

1 Introduction

The Student/Parent Handbook for the Molalla River School District is designed to provide students, parents, guardians, school personnel, and the public with a concise, comprehensive description of the policies, rules, regulations and expectations for the behavior of all students enrolled in our great school district. Also, this document ensures that everyone mentioned above has been fully apprised of individual rights and responsibilities. All students must comply with the rules, regulations, and policies governing behavior and conduct. Unless otherwise specified, the contents of this handbook shall apply to all students who attend in the Molalla River School District.

Each school within our district also has information important for parents and students in their school community. Their handbooks are companions to this one.

Cooperation between the home, the school, and the community is essential in order to ensure that all students attending within the Molalla River School District receive the full benefits of their education. Accordingly, all students, parents, guardians, school personnel, and concerned members of the public are encouraged to be familiar with the entire contents of this handbook.

2 Educational Opportunity

Molalla River School District does not discriminate on the basis of race, religion, color, national origin, disability, marital status, sex, sexual orientation¹ or age 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; the Americans with Disabilities Act; and the Americans with Disabilities Act Amendments Act of 2008.

USDA Nondiscrimination Statement

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Person with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotope, American Sign Language, etc), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at 800-877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call 866-632-9992. Submit completed forms by mail (Office of Civil Rights 1400 Independence Avenue SW, Washington, DC 20250-9410), fax: 202-690-7442 or by email: program.intake@usda.gov. This institution is an equal opportunity provider.

¹ Sexual orientation means an individual's actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual's gender identity, appearance, expression or behavior differs from that traditionally associated with the individual's sex at birth.

3 Student Responsibilities

Students have the **RIGHT**:

- To receive a copy of the Student Rights and Responsibilities Handbook.
- To appeal disciplinary decisions of staff and administration.

Students have the **RESPONSIBILITY**:

- To read, acknowledge receipt of and become aware of contents of the Students Rights and Responsibilities Handbook.
- For conducting themselves properly, in accordance with the policies of the district and the lawful direction of staff.
- To promote a safe school environment by protecting their own rights and the rights of others.
- To seek the assistance of a school administrator for help in understanding any of the policies or expectations explained in this handbook.

The district has authority and control over a student at school during the regular school day, at any school-related activity, regardless of time or location and while being transported in district-provided transportation.

Board Policy Reference: JF/JFA, JFC, JG

4 Parent/Guardian Responsibilities

Attention: Whenever the term parent or parents is used in this handbook, it shall also refer to legal guardian or person with power of attorney to act as a parent.

Parents must acknowledge receipt of this handbook and acknowledge understanding of the consequences for students who violate district disciplinary policies.

Parents objecting to the release of directory information on their student should notify the district in writing. (See Section 37 – Item #4 for details)

TOBACCO-FREE REGULATIONS

Molalla River School District is a tobacco-free district. All persons, including parents and visitors, are expected to comply with the tobacco-free regulations of the school district at all activities held on school campuses.

Board Policy Reference: GBK/KCG, JFCG, KGB

5 School Board & Superintendent Responsibilities

The School Board, through the Superintendent, has the responsibility to provide a quality educational program. The board has the responsibility to afford students the rights that are theirs by virtue of guarantees offered under federal and state constitutions and statutes. In connection with rights are responsibilities that must be assumed by students. 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 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' rights and responsibilities, including standards of conduct, will be made available to students and their parents through information distributed annually by each school.

The superintendent and school board expect school leaders to maintain discrimination-free environments and increase opportunities and access to all district programs for all students and families.

Board Policy Reference: AE

6 Staff Responsibilities

Staff members of the school have the responsibility to guide a student's educational and behavioral experience while he/she is involved in school activities. All members of the staff shall work with the parents in a cooperative manner.

All staff members shall model by work and by personal example, their respect for law and school rules. A staff member's conduct and guidance should encourage within the student a desire to learn, a respect for honest work and an interest in various fields of knowledge. Staff members are expected to demonstrate the skills and knowledge needed to successfully serve the culturally diverse population of students enrolled in district schools. Staff members have an obligation to explain student responsibilities and to take appropriate action with those students who disobey outlined expectations.

Staff members have a responsibility to demonstrate concern for the individual student. This will be reflected by methods of teaching and encouragement to students for achievement and responsible behavior. A staff member will be culturally aware, fair, firm and consistent in active enforcement of school regulations within the educational arena (i.e., classrooms, hallways, restrooms, cafeteria, media center, school buses, school grounds, etc.) not only during the school day, but at all school sponsored activities. The staff member shall demonstrate respect for parents, students and other staff members. All staff members share in the responsibility to maintain an orderly educational environment, which includes the conditional use of physical restraint.

School officials have authority, rights, duties, and responsibilities similar to parents with respect to student behavior in the school setting and at school-sponsored activities.

Board Policy Reference: GBH/JECAC

7 District Administrator Responsibilities

Principals, assistant principals and district level administrators have the responsibility for providing leadership to staff and students in an effort to create the best possible teaching/learning situation. The administrator has a responsibility to carry out school district policies and regulations and to make these known to staff, students and parents. The administration also has the responsibility to maintain an environment conducive to orderly education. Like teachers and parents, administrators have the responsibility to be an example for students by showing respect for law and order, and by demonstrating self-discipline and concern for all persons under their authority. Administrators have the responsibility to provide a culturally appropriate learning environment.

Administrators will be fair, firm and consistent, maintain open lines of communication and demonstrate respect in decisions affecting students.

In regard to disciplinary action, administrators should confer with teachers, counselors and students. Administrators should communicate with parents to establish procedures to improve student behavior when needed. Administrators shall follow processes as outlined in District regulations, inform parents or guardians of actions and related policies

involving their student and maintain records of disciplinary actions.

Board Policy Reference: JG, JFC

8 Academics

Students have the RIGHT:

- To be informed of, and to participate in, an appropriate course of studies.
- To be informed of the teachers' expectations for them in their classes.
- To be informed of their academic progress or changes in grade status.

Students have the RESPONSIBILITY:

- To participate in class and do the assigned work in a timely manner.
- To monitor their own academic performance.
- To behave in a manner that does not disrupt the academic environment.
- To demonstrate a high degree of academic integrity.
- To refrain from print or electronic plagiarism, copyright infringement or any other kind of cheating.

The primary purpose of public education is the education of the youth of the community. The students have the right to an appropriate education, and the responsibility to be actively involved in the learning process. "Public school pupils shall comply with rules for the government of such schools, pursue the prescribed course of study, use the prescribed textbooks and submit to the teachers' authority" [ORS 339.250 (1)].

Students must have successfully completed the required academic credits according to Policy IKF and complied with all academic, attendance and behavioral graduation requirements in order to participate in commencement exercises.

Board Policy Reference: IA, IK, IKF

9 Attendance & Enrollment

Students have the RIGHT:

- To attend school if they have reached the age of five by September 1 and have not completed graduation requirements nor reached the age of 19. If a student's 19th birthday occurs during the school year he/she shall continue to be eligible for the remainder of the school year. Students may attend school until the age of 21 if the student is receiving special education or is shown to be in need of additional education in order to receive a diploma (ORS 339.115).
- To receive information about alternative education programs when erratic attendance or serious disciplinary issues are keeping the student from benefiting from his/her educational program [ORS 339.250(9-11), 339.252 and OAR 581-021-0071].

