

2017-2018 Students' Rights & Responsibilities

Official Guide for Students, Parents & Staff

Together we keep our schools safe and positive places to learn



CANBY SCHOOL DISTRICT

1130 S Ivy Street / Canby, OR 97013
503-266-7861
www.canby.k12.or.us

STUDENTS' RIGHTS & RESPONSIBILITIES

Canby School District does not discriminate on the basis of race, religion, creed, color, national origin, disability, marital status, personal life 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; and the Americans with Disabilities Act.

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:

Samuel (Trip) Goodall, Superintendent
Sheryl Lipski, Director of Teaching and Learning
Lauretta Manning, Director of Student Services
Denise Lapp, Director of Finance
Michelle Riddell, Director of Human Resources

This handbook is produced by
Canby School District
1130 S Ivy Street
Canby, OR 97013
503.266.7861
Fax: 503.266.0022

Se puede obtener este manual de Derechos y Responsabilidades
en español en la escuela de su hijo(a).

Students' Rights & Responsibilities Handbook

This document is provided to every student of the Canby School District. The District believes that a review of a student's responsibilities and rights must be accompanied with a review of the responsibilities of those who directly influence the student in an educational setting, i.e. parents, teachers, administrators, and school board members. The policies and procedures outlined in this handbook conform to Oregon Revised Statutes and Oregon Administrative Rules. Questions that concern an issue in a particular school should first be addressed to that principal and then, if necessary, directed to the appropriate official at the district administration office.

The district will follow all statutory laws and administrative rules, notwithstanding what may be printed in the handbook. Oregon Administrative Rules, Oregon Revised Statutes, and Canby School District Policies and Procedures are available at the Canby School District Office and in each school library. Policies are also found on the district web site at www.canby.k12.or.us.

Canby School District is an equal opportunity educator and employer.

Superintendent

Samuel (Trip) Goodall

Director of Teaching and Learning

Sheryl Lipski

Director of Finance

Denise Lapp

Director of Human Resources

Michelle Riddell

Director of Student Services

Lauretta Manning



Board of Directors

Angi Dilkes Perry

Diane Downs

Sara Magenheimer

Tom Scott

Rob Sheveland

Andrea Weber

Mike Zagya

1130 S Ivy Street · Canby · OR · 97013 · 503.266.7861

September 5, 2017

Dear Parents, Students, and Staff:

Welcome to a new school year! The Canby School District believes in the success of all our students. We are committed toward providing a safe, caring, productive learning environment where students can achieve at the highest levels. We want students to be active learners excited about the materials and lessons they learn each day. The Board of Directors and district staff believes in a K-12 culture of student success. Our expectation is that every student graduates career and college ready.

The Student's Rights and Responsibilities Handbook is the official document detailing the Canby School District's expectations and guidelines necessary to maintaining a climate of respect and safety in our schools. Please take the time to review the handbook with your son or daughter to better understand our district expectations.

It is important that students, parents, and staff commit to a culture of mutual respect within our schools. Your support is greatly appreciated and valued. Together we can provide our students an outstanding opportunity to be productive contributors in our schools and in our community.

Sincerely,

Trip Goodall
Superintendent

TABLE OF CONTENTS

Canby School District Contacts	5
Introduction.....	6
Equality of Opportunity.....	6
Student Responsibilities	7
Parent Responsibilities.....	7
Parent Involvement	7
Parent/Student Appeals	8
Student Directory Information.....	8
District Responsibilities.....	8
Staff, District, and Building Administration	8
Academics	9
Infection, Disease Instruction.....	9
Administering Medication.....	9
Alternative Education Options.....	9
Attendance and Enrollment.....	10
Bilingual Students	10
Campus Mobility	10
Child Find	10
Discipline of Students	11
Discipline of Students with Disabilities	11
Range of Disciplinary Actions	11
Exclusion from School, Expulsion	11
Emergency School Closure	12
Extra-Curricular Activities and Athletics.....	12
Freedom of Expression	13
Gifts to Staff.....	14
Immunizations	14
Personal Property	14
Protection of Pupil Rights Amendment (PPRA).....	14
School Environment	15
Alcohol and Controlled Substances	15
Fighting and Disruptions	15
Hazing, Harassment, Intimidation, Bullying, Cyberbullying, Menacing.....	15
Sexual Harassment of Students.....	16
Personal Communication Devices.....	16
Theft	16
Tobacco.....	16
Search and Seizure.....	17
Vandalism	17
Weapons.....	17
Student Dress and Grooming.....	18
Student Records (Directory Information).....	18
Students with Disabilities	19
Technology/Electronic Communication	19
Acceptable Use of the Internet.....	19
Transportation.....	20
Bus/Bus Citation Procedures	20
Decision to Not Use District-Provided Transportation	21
Kindergarten Drop-off Requirements.....	21
Use of Video Surveillance.....	21
Motor Vehicles	21
Addendum A: Partnership Responsibilities	23
Addendum B: Problem Areas and Definitions	24/25
Appendix C: Range of Consequences for Disciplinary Actions	26
Appendix D: Notification of Rights under FERPA.....	27
Appendix E: Oregon Revised Statutes.....	27
Appendix F: Oregon Administrative Rules	32



CANBY SCHOOL DISTRICT

1130 S Ivy Street
 Canby, OR 97013
 503.266.7861
www.canby.k12.or.us

For your information, the District also offers the following publications:

- » School Improvement Plans
- » State Report Card results
- » Parent/Student Resources
- » Activities & Athletics
- » School Handbooks
- » Annual School District Budget
- » Students' Rights & Responsibilities
- » Power Standards: What Your Child Should Know and Do
- » Talented & Gifted Program Brochures

District publications are available via the District web site at www.canby.k12.or.us

The schools are an integral part of our community and many people have responsibilities related to the education of the students. The sections of this handbook describe in detail the values and philosophy underlying the school district's practices and policies regarding student, parent, and staff expectation

DISTRICT CONTACTS

BOARD OF DIRECTORS

The Board of Directors meets monthly. A schedule of meetings will be maintained on the District web site.

Angi Dilkes Perry csdboard_perry@canby.k12.or.us
Diane Downs csdboard_downsd@canby.k12.or.us
Kristin Downs csdboard_downsk@canby.k12.or.us
Tom Scott csdboard_scott@canby.k12.or.us
Rob Sheveland csdboard_sheveland@canby.k12.or.us
Andrea Weber csdboard_weber@canby.k12.or.us
Mike Zagya csdboard_zagyvam@canby.k12.or.us

CANBY SCHOOL DISTRICT OFFICE

1130 S Ivy Street
Canby, OR 97013
Phone: 503.266.7861
Fax: 503.266.0022
Trip Goodall, Superintendent
503.266.0019
Denise Lapp, Director of Finance
503.266.0020
Michelle Riddell, Director of Human Resources
503.266.0055
Sheryl Lipski, Director of Teaching and Learning
503.266.0016
Lauretta Manning, Director of Student Services
503.266.0054
Cindy Bauer, Federal Programs Coordinator
503.266.0071
John Hall, Facilities Manager
503.266.0012
Bret Adkins, Technology Manager
503.266.0010

REACH CENTER

Resources, Education, and Community Help
Spanish Translations
Phone: 503.263.7429

ACKERMAN CENTER

350 SE 13th Avenue / Canby, OR 97013
Phone: 503.263.7140
www.ackermancenter.canby.k12.or.us
Terry Lepire, Head Secretary

BAKER PRAIRIE MIDDLE SCHOOL

1859 SE Township Road / Canby, OR 97013
Phone: 503.263.7170
Fax: 503.263.7189
www.baker.canby.k12.or.us
Jennifer Turner, Principal
Travis Opperman, Associate Principal
Shannon Covington, Head Secretary

CANBY HIGH SCHOOL

721 SW Fourth Avenue / Canby, OR 97013
Phone: 503.263.7200
Fax: 503.263.7211
www.canbyhs.canby.k12.or.us
Greg Dinse, Principal
Kimie Carroll, Associate Principal
Mark Martens, Associate Principal
Cari Sloan, Associate Principal
Alissa Netter, Head Secretary

CARUS ELEMENTARY SCHOOL

14412 S Carus Road / Oregon City, OR 97045
Phone: 503.263.7190
Fax: 503.632.3148
www.carus.canby.k12.or.us
Sam Thompson, Principal
Mary Young, Head Secretary

ECCLES ELEMENTARY SCHOOL

562 NW 5th Avenue / Canby, OR 97013
Phone: 503.263.7120
Fax: 503.263.3225
www.eccles.canby.k12.or.us
Andy McKean, Principal
Liz Yazzolino, Head Secretary

KNIGHT ELEMENTARY SCHOOL

501 N Grant Street / Canby, OR 97013
Phone: 503.263.7100
Fax: 503.263.2459
www.knight.canby.k12.or.us
Christine Taylor, Principal
Stephanie Isberg, Head Secretary

LEE ELEMENTARY SCHOOL

1110 S Ivy / Canby, OR 97013
Phone: 503.263.7150
Fax: 503.263.7159
www.lee.canby.k12.or.us
Cherie Switzer, Principal
Shelly Kratzer, Head Secretary

NINETY-ONE SCHOOL

5811 S Whiskey Hill Road / Hubbard, OR 97032
Phone: 503.263.7110
Fax: 503.263.7112
Skyler Rodolph, Principal
Jessica Levin, Head Secretary

TROST ELEMENTARY SCHOOL

800 S Redwood Street / Canby, OR 97013
Phone: 503.263.7130
Fax: 503.263.7139
www.trost.canby.k12.or.us
Angie Navarro, Principal
Claudia Aguilar, Head Secretary

A complete directory of all staff with contact information is available on the District web site: www.canby.k12.or.us

INTRODUCTION

The Board of Directors of the Canby School District believes that each student should receive the best education that its resources can provide. The district's purpose is to provide opportunities for each student to develop the skills and attitudes to live a productive and rewarding life in our society. The school district works in partnership with the home to provide an educational program to help each individual maximize academic progress and to develop a sense of responsibility for his/her own behavior and learning. This belief is exemplified in the Canby School District's Mission Statement and Guiding Principles.

MISSION STATEMENT:

"Stimulating and relevant education develops responsible and productive citizens for life."

BOARD PRIORITIES:

- Increase student achievement;
- Enhance positive school-community relations;
- Develop a K-12 culture that promotes student, parent, staff success; and
- Ensure effective use of resources.

GUIDING PRINCIPLES:

Canby School District believes that:

- Education is a top priority with students, staff, parents, and community.
- Education is a lifelong process that is essential for the success of students and community.
- High performance is expected and assessed on a regular basis. Students, staff, and community share the responsibility for providing and maintaining a safe and secure environment.
- Schools prepare students for a multi-cultural and changing world.
- Well-maintained and updated facilities are vital to support educational and community needs.
- Prudent and efficient use of all available resources is essential.

Canby School District believes that students:

- Represent the future of our society.
- Achieve maximum potential with active support and respect from fellow students, staff, parents, and community.
- Come to school prepared to be an active participant in learning.
- Value and receive a comprehensive education.
- Achieve success in life through academic achievement and involvement in activities outside the classroom.
- Think and work both independently and collaboratively.
- Develop their individual talents from a broad based and diverse curriculum.

Canby School District believes that staff:

- Are highly educated and committed to continual learning.
- Serve as role models for positive behavior and character.
- Maintain the highest level of professional standards.
- Deliver the highest level of education to every student.
- Work as a team with parents in developing every child to be an involved citizen and lifelong learner.
- Work as a district-wide team to meet the educational needs of students, staff, and community.
- Are involved in the community and involve the community in the schools.

All students have rights that carry related responsibilities. Students are charged with the overall responsibility to contribute to a positive educational climate, to actively participate in the prescribed learning activities, to use considerate behaviors, and to protect their own rights and those of other people. Although these same rights and responsibilities are applicable in a total society, this document applies specifically to those times and events that are considered school-sponsored.

A school-sponsored activity is any activity that:

- Takes place on school grounds and/or in school facilities during published school hours.
- Requires financial support from the school or school district.
- Requires supervision of any kind from school personnel, on or off school grounds.
- Results from an in-school program.
- Requires an extended amount of class time to plan.
- Includes the provision of school district transportation.

EQUALITY OF OPPORTUNITY

The school district shall provide age-appropriate programs and activities based on equality for all students. No persons shall, on the basis of religion, race, creed, color, personal life orientation, national origin, sex, marital status or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity administered or authorized by the Canby School Board. This handbook includes grievance procedures to promote the prompt and equitable resolution of student complaints regarding alleged discrimination and sexual harassment.

STUDENT RESPONSIBILITIES

Students have the RIGHT to:

- Receive a copy of the Students' Rights and Responsibilities Handbook.
- Have academic and behavioral expectations clearly communicated to them.
- Appeal disciplinary decisions of staff and administration if they believe they have been unfairly treated.

Students have the RESPONSIBILITY to:

- Read and understand the contents of Students' Rights and Responsibilities Handbook.
- Follow staff directions and comply with requests from any teacher, administrator, school employee and/or school volunteer.
- Comply with rules of the school district.
- Promote a safe school environment by protecting their own rights and the rights of others.
- Replace any damaged or destroyed school property.
- Use district resources, including the Internet and textbooks, in a responsible manner.

PARENT RESPONSIBILITIES

NOTE: Whenever the term parent* or parents is used in this handbook, it also refers to a legal guardian or person with power of attorney to act as a parent. The rights accorded to, and the consent required of, the parent in school related issues transfer from the parent to the eligible student unless the principal has written notification from the eligible student authorizing otherwise. 'Eligible student' is defined as a student who has reached 18 years of age or married according to law. This includes all notifications and decisions relative to school conduct, discipline, and attendance formerly granted to the parent. [ORS 109.510, Family Educational Rights and Privacy Act, Board Policy JFD, Administrative Procedure JFD-AP]

The parent* has the responsibility to read and be knowledgeable regarding contents of the Students' Rights and Responsibilities Handbook. The parent has the ultimate responsibility for the student's welfare and to help the student develop self-control and socially acceptable standards of behavior.

