

Multnomah Education Service District

Code: **JFC**
Adopted: 10/7/80
Revised/Readopted: 9/20/94; 10/18/05; 12/20/05;
6/18/13; 2/18/14; 10/20/15;
8/16/16; 8/15/17
Orig. Code(s): 6400; 6410; 6420

Student Conduct**

Students in MESD-operated classrooms located in component school district facilities are subject to the code of conduct of the school buildings and component school districts in which those classrooms are located.

Students served in MESD-operated classrooms not located in component school district facilities are subject to the code of conduct developed by the MESD Superintendent.

Careful attention shall be given to procedures and methods whereby fairness and consistency without bias in discipline shall be assured each student. The objectives of disciplining any student must be to help the student develop a positive attitude toward self-discipline, realizing the responsibility of one's actions and maintain a productive learning climate. MESD shall follow the objectives of discipline stated in Board Policy JG - Student Discipline in disciplining a student.

Students are subject to discipline for conduct while traveling to and from school, at the bus stop, at school-sponsored events and at other schools operated by the ESD, and while off campus whenever such conduct causes substantial and material disruption of the educational environment or the invasion of the rights of others.

The following forms or displays of student misconduct, including but not limited to, shall be subject to discipline, suspension or expulsion as per Oregon Revised Statute (ORS) 339.250:

1. Assault;
2. Hazing, harassment, intimidation, bullying, menacing, cyberbullying or teen date violence as prohibited by Board policy JFCF - Hazing/Harassment/Intimidation/Bullying/Menacing/Cyberbullying/Teen Dating Violence - Students, and accompanying administrative regulation;
3. Coercion;
4. Threats of violence or harm as prohibited by Board policy JFCM - Threats of Violence;
5. Disorderly conduct;
6. Bringing, possessing, concealing, or using a weapon as prohibited by Board policy JFCJ - Weapons in the Schools;
7. Vandalism/Malicious Mischief/Theft as prohibited by Board policies ECAB - Vandalism/Malicious Mischief or Theft and JFCB - Care of School Property by Students, or willful damage or destruction of private property on MESD premises or at MESD-sponsored activities;

8. Sexual harassment as prohibited by Board policy JBA/GBN - Sexual Harassment;
9. Use of tobacco, alcohol or drugs as prohibited by Board policies JFCG/JFCH/JFCI - Use of Tobacco Products, Alcohol, Drugs or Inhalant Delivery System JFCG/KGC/GBK - Prohibited Use, Possession, Sale or Distribution of Tobacco or Inhalant Delivery System JFCH - Alcohol and JFCI - Substance/Drug Abuse;
10. Use or display of profane or obscene language
11. Disruption of the school environment;
12. Open defiance of a teacher's authority, including persistent failure to comply with the lawful direction of a teacher or school official; or
13. Violation of law, Board policy, administrative regulations, school or classroom rules.

The MESD recognizes that under the Unsafe School Choice Option of the Every Student Succeeds Act of 2015 (ESSA), a school can be deemed unsafe as a whole entity or for an individual student based on expulsions for weapons violations, violent behavior or expulsions for students arrested for the following criminal offenses occurring on MESD grounds, on MESD-sponsored transportation and/or at MESD-sponsored activities:

1. Assault;
2. Manufacture or delivery of a controlled substance;
3. Sexual crimes using force, threatened use of force or against incapacitated persons;
4. Arson;
5. Robbery;
6. Hate/Bias crimes;
7. Coercion; or
8. Kidnapping.

The MESD will record and report these infractions to the Oregon Department of Education, as required. The MESD will provide the opportunity for all students in any MESD school identified as persistently dangerous or for any victim of a violent criminal offense occurring in or on the grounds of the facility the student attends, to the extent feasible, the opportunity to transfer to a safe facility/school within the MESD.

The MESD shall publish a student handbook, code of conduct or other document and distribute to students, parents and employees outlining student conduct expectations and possible disciplinary actions.

In addition, each school/program may publish a student/parent handbook defining the school/program framework for fostering a positive learning environment and detailing additional rules specific to that school/program. All rules applying to student conduct shall be posted in a prominent place in each building.

END OF POLICY

Legal Reference(s):

[ORS 334.125\(7\)](#)
[ORS 339.240](#)

[ORS 339.250](#)
[ORS 659.850](#)

[OAR 581-021-0050 to -0075](#)
[OAR 581-024-0240](#)

Tinker v. Des Moines Sch. Dist., 393 U.S. 503 (1969).
Hazelwood Sch. District v. Kuhlmeier, 484 U.S. 260 (1988).
Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986).
Shorb v. Grotting and Powers Sch. Dist., Case No. 00CV-0255 (Coos County Circuit Ct.) (2000).
Ferguson v. Phoenix Talent Sch. Dist. #4, 172 Or. App. 389 (2001).
Morse v. Frederick, 551 U.S. 393, 127 S. Ct. 2618 (2007).
C.R. v. Eugene S.D. 4J, No. 12-1042, U.S. District Court of OR (2013).

MESD Policy Cross Reference(s):

ECAB - Vandalism/Malicious Mischief/Theft
JBA/GBN - Sexual Harassment
JFCB - Care of School Property by Students**
JFCF - Hazing/Harassment/Intimidation/Bullying/Menacing/Cyberbullying/Teen Dating Violence – Students
JFCG/JFCH/JFCI - Prohibition of Tobacco, Alcohol or Drugs
JFCJ - Weapons
JFCM - Threats of Violence
JHFDA - Suspension of Driving Privileges