

STUDENT RIGHTS and RESPONSIBILITIES GUIDE

2019 Edition

**SEASIDE SCHOOL DISTRICT 10
Clatsop County, Oregon**

Seaside School District 10, Clatsop County, Seaside, Oregon, does not discriminate on the basis of race, religion, color, national origin, disability, marital status, sex, sexual orientation 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.

The following have been designated to coordinate compliance with these legal requirements and may be contacted at the District Office for additional information and/or compliance issues:

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Table of Contents

	Page
Student Rights	
Freedom of Expression	1
Due Process.....	1
Dress and Grooming	1
Search and Seizure.....	2
Student Organizations.....	2
Student Records	4
Student Restraint and Seclusion.....	7
Student Responsibilities	
Attendance	8
Cyber Communications.....	9
Closed Campus.....	9
Bus Rules	10
Student Vehicle Use.....	10
Student Bicycle Use	11
Gang Activity	11
Student Discipline	
Detention	11
Suspension	12
Expulsion.....	12
Serious Student Misconduct	13
Serious Misconduct Infractions	14-20
Addendum	21-30

STUDENT RIGHTS

Freedom of Expression

The Board seeks to educate young people in the democratic tradition, to foster recognition of individual freedom and social responsibility, to inspire meaningful awareness of and respect for the Constitution and the Bill of Rights.

Academic freedom within the confines of state law and Board policy will be guaranteed to teachers in order to create in the classroom an atmosphere of freedom which allows students to raise questions dealing with critical issues.

The teacher is responsible for exercising good judgment in selecting issues for discussion which are of educational value to the students involved.

Due Process

The following steps are appropriate to responsible disciplinary action and are consistent with the primary elements of due process.

1. All students are given notice, both of the general nature of punishable offenses and of any specific violation. This occurs at the beginning of each school year with the issue of the District Student Rights and Responsibilities Handbook;
2. When an alleged offense occurs, the student will be informed of the conduct involved and the nature of the charge and will be given the opportunity to present his/her view of the occurrence;
3. If discipline is to follow, the student will be informed of the immediate action to be taken, reason for its administration, and subsequent procedures to be followed;
4. When serious discipline is contemplated or when a student is suspended, the student's parents will be notified as soon as possible;
5. The informal conference will normally be sufficient in determining a suitable and subsequent course of action. A follow-up conference with the student and his/her parents is almost always appropriate in situations where serious behavioral problems have occurred;
6. When students and/or their parents or guardians feel that the intent or purpose of the District's policy has been violated, it will be the responsibility of the aggrieved to attempt to resolve the concern at the level of the alleged violation. If this procedure does not result in satisfactory resolution of the problem, the student or parent may appeal the decision.
7. A differentiation may be made between the discipline of students with disabilities and those without.

Dress and Grooming

Responsibility for dress and grooming rests primarily with students and their parents; however, the District expects student dress and grooming to meet standards which ensure that the following conditions do not exist:

1. Disruption or interference with the classroom learning environment;
2. Threat to the health and/or safety of the student concerned or of other students.

Students who represent the school in a voluntary activity may be required to conform to dress and grooming standards approved by the building principal and may be denied the opportunity to participate if those standards are not met.

Search and Seizure

The Board seeks to ensure a learning environment which protects the health, safety and welfare of students and staff. To assist the Board in attaining these goals, administrators or designees may, subject to the requirements below, search a student's person and property, including property assigned by the District for the student's use. Such searches may be conducted at any time on District property or when the student is under the jurisdiction of the District at school-sponsored activities.

All searches for evidence of a violation conducted by the District shall be subject to the following requirements:

1. The administrators or designees shall have individualized, "reasonable suspicion" to believe evidence of a violation of law, Board policy, administrative regulation or school rule is present in a particular place;
2. The search shall be "reasonable in scope." That is, the measures used are reasonably related to the objectives of the search and not excessively intrusive in light of the age, sex, maturity of the student and nature of the infraction.

Administrators or designees may also search when they have reasonable information that emergency/dangerous circumstances exist.

Routine inspections of District property assigned to students may be conducted at any time.

Administrators or designees may seize any item which is evidence of a violation of law, Board policy, administrative regulation or school rule, or which the possession or use of is prohibited by such law, policy, regulation or rule.

Students may be searched by law enforcement officials on District property or when the student is under the jurisdiction of the District upon the request of the law enforcement official. Law enforcement requests ordinarily shall be based on a warrant.

The superintendent shall develop an administrative regulation for implementing this policy in a manner which protects students' rights and provides a safe learning environment without unreasonable interference. Provisions for staff, student and parent notice of the Board's policy and accompanying regulation shall be included.

Student Organizations

The District encourages curriculum-related student organizations. District staff will facilitate such organizations and District resources may be used to support them. The District may also support student organizations which are not directly curriculum-related.

The building principal will develop general guidelines for student organizations. Among other provisions such guidelines will require the assignment of at least one faculty advisor to each student organization.

Voluntary student-organized clubs which are not curriculum-related may meet on District premises during non-instructional time. If the content of such a club's meetings is religious in nature, school staff may attend only in a non-participatory manner. Staff may be assigned to attend such meetings for custodial purposes only, but will not be compelled to attend a meeting if the content of the speech at the meeting is contrary to that person's belief.

All members of the school community, including faculty, administrators and the Board are responsible for the activities that are conducted in the schools. It is important, therefore, to the orderly use of District facilities that the use of all space be approved and planned in advance. An attempt shall be made to present a balance of viewpoints.

Students will be permitted to hold meetings on District property before or after the regular student school day under the following conditions:

1. The meeting will be scheduled in advance and follow Board "Use of District Building and Facilities" policies where appropriate;
2. All meetings must be approved by the building principal or designee;
3. The meeting will be sponsored by school officials, official school clubs or organizations and non-school organizations.

In addition to the rules and regulations of "Use of District Building and Facilities," the following restrictions will apply:

1. Normal class activities will not be interrupted;
2. The meeting will not incite hazard to person or property;
3. No group which encourages or advocates the violation of federal laws, state laws or school laws will be granted use of school facilities;
4. No speaker who encourages or advocates breaking the law will be invited to speak.

If a crowd is anticipated, a crowd control plan will be filed in the building administration office two days in advance of the meeting for final approval.

Students will have the right to gather informally during the regular student school day provided they meet the following criteria:

1. Students gathered informally will not disrupt the orderly operation of the educational process;
2. Students gathered informally will not infringe upon the rights of others to pursue their activities.