The parent* has the responsibility to set an example for the student, especially as it affects respect for law, for the authority of the school, and for the rights and property of others. By example, a parent* can instill within the student a desire to learn, a respect for honest work, an appreciation of diverse points of view, and an interest in exploring various fields of knowledge.

The parent* should know and understand the regulations that govern the student's activities and the consequences of disobeying those regulations. The parent* should, if possible, become acquainted with the school in which the student is enrolled through back-to-school nights, parent/teacher conferences, school functions and classroom visitations. We welcome parents in our schools and ask that you sign in at the main office and obtain a visitor's pass if you come to school during school hours.

The parent* has the responsibility to ensure that the student attends school regularly. Parents have the responsibility to inform

the school by phone or in writing of their child's absence and the reason. The student should be clean, in good health, free from communicable disease, in compliance with the requirements of Oregon's immunization law, and dressed appropriately.

Electronic Communication

District curriculum may require the use of the Internet. Students may be granted Internet access and provided an individual account with written approval from the parent. Middle and high school students may be provided with an individual Internet account. Parents have the right to deny Internet access for their child(ren) on the CSD Electronic Communication System Agreement Form, available at each school office. Parents may request alternative activities for their child(ren) that do not require Internet access. Parents have the right at any time to investigate the contents of their children's e-mail and to request the termination of their child(ren)'s individual e-mail account at any time. [Administrative Procedure IIBGA-AP] The district will monitor student access to the Internet and supervise students who are using the Internet as a resource. Students who violate the district's Internet Use Policy may have their Internet access privileges revoked.

Non-smoking and Tobacco Regulations

All persons, including parents and visitors, are expected to comply with the non-smoking and tobacco regulations of the school district at all activities held on school campuses. This includes not smoking or using tobacco on school grounds or anywhere on school property at any time.

Parent Involvement

The Canby School District recognizes that we are in partnership with parents, students, and community to help each student succeed. Parents play a vital and positive role and can contribute to school and student success in a number of positive ways. Some examples:

- Communicate with your student's teacher(s).
- Volunteer in the school or ask about out-of-school volunteer opportunities (volunteers are welcome K-12).
- Serve on a Site Council, task force or advisory committee.
- Attend Board meetings.
- Make sure your student has a time and place to do homework and gets enough sleep.
- Ask your student what they did in school each day.
- Attend parent conferences and other school events.
- Communicate with school personnel about your hopes, desires, and concerns.
- Talk with your principal to resolve problems or concerns.
- Become knowledgeable about school issues and school district plans for the future of the Canby School District.
- Check the district/school websites and teacher blogs regularly for information.
- Access your student's grades and attendance via the online Parent Assistant program (link available on school web sites) to help monitor progress.
- Serve on a task force or advisory committee.

Parent/Student Appeals

The district supports the rights of parents and students to appeal a rule if they feel it has been unfairly enforced or if there are extenuating circumstances. A parent/student appeal shall be in writing. Staff is expected to consider such appeals and to reach an understanding or resolution of the issue with the parent and/or student, if possible. If resolution cannot be reached, the principal shall review the appeal. Final appeals may be made to the superintendent or school board, in some instances, with the resulting decision binding. Any actions resulting from an appeal shall be consistent with contractual agreements, Oregon statutes, and board policies.

Student Directory Information

The district may disclose, without consent, student directory information when requested. The parent, guardian or eligible student may deny disclosure of the student's directory information and/or personally identifiable information by completing a request form available in the school office to submit to the principal. The district's practice is to release secondary students' names, addresses, and phone numbers to recruiters and/or institutions of higher education unless annual written requests have been filed with the school to withhold this information.

(Refer to pages 18, Student Records (Directory Information)).

DISTRICT RESPONSIBILITIES

Staff

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

All staff members shall model by their work with students and by personal example their respect for law and school rules. A staff member's conduct and guidance should encourage the student's desire to learn, a respect for honest work and an interest in various fields of knowledge. Staff members have an obligation to explain their expectations to students and the consequences for failing to meet those expectations.

Staff members shall demonstrate respect for parents, students, and other staff members to ensure their safety, the student's safety, or the safety of others. All staff members share in the responsibility to maintain an orderly educational environment, which includes the conditional use of physical restraint if required.

Staff members have a responsibility to demonstrate concern for the individual student. This will be reflected by methods of teaching and encouragement to students to achieve and behave responsibly. A staff member will be fair, firm, and consistent in active enforcement of school regulations within the educational arena (e.g., classrooms, hallways, restrooms, cafeteria, media center, school buses, school grounds) not only during the school day but at all school-sponsored activities.

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.

Elementary, Middle, High School Administrator

The administrator has the responsibility to:

- Provide leadership to staff and students in an effort to create the best possible teaching/learning situation.
- Carry out school district policies and regulations and to make these known to staff, students and parents.
- Maintain an environment conducive to orderly education, which may include the use of physical restraint when reasonably necessary.
- Serve as an exemplar for students by showing respect for law and order and by demonstrating self-discipline and concern for all persons under their authority.
- 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 individual 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 of Directors, Superintendent, District Administrator

The Board of Directors, through the superintendent, has the responsibility to provide a quality educational program, to maintain well-qualified employees, and to enforce discipline that is consistent with District policies and regulations. When disciplinary action is appealed to the superintendent or the Board, they shall decide the case upon its merits.

STUDENTS' RIGHTS & RESPONSIBILITIES

ACADEMICS

Students have the RIGHT to:

- Participate in an appropriate course of studies.
- Be informed of the teachers' expectations for them in their classes.
- Be informed of their academic progress or changes in grade status.

Students have the RESPONSIBILITY to:

- Participate in class and complete the assigned work in a timely manner.
- Monitor their own academic performance.
- Behave in a manner that does not disrupt the academic environment.
- Demonstrate academic integrity.
- Refrain from plagiarism or any other kind of cheating.

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

Comments or complaints by students or parents about instructional materials should be directed to the school principal. Should the student or parent, following initial efforts at informal resolution of the complaint, desire to file a formal complaint, the appropriate form may be requested from the school office. All such forms must be signed by the complainant and filed with the superintendent.

The district serves academically talented and gifted (TAG) students in grades K-12, including TAG students from such special populations as ethnic minorities, the economically disadvantaged, the culturally different, the underachieving gifted and students with disabilities. Identification occurs at each school. Contact the principal for information regarding talented and gifted opportunities.

Infection, Disease Instruction

An age-appropriate plan of instruction about infections/diseases including AIDS, HIV, HBV, and HCV has been included as an integral part of the district's health curriculum and is required by Oregon law. Any parent may request that his/her student be excused from that portion of the instructional program without penalty by contacting the principal for additional information and procedures. Students or parents with questions about the district's health education curriculum or instructional materials should call 503-266-0016.

ADMINISTERING MEDICATION

The district recognizes that administering medication to students and self-medication may be necessary when the failure to take such medication would jeopardize the health of the student or the student would not be able to attend school if medication were not made available during school hours. Consequently, students may be permitted to take noninjectable prescription or nonprescription medication at school, on a temporary or continual basis, under the following guidelines:

- All requests for self-medication, or for the district to administer medication to a student, shall be made in writing by the parent or eligible student. Requests shall also include the written instructions of the physician for the administration of a prescription medication to a student. All students requesting self-medication require written approval from their school administrator. Permission for self-administered medication may be revoked at any time if the student violates policy or medical protocol.
- The district shall designate trained school personnel authorized to administer noninjectable and life-saving injectable medication to students, as required by law.
- The district reserves the right to reject a request to administer prescription or nonprescription medication when such medication is not necessary for the student to remain in school.
- Contact school administration for school protocol.

The district has developed administrative procedures EBBAF-AP and EBBAG-AP to meet the requirements of law and follow applicable Oregon Administrative Rules and Oregon Revised Statutes as noted in Board Policy for the implementation of this policy. [Board Policy EBBAF]

ALTERNATIVE EDUCATION OPTIONS

Alternative education program offerings have been established and approved by the Board to meet the individual needs of students. These programs are made available to students with specific academic needs or interests and may be either public or private, in-district or out-of-district programs. Private programs must be registered with the Oregon Department of Education. Home school is not considered an alternative education program placement.

In addition, students may be excused from a state-required program or learning activity for reasons of religion, disability, or other reasons deemed appropriate by the district. An alternative program or learning activity for credit may be provided. All such requests should be directed to the principal by the parent in writing and include the reason for the request. [Board Policy IGBHD]

When necessary, alternative education options may be considered. Parents may request options by submitting a written request to the school principal and/or counselor. [Board Policies IGBHA and IGBHB]

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 or 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 the student is shown to be in need of additional education in order to meet state standards.
- Receive information about alternative education programs when erratic attendance or inappropriate behavior is keeping the student from benefiting from his/her educational program. (ORS 339.250)

Students have the RESPONSIBILITY to:

- Attend school in the attendance area in which they reside, or to apply to a different school as outlined in the district's "Assignment of Students to Schools" policy [Board Policy JECC]. Students may inquire about the district's transfer process through a building administrator or the district office.
- Attend classes on all scheduled school days at the school in which they are enrolled.
- Be punctual and observe policies governing absences or late arrivals. The parent(s) or eligible student has the responsibility to inform the school by phone, or in writing, of an 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. Canby School District will follow ORS 339.065 in regard to attendance. The law states: "An absence may be excused by a principal or teacher if the absence is caused by the student's sickness, by the sickness of some member of the student's family, or by an emergency. A principal or teacher may also excuse absences for other reasons where satisfactory arrangements are made in advance of the absence."

A student who is absent from school or from any class without permission will be considered truant and will be subject to disciplinary action including detention, suspension, ineligibility to participate in athletics or other activities, and/or loss of driving privileges. In addition, each school shall notify parents/guardians by the end of the 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 parent/guardian. If the parent/guardian cannot be notified by the above methods, a message shall be left, if possible. [ORS 339.055]

Exceptions to attendance requirements may be granted as provided for in Oregon Statutes. When possible, counseling and home teaching will be provided for students with prolonged absences due to illness or disability. The classroom teacher is responsible for maintaining and reporting accurate student attendance records.

The Board of Directors shall admit all qualified residents, free of charge, to schools of the district, determine who is not a resident, authorize the admittance of other persons, and fix tuition rates when applicable. **As used in Board Policy EBBAF, the term parent*

includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005(4) and 125.2300-125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056.

The district may accept for admission students from foreign exchange student programs and other board authorized programs. For more information regarding exchange students refer to Board Policy JECBA.

The district provides full and equal opportunity for 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. For further information concerning the rights of students and parents of students in homeless situations or for assistance in accessing transportation services, call 503-266-0060.

BILINGUAL STUDENTS

Canby School District provides a program for students who are English language learners (ELLs). Requests for information about placement in this program should contact the ELL department at 503-266-0071 for complete details regarding options and program choices related to English language development. Parents or eligible students (over the age of 18) will receive notification from the district regarding student identification and resulting inclusion in the ELL program within 30 days after the beginning of the school year. Parents of a student who has not participated in the ELL program prior to the start of the school year and is then placed in the ELL program will receive notification within the first two weeks of his or her ELL program placement. [Board Policy IGBI]

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.
- Know and comply with individual school campus regulations.

A closed campus is in effect for all students during required school hours except for high school students during the designated lunch period. Movement of students during required school hours is confined to school property except when specifically released for reasons such as medical appointments or educational programs such as cooperative work experience and field trips.

- Specific regulations will vary from school to school for signing students in and out. [Board Policy JEFA]

CHILD FIND

The Individuals with Disabilities Education Act (IDEA) and Section 504 require school districts to have practical methods to locate, evaluate, and identify all children who have a disability and need special education and related services. Child Find applies to all children, birth through 21, who live within a public school district's boundaries.

Child Find extends to children receiving early intervention services, enrolled in Head Start or private schools, home school or

homeless children, as well as those attending their neighborhood public school.

Canby School District is committed to providing a free and appropriate public education to all students with disabilities. Disabilities include autism, deaf/blindness, emotional disorders, hearing impairment and deafness, mental retardation, orthopedic impairment, specific learning disabilities, communication disorder, traumatic brain injury, visual impairment/blindness and young children (under the age of 5) with a developmental delay.

If you have knowledge of a child(ren) suspected of having a disability ages birth to 21, contact your school counselor or the district's Director of Student Services at 504-266-0054 for further information.

DISCIPLINE OF STUDENTS

The district has the 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.

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.
- Expect reasonable consequences for non-compliance with school rules and regulations as outlined in Addendum C of this handbook.

Students have the RESPONSIBILITY to:

- Follow all policies of the district and school/district rules as outlined in the Students' Rights & Responsibilities Handbook.
- Follow staff directions, and to comply with explicit requests from a teacher, administrator, school employee, and/or school volunteer.

The Canby School District will follow ORS 339.250 and OAR Chapter 581, Division 21 in regard to student discipline. A staff member is authorized to employ physical restraint when, in his or her professional judgment, the physical force is necessary to prevent a student from harming self, others or doing harm to district property. Physical force shall not be used to discipline or punish a student. [Board Policy JG]

Discipline of Students with Disabilities

When considering student disciplinary procedures that may result in removal of the student, the district follows all special education procedures and ensures the parent and the student are afforded the procedural safeguards of the Individuals with Disabilities Act (IDEA) and Section 504 if the student is receiving Individualized Education Program (IEP) services, is on a Section 504 plan, or if the student is not yet identified as a student with a disability and the district had knowledge that the student may be suspected of having a disability and needed special education. Notification will include a description of the misbehavior and the time and location of the IEP meeting to complete a manifestation determination.

If the misbehavior is not determined to be a manifestation of the student's disability, the student may be disciplined in the same manner as students without disabilities. If the misbehavior is determined to be a manifestation of the student's disability,

determination will be made by the student's IEP or 504 team regarding procedures for appropriate placement. [Board Policy JGDA/JGEA, Administrative Procedure JGDA/JGEA-AP], IDEA Act, 20 U.S.C. 1415 (k) (2006).

