



## **Student Discipline Procedures**

### **I. Overview**

This directive provides general procedures to implement the Student Conduct and Discipline Policy (4.30.010-P), supporting Board goals by providing consistent interventions and consequences for all district schools to ensure equitable outcomes in discipline and eliminate disparities in applying discipline across all protected classes in accordance with the district's Racial Educational Equity Policy 2.10.010-P and- Non-Discrimination Policy 1.80.020. Discipline that includes suspension or expulsion of a student must be carried out in conjunction with the specific requirements of Student Suspension and Expulsion Procedures 4.30.021-AD.

In accordance with state law and Board policy, the intent of student discipline, including suspension and expulsion, is to (1) protect students and staff from harm, (2) provide opportunities for students to learn from their mistakes, (3) foster positive learning environments, (4) keep students in school and attending class, (5) impose discipline without bias or discrimination of students or families on the basis of race, color, national origin, and other protected classes as defined in Non-Discrimination Policy 1.80.020, (6) impose responses to student misconduct that are fair and proportionate, and (7) employ a range of strategies for prevention, intervention and discipline that take into account a student's developmental capacities.

Discipline in district schools shall be administered in conjunction with the student's family. Early contact with parents/guardians is a strategy for improving student learning and preventing or resolving student discipline problems. District staff shall inform parents/guardians of problems with academic progress and persistent disruptive behavior and seek their help in working with the student to resolve these issues.

Most disciplinary problems can be resolved in the classroom by the teacher based on effective classroom management plans and the school-based Student Conduct and Discipline Plan (see 4.30.011-AD).

### **II. When Student Discipline Applies**

- A. Student conduct rules and discipline applies to:



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1. Student conduct during school hours, during non-school hours at any school or on school property, at any school-sponsored activity regardless of location, at Portland Public School bus stops, and while traveling to and from school within a reasonable period of time. The district's ability to discipline for such conduct does not mean that the district or any school personnel are responsible for students' conduct or their safety while en route to and from school before or after school hours.
2. Participants in district-run athletic programs activities 24 hours a day, 7 days a week for the entire season in which the student is participating, regardless of the location of the misconduct.
3. Student conduct either off campus or at non-school sponsored programs that causes a material and substantial disruption on the educational environment or school safety and welfare, or is highly likely to cause a material and substantial disruption.

### **III. Initial Procedures for Discipline Referrals**

- A. When a student's conduct seriously disrupts the instructional program to the detriment of other students, the classroom teacher may temporarily remove the student from class and refer the student to the principal or designee for appropriate disciplinary action.
- B. Upon receipt of a discipline referral, the principal or designee shall:
  1. Investigate the situation. The administrator or designee will not discriminate on the basis of race, color, national origin or other protected classes when conducting investigations.
  2. Determine if the student has a behavior support plan, 504 plan, or Individualized Education Plan and if so, if it has been followed.
  3. Consider if previous attempts have been made to intervene in the misconduct.



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4. Determine if the situation warrants any intervention or disciplinary response as provided in Section IV.

C. If a student is found not to have engaged in the misconduct that is the subject of any disciplinary referral, the incident is closed and all information pertaining to the incident shall be removed from the student's file and destroyed.

D. Students who threaten violence or harm

1. When a student threatens violence or harm, the administrator may consider and implement any of the following options:

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 behaviors will receive immediate attention, including, but not limited to, the office of the school principal, vice principal, assistant principal, counselor or a school psychologist licensed by the Teacher Standards and Practices Commission or the office of any licensed mental health professional.

c. Requiring that a school obtain an evaluation of a student by a licensed mental health professional before allowing the student to return to the classroom setting. A student who is removed from the classroom setting for an evaluation may not be removed for more than 10 school days unless the administrator is able to show good cause that an evaluation could not be completed in that time period. The administrator should contact Student Services for assistance in this process. Student Services will maintain contracts with licensed mental health professionals to perform mental health evaluations.

2. The administrator must promptly, but no later than 24 hours after the incident, notify the parent or legal guardian about the student's behavior and the school's response.



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3. The district will allocate the funds necessary to carry out the provisions of this administrative directive.

### **IV. General Disciplinary Options**

- A. District staff is expected to intervene early and start the discipline process at the lowest possible level reasonably calculated to change the student's behavior and minimize loss of instructional time.
- B. District staff is expected to involve parents/guardians early and throughout the discipline process.
- C. Student conduct that most often necessitates a staff response includes:
  1. Attendance and punctuality: class cutting, loitering, off limits, tardiness, trespassing, truancy, and other similar offenses.
  2. Protection of property: arson, bomb threat, burglary, deliberate misuse of property, false fire alarm, gambling, possession of stolen property, minor and major theft, minor and major vandalism, and other similar offenses.
  3. Protection of physical safety and mental well-being: assault/menacing, battery, bullying/harassment, display of patently offensive material, extortion, fighting, firecrackers or explosives, intimidation, reckless vehicle use, robbery, sexual harassment, threat of violence, possession, use, and threatened or attempted use of dangerous or deadly weapons or firearms, and other similar offenses.
  4. Appropriate learning environment: abusive/profane language, disruptive conduct, forgery, gang-member identifier, inappropriate dress, inappropriate use of technology, indecent gesture/indecent exposure, insubordination, interference with school personnel, open defiance, plagiarism/cheating, possession of prohibited items, willful disobedience, possession or use of tobacco, possession, use, transfer or sale of alcohol or drugs, and other similar offenses.



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D. District staff shall consider all available alternatives to discipline, focusing first on family and school-based resources. District staff is expected to use a continuum of positive behavioral interventions, strategies, and supports to encourage and reinforce appropriate behaviors conducive to a learning environment.