Student organizations will be curriculum-related or voluntary student-initiated clubs that are not curriculum-related.

1. "Curriculum-related" student organizations must meet one of the following:
 - a. Group's subject matter is actually taught (or will soon be taught) in a regularly offered course;
 - b. Group's subject matter concerns the body of courses as a whole; or
 - c. Participation in the group is required for a particular course or results in academic credit.
2. Voluntary student-initiated clubs must:
 - a. Be voluntary and student-initiated;
 - b. Not be sponsored by the school, the government, or its agents or employees;
 - c. Not materially and substantially interfere with the orderly conduct of educational activities within the school;
 - d. Not be directed, controlled, conducted or regularly attended by "non-school" persons.
3. Definitions:
 - a. "Non-instructional time" - time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends;
 - b. "Sponsorship" - act of promoting, leading or participating in a meeting. The assignment of a teacher, administrator or other school employee to a meeting for custodial purposes does not constitute sponsorship of the meeting.

Equal Access Act preserves the authority of the school, its agents and employees to maintain order and discipline on District premises, to protect the well-being of students and faculty, and to assure that their attendance at meetings is voluntary.

Schools may prohibit meetings which would materially and substantially interfere with the orderly conduct of educational activities within the school.

In a "limited open forum" situation, schools will not deny equal access of fair opportunity to, or discriminate against student initiated clubs on the basis of religious, political, philosophical or other content of the speech at such meetings.

If the meetings are religious, the school will not influence the form of any religious activity.

No secret society of any kind, including a fraternity or sorority, will be permitted.

The superintendent may order the suspension or expulsion of any student who belongs to a secret society.

Student Records

Education records are those records maintained by the District that are directly related to a student.

The primary reason for the keeping and maintaining of education records for students is to help the individual student in his/her educational development by providing pertinent information for the student, his/her teachers and his/her parents. These records also serve as an important source of information to assist students in seeking productive employment and/or post-high school education.

It is the policy of the District to maintain confidential education records of students in a manner that conforms with state and federal laws and regulations.

Information recorded on official education records should be carefully selected, accurate and verifiable, and should have a direct and significant bearing upon the student's educational development.

The District develops regulations for the maintenance, access and release of education records as well as for preserving confidentiality and for challenging the content of those records.

The District may impose certain restrictions and/or penalties until fees, fines or damages are paid. Records requested by another district to determine a student's appropriate placement may not be withheld. Students or parents will receive written notice at least 10 days in advance of any restrictions and/or penalties to be imposed until the debt is paid. The notice will include the reason the student owes money to the District, an itemization of the fees, fines or damages through a private collection agency or other method available to the District. The District may waive fees, fines and charges if the student or parents cannot pay, the payment of the debt could impact the health and safety of the student or if the cost of collection would be more than the total collected or there are mitigating circumstances, as determined by the Superintendent.

Records requested by another District to determine a student's appropriate placement may not be withheld.

The District shall give full rights to education records to either parent, unless the District has been provided legal evidence that specifically revokes these rights. However, once the student reaches age 18 those rights transfer to the student.

Rights of Parents and Eligible Students

The District annually notifies parents of all students, including adult students, currently in attendance that they have the right to:

1. Inspect and review the student's education records;
2. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy or other rights;

3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the applicable state or federal law authorizes disclosure without consent;
4. Pursuant to OAR 581-21-410, file with the Family Policy Compliance Office, United States Department of Education a complaint under 34 CFR §99.64 concerning alleged failures by the District to comply with the requirements of federal law; and
5. Obtain a copy of the District policy with regards to student education records.

The District forwards education records requested under OAR 581-21-250 within 10 days of receiving the request. Copies of the District policy are located on the District website and how copies may be obtained from the District Office. If the eligible student or the student's parent(s) have a primary or home language other than English, the District shall provide effective notice.

These rights shall be given to either parent unless the District has been provided with specific written evidence that there is a court order, state statute or legally binding document relating to such matters as divorce, separation or custody that specifically revokes these rights.

When a student becomes an eligible student, which is defined as a student who has reached 18 years of age or is attending only an institution of post-secondary education and is not enrolled in a secondary school, the rights accorded to, and the consent required of, the parents transfer from the parents to the student.

Nothing prevents the District from giving students rights in addition to those given to parents.

Release of Personally Identifiable Information

Directory information means those items of personally identifiable information contained in a student education record which is not generally considered harmful or an invasion of privacy. Personally identifiable information shall not be released without prior written consent of the eligible student or student's parent(s) except in the following cases:

1. The disclosure is to other school officials, including teachers, within the District who have a legitimate educational interest.

As used in this section, "legitimate educational interest" means a District official employed by the District as an administrator, supervisor, instructor or staff support member; a person serving on a school board who needs to review an educational record in order to fulfill his or her professional responsibilities, as delineated by their job description, contract or conditions of employment. Contractors, consultants, volunteers or other parties to whom an agency or institution has outsourced institutional services or functions may be considered a school official provided that party performs an institutional service or function for which the District would otherwise use employees, is under the direct control of the District with respect to the use and maintenance of education records, and is subject to District policies concerning the redisclosure of personally identifiable information.

The District shall maintain, for public inspection, a listing of the names and positions of individuals within the District who have access to personally identifiable information with respect to students with disabilities.

2. The disclosure is to officials of another school within the District;
3. The disclosure is to authorized representatives of:

The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division in connection with an audit or

evaluation of federal or state supported education programs, or the enforcement of or compliance with federal or state supported education programs, or the enforcement of or compliance with federal or state regulations.

4. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:
 - a. Determine eligibility for the aid;
 - b. Determine the amount of the aid;
 - c. Determine the conditions for the aid; or
 - d. Enforce the terms and conditions of the aid.

As used in this section, "financial aid" means any payment of funds provided to an individual that is conditioned on the individual's attendance at an educational agency or institution.

5. The disclosure is to organizations conducting studies for, or on behalf of, the District to:
 - a. Develop, validate or administer predictive tests;
 - b. Administer student aid programs; or
 - c. Improve instruction.
6. The District may disclose information under this section only if disclosure is to an official listed in section (3) above and who enters into a written agreement with the District that:
 - a. Specifies the purpose, scope and duration of the study and the information to be disclosed;
 - b. Limits the organization to using the personally identifiable information only for the purpose of the study;
 - c. The study is conducted in a manner that does not permit personal identification of parents or students by individuals other than representatives of the organization; and
 - d. The information is destroyed when no longer needed for the purposes for which the study was conducted.