Range of Disciplinary Actions

A student that violates district rules or applicable law shall be subject to disciplinary action. A student's due process rights will be observed in all such instances, including the right to appeal the discipline decisions of staff and administrators. When it becomes necessary to discipline a student for failure to comply with school/district rules or staff direction, the following range of consequences will be considered:

Alternative Programs for Attendance or Discipline Problems

Parents of students with erratic attendance, drug/alcohol issues, chronic or severe discipline problems, gang related activity, and/or those recommended for expulsion will be provided information on alternative programs [OAR 581-021-0071].

Disciplinary Reassignment or Detention

A misbehaving student will be reassigned to a separate, supervised environment away from usual school activities. This may include a referral to counseling, a schedule change, a supervised detention before or after school or on Saturday, and/or an optional work assignment around the school.

Exclusion From School

Students have the RIGHT to:

- Be presented with a verbal or written statement of any charges against them.
- Be heard and present his/her view of the occurrence.
- Due process guarantees as 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.
- Obey all federal, state and local laws.
- Submit to the lawful authority of school personnel.
- Conduct themselves individually and collectively in an orderly fashion.

Expulsion

Expulsion means that a student is removed from school and all school-related activities for an extended period of time. A recommendation for expulsion by the school principal or his or her designee is forwarded to the superintendent for a hearing. The student is suspended pending the expulsion hearing with the superintendent. A decision for expulsion by the superintendent may be appealed to the Board of Directors. Expulsion is used in cases of severe behavioral infractions or for repeated violation of school rules or district regulations. District procedure provides for written notification to the student's parents or the eligible student, identification of alternate education options, the right to a hearing, all rights guaranteed by due process, and rights unique to certified handicapped students.

Under Oregon law, a student may be expelled for up to one calendar year. For any student who is determined to have brought a weapon to school, federal law (Public Law

103-227 section 8001) and Oregon law (HB 2487) require expulsion from school for period of not less than one year. The superintendent may modify the expulsion requirement for a student on a case-by-case basis. The expulsion is recorded in the student's behavioral file.

When a student with an I.E.P. (Individual Education Plan) or 504 Plan is being considered for suspension or expulsion from school, all procedures mandated by the Individuals with Disabilities Act and/or Section 504 will be addressed.

During the suspension or expulsion period, students may not attend after-school activities or athletic events, be present on district property without a parent or guardian, or participate in activities directed or sponsored by the district. Students who violate these provisions may be referred to law enforcement officials and may be charged with trespassing. Transfer students expelled from other districts may be denied continued enrollment. Students returning to school from an expulsion may be placed on academic/social probation.

[Board Policy JGDA/JGEA and Administrative Procedure JGDA/JGEA-AP]

Loss of Driving Privileges

Certain behaviors may result in a loss of driving privileges as per Board Policy JHFDA and in accordance with Oregon law.

Participation in Extracurricular Activities

Students who have committed infractions may lose their privilege of participating in extracurricular activities. The Code of Conduct for students participating in athletics/activities is specified in the Athletic/Activity Handbook distributed to students in grades 6-12 as applicable.

Saturday School and / or Community Service or In-School Suspension

A student may be assigned to Saturday School and/or community service, or all day in-school suspension in lieu of an out-of-school suspension or as a consequence prior to out-of-school suspension. Saturday School will be held on Saturday mornings at the middle and high school levels. In-school suspension will be held during the school day.

Suspension

Suspension temporarily removes the privilege and duty of a student to attend school or school activities for a period of time determined by the principal. Homework will be provided for a student during a period of suspension, but teachers may impose penalties for late work and/or provide alternative assignments other than those given during classes missed. The principal in issuing the suspension will take into account the severity of the act and the previous behavior of the student. Suspension periods are not to exceed ten (10) consecutive school days.

Suspension may be the decision of the principal or his/her designee. Temporary suspension may be necessary while officials review evidence and possibly take further action. In the case of a suspension, the student is informed of the suspension charges by the administration and asked to explain his/her view of the event. A conference or phone call between the principal, student, parent, and other appropriate school staff will be conducted and recorded in the student's behavioral file when suspension is determined.

When the decision to suspend is made, parents are notified and a procedure for reinstatement and appeal is explained. Any reinstatement requirements other than simply returning to class shall be presented in written form.

Students have the right to make up assignments missed during the time of suspension and to be granted credit. It shall be the responsibility of the student to take the initiative to complete make-up assignments. It will be the responsibility of the instructor to give, correct, and credit assignments; however, it will not be the responsibility of the instructor to provide any additional instruction.

[Board Policy JGD and Administrative Procedure JGD-AP]

Note:

The range of consequences for specific infractions is detailed in Appendix C on page 26. Eligible students (age 18 and over) must provide written permission to allow parent notification as described above.

EMERGENCY SCHOOL CLOSURE

In case of hazardous or emergency conditions, the superintendent may alter district and transportation schedules, as are appropriate to the particular condition. Such alterations include closure of all schools, closure of elected schools or grade levels, delayed openings of some or all schools, early dismissal of some or all students and use of snow routes for bus transportation.

Canby School District recognizes the need to prepare for unexpected emergency closures. If a school or schools were to close due to inclement weather or other reason, all area radio and television stations would make these announcements. District notification systems will be implemented as needed.

Parents are advised to check radio and television news stations/websites or any school/district web sites on days of unusually poor weather conditions for possible school closure information or school start delays. Sign up for automatic text message notifications and Twitter alerts at www.FlashAlert.net.

EXTRA-CURRICULAR ACTIVITIES AND ATHLETICS

Canby School District believes that participation in co-curricular activities and athletics offers individual students the opportunity to grow physically, intellectually, and socially through their participation in team and individual sports and activities.

The Canby School District's athletic/activity program is based on the following principles:

1. The athletic/activity program is an extension of the educational program.
2. Young athletes and participants in activities are, first and foremost, students.
3. Athletic/activity participation is one component of the overall development of young people. Expectations should respect responsibilities of a student's academic, family, and private life in addition to the extra-curricular experience.

Canby School District is a member of the Oregon School Activities Association (OSAA). In all secondary athletic matters, the Board shall adhere to the policies, rules, and regulations of that body. Operational guidelines and procedures to govern the athletic/activity programs of Canby School District are printed and available annually to students and staff. [Board Policy IGD, Administrative Procedure IGDA-AP]

FREEDOM OF EXPRESSION

Students have the RIGHT to:

- Express themselves verbally, in writing, or by assembly in such a way that they do not violate or threaten the rights of other individuals or groups subject to, and consistent with, the education mission of the district.
- 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.
- Attend school in an atmosphere free of verbal assaults, privacy invasion, assaults, profanities, obscenities, ridicule, or threats of physical harm.
- Express affection for friends and staff in an appropriate manner.

Students have the RESPONSIBILITY to:

- Respect another person's justifiable right to privacy. Not to invade, either verbally or in publication, another person's lawful right to privacy without the person's consent.
- Follow school policies regarding the effects of their expressions on other individuals or groups. Verbal assaults, threats, intimidation, profanity, and obscenity are prohibited.
- Refrain from public displays of private affection.

Violation of these guidelines may result in discipline pursuant to District policy and any applicable provisions of the Students' Rights and Responsibilities Handbook.

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. [Board Policy JF/JFA]

Liability

The district cannot accept liability for non-school sponsored publications which students may want to distribute.

Distribution permitted pursuant to the time, place, and manner guidelines above does not constitute any endorsement of the materials in question, nor does it indicate that the district or any district employee vouches for the accuracy of any such materials. The district will not assume any liability for the content of such publication or its distribution.

The authors, editors, publishers, distributors, and all others in any way associated with a non-school sponsored publication remain solely liable for any claims or litigation which result there from and should not in any way rely upon any district permission to distribute, but should consult and rely upon the advice of their own attorney.

Non-School Sponsored Publications

All non-school sponsored publications distributed on district property or at district activities must comply with district standards and be approved by the superintendent or designee. The district will not distribute materials which:

- are defamatory or libelous;
- threaten or intimidate any individual or group;
- are obscene as to minors;

- contain vulgar and offensive language;
- advocate breaking school or district rules, or advocate unlawful acts; or
- will or reasonably could be anticipated to result in a substantial disruption of, or a material interference with, school work, school activities, discipline, the educational environment, or the rights of others within the school; and
- are not considered to contain educational value.

Distribution Guideline:

Written materials, email or electronic messages, flyers, photographs, pictures, petitions, films, tapes, other visual/auditory materials or any similar communication options may not be sold, circulated or distributed on district property or via district electronic services by a student or a non-student without the approval of administration. All materials or messages are subject to review as well as method of distribution.

If approved, the Superintendent or designee will ensure that the method of distribution does not disrupt the activity or impede the safe flow of traffic at the activity. [Board Policy KJA]

Prohibition of Secret Societies, Gangs, Hate Groups

Secret societies, gangs, hate groups, and similar organizations or groups that advocate hatred, discrimination, or violence are inconsistent with the fundamental values and educational environment of the Canby schools and are prohibited by ORS 339.885. Likewise, the activities of such groups and their members are prohibited in district facilities, on school grounds, and at school functions.

Such prohibited activities include, but are not limited to: the congregation of members, the solicitation or recruitment of members, the possession of group paraphernalia and materials, writing or displaying gang graffiti, the intimidation of others, the advocacy of discrimination, and any other behavior which the school administration finds disruptive such as the wearing of gang colors, insignia, weapon attire, and the use of language, codes or gestures that provoke violence or seek to advocate the purpose and objectives of such groups. Disciplinary action will include suspension or expulsion. [Board Policy JFCE]

School Publications, Displays and Productions

School publications, productions, or displays which are, or may be fairly characterized as school-sponsored or as part of the district curriculum, whether or not they occur in a traditional classroom setting, are subject to review and evaluation by school administrators. The final decision about the suitability of any material in question shall rest with the principal after review and consultation with the teacher/advisor and the student representative(s) prior to publication, production, or display.

Such publications, productions, or displays shall be reviewed in light of the district's legitimate educational concerns, which include but are not limited to whether the material is:

- defamatory or may be viewed as such;
- inappropriate for the age, grade level, and/or maturity of the audience or because of the values espoused;
- poorly written, inadequately researched, biased, or prejudiced;
- disruptive or potentially disruptive to the school

environment. For example, such disruption may occur if the material advocates or condones the use of vulgar or profane language, advocates or condones the commission of unlawful acts, or advocates violation of school rules, board policy, or the Students' Rights and Responsibilities Handbook;

- explicit as to the identity of particular individuals even though the material does not use or give names.

The decision may be appealed to the superintendent for review and final decision. [Board Policy IGDB, IGDD, Administrative Procedure IGDB-AP]

Speech

The student is entitled to verbally express his/her personal opinion in an appropriate manner. The use of verbal assaults, threats, profanities, obscenities, or ridicule may result in disciplinary action.

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 GBI]

IMMUNIZATIONS

All students are required to present evidence of compliance with Oregon Revised Statutes and Oregon Administrative Rules requiring immunizations. The building administrator or designee is authorized to exclude any student from school attendance for non-compliance. Parents/guardians will be notified in writing the reason of the exclusion and that the student will be excluded until the requirements are met.

The district will comply with Oregon Dept. of Human Services, Health Services, rules related to the district's immunization registry and the associated tracking and recall systems. The immunization requirements are in effect for all students not exempted for medical or nonmedical reasons. [Board policy EBBAG]

PERSONAL PROPERTY

Personal property lost or damaged due to fire, theft, vandalism, or any other cause will not be replaced, repaired, or reimbursed, except when a student is required to provide personal property to meet the minimum course requirements and if the District was negligent in providing a means to safeguard the asset and the student took reasonable precautions to protect his/her property. If an item is stolen and the loss is determined reimbursable, the reimbursement will be paid for from building funds in an amount based on depreciable value (original cost, age, and current condition of the item). [Board Policy EIA]

PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)

Students and parents have rights with regard to district surveys, collection and use of student information for marketing purposes, and certain physical examinations. These rights include:

1. Consent before students are required to complete a survey that concerns one or more of the following protected areas if the survey is funded in whole or in part by a program of the U.S. Department of Education.
 - » Political affiliations or beliefs of the student or student's parent;
 - » Mental or psychological problems of the student or student's family;
 - » Sex behavior or attitudes;
 - » Illegal, anti-social, self-incriminating or demeaning behavior;
 - » Critical appraisals of others with whom respondents have close family relationships;
 - » Legally recognized privileged relationships, such as with lawyers, doctors or ministers;
 - » Religious practices, affiliations or beliefs of the student or parents; or
 - » Income, other than is required by law to determine program eligibility.
2. Receipt of notice and an opportunity to opt a student out of:
 - » Any other protected information survey, regardless of funding;
 - » Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
 - » Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute information to others.
3. Inspect, upon request and before administration or use:
 - » Protected information surveys of students;
 - » Instruments used to collect personal information from students for any of the above marketing, sales or other distribution purposes; and
 - » Instructional material used as part of the educational curriculum.

When a student reaches the age of 18 or is an emancipated minor under State law, the parent's rights transfer to the student unless documentation of guardianship is provided.

The district will inform parents in a timely manner if the district has identified the specific or approximate dates of activities or surveys and will provide an opportunity for the parent to opt his or her child out of participating in a specific activity or survey. Parents will also be afforded the opportunity to review any planned surveys. A parent may contact the school principal or counselor for a list of any scheduled activities or surveys and a *Parent Consent and Opt-out Response* form that must be filled out and returned to the school office if they choose to opt out of applicable activities or surveys. To file a complaint with the U.S. Department of Education

concerning alleged failures by the district to comply with the requirements of PPRA, contact:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202-5901

[Board Policy JPA: Parent/Guardian Rights]
[20 USC 1232h; 34 CFR Part 98 The Protection of Pupil Rights Amendment (PPRA) NCLB 17]

SCHOOL ENVIRONMENT

Students have the RIGHT to:

- Attend school in a safe environment free of harassment, intimidation, or any threat to personal safety.
- Attend a school that is free of fighting or physical violence.