Students have the RESPONSIBILITY:

- To attend school in the attendance area in which they reside, or to apply to a different school within "Intra district Transfer" guidelines. Students may inquire about the "Intra district Transfer" process through a building administrator.
- To attend classes on all scheduled school days at the school in which they are enrolled.
- To be punctual and observe policies governing absences or late arrivals. Parents have the responsibility to inform the school by phone or in writing of their child's absence and the reason.

All students between the ages of 7 and 18, who have not completed grade 12, are required to attend school unless otherwise exempted by law. School staff will monitor and report violations of the state compulsory attendance law.

Any parent who fails to send a student to school within three 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. Failure to send a student to school is a Class C violation of law and is punishable by a court imposed fine, as provided by ORS 339.925.

The district will notify the parent in writing that, in accordance with law, the superintendent or designee 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 superintendent 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, under ORS 163.577 (1)(c), be found by the courts to have committed the offense of failing to supervise a child who has not attended school as required.

Failing to supervise a child is a Class A violation. Violations, as determined by the court, may be punishable by a requirement to complete a parent effectiveness program approved by the court and/or a fine.

Truancy

A student who chronically violates the attendance policy as defined by Oregon Administrative Rule will be considered truant and will be subject to disciplinary action including detention, suspension, expulsion, and ineligibility to participate in athletics or other activities and/or loss of driving privileges.

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 district's liaison for homeless students.

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 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 liaison for students in homeless situations.

Suspension of Driving Privileges

Under ORS 339.257, students between the ages of 15 and 18 who fail to maintain regular enrollment in school may have their driving privileges suspended or the right to apply for driving privileges suspended.

The School Board shall admit, free of charge, to schools of the District all qualified residents, authorize the admittance of other persons, determine who is not a resident, and fix tuition rates.

The District may accept for admission students from international exchange programs and other programs as may be authorized by the school board. For more information regarding exchange students refer to Board Policy JECBA.

Board Policy Reference: JEA JECBB, JECBA, JECBD, JEDA, JHFDA

10 Student Records

Eligible students* and their parents have the RIGHT:

- To know where their records are and who has access to them.
- To request that changes be made to inaccurate or misleading records.
- To consent to disclosure of confidential records.
- To file formal complaint if there is disagreement over the students' records.
- To ask for a copy of the District Records Policy from the Superintendent's Office.

A full explanation of these rights is provided in section 37 of this manual.

Eligible students* and their parents have the RESPONSIBILITY:

- To review the information in this handbook in order to fully understand the policy regarding student records.
- To pay close attention to the District's use of "Directory Information."
- To follow the directions in the handbook if you do not want records released according to the District's "Directory Information" policy.
- To expect that grade reports, diploma, or other records may be withheld if they owe fees or the student has willfully damaged District property until the balance is paid in full (ORS 339.260).

- **Eligible students** are 18 years or older, or are attending a post-secondary institution

The information contained below shall serve as the district's annual notice to parents of minors and eligible students (if 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 district office. Permanent records shall include:

1. Full legal name of student;
2. Name and address of educational agency or institution;
3. Student birth date and place of birth;
4. Name of parent/guardian;
5. Date of entry into school;
6. Name of school previously attended;
7. Course of study and marks received;
8. Data documenting a student's progress toward the achievement of state standards and must include a student's Oregon State Assessment results;
9. Credits earned;
10. Attendance;
11. Date of withdrawal from school;
12. Social security number;
13. Other information, i.e., psychological test information, anecdotal records, records of conversations, discipline records, IEP's, etc.

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.

11 Grade Reduction/Credit Denial

Grade reduction or credit denial determinations may include student attendance. Student attendance may not be a sole criterion. If attendance is a factor, prior to a 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 or course;
2. Parents and students will be informed;
3. Due process procedures are available to the student when the grade is reduced or credit denied for attendance rather than academic reasons;
4. Reasons for nonattendance 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.

Board Policy Reference: IKAD

12 Human Sexuality, AIDS/HIV and Sexually Transmitted Disease Instruction

An age-appropriate plan of instruction about Human Sexuality, AIDS, HIV, and Sexually Transmitted Diseases 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 by contacting the principal for additional information and procedures.

Board Policy Reference: IGAI

13 Program Exemptions

Students shall 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.

Board Policy Reference: IGBHD

14 Freedom of Expression

Students have the RIGHT:

- To express themselves verbally, in writing, electronically, or by assembly in such a way that they do not violate the rights of other individuals or groups.
- To attend school in an atmosphere free of slurs based on religion, race, creed, color, personal life orientation, national origin, sex, marital status, age or disability.
- To attend school in an atmosphere free of verbal assaults, privacy invasion, assaults, profanities, obscenities (as outlined in Oregon Revised Statutes), ridicule or threats of physical harm.
- To express affection for friends and staff in an appropriate manner.
- To dress and groom according to their choice consistent with the goals and purposes of the educational

environment.

Students have the RESPONSIBILITY:

- To respect another person's justifiable right to privacy. Not to invade, either verbally, in print or by electronic publication, another person's lawful right to privacy without the person's consent.
- For the effects of their expressions on other individuals or groups. They must follow school policies. Verbal assaults, profanity and obscenity are prohibited.
- To refrain from public displays of private affection.

Students have a general right to freedom of expression within the school system. The district requires, however, that students exercise their rights fairly, responsibly and in a manner not disruptive to other individuals or to the educational process.

All aspects of K-8 school-sponsored publications, including web pages, 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. Generally, high school student journalists have the right to exercise freedom of speech and of the press in school sponsored media.

School-sponsored media prepared by student journalists are subject to reasonable time, place and manner restrictions, pursuant to state and federal law. School-sponsored media cannot contain material that is libelous or slanderous, obscene, pervasively indecent or vulgar, factually inaccurate or does not meet journalistic standards established for school-sponsored media, constitutes an unwarranted invasion of privacy, violates federal or state law, is not free of racial, ethnic, religious or sexual bias or so incites students as to create a clear and present danger of unlawful acts on or off school premises, the violation of district policies, or the material and substantial disruption of the orderly operation of the school.

ASSEMBLY

All formal student meetings in a school building or on school property may function only as part of the educational process or as authorized in advance by the principal. Students gathered informally or formally shall not disrupt the educational process or infringe upon the rights of others.

PROHIBITION OF GANGS

The presence of gangs and the violent activities and drug abuse that often accompany gang involvement can cause a substantial disruption of school, district activities and a student's ability to meet curriculum and attendance requirements.

A gang is defined as any 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.

In an effort to reduce gang involvement, the district encourages students to become involved with district-sponsored clubs, organizations and athletics and to discuss with staff and district officials the negative consequences of gang involvement and to seek the assistance of counselors for additional guidance and district and community resources that offer support to students and alternatives to gang involvement.

No student on or about district property or at any district activity shall wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge or any other such symbol evidencing gang membership or affiliation. No student shall use any speech, either verbal or nonverbal (gestures, handshakes, etc.) signifying gang membership or affiliation. No student shall solicit other students for membership in any gangs nor commit any other illegal act or other violation of district policies.

Students in violation of the district's gang policy will be subject to discipline in accordance with the district's Student Code of Conduct.

Board Policy Reference: JFCE/JFCEA, JFCA, KJA, KGB

15 Parental Rights

The board recognizes the importance of promoting parental input in decision making related to their student's health and general well-being, in determining district and student needs for educational services, in program development and district operations. To assist the district in this effort, and in accordance with the No Child Left Behind Act of 2001 (NCLBA), the district affirms the right of parents, upon request, to inspect:

1. A survey created by a third party before the survey is administered or distributed by the district to a student, including any district survey containing "covered items" as defined by NCLBA;
2. Any instructional material used by the district as part of the educational curriculum for the student;
3. Any instrument used in the collection of personal information from students for the purpose of marketing or for selling that information or otherwise providing that information to others for that purpose.