For purposes of this section, the term "organization" includes, but is not limited to, federal, state and local agencies, and independent organizations.

7. The District may disclose information under this section only if the disclosure is to an official listed in section (3) above who is conducting an audit related to the enforcement of or compliance with federal and state legal requirements and who enters into a written agreement with the District that:
 - a. Designates the individual or entity as an authorized representative;
 - b. Specifies the personally identifiable information being disclosed;
 - c. Specifies the personally identifiable information being disclosed in the furtherance of an audit, evaluation or enforcement or compliance activity of the federal or state supported education program;
 - d. Describes the activity with sufficient specificity to make clear it falls within the audit or evaluation exception; this must include a description of how the personally identifiable information will be used;
 - e. Requires information to be destroyed when no longer needed for the purpose for which the study was conducted;
 - f. Identifies the time period in which the personally identifiable information must be destroyed; and
 - g. Establishes policies and procedures which are consistent with FERPA and other federal and state confidentiality and privacy provisions to insure the protection of the personally identifiable information from further disclosure and unauthorized use.
8. The disclosure is to accrediting organizations to carry out their accrediting functions;
9. The disclosure is to comply with a judicial order or lawfully issued subpoena. The District may disclose information under this section only if the District makes a reasonable effort to notify the

eligible student or student's parent(s) of the order or subpoena in advance of compliance, unless an order or subpoena of a federal court or agency prohibits notification to the parent(s) or student;

10. The disclosure is to parents of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;
11. The disclosure is in connection with a health or safety emergency. The District shall disclose personally identifiable information from an education record to law enforcement, student protective services and health care professionals and other appropriate parties 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.

As used in this section, a "health and safety emergency" includes, but is not limited to, law enforcement efforts to locate a student who may be a victim of kidnap, abduction or custodial interference and law enforcement or child protective services efforts to respond to a report of child abuse or neglect pursuant to applicable state law, or other such reasons that the District may in good faith determine a health or safety emergency.

12. The disclosure is information the District has designated as "directory information" which includes:
 - a. Student's name;
 - b. Student's address;
 - c. Student's telephone listing;
 - d. Student's electronic address;
 - e. Student's photograph;
 - f. Date and place of birth;
 - g. Major field of study;
 - h. Participation in officially recognized sports and activities;
 - i. Weight and height of athletic team members;
 - j. Dates of attendance;
 - k. Degrees or awards received;
 - l. Most recent previous school or program attended.
13. The disclosure is to the parent of a student who is not an eligible student or to an eligible student;
14. The disclosure is to officials of another school, school system, institution of post-secondary education, an Education Service District (ESD), state regional program or other educational agency that has requested the records and in which the student seeks or intends to enroll or is enrolled or in which the student receives services. The term "receives services" includes, but is not limited to, an evaluation or reevaluation for purposes of determining whether a student has a disability;
15. The disclosure is to the Board during an executive session pursuant to ORS 332.061.

A copy of this policy and administrative regulations shall be made available upon request by parents and students 18 years or older or emancipated.

Student Restraint and Seclusion

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

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

In an emergency, physical restraint and/or seclusion may also be used by a school administrator, teacher or other school employee or volunteer as necessary when the student's behavior imposes a reasonable threat of imminent, serious bodily injury to student or to others. The use of physical restraint/seclusion

under these circumstances is only allowed so long as the student's behavior poses a threat of imminent, serious physical harm to themselves or to others.

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

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

An annual review of the use of restraint and seclusion is completed and available at the District Office and on the website.

STUDENT RESPONSIBILITIES

Attendance

Goals and objectives of attendance requirements in the District are:

1. To contribute to the academic success of students;
2. To inform parents about the class attendance and/or non-attendance of their students;
3. To place the responsibility for attendance in the hands of students and their parents;
4. To aid students in making decisions and accepting the responsibilities and consequences resulting from those decisions;
5. To stress that punctual and regular attendance is a learned function necessary in coping with life;
6. To meet Oregon graduation requirements. Seaside High School has four diploma options: diploma, modified diploma, extended diploma, and alternative certificate. Beginning in grade five, the District will provide information to the parents or guardians of students taking an alternate assessment about the availability and requirements of the diploma options.

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

The Board directs the superintendent to develop rules and regulations which meet these objectives and to publish those rules and regulations for students and their parents.

Persons having legal control of a student ages 7-18 who has not completed the 12th grade are required to have the student attend school. Under the superintendent's direction and supervision, building principal and/or the attendance supervisor shall monitor and report any violation of the compulsory attendance law to the superintendent or designee. Failure to send a student and to maintain a student in regular attendance is a Class C violation.

Such exceptions to the compulsory law are:

1. Students being taught in a private or parochial school in courses of study usually taught in grades one through twelve in the public schools and in attendance for a period equivalent to that required of students attending public schools;
2. Students proving to the School Board's satisfaction that they have acquired the courses of study taught in grades one through twelve in the public schools;
3. Students being taught by a private teacher the courses of study usually taught in grades one through twelve in the public school for a period equivalent to that required of students attending public schools;

4. Students being educated in the home by a parent;
5. Students excluded from attendance as provided by law;
6. An exemption may be granted to the parent, guardian or a person in parental relationship of any

student 16 or 17 years of age who is lawfully employed full time, lawfully employed part time and enrolled in school, or enrolled in a community college or other state registered alternative education program.

A student may enroll in kindergarten for any school year only if his/her fifth birthday occurs on or before September 1 of the current year. A birth certificate or other satisfactory proof of age will be required.

A student may enroll in the first grade for any school year only if his/her sixth birthday occurs on or before September 1 of the current year. A birth certificate or other satisfactory proof of age will be required.

Exceptions: Underage students who transfer into the District and who have been regularly enrolled in a kindergarten or first grade which is part of an accredited public school will be permitted to continue their education. Evidence of this previous enrollment is the responsibility of the parent. Enrollment in private nursery schools and similar organizations is not recognized for meeting this exception.

It is the responsibility of students to maintain regular attendance in all assigned classes. Absence from school or class will be excused under the following circumstances:

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

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

Parents are urged to make appointments after school hours to minimize the loss of instructional time.