Students have the RESPONSIBILITY to:

- Respect the rights of others.
- Seek the help of authority when they have knowledge of a wrongful act, harassment, or a potentially unsafe situation.
- Seek help if needed to resolve personal disputes in a peaceful, responsible manner.
- Seek safe, peaceful alternatives to fighting and physical violence in settling all disputes.

Alcohol and 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.

Students have the RESPONSIBILITY NOT to:

- Possess, use, distribute or sell or attempt to distribute or sell, or be under the influence of, alcohol or controlled substances (narcotics, inhalants, marijuana, and other dangerous drugs) as defined pursuant to Chapter 475, Oregon Revised Statutes.

The school district recognizes that the abuse of drugs and alcohol pose extremely serious health risks. Curriculum taught in all of the schools in the district informs students of the harmful effects resulting from the abuse of drugs and alcohol.

District administrators are responsible for assessing penalties to students who possess, distribute or attempt to distribute, or are under the influence of alcohol or controlled substances on school premises, at any school sponsored activity, or under any circumstances when the student's conduct is subject to school district jurisdiction.

Student possession, use, or distribution or sale of tobacco, alcohol, illegal drugs, or drugs possessed, distributed or used in an illegal manner, and/or drug paraphernalia on or near school/district grounds, in school transportation vehicles or while participating in school-sponsored activities, is prohibited.

Clothing, bags, hats and other personal items used to display, promote or advertise tobacco, alcohol or unlawful drugs are prohibited on district grounds, at school-sponsored activities and in district vehicles. Tobacco advertising is prohibited in all school-sponsored publications in all school buildings and at all school-sponsored events. District acceptance of gifts or funds from the tobacco industry is similarly prohibited.

In light of scientific evidence that use of tobacco is hazardous to the health, and to be consistent with the content of our curriculum, the possession or use of tobacco in any form by any person on school property or while attending school-sponsored activities is prohibited and is unlawful.

A student who violates this policy shall be subject to disciplinary action, up to and including suspension or expulsion and may result in a referral to law enforcement officials. In lieu of taking a student to an expulsion hearing, the school may opt to make a referral to community resources and/or cessation programs designed to help the student overcome tobacco, alcohol or unlawful drug use will be made. The cost of such programs is the individual responsibility of the parent/student and the private health care system. (Example: CHS Planner Handbook) [Board Policy JFCG]. In such cases, in order for the student to remain a student in the CSD, he/she will be required to do the following:

1. Schedule a drug/alcohol assessment at a state approved agency
2. Follow the drug/alcohol assessment recommendation
3. Sign and follow the CSD Pre-Expulsion Contract

If a student transfers into the CSD with a prior drug/alcohol contract, he/she will be placed on a CSD Pre-Expulsion Contract.

Fighting and Disruptions

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 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 and their families. Disciplinary action may include suspension and/or expulsion.

Hazing, Harassment, Intimidation, Bullying, Cyberbullying, Menacing

Students are entitled to a positive and productive learning and working environment. Hazing, harassment, intimidation, menacing, bullying or cyberbullying by students, staff or third parties is strictly prohibited and shall not be tolerated in the District. Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigations or inquiry is also strictly prohibited.

Students who have engaged in behavior prohibited by this policy will be subject to remedial action and discipline which may include referral for counseling, loss of privileges and other 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 for menacing another student or employee, willful damage or injury to district property or for the use of threats, bullying, intimidation, harassment or coercion. Staff whose behavior is found to be in violation of this policy will be subject to discipline, up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the Superintendent or Board.

Individuals may also be referred to law enforcement officials. Staff will be reported to Teacher Standards and Practices Commission, as provided by OAR 584-020-0041.

In addition, any student who engages in off-campus activities or communications that adversely impact another student's educational environment, and sense of safety and security while at school, will be held responsible and disciplined for their actions as well as the possibility of civil and legal action being taken against them and their families.

Sexual Harassment of Students

Sexual harassment is a form of sex discrimination that violates state and federal laws and regulations. It is the policy of the Canby School District to maintain a learning and working environment that is free from sexual harassment. The district prohibits any form of sex discrimination, including sexual harassment.

It shall be a violation of this policy for any student or employee of Canby School District to harass a student or an employee through conduct or communication of a sexual nature as defined by this policy. The district shall act to investigate all complaints, verbal or written, of sexual harassment and to properly discipline any student or employee who sexually harasses a student or employee of the district. Failure of the employee to report any suspected sexual harassment of a student or other employee may result in disciplinary action.

Sexual harassment may include, but is not limited to:

1. verbal harassment or abuse;
2. subtle pressure for sexual activity;
3. inappropriate patting, pinching, gesturing, or display;
4. intentional brushing against a student's or an employee's body;
5. demanding sexual favors accompanied by implied or overt threats concerning an individual's employment or educational status;
6. demanding sexual favors accompanied by implied overt promises of preferential treatment with regard to an individual's employment or educational status; or
7. any sexually motivated unwelcome touching.
8. sexual comments or pictures that a student finds offensive.
9. Any student who believes that he/she has been the victim of sexual harassment should notify his/her counselor or school administrator. [Board Policy GBN/JBA, Administrative Policy JBA-AP]

It is the district's policy that students be able to attend school free from sexual harassment from fellow students and District employees. Sexual advances--made with the stated or implied threat that if the advances are resisted or rejected, there will be work or school-related reprisals--are considered sexual harassment. The creation of a hostile or uncomfortable environment due to uninvited, unwelcome, personally offensive sexual attention is also considered sexual harassment. [Board Policy GBN/JBA]

If you are the victim of any type of harassment or menacing, inform your parent(s) and immediately report the incident to an administrator or counselor.

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.

Personal Communication Devices

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, such as pagers and cellular phones.

Students may possess personal communication devices as long as they ensure their communication devices do not disrupt the learning atmosphere. Individual schools may limit use of personal communication devices as they deem appropriate to ensuring a safe and productive learning environment for their students.

Cellular telephones or other personal communication devices (such as PDAs, mobile computers, or entertainment devices) which have the capability to take "photographs" or "moving pictures" shall not be used for such purposes while on district property or while a student is engaged in school-sponsored activities, unless as expressly authorized in advance by the building principal or designee.

The district will not be liable for personal communication devices brought to the district property and school-sponsored activities.

Exceptions to the prohibitions set forth in this policy may be made for health, safety or emergency reasons with prior building principal or designee approval or when use is provided for a student's individualized education plan (IEP).

Students are subject to disciplinary action up to and including expulsion for using a personal communication device in any manner that is inappropriate, academically dishonest, illegal or violates the terms of District and individual school policy. A referral to law enforcement officials may also be made. The personal communication device may also be confiscated and returned only to the parent or guardian or property owner, as appropriate, if found to be in violation of this policy. ORS.332.107 [Policy JFCH]

Theft

Students have the RIGHT to:

- Attend a school in which their personal property is secure.

Students have the RESPONSIBILITY to:

- Respect the property of others including students, staff, the school district and the community.
- Take reasonable precautions for the protection of their personal property.
- Inform authorities of known thefts.

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 and parents may be held financially responsible for damage or stolen school district property. Proper law enforcement agencies may be notified at the discretion of the school administrators.

Tobacco

Students have the RIGHT to:

- Attend school in an environment free of tobacco, tobacco smoke, and tobacco refuse.

Students have the RESPONSIBILITY to:

- Not use either smoking or chewing tobacco. ORS

167.400 states: “It is unlawful for any person under 18 years of age to possess tobacco products.”

- Recognize that possession of tobacco products will result in disciplinary action up to and including suspension or expulsion and citation into Canby Municipal Court.

No student may possess, use, sell, or distribute tobacco in any form on any school grounds at school-sponsored activities, or in school provided transportation. In accordance with Oregon law, any person under age 18 possessing a tobacco product commits a Class D violation. Students possessing or using tobacco products may be subject to suspension. [Board Policy JFCG] In addition, the Board of Directors has established the Canby School District and its facilities as being “tobacco free” for all staff, students, visitors, and community members.

The school has a responsibility to diligently and regularly inform all students that tobacco use is hazardous to their health. Additional counseling, assessment services and rehabilitation support will be provided to students in school wishing to remain tobacco free.

Additional guidelines regarding tobacco use are listed in the [Athletic/Activity Handbook](#) for students in grades 6-12 who choose to participate in extracurricular programs.

Search and Seizure

Students have the RIGHT to:

- Be present, whenever reasonable, when his or her property or school property in use by such student is being searched. There may be occasions, however, when school officials believe it is in the best interest of the safety of the students or the general welfare of the school to conduct a search in a student’s absence.

Students have the RESPONSIBILITY to:

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

If school officials have reasonable suspicion, considering all the circumstances, to believe that evidence of a violation of laws or school rules is contained in any locker or other district property utilized by students, a search thereof may be conducted under the general authority of the district in connection with the obligation to maintain the safety and welfare of all students. School officials have the right under the same authority to search the person of any student or the student’s property if the officials have reasonable suspicion considering all the circumstances to believe that the search will reveal evidence of a violation of laws or school rules. Where it appears that criminal activity is present, the police may be summoned for assistance. [Board Policy JFG]

Vandalism

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 to refrain from littering and damaging property.
- Take reasonable personal action or make a report to school or law enforcement authorities when violations are observed.

Vandalism is the willful or malicious destruction or defacement of public or private property. Vandalism includes the abuse of any school property, including items such as textbooks, desks, lockers, computers, and other school equipment.

Vandalism to school property constitutes criminal conduct under the laws of the State of Oregon. Disciplinary action will be taken by the school, which could result in any or all of the following:

1. Restitution to school for damage incurred. (May include payment and/or community service or parents being held financially liable.)
2. Suspension, expulsion, or other appropriate discipline.
3. Turning the case over to law enforcement officers for investigation and civil action.

Weapons

Students have the RIGHT to:

- Attend school without the fear of weapons.
- Attend school free of threat to their physical and emotional well being.

Students have the RESPONSIBILITY to:

- Not possess weapons or “look-alikes” in or around school grounds/facilities or at school sponsored activities.
- Report knowledge of weapons that might be in a student’s possession or on school grounds.

Possession of, threatening to use, or actually using a weapon or simulated weapon (including “look-alike”), explosives, firecrackers, or other items capable of producing bodily harm is prohibited. 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. In accordance with the federal Gun-Free School Zone Act of 1990 (amended 1996) possession of a firearm in a school zone is prohibited. A “school zone,” as defined by federal law, means in or on school grounds or within 1,000 feet of school grounds.

Possession of weapons includes the unauthorized presence or use of dangerous weapons, which include, but are not limited to any type of gun, knives, bombs, explosives, and firecrackers. A pocket knife is considered a weapon and is prohibited at school, on school property, and at all school activities. Possession includes not only possession on the student’s person, but also the presence 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 students immediate possession or control when upon the grounds.

Any loaded or unloaded firearm or dangerous weapon possessed on or about a person while on district property is subject to seizure or forfeiture and shall be reported to the police, as outlined in Oregon statute. When it is determined that a student brought a firearm or dangerous weapon, as defined above, to school, he/she will be expelled for a period of not less than one year. [Policy JGD, Student Suspension and Expulsion] 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.

Canby School District has a 'no-tolerance' philosophy 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 expulsion.

Exceptions to the forgoing rules to possession of weapons or look-alikes as used in dramatic productions, athletic events, classroom instruction or school clubs/activities are only permitted pursuant to prior arrangement with written permission from the principal and under direct staff supervision. [Board Policy JFCJ]

STUDENT DRESS AND GROOMING

Students have the RIGHT to:

Dress and groom according to his/her choice within the guidelines set by each school and board policy.

- Students have the RESPONSIBILITY to:
- Be clean and to keep within health, sanitary, and safety standards.
- Dress and groom so the teaching/learning process is not disrupted.
- Refrain from wearing clothing displaying inappropriate language, symbols, or pictures.

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

The responsibility for the dress and grooming of a student rests primarily with the student and student's parents. The school administrator shall impose restrictions if the dress or grooming threatens the safety or health of the student, disrupts the educational process of others, or otherwise violates these written expectations [Board Policy JFCA].

STUDENT RECORDS (DIRECTORY INFORMATION)

Parents or eligible students have the RIGHT to:

- Read Appendix D on page 27, Notification of Rights Under Family Educational and Rights Protection Act (FERPA).
- Inspect and review the student's records.
- Receive a copy of the student's educational records.
- Request that the records be amended to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights.
- Request a hearing if the district refuses to amend a record.
- Consent to disclosure of personally identifiable information contained in the student's education records with certain exceptions (see below).

- File a complaint regarding the district's compliance with the federal law governing educational records.
- Obtain a copy of the board's Student Records Management policy from the superintendent's office.

Parents or eligible students have the RESPONSIBILITY to:

- Make a written request to the principal to inspect any of the student's educational records. The request should specify as precisely as possible the record(s) to be inspected.
- Submit a request form to the principal if they do NOT wish to have directory information disclosed. If such a request form is not received, the district may disclose information deemed to be directory information. [Board Policy JOA]
- Grant permission, if the eligible student desires, for parent access to the eligible student's record by submitting a signed and dated consent to be placed in their student record. (Applicable to eligible student only.)

Educational records requested under OAR 581-021-0250 when a student transfers to another school will be forwarded within 10 days of receiving the request.

The District may disclose, without consent, student directory information* unless written requests have been filed to withhold this information. Parents or eligible students have the right to consent to disclosures of personally identifiable information**, except to the extent allowed by applicable state or federal law authorizing disclosure without consent. The district is required by law to release secondary students' names, addresses, and phone numbers to military recruiters and/or institutions of higher education unless written requests have been filed to withhold this information.

