

# KLAMATH COUNTY SCHOOL DISTRICT

## RIGHTS AND RESPONSIBILITIES HANDBOOK

Klamath County School District recognizes the diversity and worth of all individuals and their roles in society. The students who attend our schools have a right to feel safe and included at school so that they can thrive and develop academically and socially. No discrimination or harassment of individuals or groups on the grounds of age, color, creed, disability, national origin, race, religion, gender or sexual orientation will occur in any educational program, activity, or employment in Klamath County School District.

This handbook sets forth the Rights and Responsibilities of students and the standards of conduct for students who attend school in Klamath County School District. The Board of Directors has adopted and has directed schools to distribute copies of the reasonable written rules regarding student conduct, discipline and rights and procedures. The distribution of this handbook is required by Oregon state law [ORS.339.240](#). Students and parents are encouraged to read this handbook carefully, retain it for future reference and direct any questions on the contents of this handbook or rule interpretation to their school administrator.

The Klamath County Board of Directors has delegated authority for the application, administration, and interpretation of these Rights and Responsibilities to the Superintendent. Individual schools in the district have the authority to adopt and implement school rules to assist in implementation and enforcement of the [policies of Klamath County School District](#) and this handbook.

Individual schools do not have the authority to modify district adopted policies and procedures outlined in this handbook.

### **Student Rights:**

All students have rights who attend schools in Klamath County School District and these rights carry related responsibilities on the part of each student. Students have the right:

- To a free and appropriate education designed to meet their educational needs.
- To equal educational opportunities free of discrimination.
- To feel and be safe in the schools and during activities and events.
- To learn in a positive and accepting learning environment free of negative or threatening influences or pressure from peers.
- Of freedom of expression, but not to use this right to challenge any other student's right to equity and freedom from discrimination.
- To access educational records.
- To their personal beliefs and practices with an understanding of not infringing on the rights of others or of creating a disruption to the learning environment or the classroom when exercised.

### **Responsibilities:**

#### **The Student:**

When a student in Klamath County School District attends their school, they have a responsibility as a part of their educational system to contribute to their educational future. The responsibilities of the student include:

- Reading and becoming aware of the contents of the Rights and Responsibilities handbook and of their schools specific handbook.
- Complying with requests given by a teacher, administrator, school employee and/or approved volunteer.
- Complying with the rules of the District and school while on any KCSD property or attending any KCSD event or activity at any location.

- Being active in creating and contributing to a safe and hazard-free learning environment for themselves and others.
- Reporting behavior that could be harmful or unsafe for themselves and others.
- Students supporting the enforcement of rules while establishing and meeting expectations for positive behavior in schools and at school activities will help create a positive and productive learning environment in schools.
- Participating in their learning and pursuing educational goals to advance them through their educational journey towards post-secondary opportunities.

#### The Parent:

Parents or guardians of students who attend Klamath County School District schools have a role and responsibility in the education of their student(s). The responsibilities of the parent/guardian include:

- Becoming familiar with this handbook and ensuring their student(s) abides by the rules and procedures described.
- Taking steps to ensure their student(s) attendance is in accord with the rules and regulations of the District as required by law [ORS 339.010](#)
- Communicating with the school when they see problems developing that may influence a student's ability to learn or which puts the health and safety of any student in harm.
- Working cooperatively as a partner with the school and its staff to solve student difficulties or challenges.
- Keeping the school informed and updated on contact information (phone numbers, address, emergency contacts).

#### The School and District:

Klamath County School District recognizes it has an equal, if not greater, responsibility in the education of the students who attend our schools. KCSD has the responsibility to:

- Create and maintain an environment that is safe, inclusive, and encouraging to an orderly education.
- Recognize the needs and rights of the individual student while administering the policies and procedures of the district and school behavior program.
- Outline its rules and provide due process for the students.
- Explain any rule or regulation upon request.
- Communicate regularly with the student and the parent/guardian when behavior violates the policies and procedures of the school and KCSD.
- Provide resources to evaluate and implement educational programs to meet the needs of the individual student.

#### Attendance

Klamath County School District and its schools are committed to providing a quality education for all students. A strong correlation exists between the student's academic success in school and their daily attendance. A student is expected to be present in each of their classes during any grading period in order to meet the goals and objectives of the class. In terms of attendance, a student is either present or absent. An excused absence is one which is approved by the principal or their designee in one of the following situations: illness of the student, emergency, pre-excused, or extenuating circumstances. An unexcused absence is one which is neither excused nor official, and may result in disciplinary action.

State law requires parents and guardians to send students and maintain regular attendance in school. Eight half-day unexcused absences or four full-day unexcused absences in any four-week period during which the

school is in session is considered irregular attendance. Failure to send a student to school is a Class C violation, and may result in a court- imposed fine. If the nonattendance or irregular attendance problem persists, the Superintendent or designee may elect to issue a citation to in accordance with [ORS 339.095](#).