Cyber Communications

Students that engage in electronic communications (whether on-campus or off-campus) that creates a disruption to the school environment can and will be subject to full disciplinary measures.

Closed Campus

Seaside School District 10 campuses are closed throughout the school day for all students except at Seaside High School during lunch period for the 10th through 12th grade students. In order to leave campus, high school students must check out in the main office with parent permission.

During the school day, students are not allowed to be on the floor of the estuary without school supervision.

Elementary and middle school students may leave the school grounds during the day only with their parent or legal guardian or another adult that has been designated in writing by the parent or legal guardian.

Bus Rules *

The following rules apply to students riding buses on regular home to school routes and activity excursions.

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 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 material 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 at 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, to fellow students and passersby;
16. Students who refuse to obey promptly the directions of the driver or refuse to obey regulations may forfeit their privilege to ride the buses;
17. Respond appropriately to coaches, teachers and chaperons who are responsible for maintaining order during activities and field trips.

* Refer to OAR 581-53-010

Student Vehicle Use

All students who drive vehicles to school are subject to parking and driving rules developed by the superintendent.

The District may 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.

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 building principal for violations of Board policies, administrative regulations or school rules.

The District will post appropriate parking signs.

Student Bicycle Use

Bicycle riders are encouraged to observe safe and lawful practices. All bicycle riders under the age of 16 must comply with Oregon helmet laws.

Bicycles must be parked in a designated area on District grounds and should be locked. The District assumes no responsibility or liability for loss or damage to bicycles.

Gang Activity

Gangs and gang membership will not be permitted. A "gang," as defined in this policy, is any group of two or more persons whose purpose include the commission of illegal acts or whose activities can cause a substantial disruption of or material interference with school and school activities. The existence of gangs and gang activities are prohibited as follows:

1. Wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign or other things that are evidence of membership or affiliation in any gang;
2. Commit any act or use any speech, either verbal or nonverbal (gestures, handshakes, etc.), showing membership or affiliation in any gang;
3. Use any speech or commit any act or omission in furtherance of the interest of any gang or gang activity including, but not limited to:
 - a. Soliciting others for membership in any gangs;
 - b. Requesting any person to pay protection or otherwise intimidating or threatening any person;
 - c. Inciting other students to act with physical violence upon any other person;
 - d. Committing any other illegal act or other violation of District policies.

STUDENT DISCIPLINE

Detention

A school administrator or teacher may detain a student for disciplinary reasons after school hours, provided the parent has been notified of the detention and, in the case of bus students, arrangements have been made for the student's transportation home. In cases where transportation is required, 24 hour notice will be given so that transportation may be arranged.

Students who are detained after school must never be left alone during their detention. Their supervision must be provided, or arranged for, by the teacher or administrator who detains them.

Detention on one day is to be limited to 60 minutes except for detention at Saturday School.

"Saturday School" detention may be required of students as a penalty for violating school rules. Failure to report for Saturday School detention as required may be grounds for suspension.

Suspension

Suspension is defined as one of the following:

1. A temporary exclusion from school for a period not to exceed ten school days;
2. Exclusion in cases being investigated pending expulsion;
3. In special circumstances, a suspension may be continued until some specific pending action occurs such as a physical or mental examination or incarceration by court action;
4. After investigation and recommended expulsion by the administration, until the Hearings Officer has taken official action, students will not be readmitted without a parent conference.

In most circumstances students will be allowed and expected to make up their work.

All suspensions of students receiving special education services must be communicated to the student's case manager to assure procedural safeguards are followed.

Suspension procedures will follow the due process guidelines as outlined in this document.

Expulsion

A principal, after reviewing available information, may recommend to the superintendent that a student be expelled. Expulsion of a student shall not extend beyond one calendar year.

No student may be expelled without a hearing unless the student's parents, or the student if 18 years of age, waive the right to a hearing, either in writing or by failure to appear at a scheduled hearing. By waiving the right to a hearing, the student and parent or guardian agree to abide by the findings of a hearings officer.

When an expulsion hearing is not waived, the following procedure is required:

1. The student is notified in writing of the specific charge or charges, when and where the hearing will take place, and their right to be represented;
2. A notice will be sent to the parent or guardian by certified mail and also by the regular mail, citing the charge or charges, and the specific acts that support the charge or charges. The notice will state a recommendation of either expulsion or suspension pending investigation for possible expulsion, when a hearing will take place, and the student's right to representation. This written notice will be mailed at least five days prior to the hearing;
3. The superintendent or designated representative will act as the hearings officer and will maintain control over and conduct the hearing. In case of foreign language differences, or other serious communication handicaps, the hearings officer shall provide a translator;
4. The student will be permitted to have a representative present at the hearing to advise and represent the student. The representative may be an attorney, parent or guardian. Parents or guardians may attend the hearing;
5. The student will be afforded the right to present his/her version as to charges and to make such showing by way of oral testimony, affidavits or exhibits;
6. The student will be permitted to hear the evidence presented against him/her;
7. The hearings officer will determine the facts of each case on the evidence presented at the hearing. This may include the relevant past history and records of the student. He/she will submit to the Board his/her decision of disciplinary action, if any, including the duration of any expulsion. The above

decision will be made available in identical form and at the same time to the Board and the student and his/her parents or guardian;

8. Strict rules of evidence will not apply to the proceedings. However, this provision will not limit the hearing officer's control of the hearing;
9. The hearings officer or the accused may make a record of the hearing;
10. The hearings officer's decision is final. However, this decision may be appealed to the Board. At its next regular or special meeting, the Board will review the hearings officer's decision and will affirm, modify or reverse the decision. Parents of students who wish to appeal the hearings officer's decision will have the opportunity to be heard at the time the Board reviews the decision;
11. Expulsion hearings will be conducted in private and Board review of the hearings officer's decision will be conducted in executive session unless the student or the student's parent requests a public hearing. If an executive session is held by the Board or a private hearing by the hearings officer, the following will not be made public:
 - a. The name of the minor student;
 - b. The issues involved;
 - c. The discussion;
 - d. The vote of Board members, which may be taken in executive session.

In the case of expulsion, the District must propose alternative programs of instruction to a student expelled for reasons other than a weapons policy violation. The District must document to the parent or guardian of the student that proposals of alternative programs have been made.

Serious Student Misconduct

The infractions and consequences for student misconduct in Seaside School District 10 schools are listed on pages 15, 16, 17, 18, 19 and 20. The infractions may result in disciplinary action ranging from counseling to expulsion, depending on the severity of the offense and the number of times the individual has been dealt with on disciplinary matters. If the situation merits, civil authorities may be notified.