- *Directory information is defined as: student's name, address, photograph and listed telephone number, electronic address, participation in recognized sports and activities, weight and height of athletic team members, dates of attendance, degrees or awards, most recent previous school of attendance, and illness or accident information necessary for dealing with emergencies. [Board Policy JOA updated 05/15/08]
- Under some circumstances, certain directory information can be considered personally identifiable information and may be released only with prior notification by the district. This may include the reason/purpose for the requested information, to whom the information will be released along with the prior written, dated and signed consent (unless otherwise permitted by law) of the parent or eligible student.
- **Personally identifiable information can include, but is not limited to the student's name (if excluded from directory information, as requested by the student/parent in writing), name of the student's parents or other family members, address of the student or student's family (if excluded from directory information, as requested by the student/parent in writing), personal identifiers such as the student's social security number, a list of personal characteristics that would make the student's identity easily traceable, or other such information that would make the student's identity easily traceable. [Board Policy JOB updated 05/15/08]

The district administrative staff may withhold the grade reports, diploma, or records of any student who owes fines or fees or who has lost or willfully damaged district property until the student or parent has paid the amount owed [ORS 339.260].

STUDENTS WITH DISABILITIES

Canby School District does not discriminate on the basis of disability in admission to, access to, or treatment in its programs and activities. Appropriate steps are taken to identify and locate qualified individuals living within the district's jurisdiction that may be suspected of or has a disability and is not receiving public education services. Canby School District will provide a free appropriate public education in accordance with 34 CFR 104.32. Students may be eligible as a student with a disability under Section 504 of the Vocational Rehabilitation Act of 1973 or the Individuals with Disabilities Education Act. If you have knowledge of children you suspect of having a disability, contact the Director of Student Services at 504-266-0054 for further information.

Parents of eligible students are encouraged to become involved in the organized, ongoing planning review, and improvement of the district's special services program efforts. Notification will be provided regarding meetings to inform parents of participating students' participation in and requirements of the program. [Board Policy IGBC, Administrative Procedure IGBC-AP]

TECHNOLOGY/ELECTRONIC COMMUNICATION

The District recognizes that available and developing technologies provide tools essential to the efficient and effective operation of our schools and vital to the teaching/learning process. Students will receive adequate access to appropriate technology and the training to use it effectively.

- The purpose of technology is to equip students and staff to become productive and resourceful life-long learners through the access to information and tools to process it;
- All computer users shall understand and comply with existing copyright laws.

Parents have the RIGHT to:

- File a written request that their student not use the Internet.

Students have the RIGHT to:

- Use the district's network for educational purposes including classroom activities, professional or career development, and limited high-quality exploration of personal interest areas.

Students have the RESPONSIBILITY to:

- Comply with the District's Acceptable Use of the Internet procedure, which is the guide for acceptable use of the network. It includes guidelines for personal safety and rules with respect to illegal activity, system security, inappropriate conduct, respecting resource units, limited expectation of privacy, plagiarism, copyright infringement, inappropriate access of material, and other limitations necessary to enable the district to provide the opportunity to use the network. Failure to comply with the Acceptable Use of the Internet procedure may result in loss of access to the network and/or Internet. [Board Policy IIBGA and Administrative Procedure IIBGA-AP]
- Report any inappropriate use of the Internet by other students to a teacher or other school official.

Acceptable Use of the Internet

Canby School District provides students with access to the Internet for supervised educational purposes.

ACCEPTABLE uses include:

- Activities that directly support teaching and learning or that support attainment of the District's mission and priorities. Students will have access to Internet services, including email accounts for specific purposes and ages. Internet filtering services are provided by the Clackamas ESD to provide additional security for students using Canby School District on-line services.

UNACCEPTABLE uses include:

- Student posting of personal information;
- Agreeing to meet someone they meet online without parental approval and participation;
- Not disclosing any message a student sends or receives that is inappropriate or uncomfortable.
- Attempts to gain access to the district system or other computer system through the district or go beyond authorized access.
- Making deliberate attempts to disrupt the computer system performance or destroy data by spreading computer viruses or by another means.
- Using the district system to engage in any illegal act;
- Sharing his or her password to another person.
- Failing to notify appropriate school employee of a possible security problem;
- Failing to use standard virus protection procedures when downloading software;
- Using inappropriate language in all communications;
- Posting information at school or at home that could cause damage, danger of disruption, or disruption;
- Engaging in personal attacks;
- Harassing another person, making threats directed at students, staff, or the school environment;
- Knowingly or recklessly post false or defamatory information about a person or organization;
- Use of the system beyond educational, career, professional, limited high-quality personal research;
- Downloading of large files unless absolutely necessary;
- Posting chain letters or engage in spamming;
- Failing to check email account often to manage;
- Subscribing to discussion group mail lists that are irrelevant to their education or professional/career development;
- Plagiarizing works found on the Internet;
- Disrespecting the rights of copyright owners;
- Use of the system to access profane or obscene (pornography), that advocates illegal or dangerous acts, or that advocates violence or discrimination towards other people;
- Failing to disclose inadvertent access to such information as stated above.

(Reference: Administrative Procedure IIBGA-AP, Acceptable Use of the Internet.)

TRANSPORTATION

Bus Transportation

Transportation is provided for students who are residents of the District, to and from their attendance area school, to and from one school or facility to another, for curricular and extracurricular activities sponsored by the District, and to and from school sponsored field trips that are extensions of classroom learning experiences. Transportation will also be provided for homeless students to and from the school of origin as required by the McKinney-Vento Act. These services will be provided throughout the regularly scheduled year and during the regular school day as determined by the Board. Only assigned students and adults authorized by the Superintendent or designee shall be allowed to ride such District-provided transportation. [Board Policy EE]

Students have the RIGHT to:

- Ride district buses as provided when students live one (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. Bus stops may be designated in locations up to one-half mile from a student's residence if, in the judgment of the district, the student's safety is not jeopardized if she/he had to walk. Miles from school shall be determined in accordance with applicable regulations.

Students have the RESPONSIBILITY to:

- Follow all district and state regulations regarding appropriate behavior while riding school buses to/from school or school events.
- Participate in scheduled bus evacuation drills each year. [Policy EEAC]
- Students must follow the rules governing behavior on school buses or may forfeit the right to ride. [Policy EEB] Students should understand that the bus driver is responsible for the safety of students. A licensed teacher is responsible for establishing departure times of field trips and for maintaining order during field trip activities. An adult, other than the bus driver, must be on the bus for all field trips. ORS rules include:
 1. Pupils being transported are under authority of the bus driver.*
 2. Fighting, wrestling, boisterous activity is prohibited on the bus.*
 3. Pupils shall use the emergency door only in case of emergency.*
 4. Pupils shall be on time for the bus, both morning and evening.
 5. Pupils shall not bring firearms, weapons or other potentially hazardous material on the bus.*
 6. Pupils shall not bring animals, except approved assistance guide animals, on the bus.
 7. Pupils shall remain seated while bus is in motion.
 8. Pupils may be assigned seats by the bus driver.
 9. When necessary to cross the road, pupils shall cross in front of the bus or as instructed by the bus driver.
 10. Pupils shall not extend their hands, arms or heads through bus windows.
 11. Pupils shall have written permission issued by the

- school to leave the bus other than for home or school.
12. Pupils shall converse in normal tones; loud or vulgar language is prohibited.
13. Pupils shall not open or close windows without permission of the driver.
14. Pupils shall keep the bus clean and refrain from damaging it.
15. Pupils shall be courteous to the driver, fellow pupils and passers-by.
16. Pupils who refuse to obey promptly the directions of the bus driver or refuse to obey regulations may forfeit their privilege to ride on the buses. Statutory Authority: ORS Chapter 820 [Policy EEB]
17. Rules Governing Pupils Riding School Buses must be kept posted in a conspicuous place in all school buses.

Additional Canby School District rules:

1. Pupils shall not have in their possession on the bus 1) tobacco, alcohol or illegal drugs, or 2) matches, or other incendiaries, or concussion devices.*
2. Pupils shall not have on their possession without prior approval 1) glass containers or other glass objects, 2) balloons, or 3) skateboards or other large objects which might pose safety risks or barriers to safe entry and exit from the bus.
3. Pupils shall not eat food, drink liquid, or chew gum while on the bus.
4. Pupils shall not damage school property or the property of others.*
5. Pupils shall not throw any objects.

Pupils who violate bus rules of conduct may be denied the use of district transportation.

****These regulations, if broken, result in severe consequences because of the threat to the safety of others.***

Bus Citation Procedures

- **First Incident: Warning.** The driver verbally restates behavior expectations and issues a warning citation.
- **Second Incident:** The student may be suspended from the bus until a conference, arranged by the principal or designee, has been held with the student, the parent, the bus driver, the transportation supervisor, and the principal or designee.
- **Third Incident of the Year:** The student may receive up to a ten-day suspension and will not be able to ride the bus until a conference, arranged by the principal or designee, has been held with the student, the parent, the bus driver, the transportation supervisor, and the principal or designee. At this time a behavior contract will be established and a bus seat may be assigned. Further violations of bus regulations will be considered a severe violation.
- **Severe or Ongoing Incident(s):** Any severe or

ongoing incident(s) will result in the immediate suspension of the student for a minimum of ten days, up to a one year expulsion. There will be a hearing at this time, arranged by the principal or designee, involving the student, the bus driver, the transportation supervisor, the parent, and the principal or designee.

- In all instances, the appeal process may be used if the student and/or parent desires.

Disciplinary action for students with disabilities will be followed in accordance with Board Policy for transportation of students with disabilities. Disciplinary procedures and appeals process for students and students with disabilities are outlined in Procedure EEB-AP.

Parents/guardians will be contacted in a timely manner. The appeal process is described in Administrative Procedure EEB-AP.

Disciplinary action for violating the transportation health and safety requirements shall generally be confined to district-approved transportation services. Students who have lost district-approved transportation services through a disciplinary action shall be expected to continue with the district's educational requirements. In some instances, however, the violation is of such a serious nature, that the district reserves the right to impose additional consequences that involve suspension/expulsion from school (e.g. drugs/alcohol, weapons, fighting).

Decision to Not Use District-Provided Transportation

Students and/or parents who choose not to use the school bus system assume full responsibility for safe and punctual transportation to and from school. The district is not responsible for any property damage or personal injury that may occur when a student uses non-district transportation, including during inclement weather.

Kindergarten Drop-Off Requirements

Kindergarten students will be dropped off only in the presence of the student's authorized adult/guardian. If the authorized adult/guardian is not visible/present, the kindergarten student will be returned to the school building or bus barn. The district will retain the student until the parent or adult/guardian has been contacted.

Use of Video Surveillance Equipment

The use of video surveillance equipment is a means to meet the district's responsibility to maintain order and discipline on school vehicles and school campuses. The Board recognizes the value of electronic surveillance systems in monitoring activity in school vehicles and on school campuses in furtherance of protecting the health, welfare, and safety of all students and staff. [Board Policy EE and Administrative Policy EEA-AP]

Information/evidence gathered from the surveillance may be used as the basis of disciplinary action to be implemented against students or staff. [Statutory authority: ORS Chapter 820]

Transportation Video Recording: First Student

Transportation has installed video and audio equipment on all school buses to monitor school transportation. Videotapes shall be treated as protected student records under the Family Educational Rights and Privacy Act. The following guidelines shall apply:

1. Tapes shall remain the custody of First Student Transportation and/or the district.
2. Parents/guardians or students who wish to view a videotape in response to disciplinary action taken against a student may request such access under the procedures set out in the Student Record Board Policy JO and Administrative Policy JO-AP.
3. Persons unrelated to a disciplinary incident shall not be permitted to view bus videotapes.

If a parent/guardian would like further information or a copy of the board policy on use of video surveillance, please contact the district office.

Motor Vehicles

Students have the RIGHT to:

- Legally drive licensed motor vehicles only to Canby High School subject to availability of parking.

Students have the RESPONSIBILITY to:

- Adhere to all applicable rules and laws, to include the following rules:

All vehicles driven by students shall be registered with the school. Students driving licensed motor vehicles shall park in designated areas. Students may not use vehicles during school hours except with administrative authorization. All vehicles should be driven in a safe and non-disruptive manner while on or near campus. Violators will lose campus-driving privileges. Suspension of driving privileges may occur as per ORS 330.254, ORS 330.257, based on irregular school attendance, suspension, or expulsion frequency.

Additional guidelines regarding high school parking regulations are listed in the respective school Student/Parent Handbook.

ADDENDA

Addendum A: Partnership Responsibilities

Addendum B: Problem Areas and Definitions

Addendum C: Range of Consequences for Disciplinary Actions

Addendum D: Notification of Rights Under FERPA

Addendum E: Oregon Revised Statutes

Addendum F: Oregon Administrative Rules

ADDENDUM A: PARTNERSHIP RESPONSIBILITIES

STUDENTS	PARENTS	SCHOOL
<i>Students can show responsibility by:</i>	<i>Parents can help students take responsibility by:</i>	<i>The school can help parents and students by:</i>
Coming to school each day	Helping students get up in the morning and get to school on time	Involving parents
Being prepared to learn	Supporting school staff in helping students develop a sense of respect for authority	Communicating expectations of students
Showing respect for staff members at all times	Impressing upon students that school is a place to learn	Keeping accurate records of attendance
Showing respect for other students	Supporting the idea that taking what belongs to another student is wrong	Communicating regularly with parents
Being well-mannered	Teaching and discussing good health habits regarding alcohol, drugs, and tobacco	Showing respect for students
Using good language	Helping students develop a sense of respect for themselves and others	Reinforcing good behavior
Walking quietly in the school	Helping students develop alternative, peaceful methods of resolving conflict	Planning structured activities
Keeping all personal items in proper places	Impressing upon students not to bring disruptive, harmful things to school	Modeling appropriate behavior
Using items that belong to others only with their permission	Cooperating with school staff to improve the student's behavior	Creating learning environments to help students behave and use their time properly
Seeking positive ways to resolve conflicts	Helping students understand that continued misbehavior disrupts the educational process	Keeping classrooms neat and orderly
Not bringing disruptive, harmful, or illegal things to school		Encouraging students to participate in good health habits and physical fitness
Learning from mistakes and not repeating misbehavior		Discouraging the use of tobacco, alcohol, and drugs
		Providing a safe and comfortable school environment for students
		Establishing an atmosphere of open communication for students to seek help from staff members
		Reporting and identifying behavioral problems

ADDENDUM B:

PROBLEM AREAS AND DEFINITIONS

Aggressive Problem Solving

Includes, but is not limited to, pushing, shoving, tripping, pinching, or use of aggressive language to solve a problem.