Oregon law requires a school district withdraw students who are absent ten (10) consecutive school days. For more information please refer to KCSD policies [JE](#), [JEA](#) and [JEA-AR](#) which explain in detail the attendance policies and procedures in place.

### **Freedom of Expression**

Klamath County School District recognizes that every student has the right of free expression under the Constitution of the United States and the State of Oregon and encourages the exercise of this right. Students also have a responsibility to assist in maintaining orderly school operations. School officials have a duty to prevent the distribution or expression of lewd, vulgar, and/or plainly offensive expression or speech that will clearly disrupt the educational process. Student expression shall not interfere with the freedom of others to express themselves or substantially disrupt the orderly conduct of the school. The use of vulgar and plainly offensive, obscene or sexually explicit language is prohibited. Student publications will be free from discrimination, harassment, prejudice and racism. Therefore, publications and student speeches are subject to reasonable review and approval by the school administration. Such review will be made without unnecessary delay. [KCSD Policy IB](#)

### **Illegal Acts and School Violations**

Violation of school rules and regulations may result in a level of consequence that can include a reprimand or warning, detention, removal and loss of privileges, suspension, or expulsion from [Klamath County School District](#) based on the frequency and severity of the infraction. In all cases of suspension and expulsion, due process rights will be met and will not be less than what is required by [District policy](#) and the law.

The rights, responsibilities and rules of conduct for students will be enforced on all KCSD property before, during, or after normal school hours, at school sponsored activities and events, while traveling to and from school activities and events or while under the supervision and/or direction of school staff or individuals approved to supervise students.

### **Relationship with Law Enforcement**

Klamath County School District has established procedures and policies when law enforcement interviews and/or wishes to interview students while they are attending school and under the supervision of the school. A school official will request and determine the reason for any requested contact and follow the appropriate guidelines under KCSD [policy KN](#), [KN-AR \(1\)](#) and [KN-AR \(2\)](#). In all cases, except when prohibited by law, the school will attempt to make contact with parents before law enforcement is allowed to contact the student. If an interview does take place under KCSD policy or law, a school official will be present during any interview/contact when permitted.

### **Student Searches**

Klamath County School District seeks to ensure a learning environment which protects the health, safety and welfare of students and staff. To assist the district in attaining these goals, district officials may, subject to the requirements in [KCSD policy JFG](#) and [JFG-AR](#), search a student's person and property, including property assigned by the district for the student's use. Such searches may be conducted at any time on district property or when the student is under the jurisdiction of the district at school-sponsored activities. All student searches conducted by the district shall be subject to the requirements of the above policies.

## **Student Discipline**

Discipline in the district is based upon a philosophy designed to produce behavioral changes that will enable students to develop the self-discipline necessary to remain in school and to function successfully in their educational and social environments.

The major objectives of the district discipline program are to teach the following fundamental concepts for living:

1. Understanding and respect for individual rights, dignity and safety;
2. Understanding and respect for the law, Board policies, administrative regulations and school rules;
3. Understanding of and respect for public and private property rights.

The Board seeks to ensure a school climate which is appropriate for learning and which assures the safety and welfare of personnel and students. The superintendent will develop administrative regulations whereby those students who disrupt the educational setting or who endanger the safety of others will be offered interventions and be subject to disciplinary sanctions that are age appropriate, and to the extent practicable, use approaches that are shown through research to be effective.

The district shall enforce consistently, fairly and without bias all student conduct policies, administrative regulations and school rules.

When the minor behavior of a student begins to show a pattern, it is the responsibility of the school to create a behavior intervention to prevent future related/similar behavior. A successful plan requires willing participation and effort from the student and at times the parents/guardians.

A student whose conduct is seriously detrimental to the school's best interests may lead to out-of-school suspension. A student whose behavior warrants or meets the criteria of Oregon law may lead to a recommendation for expulsion. ([ORS 339.250](#))

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

1. Non-accidental conduct causing serious physical harm to a student or employee;
2. When a school administrator determines, based on the administrator's observation or upon a report from an employee, the student's conduct poses a threat to the health or safety of students or employees; or
3. When the suspension or expulsion is required by law. ([ORS 339.250](#))

Parents, students and employees shall be notified by handbook, code of conduct or other documents of what is acceptable behavior, behavior subject to discipline and the procedures to address behavior and the consequences of that behavior. These procedures will include a system of consequences designed to correct student misconduct and promote acceptable behavior. [KCS D Policy JFC](#)

## **Disciplinary Procedures**

Students/Parents have the right:

- To be presented with a verbal or written statement of the behavior infraction, proposed consequence(s), and any potential charges.
- To be given the opportunity to be heard and present their view of the occurrence.
- To all due process guarantees contained in the school District's stated procedure for suspension and/or expulsion.

Students/Parents have the responsibility:

- To comply with school rules and regulations at school and at all school-related activities as outlined in this handbook and KCS D policy.
- To obey all federal, state, and local laws while at school, on school grounds, or at school related activities.
- To submit to the lawful authority of school personnel.
- To conduct themselves individually and collectively in an orderly fashion.