Students are subject to discipline for conduct while traveling to and from school, at school-sponsored events, and while off-campus during regular school hours whenever such conduct has a direct effect on students, staff or general welfare of the District.

BROADWAY MIDDLE SCHOOL — SEASIDE HIGH SCHOOL

INFRACTION	Parent Contact	Detention	In-School Suspension	Short Suspension	Long Suspension	Recommen- dation	COMMENT
* ALCOHOL AND/OR OTHER DRUGS Any student who is found using, inhaling, under the influence, in possession of any illegal drug (alcohol, other drugs and/or substances), drug paraphernalia or look alike drug listed as a violation in the policy statement while on District property, or at any school-sponsored activity will be subject to discipline procedures.	BMS SHS				BMS SHS	BMS SHS	Involvement with drug/alcohol counseling required in lieu of a recommendation for expulsion. Offenses are cumulative grades K-12. Police may be contacted.
* ARSON The use of fire to destroy or attempt to destroy property.	BMS SHS			BMS SHS	BMS SHS	BMS SHS	Local Fire Marshall and police may be involved.
* ASSAULT Intentional, unauthorized physical contact with another person which may cause physical injury.	BMS SHS			BMS	BMS SHS	BMS SHS	Depending on seriousness of incident, a recommendation for expulsion may be made immediately.
BULLYING 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 school-sponsored activity, on school-provided transportation or at any official bus stop.	BMS SHS	BMS SHS	BMS	BMS SHS	BMS SHS	BMS SHS	
BUS MISCONDUCT Acting in a manner which may distract the driver or result in unsafe conditions.	BMS SHS	BMS SHS		BMS SHS	BMS SHS	BMS SHS	Conduct may result in loss of bus privileges.
CHEATING/PLAGIARISM Turning in school work or a test in a dishonest and/or deceiving manner. (1st offense — Zero on test or assignment — SHS redo for no credit.)	BMS SHS	BMS SHS	BMS	BMS SHS	BMS SHS	BMS SHS	
CLOSED CAMPUS VIOLATION Failure to sign out when leaving the building or campus during the school day.	BMS SHS	BMS SHS	BMS	BMS SHS	BMS SHS	BMS SHS	
COMPUTER MISUSE Tampering or intentionally damaging hardware or software.	BMS SHS	BMS SHS	BMS	BMS SHS	BMS SHS	BMS SHS	
COMPUTER UNAUTHORIZED USE Using the computer for a function not approved by Board or school policy.	BMS SHS		BMS	BMS SHS	BMS SHS	BMS SHS	Unauthorized use of the network or server may result in a recommendation for expulsion on the 1st offense.

* Legal authorities may be involved in such rule violations.

BROADWAY MIDDLE SCHOOL — SEASIDE HIGH SCHOOL

INFRACTION	Parent Contact	Detention	In-School Suspension	Short Suspension	Long Suspension	Expulsion Recommen- dation	COMMENT
* DEFIANCE OF AUTHORITY Refusal to follow the reasonable requests of school personnel.	BMS SHS	BMS SHS	BMS	BMS SHS	BMS SHS	BMS SHS	Depending on seriousness of incident, sanction may begin with suspension and/or removal from class.
DISORDERLY OR DISRUPTIVE CONDUCT Language, behavior, or dress which is disruptive to the orderly educational procedure of the school: e.g., amplified music, profanity, beepers, cellular phones, etc.	BMS SHS	BMS SHS	BMS	BMS SHS	BMS SHS	BMS SHS	
* EXPLOSIVE DEVICES The use or threat of use, possession, or sale of explosive devices.	BMS SHS				BMS SHS	BMS SHS	Local Fire Marshall may be notified. Depending on seriousness, police may be contacted.
* EXTORTION Demanding money or something of value from another person in return for protection from violence or threat of violence.	BMS SHS			BMS SHS	BMS SHS	BMS SHS	
* FIGHTING Having physical conflict with another person.	BMS SHS			BMS SHS	BMS SHS	BMS SHS	
* FORGERY/GIVING FALSE INFORMATION Writing or giving false or misleading information to school officials.	BMS SHS		BMS	BMS SHS	BMS SHS	BMS SHS	
* HARASSMENT OF DISTRICT EMPLOYEES	BMS SHS				BMS SHS	BMS SHS	Police may be involved.
* HARASSMENT Includes, but is not limited to, any act which subjects an individual or group to unwanted, abusive behavior of a nonverbal, verbal, written or physical nature on the basis of age, race, religion, color, national origin, disability, marital status, sexual orientation, physical characteristic, cultural background, socioeconomic status or geographic location.	BMS SHS		BMS	BMS SHS	BMS SHS	BMS SHS	
INTIMIDATION Includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another's property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the basis of race, color, religion, national origin or sexual orientation.	BMS SHS	BMS SHS	BMS	BMS SHS	BMS SHS	BMS SHS	

*** Legal authorities may be involved in such rule violations.**

BROADWAY MIDDLE SCHOOL — SEASIDE HIGH SCHOOL

INFRACTION	Parent Contact	Detention	In-School Suspension	Short Suspension	Long Suspension	Expulsion Recommen- dation	COMMENT
* MENACING Includes, but is not limited to, any act intended to place a school employee, student or third party in fear of imminent serious physical injury.	BMS SHS			BMS SHS	BMS SHS	BMS SHS	
PROFANITY Comments or gestures.	BMS SHS	BMS SHS	BMS	BMS SHS	BMS SHS	BMS SHS	
PROFANITY TOWARD STAFF Used directly toward staff.	BMS SHS			BMS SHS	BMS SHS	BMS SHS	
* RECKLESS ENDANGERMENT Reckless conduct which creates substantial risk of physical injury to another person.	BMS SHS			BMS SHS	BMS SHS	BMS SHS	
SAFETY VIOLATIONS Actions which endanger the safety of the student or others (e.g., wearing head phones, sagging/wide pants or using in-line skates, shoes with wheels, skateboards or roller skates on school grounds during the school day).	BMS SHS	BMS SHS	BMS	BMS SHS	BMS SHS	BMS SHS	
* SEXUAL HARASSMENT Includes unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature.	BMS SHS			BMS SHS	BMS SHS	BMS SHS	Police may be involved.
* STUDENT AUTO USE Inappropriate use of an automobile on school property. Includes parking, speeding and unsafe driving. Driving privileges may be revoked, if necessary.	SHS			SHS	SHS		Parking privilege may be revoked.
TARDINESS Arriving late to class or school.	BMS SHS	BMS SHS	BMS	SHS	SHS		
* THEFT Taking, giving, or receiving property not belonging to you.	BMS SHS		BMS	BMS SHS	BMS SHS	BMS SHS	Repayment or return of items required.
* THREAT Student threats of harm to self or others, threatening behavior or acts of violence, including threats to severely damage District property, shall not be tolerated on District property or at activities under the jurisdiction of the District.	BMS SHS	BMS SHS	BMS	BMS SHS	BMS SHS	BMS SHS	
* TOBACCO USE OR POSSESSION The use and/or possession of tobacco in any form.	BMS SHS			BMS SHS	BMS SHS		

