

EUGENE SCHOOL DISTRICT 4J

STUDENT DISCIPLINE PROCEDURES SUMMARY

Student Discipline - School Board Policy JG

Students have the responsibility to follow reasonable rules designed to assure the safety and orderly educational environment for all students and staff.

To ensure a school climate that is appropriate for student learning, repeated minor violations or a single serious violation of school rules may result in a range of consequences for the student including suspension or expulsion from school. Students are subject to disciplinary action for behavior while traveling to and from school and while off campus whenever such behavior has a direct effect on the general welfare of the school and its students and adults.

The school board believes that the desired outcome of student discipline is student learning. Further, disciplinary action must be applied fairly and equitably with the intent of eliminating disparities across all student sub groups.

In all disciplinary cases students will have due process rights, which at minimum will guarantee them a right to hear the charges and an opportunity to provide their perspectives.

Specific rights and responsibilities of students have been adopted by the Board and shall be widely publicized in School District 4J. (See Student Rights and Responsibilities Handbook.)

Student Rights and Responsibilities - School Board Policy JF/JFA and Student Rights and Responsibilities Handbook (SRRH)

Students have certain rights under law. Among these student rights 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 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 privacy, which includes privacy with respect to the student's education records. Students have the right to know the behavior standards expected of them as well as to know the consequences of misbehavior.

Students have the responsibility to follow the standards of conduct outlined in the Student Rights & Responsibilities Handbook and reasonable rules adopted by the school. All students are required to:

1. Comply with the written rules as specified in the SRRH.
2. Pursue the prescribed course of study.
3. Submit to the lawful authority of teachers and school officials.
4. Abide by the district's policies on bullying, harassment, intimidation, cyberbullying, hazing and teen dating violence; sexual harassment; and discrimination.
5. Refrain from the use or display of vulgar and plainly offensive, obscene or sexually explicit language or graphics.
6. Obey the law while engaged in school activities.
7. Refrain from theft or receipt of stolen property.
8. Refrain from damage or destruction of school or private property.
9. Refrain from behaviors causing a substantial disruption of a classroom, the school, or school activities. This includes willful defiance of authority, threats of harm, respecting personal and public property and refraining from physical aggression.
10. Not assault, menace, coerce, harass, or intimate another.
11. Not possess, handle or transport a dangerous weapon.
12. Not use or possess controlled substances, alcohol, drug paraphernalia, tobacco, nicotine or inhalation devices.
13. Refrain from sexual misconduct, indecency, sexual harassment and teen dating violence.
14. Obey the rules and regulations developed in their school.

Students who violate these requirements and do not control their behavior will be subject to discipline.

Before any consequence for unacceptable conduct is enforced, the student shall be informed of what he or she has done which has brought about the consequence, and the student shall be given an opportunity to explain his or her conduct.

Consequences for unacceptable behavior will always be appropriate to the student's age, physical condition, developmental capacities, and the nature of the misconduct. Before imposing an out of school suspension or expulsion, the administrator shall consider the past pattern of behavior and age of the student.

Psychologically hurtful consequences such as ostracism, ridicule, or rejection shall never be used, and corporal punishment will not be used. Suspension or expulsion may be used, subject to specific guidelines and procedures contained in the Student Rights and Responsibilities Handbook, district policy and administrative rules.

Use of Physical Restraint and Seclusion – School Board Policy JGAB

Except in the case of an emergency, only staff with current training in 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 employee as necessary when the student's behavior poses a reasonable threat of imminent, serious bodily injury to the student or others. The use of physical restraint/ seclusion under these circumstances is permitted

only so long as the student behavior poses a threat of imminent, serious bodily injury. Any student being restrained or secluded either in an emergency or as part of a plan shall be constantly monitored by staff for the duration of the intervention. Any room used for seclusion must allow staff full view of the student and be free of potentially hazardous conditions, such as unprotected light fixtures and electrical outlets. Oregon law prohibits prone restraints (ie, a restraint in which a student is held face down on the floor) and mechanical restraints.

Additional procedures are required following the administration of physical restraint or seclusion. See Policy JGAB Use of Restraints and Seclusion for more information.

DISTRICT PROCEDURES

The following procedures relating to student disciplinary matters shall be followed in implementing Board policies JG, JFA, and JGAB in administering the provisions of the Student Rights and Responsibilities Handbook:

1. A teacher who observes a student breaking a school rule, district rule, or otherwise behaving in an unacceptable manner shall take immediate steps to correct the situation.