As provided by law, parents of district students will also, upon request, be permitted to excuse their student from "covered activities" as defined by NCLBA. The rights provided to parents under this policy, transfer to the student when the student turns 18 years old, or is an emancipated minor under applicable state law.

The superintendent will ensure that activities requiring parental notification are provided as required by law and that reasonable notice of the adoption or continued use of this policy is provided to parents.

Board Policy Reference: KAB

16 Asbestos

The 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.

Board Policy Reference: EB

17 Fees, Fines and Charges

The board recognizes the need for student fees to fund certain school activities that are not sufficiently funded by the district. No student will be denied an education because of his/her inability to pay supplementary fees. No student, however, is exempt from charges for lost or damaged books, locks, materials, supplies and equipment. All student fees and charges, both optional and required, will be listed and described annually in the student/parent handbook, or in some other written form, and distributed to each student. Students will be advised of the due dates for such fees and charges as well as of possible penalties for failure to pay them.

In accordance with the law and with board policy, restrictions and/or penalties may be imposed until such fees, fines or chargers are paid. The district may waive all or a portion of the debt if one of the following conditions are met:

1. The district determines that the student or the parent or guardian of the student is unable to pay the debt;
2. The payment of the debt could impact the health or safety of the student;
3. The cost to notify the student and his/her parents would cost more than the potential total debt collected relating to the notice; or
4. There are mitigating circumstances as determined by the superintendent of the district that preclude the collection of the debt.

Education records shall not be withheld for student fees, fines and charges if requested in circumstances described in ORS 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

Prior to collection of debts, the superintendent will ensure that notice has been provided as required by ORS 339.260 and 339.270.

Board Policy Reference: JN, JO/IGBAB

18 Gifts to Staff

Students have the RIGHT:

- To express their appreciation and gratitude to staff.

Students have the RESPONSIBILITY:

- To express that gratitude in the form of verbal or written appreciation rather than in the form of gifts.

Board Policy Reference: GBC

19 Student Dress & Grooming

Students have the RIGHT:

- To dress and groom according to their choice consistent with the goals and purposes of the educational environment.

Students have the RESPONSIBILITY:

- To dress and groom so the teaching/learning process is not disrupted.
- To be dressed, groomed and clean so that a health/safety issue is not created.
- Dress within the bounds of modesty and cleanliness

It is the parents responsibility to see that student's dress complies with these standards. Administrators are charged with the responsibility of dealing with those students who exceed the limits of 1, 2, or 3.

Board Policy Reference: JFCA

20 Student/Parent Complaints

The district will develop and implement effective means of receiving concerns voiced by students, parents and the public. The purpose of receiving concerns is to reduce potential areas of complaints and to establish and maintain recognized channels of communication and accountability.

A complaint is a concern or problem presented with the district. Certain types of complaints, such as complaints regarding district personnel are treated with specific policies that outline the process for resolution.

An individual properly presenting a concern or complaint shall be assured the opportunity for an orderly review of the concern or complaint without reprisal. The district supports the resolution of a complaint at the lowest possible level.

The board will refer persons with a complaint regarding instruction, discipline or an incident to the proper administrative channel of accountability as follows: 1. Teacher or employee; 2. Principal or supervisor; 3. Appropriate Central Office administrator; 4. Superintendent; 5. Board.

Complaints will be referred through the proper administrative channels, as outlined above, for a solution before investigation or action by the board. Exceptions are complaints that concern board actions or board operations. Any complaint about school personnel other than the superintendent will be investigated by the administration before consideration and action by the board. The board will not hear charges against employees in open session. While speakers may offer objective criticism of operations and programs, the board will not hear personal complaints concerning district personnel nor against any person connected with the school system. To do so could expose the board to a charge of being party to slander and would prejudice any necessity to act as the final review of

administrative recommendations regarding the matter. The board chair will direct the visitor to the appropriate means for board consideration and disposition of legitimate complaints involving individuals.

Certain types of complaints are outside the scope of the public complaint policy, as they are of a serious nature, such as harassment, complaints regarding school personnel, etc. A list of complaints which are covered by more specific policy are listed below.

- AC-AR - Discrimination;
- BG – Board Staff Communications;
- GBA – Equal Employment;
- GBM – Staff Complaints;
- GBMA –Whistleblower;
- GBN – Sexual Harassment;
- GBNA – Hazing, Harassment, Intimidation, Bullying;
- IIA - Instructional Resources/Instructional Materials;
- IIAC – Library Material Selection;
- JBA – Sexual Harassment;
- JFCF – Hazing, Harassment, Intimidation, Bullying

21 Motor Vehicles

Students have the **RIGHT**:

- To drive licensed motor vehicles to and from school, subject to availability of parking.

Students have the **RESPONSIBILITY**:

- To adhere to the following rules:

All students who drive vehicles to school are subject to parking and driving rules developed by the principal. The district shall require all students parking vehicles on district property on a regular basis to show evidence:

1. That the student driving the vehicle holds a valid driver's license;
2. That the vehicle is currently registered;
3. That the student driving is insured under a motor vehicle liability insurance policy or other satisfactory proof of compliance with the financial responsibility requirements of the state;
4. That the vehicle is in compliance with district rules by displaying the appropriate identification.

Parking privileges will be subject to the specific requirements of this policy and any other applicable policy and/or rules of the district. Parking privileges, including driving on district property, may be revoked by the principal for violations of board policies, administrative regulations or school rules.

The district will post appropriate parking signs.

The Molalla River School District is not responsible for any property that is lost, mislaid, stolen, damaged or destroyed. This includes students', staff or patrons' vehicles and the contents of those vehicles. The Molalla River School District provides fee-parking areas for student convenience. However the payment of fees does not indicate in any way that the Molalla River School District assumes any responsibility for safekeeping of a student, staff or patron's vehicle or the contents of that vehicle.

Board Policy Reference: EEAE, JHFD

22 School Campus Mobility

Students have the **RIGHT**:

- To be released from campus with parent and/or administrative permission on file in the school office.

Students have the **RESPONSIBILITY**:

- To remain on campus at all times unless released.
- To know and comply with individual school campus regulations.

No teacher will permit any individual student to leave school prior to the hour of dismissal except by permission of the principal or designee.

A student will not be released during school hours, while under district supervision, or while engaging in school-sponsored activities to any person without the approval of his/her parent or as otherwise provided for in Oregon Revised Statutes.

Parents wishing to pick up their student at school for any reason shall check in at the office and receive permission before removing the student from the school premises.

23 Talented and Gifted Program

Identification of Talented and Gifted Students

In order to serve academically talented and intellectually gifted students in grades K-12, the board directs the superintendent to establish a written identification process. This process shall include as a minimum:

1. Use of research based best practices to identify all talented and gifted students including those from under-represented populations such as ethnic minorities, students with disabilities, students who are culturally and/or linguistically diverse or economically disadvantaged;
2. Behavioral, learning and/or performance information;
3. A nationally standardized mental ability test for assistance in the identification of intellectually gifted students;
4. A nationally standardized academic achievement test of reading or mathematics for assistance in identifying academically talented students.