*** Legal authorities may be involved in such rule violations.**

BROADWAY MIDDLE SCHOOL — SEASIDE HIGH SCHOOL

INFRACTION	Parent Contact	Detention	In-School Suspension	Short Suspension	Long Suspension	Expulsion Recommen- dation	COMMENT
UNAUTHORIZED ENTRANCE Being in a restricted area of the building or campus without permission.	BMS SHS	BMS SHS	BMS	BMS SHS	BMS SHS	BMS SHS	
* UNEXCUSED ABSENCES Any absence which has not been excused by parent or legal guardian and/or appropriate school official.	BMS SHS	BMS SHS	BMS	SHS	SHS		Truancy Officer may be notified which may result in a home visit. Loss of course credit may result.
* VANDALISM Intentionally damaging, defacing or destroying property belonging to the school, school officials or others.	BMS SHS	BMS	BMS	BMS SHS	BMS SHS	BMS SHS	At Broadway, the detention may be a work detail. Student will pay restitution.
* VIOLATION OF	BMS		BMS	BMS	BMS	BMS	Restriction to campus
NEIGHBORS' RIGHTS Community residents have rights of privacy, property, and freedom from abuse as provided by law. Students must not loiter, litter, trespass or create nuisance conditions in the community. While the school cannot assume responsibility for misbehavior of students away from school, disciplinary action may be taken if the circumstances warrant. Schools have a responsibility to cooperate with law enforcement agencies with respect to law violations affecting members or property.	SHS	SHS		SHS	SHS	SHS	or school building may result.
* WEAPONS Students will not bring, possess, conceal or use a weapon on or at District property, activities under the jurisdiction of the District or interscholastic activities administered by a voluntary organization approved by the State Board of Education. See District Policy JFCJ for definitions of weapons.	BMS SHS					BMS SHS	Under federal and state law, expulsion from school is required for a period of not less than one year for any student who brings a weapon to school. The Superintendent may modify the expulsion on a case-by-case basis. Under Oregon law, criminal prosecution is possible.

* Legal authorities may be involved in such rule violations.

GEARHART ELEMENTARY — SEASIDE HEIGHTS ELEMENTARY

INFRACTION	Possible Loss of Bus Privileges	Loss of Recess Time	Stay After School	Conference with Principal	Parent/Tchr/ Principal/ Student Con- ference	In-School Suspension	Out of School Suspension	Recommend Expulsion
* ALCOHOL OR DRUGS The use, possession, sale, or being under the influence of alcohol, drugs, marijuana, tobacco or other intoxicants.				√	√	√	√	√
* ASSAULT Intentional, unauthorized physical contact with another person which may cause physical injury.	√	√	√	√	√	√	√	√
BULLYING 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 school-sponsored activity, on school-provided transportation or at any official bus stop.	√	√	√	√	√	√	√	√
BUS MISCONDUCT Acting in a manner which may distract the driver or result in unsafe conditions.	√	√	√	√	√	√	√	√
DAMAGE TO SCHOOL PROPERTY Intentionally damaging, defacing, or destroying property belonging to the school, school officials, or others.	√	√	√	√	√	√	√	√
* DEFIANCE OF AUTHORITY Swearing or obscene acts or gestures directed at staff, other students or self.	√	√	√	√	√	√	√	√
* FIGHTING Having physical conflict with another person.	√	√	√	√	√	√	√	√
* FORGERY — GIVING FALSE INFORMATION Writing or giving false or misleading information to school officials.	√	√	√	√	√	√	√	√
* HARASSMENT OR MENACING By word or conduct, intentionally intimidating or threatening another person in fear of physical injury (includes initiation or hazing as well as any form of sexual harassment).	√	√	√	√	√	√	√	√

* Legal authorities may be involved in such rule violations.

GEARHART ELEMENTARY — SEASIDE HEIGHTS ELEMENTARY

INFRACTION	Possible Loss of Bus Privileges	Loss of Recess Time	Stay After School	Conference with Principal	Parent/Tchr/ Principal/ Student Con- ference	In-School Suspension	Out of School Suspension	Recommend Expulsion
SAFETY VIOLATIONS Actions which endanger the safety of the student or others (e.g., wearing head phones, sagging/wide pants or using in-line skates, shoes with wheels, skateboards or roller skates on school grounds during the school day).	√	√	√	√	√	√	√	
SEVERE DISRUPTION OF THE LEARNING PROCESS OR SCHOOL ACTIVITY	√	√	√	√	√	√	√	√
* THEFT Taking, giving, or receiving property not belonging to you.	√	√	√	√	√	√	√	√
TRUANCY — UNEXCUSED ABSENCES		√	√	√	√	√	√	
* USE OR POSSESSION OF WEAPONS The possession of a dangerous weapon or the use of a dangerous object to inflict bodily injury to another person. Replicas are prohibited.					√	√	√	√
VIOLATION OF CLASSROOM RULES		√	√	√	√	√	√	√

* Legal authorities may be involved in such rule violation

Addendum

Student Rights and Responsibilities – JF/JFA

Student Conduct – JFC

Hazing/Harassment/Intimidation/Menacing/Bullying/Cyberbullying/Teen Dating Violence-Student – JFCF

Hazing/Harassment/Intimidation/Menacing/Bullying/Cyberbullying/Teen Dating Violence Procedures-Student – JFCF-AR

Video Cameras on Transportation Vehicles – EEACCA

Use of Tobacco Products, Alcohol, Drugs or Inhalant Delivery Systems – JFCG/JFCH/JFCI

Seaside School District 10

Code: **JF/JFA**
Adopted: 7/26/07
Revised: 10/21/14

Student Rights and Responsibilities **

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 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 in respect to the student's school records.