### **Klamath County School District Behavior Consequences**

The following section outlines potential consequences when a student violates a school rule or a Klamath County School District policy. This is not a complete list. A school has authority to establish other consequences that can be used as interventions to help change current behavior and prevent similar behaviors from occurring in the future.

### **Discipline Procedures:**

Individual schools have established consequences for misbehavior that are age appropriate for the student and take into account their past pattern of behavior. These include, but are not limited to, detentions, in-school suspensions, or requiring a student to attend school during non-school hours as an alternative to suspension if the total number of hours does not exceed the equivalent of 10 school days. [ORS 339.250](#)

#### Suspensions (KCS D Policy JDG)

In-school suspension is a temporary exclusion from regular classroom attendance not to exceed two school consecutive days. The student is assigned to a supervised work area and, if permitted by the school administrator, may perform his or her regular class work with access to curriculum and special education.

Out-of-school suspension is a temporary exclusion from school attendance for a period not to exceed 10 consecutive school days. In those cases in which the school official states that the suspension will continue until a parent conference occurs, the suspension notice will state that it will not exceed 10 school days. A school administrator may require a student to attend school during non-school hours as an alternative to suspension.

When an out-of-school suspension is imposed on a student, the district shall take steps to prevent the recurrence of the behavior that led to the suspension and return the student to a classroom setting to minimize the disruption of the student's academic instruction. In some cases, an alternative educational placement or option within the district might be recommended if it is determined as the best educational placement to meet the educational needs of the student.

#### Due Process Procedures for Out-of-School Suspension

A suspension temporarily denies a student the right to attend school, classes and school activities for a period of up to ten (10) school days. When a student's behavior may lead to a suspension, the administrator or designee will take the following steps:

1. The student shall be given oral or written notice of the charges, including specific acts involved. If the student denies the charges, the student shall be given an explanation of the evidence supporting the charges.
2. The student shall be given an opportunity to explain his or her conduct and to informally contest the charge. If the administrator then determines the student should be suspended, the student shall be

informed and the student's parents or guardians shall be notified by telephone, whenever possible, of the suspension and the reasons for the action. *NOTE: These two steps above may be postponed in emergency situations relating to health and safety. Emergency situations shall be limited to those instances where there is a serious risk that substantial harm will occur if suspension does not take place immediately.*

3. When parents cannot be contacted, the decision to send the student home, to allow the student to remain on school premises, or to refer him or her to the proper authorities must be made with consideration given to the student's age, maturity and the nature of the misconduct that caused the suspension.
4. The parents or guardians will be notified of the suspension in writing. The notice must state the date, the reasons for the suspension, the length of the suspension (not to exceed ten school days) and the procedures that must be followed by the student and parents or guardian to gain reinstatement.
5. After the parents or guardians receive notice of the suspension, they will be given a conference with the building principal or his or her designee if they so request.
6. After the parents or guardians have discussed the suspension with the principal or his or her designee, they may appeal the decision to the superintendent or a designee, whose decision will be final.

Diversion may be a recommendation of the school administrator when a student has violated Klamath County School District policies. The student may be given the option to participate in the KCSD - Klamath County Circuit Court Diversion Program. The opportunity to participate in the diversion can be an intervention before suspension and/or expulsion is considered or can also be a part of the suspension/expulsion process. The option for diversion will be determined by the school Principal and will not be an option for all infractions/expulsions (KCSD [Policy JGE](#))

Expulsion is a long-term exclusion from school attendance and requires a hearing before the superintendent or their designee. State law provides the expulsion of a student will not exceed one calendar year. The use of an expulsion is limited to the following circumstances:

1. For conduct that poses a threat to the health or safety of students or school employees;
2. When other strategies to change student conduct have been ineffective; or
3. When expulsion is required by law. ([ORS 339.250.2.c](#))

The school principal or designee may recommend an expulsion for any serious misconduct meeting the criteria above. School administration must request an expulsion hearing when they believe a student has brought, possessed, concealed, or used a firearm on school property or at a school-sponsored event. The expulsion period for a firearm violation will be one calendar year unless a specific exception is made by the superintendent. The district may choose not to provide educational services to a student who is expelled for a firearm violation.

#### Expulsion Hearings

Only the superintendent, as the designated representative of the district school board, or designee has the authority to expel a student. A hearing must be conducted before an expulsion occurs unless the student's parents or guardian, or the student if 18 years of age or older, waives the right to a hearing.

#### Out-of-School Suspension or Expulsion of Students Fifth Grade or Lower

For a student who is in fifth grade or lower, schools will limit the use of out-of-school suspensions or expulsions to the following circumstances:

- Non-accidental conduct causing serious physical harm to a student or school employee;
- When a school administrator determines that the student's conduct poses a direct threat to the health or safety of students or school employees; or
- When suspension or expulsion is required by law. ([ORS 339.250.2.d.A-C](#))

When an out-of-school suspension is imposed, the school will take steps to prevent the recurrence of the behavior and return the student to the classroom setting so as to minimize the disruption of the student's instruction.