Identified students shall score at or above the 97th percentile on one of the above tests as per OAR 581-022-1310. Other students who demonstrate the potential to perform at the eligibility criteria, as determined through behavioral, learning and/or performance information may be identified.

The board has established an appeals process for parents to utilize if they are dissatisfied with the identification process of their student for the district program for talented and gifted students and wish to request reconsideration.

Programs and Services Complaints

Individuals with complaints regarding the appropriateness of programs or services provided for TAG students should contact the district TAG coordinator.

The TAG coordinator will confer with the parents and additional appropriate persons. If an agreement cannot be reached, the parents may initiate a formal process for complaint by submitting a written appeal to the superintendent.

The superintendent shall arrange for a review committee consisting of a building administrator, counselor, teachers and school psychologist. The review committee shall meet within five working days of receiving the written complaint and review all pertinent information. A recommendation will be submitted to the superintendent within 10 working days of receiving the original complaint. The committee may recommend that the programs or services are appropriate or the programs or services are not appropriate. The superintendent shall report immediately the

recommendations of the review committee to the Board. The decision of the Board shall be final.

The complainant may file an appeal with the State Superintendent of Public Instruction if dissatisfied with the decision of the Board or 45 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 OAR will be provided upon request.

Board Policy Reference: IGBBA, IGBBC

24 Bus Transportation

Students have the RIGHT:

- To ride District buses as provided when students live 1 or more miles from the school (in the case of elementary and middle school students) and 1-1/2 or more miles from school (in the case of high school students) and/or would have to cross a hazardous area.

Students have the RESPONSIBILITY:

- To follow the instructions posted and listed in District regulations.
- To participate in two bus-evacuation drills each year.
- To follow the rules governing behavior on school buses and at bus stops or may forfeit the right to ride.

A student being transported on district-provided transportation is required to comply with the Student Code of Conduct. Any student who fails to comply with the student code of conduct may be denied transportation services and shall be subject to disciplinary action. The following rules shall apply to student conduct on district transportation:

1. Students being transported are under the authority of the bus driver;
2. Fighting, wrestling or boisterous activity is prohibited on the bus;
3. Students will use the emergency door only in case of emergency;
4. Students will be on time for the bus, both morning and evening;
5. Students will not bring firearms, weapons or other potentially hazardous materials on the bus;
6. Students will not bring animals, except approved assistance guide animals, on the bus;
7. Students will remain seated while bus is in motion;
8. Students may be assigned seats by the bus driver;
9. When necessary to cross the road, students will cross in front of the bus or as instructed by the bus driver;
10. Students will not extend their hands, arms or heads through bus windows;
11. Students will have written permission to leave the bus other than for home or school;
12. Students will converse in normal tones; loud or vulgar language is prohibited;
13. Students will not open or close windows without permission of the driver;
14. Students will keep the bus clean and must refrain from damaging it;
15. Students will be courteous to the driver, fellow students and passers-by;
16. Students who refuse to promptly obey the directions of the driver or refuse to obey regulations may forfeit their privilege to ride on the buses.

Statutory Authority: ORS Chapter 820

Board Policy Reference: EEA, EEAE

25 Student Discipline

Students have the RIGHT:

- To attend school free of corporal punishment. Corporal punishment is defined as any act that willfully inflicts or willfully causes the infliction of physical pain upon a student.
- To expect reasonable consequences as a disciplinary measure for non-compliance with school rules and regulations as outlined in this handbook.

Students have the RESPONSIBILITY:

- To follow staff directions, and to comply explicitly with requests from a teacher, administrator, school employee and/or school volunteer.

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 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 assure 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, procedures and standards for those students who disrupt the educational setting or who endanger the safety of others. Those students will be offered corrective counseling 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 and fairly all student conduct policies, administrative regulations and school rules. A student whose conduct or condition is seriously detrimental to the school's best interests may be suspended. Students may be expelled for any of the following circumstances: (a) when a student's conduct poses a threat to the health or safety of students or employees; (b) when other strategies to change the student's behavior have been ineffective, except that expulsion may not be used to address truancy; or (c) when required by law.

The district shall consider the age of the student and the student's past pattern of behavior prior to imposing the suspension or expulsion. The district will ensure careful consideration of the rights and needs of the individual concerned, as well as the best interests of other students and the school program as a whole.

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

1. Nonaccidental 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, that 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.

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 out-of-school suspension and return the student to a classroom setting to minimize the disruption of the student's academic instruction.

Parents, students and employees will be notified of behavioral expectations, as well as disciplinary consequences and procedures, by means of a student handbook or other document. Disciplinary procedures will include a system of consequences designed to correct student misconduct and promote acceptable behavior.

In order to produce the expected behavior changes, the district will follow a progressive discipline philosophy where consequences are reasonably related to actions and the severity of consequences escalates if the behavior continues. Students shall be held accountable to the district and/or building discipline policy on all district properties, including school buses and at all school sponsored activities on or off school grounds.

In support of this philosophy, the entire staff is responsible for maintaining control and administering discipline for all students while on school premises. Buildings will provide students and parents a written code of conduct specifying acceptable student behavior, discipline procedures and consequences, making sure that students, parents and all staff members know the codes by providing initial explanation and periodic reviews of key features.

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's weapons policy, as required by law, shall be reported to law enforcement.

Students with disabilities are subject to all policies concerning student behavior and conduct. However, the special requirements regarding discipline of students with disabilities must be considered in the application of this policy. Repeated discipline code violations indicate a need for review for alternative classroom placements. The following is a list of major infractions and their consequences in the district: Offenses leading to an automatic recommendation for expulsion:

1. Distribution of Drugs and/or Alcohol — selling or in any way providing an illegal drug, narcotic or alcohol to other students while on school premises or at a school-sponsored activity while off campus or while traveling to or from school or school-sponsored activities. In the event the student agrees to an evaluation for chemical dependency, and is determined to need and enters a treatment program prior to the expulsion hearing, the recommendation for expulsion may be withdrawn. Any expense for an evaluation or treatment program will be the responsibility of the individual family.
2. Weapons — Weapons and replicas of weapons are forbidden on district property. Any loaded or unloaded firearm or other weapon possessed on or about a person while on district property is subject to seizure and forfeiture. Violations will be reported to the students parents and law enforcement authorities. Students violating the district's weapons policy will be expelled for a period of not less than one calendar year, subject to the superintendent's authority to modify this expulsion requirement on a case-by-case basis.
3. Assault — willful injury to any fellow student or staff member.

Offenses leading to automatic suspension and maybe expulsion. Suspension may be in-school or out-of-school and repeat violations could lead to a recommendation for expulsion:

1. Gross Insubordination – willfully disobeying or openly defying a staff member's authority.
2. Fighting – all forms of fighting are prohibited, including fighting in the school building, on the school grounds or nearby vicinity, on buses, or at any school-sponsored activity.
3. Vandalism – willfully damaging any district property including, but not limited to, cutting, defacing, or otherwise injuring any district building fences, district buildings or other district owned property. (Parents of students committing these acts are liable for expenses of repair under ORS 339.170.
4. Theft – committing or attempting to commit an act of theft against a fellow student, the district, or any other party. The student will be suspended and referred to the appropriate law enforcement agency.
5. Criminal Acts – the following activities are among those defined as criminal under the laws of the State of Oregon. Any student committing a criminal act on school grounds or at a school activity will be suspended.
 - a. Arson – the intentional setting of fire.
 - b. Bomb Threats – telephone or written threats of bombing.
 - c. Extortion, Blackmail, or Unlawful Coercion – obtaining money or property by violence or threat of violence, or forcing someone to do something against their will by force or threat of force, or by threatening to accuse of another crime.
 - d. Malicious Mischief – damage to buildings, fences, trees, or other parts of district property, including cutting, marking, or defacing in any manner. (Parents of students committing these acts are liable for expenses of repair under ORS 339.270.
 - e. False Fire Alarms – intentionally activating the fire alarm system maliciously and without cause.