E. To promote the consistent application of discipline, the district has developed a system of disciplinary action levels, ranging from least (e.g. conferences) to most serious (e.g. federally mandated expulsions). These actions are defined and specified for various kinds of misconduct. Within each level, options for disciplinary action are defined. These levels and disciplinary actions are outlined in the Guide to Policies, Rules, and Procedures on Student Responsibilities, Rights, and Discipline. A partial list of options along this continuum includes:

1. Conferences: Meetings between school administrators, teachers, and/or staff and students, their parent/guardian, and appropriate community service providers to discuss unacceptable student conduct and review ways of improving student behavior.
2. Restitution: Requiring students or their families to make reparations that meet financial (i.e. returning something to its owner, paying for damages), emotional (i.e. apology letter) and social (i.e. community service) needs of those impacted.
3. Community service: Assigning students a specified number of hours of volunteer work or service at school or in the community.
4. Intervention services: Requiring students to attend a targeted school and/or community programs with a specific focus (i.e. Insight, theft talk, fire-setters).
5. Class exclusion: Denying students the right to attend particular classes for a period of up to two days.



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6. Detention: Requiring students to remain in school for up to one-half hour after the dismissal of school in the afternoon or at another time (i.e. lunch, before school).
  7. Saturday School: Assigning students as a part of, or in lieu of, detention or for such purposes as tutoring or additional assistance as deemed appropriate by the principal or designee.
  8. Commencement disqualification: Requiring that seniors be disqualified from participation in commencement exercises and related activities if within 60 school days of the last senior school day they are found to be in violation of district Alcohol or Drug policy or any violation resulting in a three or more days of suspension or more serious disciplinary action.
  9. Athletics restrictions: Suspending athletes temporarily or permanently from practices or contests due to special requirements of athletic practice and competition as determined by the coach or, upon referral, by the principal or designee.
  10. Suspension and Expulsion: Denying students the right to attend class or to come onto district property for a designated period of time as provided in 4.30.021-AD.
- F. For a student who is in fifth grade or lower, the use of out-of-school suspension or of expulsion is limited to the following circumstances:
1. For non-accidental conduct causing serious physical harm to a student or school employee;
  2. When a school administrator determines, based upon the administrator's observation or upon a report from a school employee, that the student's conduct poses a direct threat to the health or safety of students or school employees; or
  3. When the suspension or expulsion is required by law.



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When an out-of-school suspension is imposed, the school is required to 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 so that the disruption of the student's academic instruction is minimized.

G. The firm, fair, and consistent application of discipline requires that district staff ensure that they are implementing disciplinary action in a calm, consistent, respectful, and objective manner. To achieve this, the following mitigating and aggravating factors shall be considered when determining disciplinary action:

1. The nature of the misconduct.
2. A student's age, health, and disability or special education status.
3. Cultural or linguistic factors that may have played a role in the misconduct.
4. Appropriateness of student's academic placement.
5. Student's prior conduct and record of behavior.
6. Support systems available to the student.
7. Student's willingness to repair the harm.
8. Impact of the incident on overall school community.
9. Availability of prevention and intervention programs that are designed to address student misconduct.
10. Whether the student voluntarily disclosed the misconduct.

H. District staff cannot be subjected to unusual verbal, physical, or psychological threat or abuse by students, parents/guardians, or other persons if they are to perform effectively their teaching and supervisory duties or other school-based work. Threats, abusive behavior, or hostile action on the part of



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students or others should be reported immediately to the principal or designee for appropriate action.

I. Some students who are a threat to the safety and welfare of other students or district staff may need to be assigned to a school other than their neighborhood or transfer school or provided home instruction. District staff has the sole authority to place these students without parent/guardian consent.

J. District staff has the sole authority to discipline students. Some violations also may result in referral to law enforcement.

### **V. Limits on Discipline Options**

A. Corporal punishment is prohibited. Any act which willfully inflicts or willfully causes the infliction of physical pain on a student is prohibited in disciplining students. Corporal punishment does not include:

1. School administrators, teachers, school employees and school volunteers may only use reasonable physical force on a student when a student's behavior imposes a reasonable threat of imminent, serious bodily injury to the student or others. Only staff with current NCI training may implement physical restraint or seclusion except in emergency circumstances when trained personnel are not immediately available due to the unforeseeable nature of the emergency circumstance. Any use of restraint or seclusion of students must be in accordance with 4.50.060-AD Student Restraint and Seclusion.

2. Physical pain or discomfort resulting from or caused by:

- a) Training for or participation in athletic competition voluntarily engaged in by a student;

- b) Recreational activity voluntarily engaged in by a student;



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- c) Physical exertion shared by all students in a teacher directed class activity, which may include, but is not limited to, physical education exercises, field trips, or vocational education projects; or
- B. Suspension or expulsion can only be imposed on students in fifth grade or below in accordance with the limitations in section IV. F. (10) above.
- C. Physical restraint or seclusion carried out according to 4.50.060-AD.
- D. Discipline for students with disabilities shall be in compliance with federal and state laws and with 4.30.025-AD.
- E. Schools shall not deny students food or participation in recess or other physical activities as a form of discipline as provided in 3.60.062-AD.

History: Replaces 4.30.030-P, 4.30.011-AD (Standards of Conduct-Implementation); replaces parts of 3.50.072-AD (Discipline and Conduct of Athletes), 4.20.046-AD (Graduation and Commencement – Related Activities), 4.30.021-AD (Procedures for Discipline), and 4.30.022-AD (Other Disciplinary Measures). Amended 12/2014; 5/2016