#### Suspension or Expulsion of Students with Disabilities (IEP or 504)

The district may suspend students with disabilities from their current educational placement for up to 10 school days in a school year to the same extent, and with the same notices, as for students without disabilities if the removals do not constitute a pattern. These removals are not considered a change in placement.

When considering discipline of a student with a disability (or of a student not yet identified as disabled but suspected to have a disability) for more than ten (10) consecutive school days, or when a student would be removed for more than ten (10) cumulative school days from their current educational placement in a school year and the removals constitute a pattern as defined by law, the district must conduct a manifestation determination meeting to determine whether the behavior is related to the student's disability or the direct result of the district's failure to implement the IEP or 504.

#### Due Process Procedures for Expulsion

An expulsion is a long-term exclusion from school attendance and from all district schools and activities unless otherwise specified. The expulsion of a student will not exceed one calendar year.

The superintendent or designee is authorized by the school board to expel a student and in each case must follow an expulsion process including a hearing by the superintendent or designee. The student may be suspended pending the expulsion hearing. Prior to the expulsion of a student, the district will consider and propose alternative programs of instruction for the pupil.

Any student who brings a firearm onto school property or to a school-sponsored activity, or possesses, conceals or uses a firearm on school property or at a school-sponsored activity, shall be expelled for one calendar year unless a specific exception/modification is made by the superintendent as allowed under the law.

The following is a summary of the expulsion procedures:

1. The principal or assistant principal notifies the parent or guardian and the student in writing of the intent to request expulsion, citing the charges against the student.
2. The principal or assistant principal informs the superintendent of their request for expulsion of a student including a description of the charges with supporting facts and evidence.
3. The superintendent appoints a Hearing Officer, who sets a date and place for an expulsion hearing.
4. The Hearing Officer designated by the superintendent conducts the expulsion hearing. The principal or assistant principal presents all evidence supporting the proposed expulsion, and the student has an opportunity to respond to the evidence and to present his or her version of the events. The student may choose to have counsel or representation at the hearing.
5. Where the student or the student's parent does not use English as a primary language, an interpreter will be provided by the district.

6. The Hearing Officer determines the facts of the case on the evidence presented at the hearing and informs the student and parent or guardian, their representative and the principal or assistant principal, the superintendent and the school board of the findings, conclusions and specific recommendations.
7. The student and parent or guardian may appeal the decision to the school board through a written request directed to the superintendent within 5 days of receiving the findings/decision.
8. A parent, or the student if 18 years of age or older, may waive the right to a formal hearing by completing a form entitled "Parent/Guardian Hearing Waiver Form" if the student and parents agree to the facts and reasons the administrator has given for proposing an expulsion, and they accept or successfully negotiate the recommended expulsion action and the alternative education option to be provided for the duration of the expulsion.

### **Discipline for IEP/504 students**

#### **When the Behavior Is Not a Manifestation of Student's Disability**

If the team, consisting of the parent and other relevant members of the IEP team, determines that the student's behavior is not a manifestation of his or her disability or direct result of district failure to implement the student's IEP or accommodations on a 504 plan, the district may proceed with its disciplinary action. In addition, the district will:

- On the date the decision is made to expel the student, notify the parents of the decision and provide them with notice of procedural safeguards under OAR 581-015-2415;
- Provide services to the student in an interim alternative educational setting, determined by the IEP team in accordance with OAR 581-015-2445; and
- Provide, as appropriate, a functional behavioral assessment and behavior intervention services and modifications that are designed to address the behavior violation so that it does not recur.

#### **When the Behavior Is a Manifestation of Student's Disability**

If the team determines the student's behavior is a manifestation of his or her disability, the student may not be expelled or suspended more than 10 days. The district will return the student to the placement from which he or she was removed, unless (1) the parent and the school agree to a change of placement, (2) the district removes the student to a 45-day interim alternative educational setting (IAES) for a weapon or drug violation or for infliction of serious bodily injury, or (3) the district obtains an order from an administrative law judge under OAR 581-015-2430 allowing a change of placement to an IAES for injurious behavior. Additionally, the team must either conduct a functional behavioral assessment (unless one has previously been conducted) and implement a behavior support plan; or if the student already has a behavior plan, review and modify it as needed to address the behavior.

#### **Required Reports to Law Enforcement Agencies**

Violations of the district's rules related to guns and dangerous weapons; vandalism and the intentional or reckless destruction of school property; and coercion, assault or threats may be reported to the police. A school official may inform the appropriate law enforcement agencies when a student is suspected of committing other illegal acts on the school campus or at a school sponsored activity.

### **Infractions and Violations**

The following is a list of behavior violations for Klamath County School District. The violations listed below can result in suspension and/or expulsion from Klamath County School District and when applicable, referral to law enforcement. The list below does not include all the possible infractions, but identifies and defines the minimum rules and expectations for students of Klamath County School District. Individual schools do not



have the authority to modify district-adopted policies but do have the authority to adopt and implement school rules in their own handbook to assist in implementing the contents in this handbook and of [Klamath County School District policies](#).