4. Use or Possession of Drugs and/or Alcohol:

- a. Initial Referral – the student will be suspended from school for five school days. If the student and parent(s) guardian(s) agree to have the student complete a series of drug and alcohol information classes and be evaluated regarding chemical dependency, the suspension will be reduced to three days.
- b. Possession of Paraphernalia Used in the Transportation, Sale, or Use of Illegal Drugs – the

student will be suspended for five school days. If the student and parent(s)/guardian(s) agree to have the student participate in a student assistance program, the parent(s)/guardian(s) will sign a release of information form, and the suspension will be reduced to three days.

- c. Subsequent Violations – any repeat offender will be recommended for expulsion.

5. Gang Behavior – the following items are prohibited on school premises and at school activities. Students are not to be found wearing, displaying, or in possession of gang member identifying marks, paraphernalia or hand signals.

6. Discriminating Behavior – The following items are prohibited on school premises and at school activities – Materials, devices, identifying markings or paraphernalia, which are offensive on the basis of race, religion, national origin, or gender, including those associated with clubs, sects, or groups, or practicing discrimination against persons on the basis of race, religion, national origin or gender.

7. Harassment – engaging in any behavior that creates a hostile or intimidating environment.

8. Menacing – by word or conduct the student intentionally attempts to place a school employee or another student in fear of imminent serious physical injury.

The following offenses will be dealt with in accordance with the building discipline procedures and may lead to suspension (including in-school) or expulsion depending on the frequency and severity.

1. Obscenities and Vulgarities – obscene, vulgar or indecent language, writing, pictures, or acts will not be tolerated.
2. Possession or Use of Tobacco Products – the possession or use of tobacco products on school property, at school related activities, or on property immediately adjacent to school grounds is prohibited.
3. Distribution or Sale of Over-the-Counter or Prescription Drugs – distributing or selling prescription drugs or over the counter medications is prohibited.
4. Distribution or Sale of Legal Substances Purported to be Illegal Drugs – distributing or selling legal substances purported to be illegal drugs, on school grounds or at school sponsored activities, is prohibited.
5. Closed Campus – students are not permitted to leave school or the school grounds of schools with a closed campus policy.
6. Truancy – violation of the Compulsory Attendance policy - JEA will result in appropriate discipline.
7. Sexual Harassment – students in violation of the sexual harassment policy will be subject to discipline.
8. Bus Regulations – students who ride the bus are under direct supervision and authority of the bus driver. Student behavior shall be governed by the Compulsory Attendance policy - JEA and the district bus regulations. A student in violation of these policies may lose his/her bus privileges and/or be subject to suspension or expulsion in accordance with these policies.
9. Repeated Violation – A student who repeatedly violates the adopted building discipline policy procedure may be subject to suspension or expulsion.

Board Policy Reference: JFC, JG, JGA, JGD, JGDA, JGE

26 School Environment

Students have the RIGHT:

- To attend school in a safe environment free of hazing, harassment, intimidation, bullying, menacing or any threat to personal safety.
- To attend a school that is free of fighting or physical violence.

Students have the RESPONSIBILITY:

- To respect the rights of others.
- To seek the help of authority when they have knowledge of a wrongful act, harassment or a potentially unsafe situation.

- To seek help if needed to resolve personal disputes in a peaceful, responsible manner.
- To seek safe, peaceful alternatives to fighting and physical violence in settling all disputes.

Hazing/Harassment/Intimidation/Bullying/Menacing/Cyberbullying

The board is committed to providing a positive and productive learning environment. Hazing, harassment, intimidation, menacing or bullying and acts of cyberbullying by students is strictly prohibited. Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is also strictly prohibited. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. The district may also file a request with the Oregon Department of Transportation to suspend the driving privileges or the right to apply for driving privileges of a student 15 years of age or older who has been suspended or expelled at least twice for menacing another student or employee, willful damage or injury to district property or for the use of threats, intimidation, harassment or coercion. Students may also be referred to law enforcement officials. The district administrator and the superintendent are responsible for ensuring that this policy is implemented.

Definitions

“District” includes district facilities, district premises and nondistrict property if the student 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.

“Hazing” includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored activity or grade level attainment, (i.e., personal servitude, sexual stimulation/sexual assault, 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 regardless of the person’s willingness to participate.

“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 district grounds, at any district-sponsored activity, on district-provided transportation or at any official district bus stop, that may be based on, but not limited to, the protected class status 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, martial status, familial status, source of income or disability.

“Cyberbullying” is the use of any electronic communication device to convey a message in any form (text, image, audio or video) that defames, intimidates, harasses or is otherwise intended to harm, insult or humiliate another in a deliberate, repeated or hostile and unwanted manner under a person’s true or false identity. In addition, any communication of this form which substantially disrupts or prevents a safe and positive educational or working environment may also be considered cyberbullying, harass, intimidate or bully. Students and staff will refrain from using personal communication devices or district property/equipment to harass or stalk another.

“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.

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

Reporting District administrator 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 district administrator 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 hazed, harassed, intimidated, menaced or bullied and acts of being cyberbullied in violation of this policy is encouraged to immediately report his/her concerns to the district administrator 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 complainant shall be notified of the findings of the investigation and, as appropriate, that remedial action has been taken. The complainant may request that the superintendent review the actions taken in the initial investigation, in accordance with district complaint procedures.

The district shall incorporate into existing training programs for students and staff information related to the prevention of, and the appropriate response to, acts of harassment, intimidation or bullying and acts of cyberbullying.

The superintendent shall be responsible for ensuring annual notice of this policy is provided in a student or employee handbook, school and district’s website, and school and district office and the development of administrative regulations, including reporting and investigative procedures. Complaint procedures, as established by the district, shall be followed.

All complaints will be promptly investigated in accordance with the procedures in Policy JFCF-AR:

FIGHTING

All students are entitled to attend school in an environment where fighting or physical violence of any kind does not occur. Students who promote or become involved in such activities will be held responsible and disciplined for their actions in addition to the possibility of civil and legal action being taken against them and their families. A person commits the crime of riot if, while participating with five or more other persons, the person engages in tumultuous and violent conduct and thereby intentionally or recklessly creates a grave risk of causing public alarm.

School officials will attempt to protect the anonymity of any student who reports or comes forward with information regarding violations of this handbook or other school rules but complete anonymity may not be possible in all circumstances.

DISRUPTIONS TO THE EDUCATIONAL ENVIRONMENT

Students have the right to attend school free from major disruptions to the educational environment. Disruptions caused by false bomb threats, setting off fire alarms or making prank 911 calls will be considered as threats to personal safety and will not be tolerated. Students who create these situations will be held responsible and disciplined for their actions and could face the possibility of legal action taken against them and their families.

Board Policy Reference: JFC, JFCF/GBNA/GBN, JG

27 Technology & Electronic Communication

The instructional technology plan for the district envisions that from their instructional sites, students and teachers will be able to:

1. Access information and manipulate it in meaningful ways that result in learning;
2. Generate and create information related to district instructional and curriculum goals;

3. Use technology as a tool for productive learning (i.e., tutorials, electronically assisted instruction, remediation, long distance learning, ITV, etc.).