Students have the right to know the standards of behavior that are expected of them as well as to know the consequences of misbehavior.

The rights and responsibilities of students, including standards of conduct, will be made available to students, their parents and employees through information distributed annually.

END OF POLICY

Legal Reference(s):

[ORS 332.061](#)
[ORS 332.072](#)
[ORS 337.150](#)
[ORS 339.155](#)
[OAR 581-021-0045](#)
[OAR 581-021-0046](#)
[OAR 581-021-0050 to -0075](#)
[OAR 581-022-1140](#)
[Hazelwood School District v. Kuhlmeier](#), 484 U.S. 260 (1988).
[Bethel School District No. 403 v. Fraser](#), 478 U.S. 675 (1986).

Seaside School District 10

Code: **JFC**
Adopted: 7/26/07
Revised: 12/18/14

Student Conduct**

The Board expects student conduct to contribute to a productive learning climate. Students shall comply with the District's written rules, pursue the prescribed course of study, submit to the lawful authority of District staff and conduct themselves in an orderly manner at school during the school day or during District-sponsored activities.

Careful attention shall be given to procedures and methods whereby fairness and consistency without bias in discipline shall be assured each student. The objectives of disciplining any student must be to help the student develop a positive attitude toward self-discipline, realize the responsibility of one's actions and maintain a productive learning environment. All staff members have responsibility for consistency in establishing and maintaining an appropriate behavioral atmosphere.

A student handbook, code of conduct, or other document shall be developed by administration and will be made available and distributed to parents, students and employees outlining student conduct expectations and possible disciplinary actions, including consequences for disorderly conduct.

Students in violation of Board policy, administrative regulation and/or code of conduct provisions will be subject to discipline up to and including expulsion. Students may be denied participation in extracurricular activities. Titles and/or privileges available to or granted to students may also be denied and/or revoked (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.).

A referral to law enforcement may also be made.

The District will annually record and report expulsion data for conduct violations as required by the Oregon Department of Education.

END OF POLICY

Legal Reference(s):

[ORS 339.240](#)
[ORS 339.250](#)
[ORS 659.850](#)
[OAR 581-021](#)-0050 to -0075

Hazelwood Sch. District v. Kuhlmeier, 484 U.S. 260 (1988).
Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986).
Shorb v. Grotting and Powers Sch. Dist., Case No. 00CV-0255 (Coos County Circuit Ct.) (2000).
Ferguson v. Phoenix Talent Sch. Dist. #4, 172 Or. App. 389 (2001).
No Child Left Behind Act of 2001, 20 U.S.C. § 7912 (2006)

Seaside School District 10

Code: JFCF
Adopted: 7/26/07
Revised: 10/16/12

Hazing/Harassment/Intimidation/Menacing/Bullying/Cyberbullying/ Teen Dating Violence – Student **

The Board, in its commitment to providing a positive and productive learning environment will consult with parents/guardians, employees, volunteers, students, administrators and community representatives in developing this policy in compliance with applicable Oregon Revised Statutes. Hazing, harassment, intimidation or bullying, menacing, and acts of cyberbullying by students, staff and third parties toward students is strictly prohibited. Teen dating violence is unacceptable behavior and 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 Principal and the Superintendent are responsible for ensuring that this policy is implemented.

Definitions

“District” includes District facilities, District premises and non-District 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.

“Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors or others engaged in District business, such as employees of businesses or organizations participating in cooperative work programs with the District and others not directly subject to District control at inter-District and intra-District athletic competitions or other school events.

“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. It is not a defense against hazing that the student subjected to hazing consented to or appeared to consent to the hazing.

“Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or performance, that takes place on or immediately adjacent to 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 and may be based on, but not limited to, the protected class of the person.

"Protected class" means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation¹, national origin, marital status, familial status, source of income or disability.

"Teen dating violence" means:

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

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

"Retaliation" means hazing, harassment, intimidation or bullying, menacing, teen dating violence 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 or bullying, menacing, teen dating violence 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

The building Principal² will take reports and conduct a prompt investigation of any report of an act of hazing, harassment, intimidation or bullying, menacing, and acts of cyberbullying. Any employee who has knowledge of conduct in violation of this policy shall immediately report his/her concerns to the building Principal who has overall responsibility for all investigations. Any employee who has knowledge of incidents of teen dating violence that took place on District property, at a District-sponsored activity or in a District vehicle or vehicle used for transporting students to a District activity shall immediately report the incident to the building Principal. Failure of an employee to report an act of hazing, harassment, intimidation or bullying, menacing or an act of cyberbullying to the building Principal may be subject to remedial action, up to and including dismissal. Remedial action may not be based solely on an anonymous report.

Any student who has knowledge of conduct in violation of this policy or feels he/she has been hazed, harassed, intimidated or bullied, menaced, a victim of teen dating violence and acts of being cyberbullied in violation of this policy is encouraged to immediately report his/her concerns to the building Principal who has overall responsibility for all investigations. Any volunteer who has knowledge of conduct in violation of this policy is encouraged to immediately report his/her concerns to the building Principal who has overall responsibility for all investigations.

This report may be made anonymously. A student or volunteer may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate District official.

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 behaviors differs from that traditionally associated with the individual's sex at birth.

²Required by state law House Bill 2599 (HB 2599). All other bracketed language exceeds the requirements of HB 2599 and is under Board authority ORS 332.107.

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, information related to the prevention of, and the appropriate response to, acts of harassment, intimidation or bullying and acts of cyberbullying.

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

The District shall incorporate into existing training programs for staff information related to the prevention of, and the appropriate response to, acts of harassment, intimidation or bullying, teen dating violence 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/ Complaint procedures, as established by the District, shall be followed.

END OF POLICY

Legal Reference(s):

[ORS 163](#).190
[ORS 166](#).065
[ORS 166](#).155 to-166.165
[ORS 174](#).100(6)
[ORS 332](#).072
[ORS 332](#).107
[ORS 339](#).240
[ORS 339](#).250
[ORS 339](#).254
[ORS 339](#).351 to-339.364

[OAR 581-021](#)-0045
[OAR 581-021](#)-0046
[OAR 581-021](#)-0055
[OAR 581-022](#)-1140

HB 4077 (2012)
SB 1555 (2012)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).