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## **BEHAVIOR INFRACTIONS**

The following is not a complete list of infractions which violate school, KCS D and/or Oregon laws. The list is intended to describe infractions which might occur in the school setting or on KCS D property. Specific school handbooks might include a more complete list of infractions. Schools can respond to behavior with an appropriate consequence for behavior which creates a disruption to the learning environment or violates the rights of individual students or the rights of protected classes of students and/or district employees.

Klamath County School District policies listed in [Section J](#) of the district policies provide a more complete guide of student rights, procedures, policies, and expectations related to students attending Klamath County schools.

### **Academic Dishonesty – Forgery**

Writing or giving false or misleading information to school officials by forging signature of parent or person in parental role or any other person’s signature on any letter or other school document; cheating, plagiarizing, turning in another person’s papers, projects, computer programs, or other school related work as the student’s own; and/or any other misrepresentation of the truth. Prohibited activities include, but are not limited to, using or sharing prohibited study aides or other written materials on tests or assignment, sharing, collaborating or communicating with others before or during tests or assignments unless directed, knowingly sharing false information, or knowingly misleading another to reach a false answer or conclusion. [ORS 165.013](#)

### **Aggressive Behavior**

Physical behaviors directed toward another person, including but not limited to, kicking, hitting, biting, shoving, tripping, slapping, or attempting to injure or cause injury through physical contact.

### **Alcohol and Other Drugs**

Possessing, buying, using, being under the influence, selling, distributing or possessing with the intent to sell, an alcoholic beverage; inhalants, including solvents and other

dangerous substances; or any other drug as defined by but not necessarily limited to the Uniform Controlled Substance Act, [ORS 475.005](#); possession of drug paraphernalia, possession of look-alikes being represented as being a controlled substance and/or misuse of prescription or non-prescription drugs.

### **Arson and Related Behavior**

Intentional or reckless behavior in setting a fire to property or facilities. Falsely initiating a fire drill, fire alarm, or making a false report. Possession of, threatening to use, or the deliberate act of using fire tools or other ignition sources is prohibited. Fire tools are defined as: any tool that creates a form of heat by creating a flame or spark, including, but not limited to, matches, cigarette lighters, and multipurpose lighters (BBQ). Ignition sources other than fire tools are defined as any form of heat, which instigates or may be used to propagate fire and includes, but is not limited to, candles, flares, fuses, and fireworks. [ORS 164.325](#)

### **Assault**

The intentional, knowing and/or reckless cause of physical injury and/or cause of substantial pain to another person [ORS 163.160-185](#)

**Attendance – Truancy / Tardiness**

Any unauthorized absence from class, school, or assigned location without prior permission from parent or guardian or an authorized school authority. [ORS 339-010](#) and [KCS D policy JEA](#)

**Automobile Use – Misuse**

Violation of rules and regulations concerning vehicles on school premises. Students driving licensed motor vehicles shall register the vehicle with their school office and should park in the designated areas. Registered cars are not to be used during the school hours without parental permission and/or school authorization. Only high school students are permitted to drive a motor vehicle to school. [KCS D Policy JHFD](#)

**Bullying, Harassment, Intimidation**

Any act through any method that substantially interferes with a person's educational opportunities or performance and has the effect of placing a person in reasonable fear of physical harm or reasonable fear that damage may occur to the person's property, or creating a hostile educational environment which serves to distress, threaten, demean, annoy or torment another person. [ORS 339.356](#) and [KCS D Policies JFCF](#)

**Bus Misconduct**

Violation of KCS D established bus /transportation rules and procedures for riding district provided transportation may forfeit the students' privilege to use or have access to KCS D provided transportation and may result in additional consequences. [KCS D Policy EEACC-AR](#)

**Computer – Technology - Internet**

Any misuse or use of any network and/or internet system to threaten damage to district property or personnel or in any way sabotage or modify district programs, the district's computer networks and/or internet system, or through actions disrupts the

operation and function of the KCS D. Failure to comply with the district's "[Agreement for Electronic Communications System Account](#)."

**Defiance of School Personnel - Insubordination**

Refusal to follow the reasonable requests of district personnel (teacher, teacher assistant, secretary, administration) and/or designated authority. Behaviors which may include, but are not limited to: verbal, physical, and/or profane or rude behaviors; disrupting any classroom, school or district-sponsored activity; behavior that constitutes a safety risk to the student or others and/or multiple referrals for insubordinate behaviors.

**Disorderly – Disruptive Behavior**

Initiating, planning, guiding or being involved, directly or indirectly, with language or behavior that disrupts and/or interferes with the educational environment or process of the operation of the school. Disruptive, unsafe, or abusive conduct that deprives other students of the right to learn or that interferes with the instructional program in the school or classroom.