The district recognizes that technology will be changing; therefore, a continual review of the district's technological applications, fiscal and human resources, staff development needs, equipment and supplies will be conducted.

Students may be permitted to use the district's electronic communications system [only to conduct business related to the management or instructional needs of the district or to conduct research related to education consistent with the district's mission or goals. Personal use of district computers, including e-mail access, is strictly prohibited.] [for personal use, in addition to official district business consistent with Board policy, the general use prohibitions/guideline/etiquette and other applicable provisions set forth in administrative regulations.]

The district's electronic communications system meets the following federal Children's Internet Protection Act requirements:

1. Technology protection measures have been installed and are in continuous operation to protect against Internet access by both adults and students to visual depictions that are obscene, child pornography or, with respect to the use of the computers by students, harmful to students;
2. Educating minors about appropriate online behaviors, including cyberbullying awareness and response, and interacting with other individuals on social networking sites and in chat rooms;
3. The on-line activities of students are monitored;
4. Access by students to inappropriate matter on the Internet and World Wide Web is denied;
5. Procedures are in place to help ensure the safety and security of students when using electronic mail, chat rooms and other forms of direct electronic communications;
6. Unauthorized access, including so-called "hacking" and other unlawful activities by students on-line is prohibited;
7. Unauthorized disclosure, use and dissemination of personal information regarding students is prohibited;
8. Measures designed to restrict students' access to materials harmful to students have been installed.

The district retains ownership and control of its computers, hardware, software and data at all times. All communications and stored information transmitted received or contained in the district's information system is the district's property and are to be used for authorized purposes only. Use of district equipment or software for unauthorized purposes is strictly prohibited. To maintain system integrity, monitor network etiquette and ensure that those authorized to use the district's system are in compliance with Board policy, administrative regulations and law, school administrators may routinely review user files and communications.

Files and other information, including e-mail, sent or received, generated or stored on district servers are not private and may be subject to monitoring. By using the district's system, individuals consent to have that use monitored by authorized district personnel. The district reserves the right to access and disclose, as appropriate, all information and data contained on district computers and district-owned e-mail system.

Students who violate Board policy, administrative regulations, including general system user prohibitions, 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. Violations of law will be reported to law enforcement officials.

Personal Communication Devices and Social Media

Students may be allowed to use and possess personal communication devices on district property and at district-sponsored activities provided such devices are not used in any manner that may disrupt the learning environment or district-sponsored activities, or violate Board policies, administrative regulations, school or classroom rules, state and federal law. As used in this policy, 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. This includes other digital audio devices.

The Board believes in the responsible use of technology for academic and learning purposes and strongly opposes the use of social media and personal communication devices for questionable and illegal purposes.

The district will not be liable for personal communication devices brought to district property and district- sponsored activities. The district will not be liable for information/comments posted by students on social media websites when the student is not engaged in district activities.

The superintendent is directed to develop administrative regulations and/or approve school rules as necessary to ensure that student use of such devices is consistent with this policy. Administrative regulations may include grade or age-level possession and/or use restrictions by students on district property and at district-sponsored activities, consequences for violations and such other provisions as the superintendent may deem necessary. The superintendent is responsible for ensuring that pertinent provisions of board policies, administrative regulations and school rules governing personal communications devices are included in student/parent handbooks, reviewed annually and updated as necessary.

The Molalla River School District is not responsible for any property that is lost, mislaid, stolen, damaged or destroyed.

Board Policy Reference: JFCEB

28 Theft

Students have the RIGHT:

- To take reasonable precautions to ensure the security of their personal property.

Students have the RESPONSIBILITY:

- To respect the property of others including students, staff, the School District and the community.
- To take reasonable precautions for the protection of their personal property.
- To inform authorities of known thefts.
- To respect copyright laws, both print and electronic.

Theft constitutes criminal conduct under the laws of the State of Oregon. Disciplinary action will be taken by the school regardless of consequences or sanctions imposed by public authorities. Suspension or expulsion may result. Proper law enforcement agencies may be notified at the discretion of the school administrators.

Besides unauthorized use or possession of another person's belongings, theft may also include, for example: illegal downloading of software, music or copyrighted materials as well as using school equipment to reproduce and/or distribute software, music or movies.

The Molalla River School District is not responsible for any property that is lost, mislaid, stolen, damaged or destroyed.

Board Policy Reference: JFC, JG

29 Tobacco

Students have the RIGHT:

- To attend school in an environment free of tobacco, tobacco "look-alikes," tobacco smoke and tobacco refuse.

Students have the RESPONSIBILITY:

- Not to possess, use, sell, or distribute tobacco in any form on any school grounds, at school sponsored activities, or in school provided transportation.

The school board has established the Molalla River School District and its facilities as being tobacco free for all

staff, students, visitors and community members. Students possessing or using tobacco products may be subject to suspension. Law enforcement agencies maybe contacted at the discretion of the administrator.

The school has a responsibility to diligently and regularly inform all students that tobacco use is hazardous to their health. There are some additional guidelines regarding tobacco use listed in the Athletic Handbook that apply to all student athletes.

Information regarding cessation services will be available to students wishing to remain tobacco-free.

----- Board Policy Reference: JFCG, KGB, KK

30 Alcohol & Controlled Substances

Students have the **RIGHT**:

- To attend school in an environment free of alcohol or controlled substances as defined in Chapter 475, Oregon Revised Statutes.
- To be able to take medically necessary prescription and over the counter medications at school according to the District's medication policy.

Students have the **RESPONSIBILITY**:

- Not to possess (physically or by consumption), distribute, attempt to distribute, or deliver or be under the influence of alcohol or controlled substances (narcotics, marijuana, and other dangerous drugs) as defined pursuant to Chapter 475, Oregon Revised Statutes.
- Not to possess, distribute, attempt to distribute, or deliver "look-alike" controlled substances (i.e., tea leaves, parsley, oregano, talcum powder, etc.) or alcohol in circumstances in which another person would reasonably be caused to believe that these look-alike substances were controlled substances or being represented to be controlled substances.
- To adhere to the District's medication policy, available in the school office, if it is medically necessary to take prescription or non-prescription medication at school.

Alcohol

Consumption, possession or sale of any alcoholic beverage on or about the school premises or at any school-sponsored activity is prohibited.

Violation of this policy may result in suspension or expulsion. Violations occurring at times other than during school hours or school activities on school property may be referred to the proper law enforcement agencies.

District administrators acting on reasonable suspicion may request that students participate in a Breathalyzer screening for alcohol at school or prior to or during a school sponsored event. If a student refuses, he/she may be subject to school discipline and or referral to law enforcement officials.

Drugs

Substance abuse or the possession, use, sale or supply of any unlawful drug, including drug paraphernalia, or any substance purported to be an unlawful drug on or near the district premises or at any school- sponsored activity is prohibited.

The following definitions apply to this policy:

"Substance abuse" means the use of any chemical or chemical compound which releases vapors or fumes or substance not otherwise excepted by law, board policy or administrative regulation, which is toxic, corrosive, an irritant, a strong sensitizer, flammable, combustible, generates or is used to generate pressure, if such chemical or chemical compound, substance or mixture of substances is used in a manner that may cause intoxication, inebriation, stupefaction, personal injury or illness when induced by any means into the human body.