Seaside School District 10

Code: JFCF-AR
Adopted: 7/26/09
Revised: 10/16/12

Hazing/Harassment/Intimidation/Menacing/Bullying/Cyberbullying/ Teen Dating Violence Complaint Procedures – Student

Building Principals³ have responsibility for investigations concerning hazing, harassment, intimidation or bullying, menacing, acts of cyberbullying and incidents of teen dating violence. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.

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

- Step 1 Any hazing, harassment, intimidation or bullying, menacing, acts of cyberbullying and incidents of teen dating violence information (complaints, rumors, etc.) shall be presented to the building Principals. Complaints against the Principal shall be filed with the Superintendent. Complaints against the Superintendent shall be filed with the Board chair. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.
- Step 2 The District official receiving the complaint shall promptly investigate. Parents will be notified of the nature of any complaint involving their student. The District official will arrange such meetings as may be necessary with all concerned parties within five working days after receipt of the information or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the complaint will be reduced to writing. The District official(s) conducting the investigation shall notify the complainant and parents as appropriate, when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.
- A copy of the notification letter or the date and details of notification to the complainant, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the Superintendent.
- Step 3 If the complainant is not satisfied with the decision at Step 2, he/she may submit a written appeal to the Superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The Superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The Superintendent or designee shall provide a written decision to the complainant's appeal within 10 working days.
- Step 4 If the complainant is not satisfied with the decision at Step 3, a written appeal may be filed with the Board. Such appeal must be filed within 10 working days after receipt of the Step 3 decision. The Board shall, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the complaint. The Board shall provide a written decision to the complainant within 10 working days following completion of the hearing.

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

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

³Required by state law House Bill 2599 (HB 2599). All other bracketed language exceeds the requirements of HB 2599 and is under Board authority ORS 332.107.

Seaside School District 10

Code: **EEACCA**

Adopted: 3/19/13

Video Cameras on Transportation Vehicles

The Board, as a part of the District's ongoing program to improve student discipline and ensure the health, welfare and safety of all those riding school transportation vehicles, authorizes the use of video cameras on any school vehicles.

END OF POLICY

Legal Reference(s):

[ORS 30.864](#)

[ORS 165.535 – 540](#)

[ORS 192.420 – 505](#)

[ORS 326.565](#)

[ORS 326.575](#)

[ORS 336.187](#)

[ORS 339.260](#)

[ORS 342.850](#)

[OAR 581-021](#)-0210 to -0440

[OAR 581-022](#)-1660

[OAR 581-053](#)-0517 (46)(a)-(f)

Education of the Handicapped Act of 1975, as amended, 20 U.S.C., sections 1400-1427, (West 1988), as amended and renamed Individuals with Disabilities Education Act (IDEA), P.L. 101-476, 104 Stat 1103 (1990) as amended P.L. 105-17 [P.L. 94-142 is a well known "short" reference to this federal legislation.]

Family Educational Rights and Privacy Act, sec. 438, 20 U.S.C. sec. 1232g (1988)

In the matter of A.O., A Minor (March 28, 1988) (Superintendent of Public Instruction Ruling)

Seaside School District 10

Code: **JFCG/JFCH/JFCI**
Adopted: 07/26/07
Revised: 08/20/2019

Use of Tobacco Products, Alcohol, Drugs or Inhalant Delivery Systems

Student substance abuse, possession, use, distribution or sale of tobacco products, inhalant delivery systems, alcohol or unlawful drugs, including drug paraphernalia or any substance purported to be an unlawful drug, on or near any district property or grounds, including parking lots, or while participating in school-sponsored activities is prohibited and will result in disciplinary action. If possession, use, distribution or sale occurred near district grounds, disciplinary action may include removal from any or all extracurricular activities and/or denial or forfeiture of any school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). If possession, use, distribution or sale occurred on district grounds, at school-sponsored activities or otherwise while the student was under the jurisdiction of the school, students will be subject to discipline up to and including expulsion. Denial and/or removal from any or all extracurricular activities and/or forfeiture of any school honors or privileges may also be imposed. A student may be referred to law enforcement officials. Parents will be notified of all violations involving their student and subsequent action taken by the school.

A referral to community resources and/or cessation programs designed to help the student overcome tobacco product, inhalant delivery system, alcohol or unlawful drug use may also be made. The cost of such programs are the individual responsibility of the parent and the private health care system.

Clothing, bags, hats and other personal items used to display, promote or advertise tobacco products, inhalant delivery systems, alcohol or unlawful drugs are prohibited on all district grounds, including parking lots, at school-sponsored activities and in district vehicles.

Any person under age 21 possessing a tobacco product or inhalant delivery system on district property, in a district facility or while attending a district-sponsored activity is in violation of state law and is subject to a court-imposed fine.

Any person who distributes, sells or allows to be sold, tobacco products or any substance sold for the purpose of being smoked, vaporized or aerosolized, in any form, a tobacco-burning or inhalant delivery system device, to a person under 21 years of age is in violation of state law and is subject to a court-imposed fine.

An “unlawful drug” is any drug as defined by the Controlled Substances Act including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP). As used in this policy, unlawful drug also means possession, use, sale or supply of prescription and nonprescription drugs in violation of Board policy and any accompanying administrative regulation.

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

END OF POLICY

Legal Reference

[ORS 153.018](#)

[ORS 161.605](#)

[ORS 161.625](#)

[ORS 163.575](#)

[ORS 332.107](#)

[ORS 336.067](#)

[ORS 336.222](#)

[ORS 336.227](#)

[ORS 339.240](#)

[ORS 339.250](#)
[ORS 339.883](#)
[ORS 431.840](#)
[ORS 431.845](#)
[ORS 431A.175](#)
[ORS 433.835 to -433.990](#)
[ORS Chapter 475](#)

[OAR 581-021-0050 to -0075](#)
[OAR 581-021-0110](#)
[OAR 581-022-2045](#)
[OAR 581-053-0230\(9\)\(s\)](#)
[OAR 581-053-0330\(1\)\(m\)-\(o\)](#)
[OAR 581-053-0430\(12\)-\(14\)](#)
[OAR 581-053-0531\(11\)-\(13\)](#)
[OAR 581-053-0630](#)
[OAR 584-020-0040](#)

SB 754 (2017)

Controlled Substances Act, 21 U.S.C. § 812 (2017); Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11-1308.15 (2017).
Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2017).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2017)