**Disruptive Dress**

Dress, clothing, jewelry, or wording/graphics on clothing which is sexually suggestive, drug related, vulgar, insulting, gang associated, depicts violence, or ridicules a particular person or group is prohibited. 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. [KCS D Policy JFCA](#)

**Extortion**

Demanding money or something of value (e.g. school lunch) or an act (schoolwork) from another person in return for protection from or prevention of violence or harm by an individual or a group.

**Fighting**

Physical behaviors directed toward another person, including but not limited to, kicking, hitting, biting, shoving, tripping, slapping, or attempting to injure or cause injury. [ORS 163.160-185](#)

### **Gang Behavior**

Any student behavior promoting or imitating gang involvement or activity through attire, language, or nonverbal gestures (including graffiti) is prohibited. [ORS 336.109.\(2\)](#) & [ORS 166.015 \(Riot\)](#) & [ORS 164.381 \(Graffiti\)](#) and [KCS D Policy JFCE/JFCEA](#) and [Policy KGB](#)

### **Hazing**

Hazing includes, but is not limited to, any act that recklessly or intentionally endangers the mental or physical health, or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored activity or grade level attainment. Hazing includes, but is not limited to, forced consumption of any drink, food, or drug, forced exposure to the elements, forced exclusion from social contact, or any other forced activity that could adversely affect the mental or physical health or safety of a student, or that 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. [ORS 163.197](#)

### **Inhalants or Inhalant Delivery Systems**

Possession and/or use of an inhalant as described in [ORS 167.808](#) is prohibited on school grounds or school sponsored activities.

Possession and/or use of a Inhalant Delivery System (IDS) as described in [ORS 431A.175](#) is prohibited on school grounds or school sponsored activities. [KCS D Policy GBK/JFCG/KGC](#) and [Policy KGB](#)

### **Language**

Words, terms, or socially offensive language/ statements that can be considered offensive or vulgar when used or directed to another individual. [KCS D Policies EEACC-AR](#) and [Policy IGBD-AR](#)

### **Lewd Conduct**

Indecent exposure and/or the use of obscenity, profanity, whether oral, written, or gestured. This includes possession, selling, sharing, and distribution of lewd materials. [KCS D Policy IIBGA-AR](#)

### **Physical Violence - Threats**

An intentional, serious threat by word or act (including physical and/or verbal bullying/threatening), which places another person in fear of imminent serious physical injury ([ORS 339.250\(3\)](#)). This includes, but is not limited to, words, target lists, or conduct directed toward another person. Intimidation, threats and/or menacing are not limited to the protective classes of race, color, sex, marital status, sexual orientation, religion, national origin, age or disability. [ORS 163.160-185](#) and [KCS D Policy JFCM](#)

### **Public Displays of Affection - PDA**

An inappropriate display of affection between students. Physical contact including, but not limited to, intimate touching, hand holding, fondling, cuddling, kissing, or other behavior considered inappropriate while at school or at school-sponsored activities between two students typically in a relationship.

### **Sexual Harassment**

This prohibited behavior can be verbal, visual, written, or physical in nature and includes unwelcome sexual advances, requests for sexual favors, and/or physical touching. More subtle forms of harassment such as unwelcome posters, cartoons, caricatures, and jokes of a sexual nature are also prohibited. (See Bullying/Harassment, Threats/ Menacing/Hate Lists and Lewd Conduct/Profanity.) [ORS 342.704](#) and [KCS D](#)

## [Policy GBN/JBA](#)

### **Stalking - Cyber stalking**

A pattern of behavior that makes an individual feel afraid, nervous, harassed, or in danger. Can include when an individual repeatedly contacts another, follows them, sends items, talks to them when unwanted or unsolicited, or threatens an individual. [ORS 163.732](#)

### **Theft**

Taking, giving, selling or receiving property not belonging to you. Knowingly possessing any stolen property or property reported lost or missing. (See Extortion.)

### **Threats – Menacing – Hate Lists**

An intentional, serious threat by word or act (including physical and/or verbal bullying and/or threatening), which places another person in fear of imminent serious physical injury ([ORS 339.250\(3\)](#)). This includes, but is not limited to, words, target lists, or conduct directed toward another person. Intimidation, threats and/or menacing are not limited to the protective classes of race, color, sex, marital status, sexual orientation, religion, national origin, age or disability. (See Bullying/Harassment and Sexual Harassment). Intimidating items may include, but are not limited to, possession or display of gang-related clothing, symbols, paraphernalia or flags associated with degradation of a protected group or individual.

