

Student Discipline**

Discipline in the ESD is based upon a philosophy designed to produce behavioral changes that will enable students to develop the self-discipline necessary to remain in school and to function successfully in their educational and social environments.

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 rights of others.

The major objectives of the ESD discipline program are to teach the following fundamental concepts for living:

1. Understanding and respect for individual rights, dignity and safety;
2. Understanding and respect for the law, district policies, administrative regulations and school rules;
3. Understanding of and respect for public and private property rights.

The Board seeks to ensure a climate which is appropriate for learning and which assures the safety and welfare of personnel and students. The superintendent will develop administrative regulations whereby those students who disrupt the educational setting or who endanger the safety of others will be offered corrective counseling and be subject to age appropriate, and research effective disciplinary sanctions to correct behavioral problems, while supporting a students' attendance to school and classes. Examples include, but are not limited to, reprimands, conferences, detention and denial of participation in cocurricular and extracurricular activities. Title and/or privileges available or granted to students may be denied and/or revoked. The ESD shall consider the age of the student and the student's past pattern of behavior prior to suspension or expulsion of the student.

The ESD shall enforce consistently, fairly and without bias all student conduct policies, administrative regulations and school rules.

A student whose conduct or condition is seriously detrimental to the ESD's best interests may be suspended. Students may be expelled for conduct that poses a threat to the health or safety of students or employees; when other strategies to change student behavior have been ineffective, except that expulsion may not be used to address truancy; or when required by law. The ESD shall consider the age of the student and the past pattern of the student's behavior prior to imposing the suspension or expulsion. The ESD will ensure careful consideration of the age appropriateness, rights and needs of the individual concerned, as well as the best interests of other students and the ESD program as a whole.

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

1. Nonaccidental conduct causing serious physical harm to a student or employee;
2. When a school administrator determines, based on the administrator's observation or upon a report from an employee, the student's conduct poses a threat to the health or safety of students or employees; or
3. When the suspension or expulsion is required by law.

When an out-of-school suspension is imposed on a student in the fifth grade or lower, the ESD shall take steps to prevent the recurrence of the behavior that led to the out-of-school suspension, and return the student to a classroom setting to minimize the disruption of the student's academic instruction.

Parents, students and employees shall be notified by handbook, code of conduct or other document of the procedures to address behavior and the consequences of that behavior.

Administrative regulations for excluding students from ESD-operated classrooms shall be developed cooperatively with the component school districts.

END OF POLICY

Legal Reference(s):

[ORS 243.650](#)

[ORS 334.125\(1\)\(2\)\(7\)](#)

[ORS 339.240 to -339.280](#)

[ORS 659.850](#)

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

Tinker v. Des Moines Sch. Dist., 393 U.S. 503 (1969).

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).

C.R. v. Eugene S.D. 4J, #U.S. District Court of OR (2013).

Cross Reference(s):

JFC - Student Conduct

JGD - Suspension

JGE - Expulsion