Alcohol or Drugs

The use, possession, sale, distribution, or being under the influence of alcohol, drugs, or other intoxicants. This includes, but is not limited to, the possession of drug paraphernalia, “lookalike drugs,” and over-the-counter medication.

Arson

Use of fire to destroy or attempt to destroy property.

Assault

Intentional, unauthorized physical contact with another person which causes physical injury or would reasonably be expected to cause injury.

Automobile Misuse

Includes, but is not limited to, running stop signs, driving recklessly, speeding, improper licensing or illegal parking.

Cheating

The improper use of another individual’s work or efforts. Using in appropriate methods to complete tests or assignments (e.g., information written on hands, notebooks, cell phones, etc.).

Defiance of Authority

Refusal to follow the reasonable requests of district personnel.

Disruptive Appearance

Clothing, jewelry, or other forms of appearance which are likely to interfere with the educational environment or process. Examples include overly revealing clothing and clothing decorated with illustrations or words which are lewd, vulgar, obscene, plainly offensive, represent gang affiliation, or which promote illegal activity.

Disruptive Conduct

Behavior which disrupts the safe and orderly operation of the school (e.g., pushing and shoving; slamming others students’ lockers).

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

Explosive Devices

The use or threat of use, possession, or sale of explosive materials or look-alike devices.

Extortion

Demanding money or something of value (e.g. lunches) from another person in return for protection from violence or the threat of violence.

Fighting

Having physical conflict with another person.

Firearms

The possession of a firearm.

Forgery or Lying

Writing or giving false or misleading information to school officials.

Gambling

Participating in games of chance for the purpose of exchanging money or other items of value.

Gang Activity

Gang-related activities at school or school functions, including possession or display of gang-related clothing, symbols, signs, signals, or paraphernalia; distribution of gang literature or materials; display of gang-related posters or graffiti; harassment of others; or recruitment for gang membership.

Inappropriate Displays of Affection

Inappropriate touching or fondling.

Internet Misuse

Inappropriate use of Internet access on school campuses.

Intimidation / Harassment

By word or conduct, intentionally intimidating, harassing or threatening another person or attempting to place another person in fear of physical injury. This includes, but is not limited to, word or conduct directed toward another person because of his or her race, color, religion or national origin.

Profanity / Vulgarity / Inappropriate Language

Language, pictures, or drawing which are offensive or disruptive.

Recklessly Endangering

Reckless conduct which creates substantial risk of physical injury to another person.

Retaliatory Acts

Intimidation, threats or harassment (either by word or action) aimed at students or staff who report illegal or improper activities of other students.

Sexual Harassment

Sexual harassment is unwelcome conduct that is directed toward a person because of that person's gender. Unwelcome conduct of a sexual nature creates an intimidating, hostile, or offensive environment.

Tardiness

Arriving late to school or class.

Theft

Taking, giving, or receiving property not belonging to you.

Threat of Violence

Student threats of harm to self or others, threats of behavior or acts of violence.

Tobacco

Student possession or use of tobacco, either smoke or smokeless, or a look-alike substance in any form within 1000 feet of the school premises or attending school-sponsored activities.

Trespassing

Remaining on school district premises after being asked to leave. This also included suspended students.

Unexcused Absence

Any absence which has not been excused by your parent or legal guardian and/or appropriate school officials.

Vandalism / Graffiti

Intentionally damaging or attempting to damage, deface, or destroy property belong to the school, school officials, or others.

Weapons

The possession of a dangerous weapon or the use of any object to inflict bodily harm to another person. If a look-alike weapon is used to threaten and intimate, the consequences will be the same as if the weapon were real.

APPENDIX C:

RANGE OF CONSEQUENCES FOR DISCIPLINARY INFRACTIONS

The following chart displays the range of disciplinary actions that may be taken for each infraction based on the severity of the occurrence and the student's prior disciplinary history. A student who has repeatedly violated school rules, for example, would likely receive the maximum disciplinary action whereas a student with no prior history of referrals might receive a lesser consequence for a first offense. A student's IEP disability will, by law, be considered. In case of a severe violation of school rules, the maximum disciplinary action will be taken and may extend beyond these guidelines to include criminal referral. Where student conduct results in damage to personal, private, or public property,

restitution or public service will be required. For seniors, violations may result in loss of participation at senior events and graduation ceremonies. Students involved in athletics and activities will have additional consequences imposed if they have violated the rules of conduct for those who participate in extracurricular programs. Suspensions will not exceed ten (10) school days. Maximum expulsion period is one school year. Suspensions may be appealed only to the principal. Expulsions upheld by the superintendent may be appealed to the school board.

Staff will attempt to notify parents in each case by a phone call or written note unless the student is 18 years of age and has not given prior signed and dated permission for parent notification. Parent conference(s) may be required. In some cases, school officials are required to notify law enforcement agencies. Some violations may also result in loss of student's driving license as per ORS 339.254 for one year.

PROBLEM AREA	MINIMUM DISCIPLINE	MAXIMUM DISCIPLINE
Aggressive problem solving	Warning	Suspension
Alcohol or drugs/look-alikes	Suspension and required assessment	Expulsion or assessment
Arson	Suspension	Expulsion
Assault	Suspension	Expulsion
Bus misconduct	Warning/short term loss of riding privileges	Long term loss of riding privileges
Cheating/plagiarism	Warning and/or Suspension	Suspension up to expulsion
Defiance of authority	Warning	Suspension up to expulsion
Disruptive/disorderly conduct	Warning	Suspension up to expulsion
Disruptive appearance	Warning	Suspension up to expulsion
Explosive devices	Warning	Expulsion
Fighting	Suspension	Expulsion
Firearms/look-alikes	Expulsion	
Forgery or lying	Warning	Suspension up to expulsion
Gambling	Warning	Suspension up to expulsion
Gang activity	Warning	Expulsion
Hazing/harassment/threats	Warning	Expulsion
Inappropriate use of Internet	Warning with parent notification of probationary status for Internet use	Suspension up to expulsion/no further access to Internet
Profanity/vulgarity/inappropriate language	Warning	Suspension up to expulsion
Reckless endangerment	Warning	Suspension up to expulsion
Sexual harassment	Warning	Expulsion
Tardiness/attendance/truancy	Warning	Suspension up to expulsion
Theft	Warning	Expulsion
Tobacco possession/use	Suspension	Suspension up to expulsion
Trespassing	Warning	Suspension up to expulsion
Vandalism	Warning	Expulsion
Vehicle misuse	Warning	Suspension up to expulsion
Weapons (other than firearms)	Suspension	Expulsion

APPENDIX D:

NOTIFICATION OF RIGHTS UNDER FERPA

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. They are:

1. The right to inspect and review the student’s education records within 45 days of the day the District receives a request for access.

Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The request should be as specific as possible as to the records to be inspected. 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 of request the amendment of the student’s education records that the parent or eligible student believes is inaccurate or misleading.

Parents or eligible students may ask Canby School District to amend a record that they believe is inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading.

If the District decides not to amend the record as requested by the parent or eligible student, the District 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; 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.

Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The Office that administers FERPA is:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5920

[NOTE: In addition, an institution may want to include its directory information public notice, as required by § 99.37 of the regulations, with its annual notification of rights under FERPA.]

APPENDIX E:

OREGON REVISED STATUTES

Compulsory School Attendance

339.010 School attendance required; age limits.

Except as provided in ORS 339.030, all children between the ages of 7 and 18 years who have not completed the 12th grade are required to attend regularly a public full-time school of the school district in which the child resides. [Amended by 1965 c.100 §274]

339.020 Duty to send children to school.

Except as provided in ORS 339.030, every person having control of any child between the ages of 7 and 18 years who has not completed the 12th grade is required to send such child to and maintain such child in regular attendance at a public full-time school during the entire school term. [Amended by 1965 c.100 §275; 1969 c.160 §1]

339.030 Exemptions from compulsory school attendance.

(1) In the following cases, children may not be required to attend public full-time schools:

- (a) Children being taught in a private or parochial school in the courses of study usually taught in grades 1 through 12 in the public schools and in attendance for a period equivalent to that required of children attending public schools in the 1994-1995 school year.
- (b) Children proving to the satisfaction of the district school board that they have acquired equivalent knowledge to that acquired in the courses of study taught in grades 1 through 12 in the public schools.
- (c) Children who have received a high school diploma.
- (d) Children being taught for a period equivalent to that required of children attending public schools by a private teacher the courses of study usually taught in grades 1 through 12 in the public school.
- (e) Children being educated in the children’s home by a parent or legal guardian.
- (f) Children excluded from attendance as provided by law.

(2) The State Board of Education by rule shall establish procedures whereby, on a semiannual basis, an exemption from compulsory attendance may be granted to the parent or legal guardian of any child 16 or 17 years of age who is lawfully employed full-time, lawfully employed part-time and enrolled in school, a community college or an alternative education program as defined in ORS 336.615. An exemption also may be granted to any child who is an emancipated minor or who has

initiated the procedure for emancipation under ORS 419B.550 to 419B.558. [Amended by 1965 c.100 §276; 1967 c.67 §8; 1971 c.494 §1; 1973 c.728 §1; 1985 c.579 §1; 1989 c.619 §1; 1993 c.546 §138; 1995 c.769 §2; 1999 c.59 §85; 1999 c.717 §1; 2001 c.490 §8; 2007 c.407 §3]

339.065 Estimates of attendance; irregular attendance; excused absences.

(1) In estimating regular attendance for purposes of the compulsory attendance provisions of ORS 339.005 to 339.030, 339.040 to 339.125, 339.137, 339.420 and 339.990, the principal or teacher shall consider all unexcused absences. Eight unexcused one-half day absences in any four-week period during which the school is in session shall be considered irregular attendance.

(2) An absence may be excused by a principal or teacher if the absence is caused by the pupil's sickness, by the sickness of some member of the pupil's family or by an emergency. A principal or teacher may also excuse absences for other reasons where satisfactory arrangements are made in advance of the absence.

(3) Any pupil may be excused from attendance by the district school board for a period not to exceed five days in a term of three months or not to exceed 10 days in any term of at least six months. Any such excuse shall be in writing directed to the principal of the school which the pupil attends. [1965 c.100 §281; 1973 c.728 §4; 1987 c.158 §57; 1993 c.45 §114]

Admission of Students

339.115 Admission of students; waiver; denial.

(1) Except as provided in ORS 339.141, authorizing tuition for courses not part of the regular school program, the district school board shall admit free of charge to the schools of the district all persons between the ages of 5 and 19 who reside within the school district. A person whose 19th birthday occurs during the school year shall continue to be eligible for a free and appropriate public education for the remainder of the school year. A district school board may admit nonresident persons, determine who is not a resident of the district and fix rates of tuition for nonresidents.

(2)(a) A district must admit an otherwise eligible person who has not yet attained 21 years of age prior to the beginning of the current school year if the person is:

- (A) Receiving special education and has not yet received a high school diploma as described in ORS 329.451; or
- (B) Receiving special education and has received a modified diploma, an extended diploma or an alternative certificate as described in ORS 329.451.

(b) A district may admit an otherwise eligible person who is not receiving special education and who has not yet attained 21 years of age prior to the beginning of the current school year if the person is shown to be in need of additional education in order to receive a high school diploma.

(3) The obligation to make a free appropriate public education available to individuals with disabilities 18 through 21 years of age who are incarcerated in an adult correctional facility applies only to those individuals who, in their last educational placement prior to their incarceration in the adult correctional facility:

- (a) Were identified as being a child with a disability as defined in ORS 343.035; or

(b) Had an individualized education program as described in ORS 343.151.

(4) For purposes of subsection (3) of this section, "adult correctional facility" means:

- (A) A local correctional facility as defined in ORS 169.005;
- (B) A regional correctional facility as defined in ORS 169.620; or
- (C) A Department of Corrections institution as defined in ORS 421.005.

(5) An otherwise eligible person under subsection (2) of this section whose 21st birthday occurs during the school year shall continue to be eligible for a free appropriate public education for the remainder of the school year.

(6) The person may apply to the board of directors of the school district of residence for admission after the 19th birthday as provided in subsection (1) of this section. A person aggrieved by a decision of the local board may appeal to the State Board of Education. The decision of the state board is final and not subject to appeal.

(7) Notwithstanding ORS 339.133 (1), a school district shall not exclude from admission a child located in the district solely because the child does not have a fixed place of residence or solely because the child is not under the supervision of a parent, guardian or person in a parental relationship.

(8) Notwithstanding subsection (1) of this section, a school district:

- (a) May for the remaining period of an expulsion deny admission to the regular school to a resident student who is expelled from another school district; and
- (b) Shall for at least one calendar year from the date of the expulsion and if the expulsion is for more than one calendar year, may for the remaining period of time deny admission to the regular school program to a student who is under expulsion from another school district for an offense that constitutes a violation of a school district policy adopted pursuant to ORS 339.250 (6).

(9) A child entering the first grade during the fall term shall be considered to be six years of age if the sixth birthday of the child occurs on or before September 1. A child entering kindergarten during the fall term shall be considered to be five years of age if the fifth birthday of the child occurs on or before September 1. However, nothing in this section prevents a district school board from admitting free of charge a child whose needs for cognitive, social and physical development would best be met in the school program, as defined by policies of the district school board, to enter school even though the child has not attained the minimum age requirement but is a resident of the district. [1965 c.100 §285; 1971 c.410 §1; 1977 c.463 §1; 1983 c.193 §1; 1987 c.283 §2; 1989 c.132 §1; 1989 c.215 §1; 1991 c.693 §26; 1995 c.656 §1; 1995 c.660 §46; 1996 c.16 §1; 1999 c.989 §1; 2005 c.209 §29; 2005 c.662 §16; 2007 c.464 §2; 2007 c.660 §18; 2009 c.618 §5 ; 2011 c.718 §12]

Student Conduct and Discipline

339.240 Rules of student conduct, discipline and rights; duties of state board and district school boards.

(1) The State Board of Education in accordance with ORS chapter 183 shall adopt rules setting minimum standards for pupil conduct and discipline and for rights and procedures

pertaining thereto that are consistent with orderly operation of the educational processes and with fair hearing requirements. The rules shall be distributed by the Superintendent of Public Instruction to all school districts.