### **Tobacco**

Smoking, possessing, selling, buying, transmitting, distributing, or otherwise using tobacco or tobacco products. This rule applies to look-alike tobacco and tobacco products and to those substances represented as being tobacco and tobacco products. [ORS 167.400](#) and [KCS D Policy GBK/JFCG/KGC](#) and [Policy JFCG-AR](#)

### **Trespass**

Being present in unauthorized places or refusing to leave when asked to do so by district personnel and/ or designated authority. Entering or remaining unlawfully in school district buildings or on any part of district property or adjacent areas. [ORS 164.245](#) & [ORS 164.255](#)

### **Vandalism**

Intentionally damaging, defacing (including tagging/graffiti), or destroying property. The willful or malicious destruction or defacement of public or private property. The student and the parent or parents having legal custody of the student may be liable for the amount of the assessed damages not to exceed \$5,000 plus costs if legal action is required ([ORS 339.270](#)). The student and the parent or parents having legal custody of the student shall be liable for up to \$7,500 for the tort(s) committed by their child. [[ORS 30.765](#)] [KCS D Policy IIBGA-AR](#) and [Policy EEACC-AR](#)

### **Weapons**

Students shall not bring, possess, conceal, or use a weapon on or at district property, activities under the jurisdiction of the district, or interscholastic activities administered by a voluntary organization approved by the State Board of Education (i.e., Oregon School Activities Association). Violation may result in a referral to an appropriate law enforcement agency. Weapons include dangerous weapons, deadly weapons, firearms, and/or destructive device. Weapons may also include, but not be limited to, knives, metal knuckles, straight razors, noxious or irritating gases, poisons, unlawful drugs or other items fashioned with the intent to use, sell, harm, threaten or harass students, staff, parents and patrons. [KCS D Policy JFCJ](#) and [ORS 161.015](#), [ORS 166.370](#) and [ORS 339.250](#)

Dangerous weapon: any weapon, device, instrument, material or substance which under the circumstances in which it is used, attempted to be used or threatened to be

used, is readily capable of causing death or serious physical injury. [ORS 161.015](#)

Deadly weapon: means any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury. [ORS 161.015](#)

#### **Weapons – Firearms/Replicas/Look-alikes**

Possessing, transmitting, selling, or in any way displaying any device, instrument,

material or substance, or other implement which could reasonably be considered a weapon, as defined in [ORS 166.210](#), and/or which is of no reasonable or educational use to the student.

#### **Weapons – Explosive/Destructive Devices**

The use, possession, or sale of an explosive device or material. Violation shall result in a referral to an appropriate law enforcement agency. [ORS 166.382](#)

### **Other Student / Parent Rights and Responsibilities**

#### Confidentiality of Education Records

All student records are confidential and may be opened for inspection only in accordance with applicable federal and state law and school board policy.

#### Inspection of Education Records

Parents, legal guardians and students over 18 years of age (eligible students) have the right to inspect the student's records within 45 days of the date of the request. Requests should be directed in writing to the school administrator. If the custody of a student has been granted to only one parent, the non-custodial parent also has access to all education records unless there is a court order to the contrary.

#### Release of Education Records

Parents or the student, if he or she is 18 or is attending an institution of higher education, have the right to consent to the release of student education records. The school district, however, may release student records without consent where the law permits. Common exceptions in which consent is not required are:

- a. To the hearing officer when considering the expulsion of a student;
- b. To district employees who have a legitimate educational interest in the records;
- c. To the officials of another school, school district, institution of postsecondary education, or other educational agency that has requested the records and in which the student seeks or intends to enroll. Schools are required to forward these records within 10 days of receiving the request.
- d. To state and federal officials requiring such information, subject to certain requirements;
- e. In connection with a student's application for or receipt of financial aid;
- f. To organizations conducting studies on behalf of the school district to develop, validate or administer predictive tests, administer student aid programs or improve instruction;
- g. To accrediting organizations to carry out their accrediting functions;
- h. To parents of a dependent student;
- i. To comply with a judicial order or lawfully issued subpoena after the district has made a reasonable attempt to notify the parent or eligible student or as otherwise provided by law; or
- j. For emergency situations involving the health or safety of the student or other persons. A

health and safety emergency includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnapping, abduction or custodial interference, and law enforcement or child protective services efforts to respond to a report of child abuse or neglect.

#### Directory Information

The district may also release directory information in conjunction with a school or school district related activity. Directory information is defined as a student's name, parent's or guardian's name, address, telephone listing, electronic address, photograph, date and place of birth, participation in officially recognized activities and sports, weight and height if a member of an athletic team, grade level, dates of attendance, degrees and awards received, and the school most recently attended by the student. Parents may limit the release of directory information and will be notified annually of this right.

Federal and state laws require school districts to maintain certain education records on students. The records allow the school staff to share progress information with parents and other educational institutions. They also document the eligibility of students for various federal and state mandated programs. Students frequently request copies of their records many years after they have left school to assist them in documenting school attendance and eligibility for certain programs.

#### Withholding of Education Records for Nonpayment of Fees, Fines or Damages

The district may withhold the grade reports, diplomas or other records of students who owe fees, fines or damages until those fees, fines or damages are paid, except that records must be released to another school district to which the student has moved, or as required by law. Parents or guardians or the student, if he or she is 18 years of age or older, must be given written notice at least 10 days in advance of the record being withheld. The notice will outline the procedure for challenging the school's decision, as well as the reason for the debt and the amount owed. The notice will also state that the district intends to withhold records or diplomas, and that the matter may be pursued through a collection agency. [KCS D Policy JN](#) and [ORS 339.260](#).