"Unlawful drug" means 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 nonprescription drugs in violation of Board policy JHCD -

Administering Non injectable Medicines to Students, JHCDA - Administering Injectable Medicines to Students and any accompanying administrative regulations.

“Drug paraphernalia” means all equipment, products and materials of any kind which are marketed for the use or designed for the use in manufacturing, compounding, producing, processing, preparing, analyzing, packaging, storing, containing, concealing, injecting, ingesting, inhaling or otherwise inducing a controlled substance or intoxicant into the human body.

If possession or use occurred on school grounds or while participating in school-sponsored activities, students will be subject to discipline up to and including expulsion. If possession or use occurred near school grounds, disciplinary action may include removal from any or all extracurricular activities and/or forfeiture of any school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). Appropriate health and law enforcement agencies may be involved in at least a consultative and investigative capacity. Parents will be notified.

Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of school property is a Class A felony as provided by ORS 475.904.

Board Policy Reference: IGAEB, JFC, JG, JHCD

31 Vandalism/Malicious Mischief/Theft

Students have the RIGHT:

- To attend a school that is clean, safe, well maintained and in a state of good repair.

Students have the RESPONSIBILITY:

- To assist in the maintenance of a clean school, and refrain from littering.
- To refrain from damaging property.
- To take reasonable personal action or make a report to school or law enforcement authorities when violations are observed.

Students and citizens are urged to cooperate in reporting any incidents of vandalism/ malicious mischief/theft and the name or names of the person or persons believed to be responsible.

Each district employee will report to the principal or other person in authority incidents of vandalism/malicious mischief/theft and the name of the person or persons responsible, if known.

Principals will submit a report of any vandalism/malicious mischief/theft or damage to their buildings, to the superintendent. The superintendent will report to the Board regarding major vandalism/malicious mischief/theft or damage to district property.

The district may offer a reward to an individual(s) who provides information that result in the apprehension of a person(s) guilty of vandalism/malicious mischief/theft or other criminal acts against the district. The amount of reward shall be determined by the superintendent on a case-by- case basis within any guidelines set by the Board. The superintendent is authorized to sign a criminal complaint and to press charges against those committing acts of vandalism/malicious mischief/theft against district property. Because incidents of willful or malicious abuse, destruction, defacing and theft of district property are clearly contrary to the best interests of the district and injurious to the rights and welfare of the entire community, it is the policy of the Board to seek all legal remedies against persons found to have committed such acts. Full restitution for the damage will be sought from such persons, or, in the case of minors, from their parents. Until such fees or restitutions are paid, certain restrictions and/or penalties may be imposed. Records requested by another district to determine a student’s appropriate placement may not be withheld.

Students who willfully destroy district property through vandalism/malicious mischief/theft or arson, who commit larceny or who create a hazard to the safety of other people on district property will be suspended in accordance with state law and the Board’s policy on student suspensions and referred to law enforcement authorities.

32 Threats of Violence

Students have the **RIGHT**:

- To attend school in a safe learning environment.
- To attend school free of threat to his/her physical and emotional well-being.

Students have the **RESPONSIBILITY**:

- To inform a District staff member regarding any information or knowledge relevant to conduct prohibited by this policy.
- To inform a District staff member if they are concerned for the safety of anyone, including themselves. Students are strongly encouraged to inform staff members if they have feelings about harming themselves or know of another student who has those feelings

The board is committed to promoting healthy relationships and a safe learning environment. To this end, student threats of harm to self or others, threatening behavior or acts of violence, including threats to severely damage school property, shall not be tolerated on district property or at activities under the jurisdiction of the district. Students shall be instructed of the responsibility to inform a teacher, counselor or administrator regarding any information or knowledge relevant to conduct prohibited by this policy. Parents and others will be encouraged to report such information to the district. Staff shall immediately notify an administrator of any threat, threatening behavior or act of violence he/she has knowledge of, has witnessed or received. All reports will be promptly investigated.

Students found in violation of this policy shall be subject to discipline up to and including expulsion. A referral to law enforcement shall be made for any infraction involving a student bringing, possessing, concealing or using a weapon or destructive device as prohibited by state and federal law and board policy.

The principal shall, in determining appropriate disciplinary action, consider:

1. Immediately removing from the classroom setting any student who has threatened to injure another person or to severely damage school property;
2. Placing the student in a setting where the behavior will receive immediate attention from a administrator, counselor, licensed mental health professional or others;
3. Requiring the student to be evaluated by a licensed mental health professional before allowing the student to return to the classroom setting.

The principal shall ensure notification is provided to:

1. The parent of any student in violation of this policy and the disciplinary action imposed;
2. The parent of a student when the student's name appears on a targeted list that threatens violence or harm to the students on the list or when threats of violence or harm to the student are made by another student;
3. Any school employee whose name appears on a targeted list threatening violence or harm to the district employee and when threats of violence or harm are made by a student or others.

Notification to the above shall be attempted by telephone or in person within 12 hours of discovery of a targeted list or learning of a threat. Regardless, a written follow-up notification shall be sent within 24 hours of discovery of a targeted list or learning of a threat.

The principal will provide necessary information regarding threats of violence to law enforcement, child protective services and health-care professionals in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. Additionally, he/she may provide such information to other school officials, including teachers, within the district or other districts who have a legitimate educational interest in the student(s) consistent with state and federal education records laws and district policies.

The district may enter into contracts with licensed mental health professionals to perform student evaluations. Funds for evaluations or other disciplinary options as may be required by law and this policy shall be provided by the district.

Board Policy Reference: JFC, JFCM, JG

33 Weapons

Students have the **RIGHT**:

- To attend school without the fear of weapons.
- To attend school free of threat to his/her physical and emotional well-being.

Students have the **RESPONSIBILITY**:

- Not to possess weapons or “look-alikes” in or around school grounds/facilities, at school sponsored activities, at bus stops, or while traveling to and from school.
- Not to use any objects as a weapon.
- To report knowledge of weapons that might be in a student’s possession, on school grounds/facilities, at school sponsored activities, at bus stops, or while traveling to and from school.

Possession of, threatening to use, or actually using a weapon or simulated weapons (including “look-alikes”), explosives, firecrackers, or other items capable of producing bodily harm is prohibited.

Possession of weapons includes the unauthorized presence of or use of dangerous weapons which include, but are not limited to, any type of gun, knives (including pocket knives), bombs, explosives, and firecrackers. Possession includes not only possession on the student’s person, but also the presences of weapons in a vehicle, locker, or container under a student’s control, or brought upon the school grounds/facilities by the student whether or not in the student’s immediate possession or control when upon the grounds.

Materials or devices that can be readily assembled to create explosives or dangerous weapons, or any materials or devices that have potential of endangering the safety of others, are also prohibited.

Violation of school rules regarding weapons or explosive materials will result in suspension and/or expulsion for a period of one year as permitted by ORS 339.250(6). The superintendent may, on a case-by-case basis modify this expulsion requirement.

Firearms are defined 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; frame or receiver of any such weapon; any firearm silencer or any other destructive device including any explosive, incendiary or poisonous gas.

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

Dangerous weapons are defined as: 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.

Molalla River School District has a ‘no-tolerance’ policy regarding any type of weapon in or around school grounds/facilities. Possessing or using weapons including “look-alikes” or any other inappropriate item that is a threat to the safety or effective operation of the school is not allowed. Students who promote or become involved in such activities can expect to be held responsible and disciplined for their actions in addition to the possibility of civil and/or legal action being taken against them or their families. Disciplinary action will include suspension and/or expulsion.