(2) Every district school board shall adopt and attempt to give the widest possible distribution of copies of reasonable written rules regarding pupil conduct, discipline and rights and procedures pertaining thereto. Such rules must comply with minimum standards adopted by the State Board of Education under subsection (1) of this section.

(3) Every district school board shall enforce consistently and fairly its written rules regarding pupil conduct, discipline and rights. This subsection does not apply to a pupil who is eligible for special education as a child with a disability under ORS 343.035. [1971 c.561 §§2,3; 1993 c.45 §123; 1999 c.726 §1; 2007 c.70 §97]

339.250 Duty of student to comply with rules; discipline, suspension, expulsion, removal and counseling; written information on alternative programs required.

(1) Public school students 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.

(2) Pursuant to the written policies of a district school board, an individual who is a teacher, administrator, school employee or school volunteer may use reasonable physical force upon a student when and to the extent the individual reasonably believes it necessary to maintain order in the school or classroom or at a school activity or event, whether or not it is held on school property. The district school board shall adopt written policies to implement this subsection and shall inform such individuals of the existence and content of these policies.

(3) The district school board may authorize the discipline, suspension or expulsion of any refractory student and may suspend or expel any student who assaults or menaces a school employee or another student. The age of a student and the past pattern of behavior of a student shall be considered prior to a suspension or expulsion of a student. As used in this subsection "menace" means by word or conduct the student intentionally attempts to place a school employee or another student in fear of imminent serious physical injury.

(4)(a) Willful disobedience, willful damage or injury to school property, use of threats, intimidation, harassment or coercion against any fellow student or school employee, open defiance of a teacher's authority or use or display of profane or obscene language is sufficient cause for discipline, suspension or expulsion from school.

(b) District school boards shall develop policies on managing students who threaten violence or harm in public schools. The policies adopted by a school district shall include staff reporting methods and shall require an administrator to consider:

(A) Immediately removing from the classroom setting any student who has threatened to injure another person or to severely damage school property.

(B) Placing the student in a setting where the behavior will receive immediate attention, including, but not limited to, the office of the school principal, vice principal, assistant principal or counselor or a school

psychologist licensed by the Teacher Standards and Practices Commission or the office of any licensed mental health professional.

(C) Requiring the student to be evaluated by a licensed mental health professional before allowing the student to return to the classroom setting.

(c) The administrator shall notify the parent or legal guardian of the student's behavior and the school's response.

(d) District school boards may enter into contracts with licensed mental health professionals to perform the evaluations required under paragraph (b) of this subsection.

(e) District school boards shall allocate any funds necessary for school districts to implement the policies adopted under paragraph (b) of this subsection.

(5) Expulsion of a student shall not extend beyond one calendar year and suspension shall not extend beyond 10 school days.

(6)(a) Notwithstanding subsection (5) of this section, a school district shall have a policy that requires the expulsion from school for a period of not less than one year of any student who is determined to have:

(A) Brought a weapon to a school, to school property under the jurisdiction of the district or to an activity under the jurisdiction of the school district;

(B) Possessed, concealed or used a weapon in a school or on school property or at an activity under the jurisdiction of the district; or

(C) Brought to or possessed, concealed or used a weapon at an interscholastic activity administered by a voluntary organization approved by the State Board of Education under ORS 339.430.

(b) The policy shall allow an exception for courses, programs and activities approved by the school district that are conducted on school property, including but not limited to hunter safety courses, Reserve Officer Training Corps programs, weapons-related sports or weapons-related vocational courses. In addition, the State Board of Education may adopt by rule additional exceptions to be included in school district policies.

(c) The policy shall allow a superintendent to modify the expulsion requirement for a student on a case-by-case basis.

(d) The policy shall require a referral to the appropriate law enforcement agency of any student who is expelled under this subsection.

(e) For purposes of this subsection, "weapon" includes a:

(A) "Firearm" as defined in 18 U.S.C. 921;

(B) "Dangerous weapon" as defined in ORS 161.015; or

(C) "Deadly weapon" as defined in ORS 161.015.

(7) The Department of Education shall collect data on any expulsions required pursuant to subsection (6) of this section including:

(a) The name of each school;

(b) The number students expelled from each school; and

(c) The types of weapons involved.

(8) Notwithstanding ORS 336.010, a school district may require a student to attend school during nonschool hours as an alternative to suspension.

(9) Unless a student is under expulsion for an offense that

constitutes a violation of a school district policy adopted pursuant to subsection (6) of this section, a school district board shall consider and propose to the student prior to expulsion or leaving school, and document to the parent, legal guardian or person in parental relationship, alternative programs of instruction or instruction combined with counseling for the student that are appropriate and accessible to the student in the following circumstances:

- (a) When a student is expelled pursuant to subsection (4) of this section;
- (b) Following a second or subsequent occurrence within any three-year period of a severe disciplinary problem with a student;
- (c) When it has been determined that a student's attendance pattern is so erratic that the student is not benefiting from the educational program; or
- (d) When a parent or legal guardian applies for a student's exemption from compulsory attendance on a semiannual basis as provided in ORS 339.030 (2).

(10) A school district board may consider and propose to a student who is under expulsion or to a student prior to expulsion for an offense that constitutes a violation of a school district policy adopted pursuant to subsection (6) of this section, and document to the parent, legal guardian or person in parental relationship, alternative programs of instruction or instruction combined with counseling for the student that are appropriate and accessible to the student.

(11) Information on alternative programs provided under subsections (9) and (10) of this section shall be in writing. The information need not be given to the student and the parent, guardian or person in parental relationship more often than once every six months unless the information has changed because of the availability of new programs.

(12)

(a) The authority to discipline a student does not authorize the infliction of corporal punishment. Every resolution, bylaw, rule, ordinance or other act of a district school board, a public charter school or the Department of Education that permits or authorizes the infliction of corporal punishment upon a student is void and unenforceable.

(b) As used in this subsection, "corporal punishment" means the willful infliction of, or willfully causing the infliction of, physical pain on a student.

(c) As used in this subsection, "corporal punishment" does not mean:

- (A) The use of physical force authorized by ORS 161.205 for the reasons specified therein; or
- (B) Physical pain or discomfort resulting from or caused by participation in athletic competition or other such recreational activity, voluntarily engaged in by a student. [1965 c.100 §289; 1971 c.561 §1; 1975 c.665 §1; 1979 c.739 §1a; 1979 c.836 §2; 1981 c.246 §2; 1989 c.619 §2; 1989 c.889 §1; 1995 c.656 §2; 1996 c.16 §2; 1999 c.59 §86; 1999 c.576 §1; 1999 c.717 §4; 2001 c.810 §7; 2011 c.313 §20; 2011 c.665 §8]

339.254 Suspension of student driving privileges allowed; policy content.

(1) A school district board may establish a policy regarding when a school superintendent or the board may file with the Department of Transportation a written request to suspend the driving privileges of a student or the right to apply for driving privileges. Such policy shall include:

(a) A provision authorizing the superintendent or the school district board to file with the Department of Transportation a written request to suspend the driving privileges of a student or the right to apply for driving privileges only if the student is at least 15 years of age and:

- (A) The student has been expelled for bringing a weapon to school;
- (B) The student has been suspended or expelled at least twice for assaulting or menacing a school employee or another student, for willful damage or injury to school property or for use of threats, intimidation, harassment or coercion against a school employee or another student; or
- (C) The student has been suspended or expelled at least twice for possessing, using or delivering any controlled substance or for being under the influence of any controlled substance at a school or on school property or at a school sponsored activity, function or event.

(b) A provision requiring the school superintendent to meet with the parent or guardian of the student before submitting a written request to the Department of Transportation.

(c) A provision authorizing the school superintendent or board to request that the driving privileges of the student or the right to apply for driving privileges be suspended for no more than one year.

(d) Notwithstanding paragraph (c) of this subsection, a provision stating that, if a school superintendent or the school district board files a second written request with the Department of Transportation to suspend the driving privileges of a student, the request is that those privileges be suspended until the student is 21 years of age.

(e) A provision that a student may appeal the decision of a school superintendent regarding driving privileges of a student under the due process procedures of the school district for suspensions and expulsions.

(2) If the driving privileges of a student are suspended, the student may apply to the Department of Transportation for a hardship driver permit under ORS 807.240. [1995 c.656 §5; 2003 c.695 §1; 2005 c.209 §30]

339.260 Withholding records until property damage or fees paid; liability of parent; waiver; rules; inspection.

[1965 c.100 §290; 1971 c.561 §4; 1985 c.514 §1; 1993 c.806 §5; 1995 c.656 §3; 2003 c.690 §1; repealed by 2011 c.313 §25]

471.410 Providing liquor to person under 21 or to intoxicated person; allowing consumption by minor on property; mandatory minimum penalties.

(1) A person may not sell, give or otherwise make available any alcoholic liquor to any person who is visibly intoxicated.

(2) No one other than the person's parent or guardian may sell, give or otherwise make available any alcoholic liquor to a person under the age of 21 years. A parent or guardian may give or otherwise make alcoholic liquor available to a person under the age of 21 years only if the person is in a private residence and

is accompanied by the parent or guardian. A person violates this subsection who sells, gives or otherwise makes available alcoholic liquor to a person with the knowledge that the person to whom the liquor is made available will violate this subsection.

(3)(a) A person who exercises control over private real property may not knowingly allow any other person under the age of 21 years who is not a child or minor ward of the person to consume alcoholic liquor on the property, or allow any other person under the age of 21 years who is not a child or minor ward of the person to remain on the property if the person under the age of 21 years consumes alcoholic liquor on the property.

(b) This subsection:

(A) Applies only to a person who is present and in control of the location at the time the consumption occurs;

(B) Does not apply to the owner of rental property, or the agent of an owner of rental property, unless the consumption occurs in the individual unit in which the owner or agent resides; and

(C) Does not apply to a person who exercises control over a private residence if the liquor consumed by the person under the age of 21 years is supplied only by an accompanying parent or guardian.

(4) This section does not apply to sacramental wine given or provided as part of a religious rite or service.

(5) Except as provided in subsection (6) of this section, a person who violates subsection (1) or (2) of this section commits a Class A misdemeanor. Upon violation of subsection (2) of this section, the court shall impose at least a mandatory minimum sentence as follows:

(a) Upon a first conviction, a fine of at least \$500.

(b) Upon a second conviction, a fine of at least \$1,000.

(c) Upon a third or subsequent conviction, a fine of at least \$1,500 and not less than 30 days of imprisonment.

(6)(a) A person who violates subsection (2) of this section is subject to a mandatory minimum penalty under this subsection if the person does not act knowingly or intentionally and:

(A) Is licensed or appointed under this chapter; or

(B) Is an employee of a person licensed or appointed under this chapter and holds a valid service permit or has attended a program approved by the Oregon Liquor Control Commission that provides training to avoid violations of this section.

(b) For a person described in paragraph (a) of this subsection:

(A) A first conviction is a Class A violation. The court shall impose a mandatory fine of not less than \$350.

(B) A second conviction is a Class A violation. The court shall impose a mandatory fine of not less than \$720.

(C) A third conviction is a Class A misdemeanor. The court shall impose a mandatory fine of not less than \$1,000.

(D) A fourth or subsequent conviction is a Class A misdemeanor. The court shall impose a mandatory fine of not less than \$1,000 and a mandatory sentence of not less than 30 days of imprisonment.

(7) The court may waive an amount that is at least \$200 but not more than one-third of the fine imposed under subsection (5) of this section, if the violator performs at least 30 hours of community service.

(8) Except as provided in subsection (7) of this section, the court may not waive or suspend imposition or execution of the mandatory minimum sentence required by subsection (5) or (6) of this section. In addition to the mandatory sentence, the court may require the violator to make restitution for any damages to property where the alcoholic liquor was illegally consumed or may require participation in volunteer service to a community service agency.

(9) A person who violates subsection (3) of this section commits a violation. Upon violation of subsection (3) of this section, the court shall impose at least a mandatory minimum fine as follows:

(a) Upon a first conviction, a fine of \$350.

(b) Upon a second or subsequent conviction, a fine of \$1,000.

(10) Nothing in this section prohibits any licensee under this chapter from allowing a person who is visibly intoxicated from remaining on the licensed premises so long as the person is not sold or served any alcoholic liquor. [Amended by 1963 c.243 §1; 1971 c.159 §5; 1977 c.458 §1; 1977 c.814 §1; 1983 cor. c.736 §1; 1995 c.301 §40; 1995 c.599 §5; 1995 c.756 §1; 1999 c.351 §58; 2009 c.412 §1; 2009 c.587 §4; 2009 c.608 §3; 2011 c.597 §87]

471.430 Purchase or possession of liquor by person under 21; entry of licensed premises by person under 21; community service and suspension of driving privileges; assessment and treatment.

(1) A person under 21 years of age may not attempt to purchase, purchase or acquire alcoholic beverages. Except when such minor is in a private residence accompanied by the parent or guardian of the minor and with such parent's or guardian's consent, a person under 21 years of age may not have personal possession of alcoholic beverages.

(2) For the purposes of this section, personal possession of alcoholic beverages includes the acceptance or consumption of a bottle of such beverages, or any portion thereof or a drink of such beverages. However, this section does not prohibit the acceptance or consumption by any person of sacramental wine as part of a religious rite or service.

(3) Except as authorized by rule or as necessitated in an emergency, a person under 21 years of age may not enter or attempt to enter any portion of a licensed premises that is posted or otherwise identified as being prohibited to the use of minors.

(4)(a) Except as provided in paragraph (b) of this subsection, a person who violates subsection (1) or (3) of this section commits a Class B violation.

(b) A person commits a Class A violation if the person violates subsection (1) of this section by reason of personal possession of alcoholic beverages while the person is operating a motor vehicle, as defined in ORS 801.360.