#### Public Complaint Procedure

Klamath County School District has developed an effective means of resolving concerns voiced by students, parents and stakeholders in order to allow for concerns to be addressed. The board advises the public that the proper process for resolving complaints is as follows:

1. Teacher/employee
2. Principal or building administrator
3. Superintendent
4. School Board

The complete complaint procedure is outlined on KCS D [policy KL](#) and [KL-AR](#).

#### Use of Video Surveillance Equipment

Klamath County School District takes the safety of students, staff, visitors and all stakeholders on school property and at school events very seriously. To help ensure the safety of these groups, schools and district facilities use closed circuit video equipment to monitor grounds and the interior/exterior of buildings.

Medication at school [ORS 339.869](#) and [ORS 339.866](#)

At times, it is necessary for students to either receive medication or to self-administer medication while at school. KCSD has strict guidelines for the administration and/or self-administration of medicine while at school.

#### District Administered Medication

In order for the school to administer medication, a parent/guardian must complete the appropriate form provided in the school office. The parent/guardian must provide the following information: name of the student, name of the medication, dosage, method of administration, frequency of administration and any special instructions. A prescription label meets the requirements for written instructions from the physician, if the information above is included.

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 thirty 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.

#### 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. 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. Students may also be subject to disciplinary action as outlined in the Unlawful Drugs Policy

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

In situations when a licensed health care professional is not immediately available, designated trained staff may administer to students, by means of injection, epinephrine, glucagon or other medications as prescribed and allowed by Oregon law.

#### Alternative Education Programs [ORS 336.615](#)

Alternative education programs have been established and approved by the Board to meet the individual educational needs of students. These programs will be made available to students who are not succeeding 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; or when necessary to meet a student's educational needs or interests. Such programs could consist of instruction or instruction combined with counseling

#### Instructional Goals-Growth-IDEA-TAG

##### Human Growth/Development [OAR 581-022-1440](#)

An age-appropriate curriculum for human growth/development has been developed for instruction and might include lessons on sexually transmitted diseases (STD's) and infections. Any parent may request their student be excused from that portion of the instructional program as 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 336.035](#). Where appropriate, students will be given an alternate assignment.

#### Special Programs for identified student populations

##### English Language Learners

The district provides special programs for ELL students. A student or parent with questions about these programs should contact the Federal Programs Coordinator at the district office or their school principal. [ORS 336.079](#) and

##### 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 at the district office or their school principal. For additional information please see [OAR for Special Education](#) located at <http://www.ode.state.or.us/offices/slp/spedoars.pdf>.

##### Talented and Gifted Program [ORS 343.391-413](#)

The district serves academically talented and gifted students in grades K-12. Students will be identified based on behavioral, learning and/or performance information; a nationally standardized mental ability test for assistance in identifying intellectually gifted students; and a nationally standardized academic achievement test or a state of Oregon assessment for assistance in identifying academically talented students.

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.

#### State Testing

Many forms of assessment are part of your student's education. Assessments include classroom tests and quizzes, school and district assessments used to chart growth over time, college entrance assessments such as the SAT and ACT, and state assessments such as Smarter Balanced and OAKS. The State of Oregon has made opting out of state assessments an option for parents. Opt-out forms will be available on the Oregon Department of Education's website-see below. Opting your student out of state assessments should be taken seriously and should only occur for specific, academic reasons or for lack of test accommodations that would allow a student to perform the test tasks. State assessments are an important measure of state, district, and school performance.

State tests also provide you, as a parent, with crucial information about your student's performance on core class academic standards. State testing provides information about college readiness and preparation for credit-bearing courses, including dual credit classes. At the high school level, state testing is a key performance measure for demonstrating Oregon's graduation requirements. If you choose to opt out of state assessments, please complete the required Oregon form and turn it in to your school's main office.

[Oregon Department of Education website on 'Student Assessment'](#).

#### Student Transfers

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 or 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.

#### Visitors

To help protect students 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.

Any individual who wishes to visit the school must request and gain permission from the building principal beforehand. The building administration can request picture identification, reason for the visit, determine any impact to the learning environment and other factors before granting approval. Students not enrolled in the school they wish to visit are not allowed to be on the school grounds without pre-approval.

#### **Klamath County School District Policies**

Policies that govern and provide the framework for the operation of Klamath County School District can be found on the district webpage at <http://www.kcsd.k12.or.us/>. The specific district policies and administrative rules (AR) can be found at <http://policy.osba.org/klamathcty/index.asp> Topics can be searched using the search tool located on the top right of the page.

#### **Contact Information**

**Klamath County School District**  
**2845 Greensprings Drive**  
**Klamath Falls, Oregon 97601**  
**Phone: 541-883-5000**

kcsdrm1617 v. 3/23/2017

May 18, 2017

School Board 1<sup>st</sup> Read

July 2017

School Board Approved