 and 166.292, or other dangerous weapon in or on district property or recklessly discharges a firearm in school is subject to criminal prosecution, a maximum five years imprisonment, \$125,000 fine and forfeiture of firearm and/or other dangerous weapon or both. Any person 13 to 17 years of age convicted of intentionally possessing a firearm in a public building is subject to denial of driving privileges for 90 days.

Special education students shall be disciplined in accordance with federal law and Board policy, Discipline of Students with Disabilities and accompanying administrative regulations. Appropriate disciplinary and/or legal action will be taken against students or others who assist in activity prohibited by this policy.

Weapons under the control of law enforcement personnel are permitted. The superintendent may authorize other persons to possess weapons for courses, programs and activities approved by the district and conducted on district property (including, but not limited to, hunter safety courses, ROTC programs, weapons-related vocational courses, or weapons-related sports).

The district may post a notice at any site or premise off district grounds that at the time is being used exclusively for a school program or activity. The notice shall identify the district as the sponsor, the activity as a school function and that the possession of firearms or dangerous weapons in or on the site or premise is prohibited under Oregon Revised Statute.