

Gervais School District 1

Code: **JG-AR**
Adopted: 8/10/88
Revised/Readopted: 8/19/93, 3/15/94,
3/15/96, 3/12/98,
7/15/04, 2/15/07

Student Discipline**

When and Where to Use Regulations

These regulations apply to the following student conduct:

1. Conduct which occurs while a student is on the school premises and areas adjacent to the school during or immediately before and after school hours;
2. Conduct on the school premises at any other time when the school is being used by a school-sponsored group;
3. Conduct off the school grounds during any school-sponsored or sanctioned activity.

Referral Policy

It is the intent of this policy to give latitude to the school staff to deal with and solve offenses. In the event that in-class solutions have proved unsuccessful, a referral will be made to the school administrator or school counselor for further services.

Parent Contact

In the case of suspension, the parent or guardian shall be notified of the suspension and the reasons for the action. Student out of school suspension is not activated until parent notification occurs. Student will not be released during normal school hours until parent notification occurs. Out of school suspended students will not return to school without a reinstatement conference.

Use of Consequences

These administrative regulations list certain consequences for each offense. By district policy, bulleted consequences are considered to be mandatory actions. Any language not bulleted is subject to the discretion of the school administration. It is important to understand that a list of consequences is the normal consequence for each succeeding infraction; thus, it is expected that in the majority of situations, the listed consequence would be used. However, depending on the severity of the offense(s) school personnel are not limited to the listed sequence of consequences but may move immediately to the second or third time consequences. Students who have been referred to the office may also lose special and/or extracurricular activities. School Administrators shall use discretion and professional judgment in addressing behavior and discipline not covered in this policy and/or parent & student handbooks.

Offenses Against Persons

1. Assault - An unprovoked physical attack.
2. Fighting, willfully injuring, threatening to injure, harassing or attempting to injure a school employee or another student.

Consequences:

1st time:

- Suspension for **one** to five school days. Parent contact;
- Conference with parent before returning;
- Referral to counselor or designee;
Referral to proper authority;
Meeting between offender, victim and staff member;
Completion of missed assignments or a special project;
Behavioral Contract: Failure of contract may result in recommendation for expulsion.
Behavior assessment and/or Threat assessment may be implemented on an as needed basis.

2nd time:

- Suspension for up to ten cumulative school days. Parent contact;
- Behavior assessment and/or Threat assessment shall be implemented on an as needed basis;
Recommendation for expulsion;
Referral to proper authorities.
May recommend suspension of drivers license.*

3rd time:

- Suspension for up to ten cumulative school days. Parent contact;
- Recommendation for expulsion;
Referral to proper authorities;
May recommend suspension of drivers license*.

Weapons - Knowingly possessing, transmitting or selling any firearm, explosive or other dangerous instrument which could reasonably be considered a weapon, replicas of weapons which give the impression of a weapon and which are of no reasonable use to the student at school. (See policy JFCJ)

Consequences:

All times:

- Confiscation of the instrument;
- Parent contact;
- Referral to proper authority;
- Suspension and recommendation for expulsion;
- Readmission contingent upon mutual agreement to a contract between student, parent, teacher and administration, and when appropriate, legal authorities;
- Referral to YST;
The district may request suspension of driving privileges from a student expelled for bringing a weapon to school.*

Students bringing weapons to school will be expelled for a period of not less than one year. The superintendent may, on a case-by-case basis, modify this expulsion requirement.

Guidelines for Recommending Drivers License Suspension

- * A written request may be filed to the Board to have the student's drivers license suspended or the right to apply for driving privileges, if the student is over 15 years of age and:
 - Has been expelled for bringing a weapon to school; or
 - Suspended or expelled at least twice for assaulting or menacing a school employee or another student, for willful damage or injury to district property, or for use of threats, intimidation, harassment or coercion against a district employee or another student, possessing, using or delivering a controlled substance or being under the influence of a controlled substance at a school or on school property or at a school-sponsored or sanctioned activity, function or event.
- The superintendent and principal must meet with the parent or guardian of the student before submitting the written request to the Department of Transportation.
- The driving privileges may be suspended for no more than one year.
- If the school district files a second written request with the Department of Transportation to suspend the driving privileges of a student or the right to apply for driving privileges, those privileges shall be suspended until the student is 21.
- 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.
- If driving privileges of a student are suspended the student may apply to the Department of Transportation for a hardship permit.

Offenses Against Personal and School Property

Willful damage, to and/or theft of property and/or possession of property belonging to the school or other individuals, including improper care of a book or other school property.

Consequences:

1st time:

- Restitution. Parent contact;
- Referral to school counselor or designee;
Suspension for one to three school days;
Referral to proper authority;
Meeting between offender, victim and staff member.

2nd time:

- Restitution. Parent contact;
- Suspension for one to three school days;
- Referral to counselor;
Referral to proper authority;
Meeting between offender, victim and staff member.

3rd time:

- Restitution. Parent contact;
- Suspension for three to five school days;
- Referral to counselor or designee;
Referral to proper authority;
Meeting between offender, victim and staff member.

4th time:

- Suspension for up to ten cumulative school days. Parent contact;
- Recommendation for expulsion;
Meeting between offender, victim and staff member.
Referral to proper authority.

Offenses Relating to Nonattendance

Repeated unexcused absences.

Consequences

All times:

- Parent contact;
Detention;
In-school suspension;
Referral to counselor or designee;
Behavioral Contract;
Make-up time;
Referral to district attendance officer for truancy action.

Offenses Relating to Alcohol and Drugs

1. Knowingly possessing, using or being under the influence of alcohol or an alcoholic beverage, of any kind of drug or drug paraphernalia as defined but not limited to the Uniform Controlled Substance Act, ORS 475.005(13)(a)-(d) . (Prescribed use of a drug authorized by a medical prescription from a registered physician shall not be considered a violation of this rule when used in accordance with district policy.)

Consequences:

All times:

- Confiscation of the drugs, alcohol and/or paraphernalia;
- Parent contact;
- Referral to proper authority, including law enforcement agency;
- Out-of-school suspension possible expulsion recommendation;
Conference with parent before returning;
Enrollment in appropriate drug abuse prevention or treatment program.

2. Knowingly transmitting or selling any alcohol or alcoholic beverage or any kind of drug or drug paraphernalia as defined by the Uniform Controlled Substance Act, ORS 475.005, (14), .

Consequences:

All times:

- Confiscation of the drugs, alcohol and/or paraphernalia;
- Parent contact;
- Refer to proper authority, including law enforcement agency;
- Out-of-school suspension possible expulsion recommendation;
- Readmission contact between the student, parent, and administration ;

3. Smoking or other use of any tobacco product.

Consequences:

1st time:

- Parent contact;
In-school or Out-of-School suspension;
Enrollment in nonsmoking program.

2nd time:

- Parent contact/conference;
- In-school or Out-of-school suspension (*underlined*);
- Enrollment in nonsmoking program;
Referral to YST.

3rd time:

- Parent contact/conference;
Suspension pending an expulsion recommendation.

Additional offenses and consequences not covered in this policy may be covered in the parent/student handbook. School Administrators shall use discretion and professional judgment in addressing behavior and discipline not covered in this policy and/or parent & student handbooks.

For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-0005(18).

** As used in this policy, 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 125.300 - 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 policy 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.