The suspension and/or expulsion period for students possessing look-alikes and/or potential weapons such as knives (including pocket knives) will depend upon the type of weapon and the circumstances in which the device was used

or displayed and the student's prior behavioral record.

Exceptions to the forgoing rules to possession of weapons or look-alikes as used in dramatic productions, classroom instruction or school clubs/activities are only permitted pursuant to prior arrangement and written permission under direct staff supervision.

Board Policy Reference: JFC, JFCJ, JG

34 Search & Seizure

Students have the RIGHT:

- To be notified that a search of his or her property or school property in use by such students has occurred and will be notified of any evidence or prohibited item(s) seized. When school officials believe it is in the best interests of the safety of the students or the general welfare of the school, a search will be conducted without the student present.

Students have the RESPONSIBILITY:

- To cooperate with school staff.
- Not to bring upon school premises, dangerous weapons (or look-alikes), unlawful drugs or other prohibited substances or items, constituting a potential threat to the health or safety of any person.

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 regulation [or school rule] [or the Student Code of Conduct] is present in a particular place.

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 will generally be permitted to be present during the inspection.

Items found which are evidence of a violation of law, policy, regulation or the Student Code of Conduct may be seized and turned over to law enforcement or returned to the rightful owner, as appropriate.

Board Policy Reference: JFG

35 Exclusion from School

Students have the RIGHT:

- To be presented with a verbal or written statement of the charges.
- To be given the opportunity to be heard and present his/her view of the occurrence.
- To all due process guarantees contained in the School District's stated procedure for suspension and/or expulsion.

Students have the RESPONSIBILITY:

- To comply with school rules and regulations at school and at all school related activities as outlined in the

- introduction of this handbook.
- To obey all federal, state and local laws.
- To submit to the lawful authority of school personnel.
- To conduct themselves individually and collectively in an orderly fashion.

SUSPENSION

A student may be suspended from school for up to and including 10 school days for willful violations of the Student Code of Conduct. The district may require a student to attend school during non-school hours as an alternative to suspension.

An opportunity for the student to present his/her view of the alleged misconduct will be given. Each suspension will include a specification of the reasons for the suspension, the length of the suspension, a plan for readmission and an opportunity to appeal the decision.

Every reasonable and prompt effort will be made to notify the parents of a suspended student.

While under suspension, 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.

Schoolwork missed by a student while on suspension may be made up upon the student's return to school if the work missed reflects achievement over a greater period of time than the length of the suspension. For example, a student will be allowed to make up final, mid-term and unit examinations without an academic penalty. Refer to OAR 581-021-0065.

EXPULSION

A student may be expelled for severe or repeated violations of the Student Code of Conduct.

No student may be expelled without a hearing unless the student's parent or the student, if 18 years of age, waives the right to a hearing, either in writing or by failure to appear at a scheduled hearing.

An expulsion shall not extend beyond one calendar year.

The district will provide appropriate expulsion notification including expulsion hearing procedures, student and parent rights and alternative education provisions as required by law. See alternative education programs and alternative education notice in this handbook.

Discipline of Students with Disabilities

When a student being served by an individualized education program (IEP) engages in conduct which would warrant suspension of more than 10 days or expulsion for a nondisabled student, 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.

The IEP team will determine whether the misconduct is a manifestation of the student's disability. Should the IEP team conclude the misconduct has no relationship to the student's disability, the student may be disciplined in the same manner as would other students.

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 not suspend for more than 10 days or expel a student with a disability or terminate educational services for any behavior, which is a manifestation of the disability.

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.

_____ *Board Policy Reference: JGD, JGDA, JGE*

36 Alternative Education Programs

The board is dedicated to providing educational options for all students. It is recognized there will be students in the district whose needs and interests are best served by participation in an alternative education program.

A list of alternative education programs will be approved by the board annually. The superintendent may provide for the involvement of staff, parents and the community in recommending alternative education programs for board approval. Annual evaluation of alternative education programs will be made in accordance with ORS 336.655 and OAR 581-022-1350. The superintendent will develop administrative regulations as necessary to implement this requirement.

Alternative programs will consist of instruction or instruction combined with counseling. These programs may be public or private. Private alternative programs shall be registered with the Oregon Department of Education. Alternative programs must meet all the requirements set forth in ORS 336.625, 336.631 and 336.637.

Students, upon parent request, may be placed in an alternative education program if the district determines that the placement serves the student's educational needs and interests and assists the student in achieving district and state academic content standards. Such placement must have the approval of the student's resident district and, as appropriate, the attending district. The district will also consider and propose alternative education programs for students prior to expulsion or leaving school as required by law.

The district shall pay the actual alternative education program cost or an amount equal to 80 percent of the district's estimated current year's average per-student net operating expenditure, whichever is less. The district will enter into a written contract with non-district approved alternative programs.

_____ *Board Policy Reference: IGBHA, IGBHB*

37 The Family Educational Rights and Privacy Act (FERPA) Notification of Rights for Elementary and Secondary Schools

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the school receives a request for access. Parents or eligible students should submit to the principal a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the school to amend a record that they believe is inaccurate or misleading. They should write the principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the principal decides not to amend the record as requested by the parent or eligible student, the principal will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education

records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board who is acting within his or her capacity as a School Board member; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. The school district also discloses education records without consent to officials of another school or school district in which a student seeks or intends to enroll, or educational agencies that provide educational services to students, such as Educational Service Districts, when requested by such school or agency. The district may also release information that is necessary to deal with a health or safety emergency to law enforcement, child protective services, health care professionals, and other appropriate parties. A “health or safety emergency” includes but is not limited to kidnap, abduction, custodial interference, and child abuse or neglect. Finally, certain state and federal officials have access to student records. The District maintains a record of the access of these officials to students’ records.

>>>NOTE: Please carefully read the following important information regarding the school’s use of “Directory Information.”

- 4 The District does disclose “directory information” without written consent, unless you have advised the school to the contrary (see below). The primary purpose of directory information is to allow the District to include this type of information from your child’s education records in certain school publications or to entities that provide school related services. Examples include:
- A playbill, showing your student’s role in a drama production;
 - The annual yearbook;
 - Honor roll or other recognition lists;
 - Graduation programs;
 - Sports activity sheets, such as for wrestling, showing weight and height of team members;
 - School directories published by parent-teacher associations.
 - Newspaper or Broadcast Media stories or photos

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies such as those that manufacture class rings or publish yearbooks, companies that produce school photographs, or charitable organizations. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories - names, addresses and telephone listings - unless parents have advised the school that they do not want their student’s information disclosed without their prior written consent.

If you do not want Molalla River School District to disclose directory information from your child’s education records without your prior written consent, you must notify the school principal in writing within 15 days of receiving this information. You may EITHER indicate that you do not want your school to disclose any directory information OR that you do not want your student’s directory information released to military recruiters.

Molalla River School District has designated the following information as directory information:

- Student’s name
- Student’s city of residence
- Student’s telephone listing
- Student’s photograph
- Student’s age
- Participation in officially recognized sports and activities
- Weight and height of athletic team members

- Dates of attendance
- Degrees or awards received
- Most recent previous school or program attended
- Major field of study.

Parents and eligible students have the right to file a complaint with the U.S. Department of Education concerning alleged failures by Molalla River School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education 400 Maryland Avenue, SW
Washington, DC 20202-4605

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