The disciplinary action of a teacher shall be reasonably related to the student behavior and shall be fairly and consistently administered.

Actions of teachers may include, but are not limited to, the following:

- a. A teacher may retain a student after school if the parent has been given prior notice. If the parent cannot be contacted on a particular day, the student will normally fulfill his or her obligation to meet after school the following day.
- b. A school employee may use reasonable physical force upon a student when and to the extent the application of force is consistent with Board Policy JGAB – namely, in an emergency when the student’s behavior poses a reasonable threat of imminent, serious bodily injury to the student or others. “Serious bodily injury” means a significant impairment of the physical condition of a person. Any staff member using physical restraint shall inform the principal at once of such action and shall make an accurate written account to the principal by the end of the working day. A teacher may not use physical restraint or seclusion as a punishment.
- c. When, in the judgment of a teacher, a student’s behavior is seriously disrupting the instructional program to the detriment of other students, the teacher may temporarily exclude the student from the classroom and refer him or her to the principal. This means that an unruly student may be sent to the office or another prearranged location because of unacceptable behavior. In such case, the principal shall arrange as soon as possible and, under normal circumstances, not later than the conclusion of the following day, a conference to include the principal, the teacher, and if appropriate, a specialist, to discuss the problem and decide upon appropriate steps for its resolution. Parents or guardians

should be kept informed in cases of serious disciplinary problems caused by their children, and the parents may join in any conference involving discussions for resolving those problems. Teachers may not send students home, suspend them or – except as outlined above – exclude students from the classroom.

2. Any serious infraction of a rule or behavior which endangers the safety of a student or staff member, or which substantially disrupts a class, activity, or other school function, shall be reported immediately to the principal or assistant principal. When a serious infraction has been reported which endangers others or substantially disrupts a class, the principal or designee shall take prompt steps to alleviate the problem.
 - a. The principal will hold a conference with the unruly student, the teacher, and, if feasible and appropriate, the parent, to establish reasonable conditions for the student's readmission to the class. The teacher or staff member reporting the misbehavior may be required to make a written report or describe the incident in the presence of the student and his or her parent.
 - b. The principal will seek assistance, if appropriate, from Student Support Services or responsible community agencies to explore options with the teacher, parent, and student in an effort to resolve the problem.
 - c. If the student chronically disrupts the class, the principal shall give serious consideration to reassigning the student to another class or dropping the student from the course. When such action is considered, the principal shall involve the teacher(s) and the appropriate Director or a member of the Student Support Services staff.
 - d. Principals may suspend students for a period of time not to exceed 10 school days. Removals beyond 10 days require approval of an SSD administrator and additional procedures required by law. When a suspension is made, the principal must ensure the student and parent the procedural rights provided in the Student Rights and Responsibilities Handbook, IDEA and /or Section 504.
 - e. For a student who is in fifth grade or lower, schools will limit the use of out-of-school suspensions or of 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.
 - f. Principals may recommend the expulsion of a student. The use of an expulsion is limited to the following circumstances:

- For conduct that poses a threat to the health or safety of students or staff;
 - When other strategies to change student conduct have been ineffective; or
 - When expulsion is required by law.
3. The principal of each school has been authorized to take appropriate steps to assure an atmosphere which is conducive to learning and which provides for the safety and welfare of students and school personnel. A designee shall be named by the principal to serve in his or her absence. The principal may reassign a student or may involve a law enforcement agency, if necessary, to protect the safety or welfare of students or staff members. When appropriate, principals shall involve students, parents, and staff in resolving disciplinary problems and may also use the expertise of others.

The principal is responsible for establishing school procedures or guidelines which may be necessary to supplement the district policy and procedures. School staffs, advisory councils, and students shall be invited to participate in the development of written procedures or guidelines.

4. Teachers are responsible for supervising students assigned to them. Teachers may use appropriate disciplinary action in accordance with district and school rules and guidelines. Teachers are obligated to serve as part of the total school team to enforce school and district rules and share in the general supervision of the school.
5. Any employee involved in an assault or battery within the scope of his or her employment shall immediately make a written report of the circumstances and submit it to the employee's principal or immediate supervisor.

The school district reaffirms its policy to provide safe working conditions for employees and to support reasonable policies to maintain order in the schools.