(5) In addition to and not in lieu of any other penalty established by law, a person under 21 years of age who violates subsection (1) of this section through misrepresentation of age may be required to perform

community service and the court shall order that the person's driving privileges and right to apply for driving privileges be suspended for a period not to exceed one year. If a court has issued an order denying driving privileges under this section, the court, upon petition of the person, may withdraw the order at any time the court deems appropriate. The court notification to the Department of Transportation under this subsection may include a recommendation that the person be granted a hardship permit under ORS 807.240 if the person is otherwise eligible for the permit.

(6) If a person cited under this section is at least 13 years of age but less than 21 years of age at the time the person is found in default under ORS 153.102 or 419C.472 for failure to appear, in addition to and not in lieu of any other penalty, the court shall issue notice under ORS 809.220 to the department for the department to suspend the person's driving privileges under ORS 809.280 (5).

(7) In addition to and not in lieu of any penalty established by law, the court may order a person who violates this section to undergo assessment and treatment as provided in ORS 471.432. The court shall order a person to undergo assessment and treatment as provided in ORS 471.432 if the person has previously been found to have violated this section.

(8) The prohibitions of this section do not apply to a person under 21 years of age who is acting under the direction of the Oregon Liquor Control Commission or under the direction of state or local law enforcement agencies for the purpose of investigating possible violations of laws prohibiting sales of alcoholic beverages to persons who are under 21 years of age.

(9) The prohibitions of this section do not apply to a person under 21 years of age who is acting under the direction of a licensee for the purpose of investigating possible violations by employees of the licensee of laws prohibiting sales of alcoholic beverages to persons who are under 21 years of age. [Amended by 1963 c.243 §2; 1965 c.166 §1; 1971 c.159 §6; 1975 c.493 §1; 1979 c.313 §8; 1991 c.860 §2; 1999 c.646 §1; 1999 c.1051 §186; 2001 c.791 §4; 2007 c.41 §1; 2007 c.298 §1; 2009 c.228 §1; 2011 c.355 §21]

APPENDIX F:

OREGON ADMINISTRATIVE RULES

581-021-0071 District Information for Parents and Students Regarding the Availability of Alternative Education Programs

(1) The following definitions apply to this rule:

(a) "Erratic attendance" means the student is frequently absent to the degree that he/she is not benefiting from the educational program;

(b) "Notification" means written notice, by personal service or certified mail, to the parent or guardian and student as required by ORS 339.250(6).

(2) District school boards shall adopt policies and procedures for notification to students and parents, or guardians of the availability of appropriate and accessible alternative programs. This notification shall be provided in the following situations:

(a) Upon the occurrence of a second or any subsequent

occurrence of a severe disciplinary problem within a three-year period;

(b) When the district finds a student's attendance pattern to be so erratic that the student is not benefiting from the educational program;

(c) When the district is considering expulsion as a disciplinary alternative;

(d) When a student is expelled pursuant to subsection (3) of ORS 339.250; and

(e) When an emancipated minor, parent, or legal guardian applies for a student's exemption from compulsory attendance on a semiannual basis as provided in ORS 339.030(5).

(3) The notification must include but is not limited to the following:

(a) Student action which is the basis for consideration of alternative education;

(b) Listing of alternative programs available to this student for which the district would provide financial support in accordance with ORS 339.620 except that when notice is given in accordance with subsection (2)(e) of this rule the district shall not be obligated to provide financial support;

(c) The program recommended for the student based on student's learning styles and needs;

(d) Procedures for enrolling the student in the recommended program; and

(e) When the parent or guardian's language is other than English, the district must provide notification in manner that the parent or guardian can understand.

(4) The district shall inform all parents or guardians of the law regarding alternative education and educational services available to students by such means as a statement in the student/parent handbook, notice in the newspaper, or an individual letter to a parent.

(5) District school boards shall adopt a procedure for parents or guardians to request establishment of alternative programs within the district.

(6) District school boards shall not approve the enrollment of a pupil in a private alternative program unless the private alternative program meets all requirements of OAR 581-021-0045.

Stat. Auth.: ORS 339

Stats. Implemented: ORS 339.250

Hist.: EB 35-1987, f. & ef. 12-11-87; EB 26-1990, f. & cert. ef. 5-18-90

581-021-0220 Definitions

As used in OAR 581-021-0220 through 581-021-0440, the following definitions apply:

(1) "Attendance" includes, but is not limited to:

(a) Attendance in person or by correspondence; and

(b) The period during which a person is working under a work-study program.

(2) "Directory Information" means those items of personally identifiable information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. Directory information may include, and is not limited to, the student's name, address,

telephone listing, electronic mail address, photograph, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended. (3) "Disclosure" means to permit access to or the release, transfer, or other communication of education records, or the personally identifiable information contained in those records, to any party, by any means, including oral, written, or electronic means.

(4) "Disciplinary action or proceeding" means the investigation, adjudication, or imposition of sanctions by an educational agency or institution with respect to an infraction or violation of the internal rules of conduct applicable to students of the agency or institution.

(5) "Educational Agency or Institution" means any public or private school, education service district, state institution, private agency or youth care center providing educational services to students birth through age 21, and through Grade 12, that receives federal or state funds either directly or by contract or subcontract with the Department under any program administered by the U.S. Secretary of Education or the Department.

(6) "Education Records":

(a) The term means those records that are directly related to a student and maintained by an educational agency or institution or by a party acting for the agency or institution;

(b) The term does not include:

(A) Records of instructional, supervisory, and administrative personnel and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record, are used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;

(B) Records of the law enforcement unit of an educational agency or institution, subject to the provisions of OAR 581-021-0225.

(C) Records relating to an individual who is employed by an educational agency or institution, that are made and maintained in the normal course of business, that relate exclusively to the individual in that individual's capacity as an employee and that are not available for use for any other purpose. Records relating to an individual in attendance at the agency or institution who is employed as a result of his or her status as a student are education records and not excepted under this subsection;

(D) Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:

(i) Made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity or assisting in a paraprofessional capacity;

(ii) Made, maintained, or used only in connection with treatment of the student; and

(iii) Disclosed only to individuals providing the treatment. For the purpose of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the agency or institution.

(E) Records that only contain information relating to activities in which an individual engaged after he or she is no longer a student at that agency or institution;

(F) Medical or nursing records which are made or maintained separately and solely by a licensed health care professional who is not employed by the educational agency or institution, and which are not used for education purposes of planning.

(7) "Eligible Student" means a student who has reached 18 years of age, or a student who is attending only an institution of postsecondary education and is not enrolled in a secondary school.

(8) "Institution of Postsecondary Education" means an institution that provides education to students beyond the secondary school level; "secondary school level" means the educational level (not beyond Grade 12) at which secondary education is provided.

(9) "Parent" means a parent of a student and includes a natural parent, a guardian, an individual authorized in writing to act as a parent in the absence of a parent or a guardian, or a surrogate parent appointed to represent a student with disabilities. The term does not include the state if the child is a ward of the state and the student is eligible for special education services or is suspected of being eligible for special education services under state and federal law.

(10) "Party" means an individual, agency, institution, or organization.

(11) "Permanent record" means the educational record maintained by the educational agency or institution which includes:

(a) Name and address of the educational agency or institution;

(b) Full legal name of the student;

(c) Student's birth date and place of birth;

(d) Name of parents/guardians;

(e) Date of entry into the school;

(f) Name of school previously attended;

(g) Courses of study and marks received;

(h) Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;

(i) Credits earned;

(j) Attendance;

(k) Date of withdrawal from school;

(l) Social security number, subject to subsection (1)(j) of this rule; and

(m) Such additional information as the educational agency or institution may prescribe.

(12) "Personally Identifiable Information" includes, but is not limited to:

(a) The student's name;

(b) The name of the student's parent or other family member;

(c) The address of the student or student's family;

(d) A personal identifier, such as the student's social security number or student number;

(e) A list of personal characteristics that would make the student's identity easily traceable; and

(f) Other information that would make the student's identity easily traceable.

(13) "Record" means any information recorded in any way including, but not limited to, handwriting, print, tape, film, microfilm and microfiche.

(14) "Student" means any individual who is or has been in attendance at an educational agency or institution and regarding whom the agency or institution maintains education records.

(15) "Substitute care program" means family foster care, family group home care, parole foster care, family shelter care, adolescent shelter care and professional group care.

[Publications: Publications referenced are available from the agency.]

Stat. Auth.: ORS 326.565 & 34 CFR § 99.3

Stats. Implemented: ORS 326.565

Hist.: EB 31-1993(Temp), f. 10-6-93, cert. ef. 11-6-93; EB 5-1994, f. & cert. ef. 4-29-94; EB 20-1995, f. & cert. ef. 7-25-95; ODE 8-2007, f. & cert. ef. 3-1-07

581-021-0250

An Educational Agency or Institution's Policy Regarding Student Education Records

(1) Each educational agency or institution shall adopt a policy regarding how the agency or institution meets the requirements of OARs 581-021-0220 through 581-021-0430. The policy shall include:

(a) A description of how the agency or institution annually informs parents and students of their rights, in accordance with OAR 581-021-0260;

(b) A description of how a parent or eligible student may inspect and review education records according to OAR 581-021-0270;

(c) A statement that personally identifiable information will not be released from an education record without the prior written consent of the parent or eligible student according to OAR 581-021-0330, except under one or more of the conditions described in OAR 581-021-0340;

(d) A statement indicating whether the educational agency or institution has a policy of disclosing personally identifiable information under OAR 581-021-0340(1), and, if so, a specification of the criteria for determining which parties are school officials and what the agency or institution considers to be a legitimate educational interest. With respect to students with disabilities, each educational agency or institution shall maintain, for public inspection, a current listing of the names and positions of those employees within the agency who have access to personally identifiable information;

(e) A statement that a record of disclosures will be maintained as required by OAR 581-021-0400, and that a parent or eligible student may inspect and review that record;

(f) Specification by the educational agency or institution of the types of personally identifiable information the agency or institution has designated as directory information under OAR 581-021-0390;

(g) A statement that the agency or institution permits a parent or eligible student to request correction of the student's education records under OAR 581-021-0300, to

obtain a hearing under OAR 581-021-0310(1), and to add a statement to the record under OAR 581-021-0310(3);

(h) A statement that the educational agency or institution, as required by OAR 581-021-0260, annually notifies parents and eligible students of their rights to review and propose amendments to the student's education records;

(i) A statement that the educational agency or institution maintains a permanent record on each student;

(j) A statement that the educational agency or institution will request the social security number of a student and will include the social security number on the permanent student record only if the parent or eligible student complies with the request. The request shall include notification to the parent or eligible student that the provision of the social security number is voluntary and notification of the purposes for which the social security number will be used;

(k) A statement that the educational agency or institution provides for the retention of permanent records in a minimum one-hour fire-safe place in the educational agency or institution, or for keeping duplicate permanent records in a safe depository outside the building;

(l) A statement that the education agency or institution complies with OAR 581-021-0255 on the request for and transfer of student education records; and

(m) A statement that the educational agency or institution has a policy of disclosing personally identifiable information from an education record to an ESD, state regional program, or other educational agency or institution that has requested the records and in which the student seeks or intends to enroll or is enrolled or receives services from. The term "receives services" includes, but is not limited to, an evaluation or re-evaluation for purposes of determining whether a student has a disability.

(2) For purposes of subsection (1)(l) of this rule:

(a) "Private agency" means an agency with which the Department of Education contracts under ORS 343.961; and

(b) "Youth care center" means a center as defined in ORS 420.855.

(3) The educational agency or institution shall state the policy in writing and make a copy of it available on request to a parent or eligible student.

Stat. Auth.: ORS 326.565, 34 CFR § 99.6, 34 CFR 300.616

Stats. Implemented: ORS 326.565 & 326.575

Hist.: EB 31-1993(Temp), f. 10-6-93, cert. ef. 11-6-93; EB 5-1994, f. & cert. ef. 4-29-94; EB 20-1995, f. & cert. ef. 7-25-95; EB 12-1997(Temp), f. & cert. ef. 8-28-97; ODE 4-1998, f. & cert. ef. 2-27-98; ODE 10-1998, f. & cert. ef. 6-23-98; ODE 8-2007, f. & cert. ef. 3-1-07

581-053-0010

Rules Governing Pupils Riding School Buses

(1) Pupils being transported are under authority of the bus driver.

(2) Fighting, wrestling, or boisterous activity is prohibited on the bus.

(3) Pupils shall use the emergency door only in case of

emergency.

- (4) Pupils shall be on time for the bus both morning and evening.
- (5) Pupils shall not bring firearms, weapons, or other potentially hazardous material on the bus.
- (6) Pupils shall not bring animals, except approved assistance guide animals on the bus.
- (7) Pupils shall remain seated while bus is in motion.
- (8) Pupils may be assigned seats by the bus driver.
- (9) When necessary to cross the road, pupils shall cross in front of the bus or as instructed by the bus driver.
- (10) Pupils shall not extend their hands, arms, or heads through bus windows.
- (11) Pupils shall have written permission to leave the bus other than at home or school.
- (12) Pupils shall converse in normal tones; loud or vulgar language is prohibited.
- (13) Pupils shall not open or close windows without permission of driver.
- (14) Pupils shall keep the bus clean, and must refrain from damaging it.
- (15) Pupils shall be courteous to the driver, to fellow pupils, and passerby.
- (16) Pupils who refuse to obey promptly the directions of the driver or refuse to obey regulations may forfeit their privilege to ride on the buses.
- (17) Rules Governing Pupils Riding School Buses must be kept posted in a conspicuous place in all school buses.

Stat. Auth.: ORS 820

Stats. Implemented: ORS 327.013, ORS 820.100, ORS 820.105, ORS 820.110 & ORS 820.120

Hist.: 1EB 118, f. 11-28-67, ef. 12-25-67; 1EB 134, f. 6-26-72, ef. 7-15-72; 1EB 217, f. 2-17-76, ef. 3-15-76; EB 25-1993, f. & cert. ef. 7-30-93



1130 S Ivy Street / Canby, OR 97013
503.266.7861
www.canby.k12.or.us