

1 LYNCH CONGER MCLANE, LLP  
2 JASON CONGER\* OSB No. 054210  
3 MICHAEL R. McLANE OSB No. 904435  
4 BEN BECKER OSB No. 103358  
5 1567 S.W. Chandler Ave., Ste. 204  
6 Bend, OR 97702  
7 Telephone: (541) 383-5857  
8 Facsimile: (541) 383-3968  
9 jconger@lynchconger.com  
10 mmclane@lynchconger.com  
11 bbecker@lynchconger.com

12 *\*Application for admission to be submitted*

13 BENBROOK LAW GROUP, PC  
14 BRADLEY A. BENBROOK\*\*  
15 STEPHEN M. DUVERNAY\*\*  
16 400 Capitol Mall, Ste. 2530  
17 Sacramento, CA 95814  
18 Telephone: (916) 447-4900  
19 brad@benbrooklawgroup.com  
20 steve@benbrooklawgroup.com

21 *\*\*Pro hac vice applications to be submitted*

22 Attorneys for Plaintiff

23 **UNITED STATES DISTRICT COURT**  
24 **DISTRICT OF OREGON**

25 ADDISON BARNES,  
26  
27 Plaintiff,

28 v.

LIBERTY HIGH SCHOOL; HILLSBORO  
SCHOOL DISTRICT; and GREG TIMMONS,  
in his official capacity as Principal, Liberty  
High School,

Defendants.

Case No.:

**COMPLAINT FOR DECLARATORY,  
INJUNCTIVE, AND OTHER RELIEF**

1 Plaintiff Addison Barnes complains of Defendants and alleges:

2 **INTRODUCTION**

3 1. This is a First Amendment challenge to Liberty High School’s suppression of a  
4 student’s political speech based on other students’ and teachers’ alleged discomfort with the ideas  
5 and message that Plaintiff conveyed.

6 2. Plaintiff Addison Barnes engaged in a respectful, silent, and peaceful expression of  
7 his political views by wearing a t-shirt supporting the immigration and homeland security policies  
8 of President Donald J. Trump to school. Specifically, the shirt includes the words “Donald J.  
9 Trump Border Wall Construction Co.,” with the phrase “The Wall Just Got 10 Feet Taller” in  
10 quotes. The idea of a border wall, of course, has been a pillar of the President’s policy agenda  
11 since he first announced his presidential campaign; indeed, the President spoke the very words  
12 quoted in the shirt at a presidential primary debate in February 2016. And the idea of a border wall  
13 remains a subject of widespread political debate throughout the country.

14 3. Earlier this semester, Barnes wore the border wall shirt to his first-period “People  
15 and Politics” class, where the topic of discussion that day was immigration. During class,  
16 Assistant Principal Amanda Ryan-Fear removed Barnes from the classroom and directed him to  
17 cover the shirt because, she claimed, at least one other student and a teacher had claimed that the  
18 shirt “offended” them. Barnes complied by covering the shirt and returning to the classroom. A  
19 few minutes later, Barnes decided this wasn’t right—he believed that the First Amendment  
20 protected his right to peacefully express his political views in school—so he uncovered the shirt.  
21 Later in the period, Ryan-Fear returned and saw Barnes was no longer covering the shirt. She sent  
22 a security guard to remove him from class and take him to her office—where he was threatened  
23 with suspension for “defiance.” School officials reiterated that Barnes could not wear his shirt  
24 because other students felt “offended” by the ideas or message it conveyed. Given the choice to  
25 cover his shirt or go home for the rest of the day, Barnes chose to go home—and school officials  
26 treated his absence as a suspension.

27 4. This was unconstitutional. The First Amendment protects students’ right to speak  
28 on political or societal issues—including the right to express what school officials may consider

1 unpopular or controversial opinions, or viewpoints that might make other students uncomfortable.  
2 Barnes' shirt did not substantially disrupt or materially interfere with the work of the school or the  
3 rights of his fellow students. The shirt did not promote or advocate illegal activity; it contained no  
4 violent or offensive imagery; nothing on it was obscene, vulgar, or profane. Through his shirt,  
5 Barnes sought to convey his views on a national debate about a serious political and societal issue.  
6 It was pure political speech, which, "of course, is 'at the core of what the First Amendment is  
7 designed to protect.'" *Morse v. Frederick*, 551 U.S. 393, 403 (2007) (quoting *Virginia v. Black*,  
8 538 U.S. 343, 365 (2003)). And yet Barnes was prevented from wearing his shirt based on other  
9 students' and even a teacher's alleged discomfort with the message or ideas they believed it  
10 conveyed.

11         5. For nearly half a century, it has been the "unmistakable holding" of the Supreme  
12 Court that students do not "shed their constitutional rights to freedom of speech or expression at  
13 the schoolhouse gate." *Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503, 506 (1969).  
14 In *Tinker*, the Court instructed that school officials may not suppress student speech based on the  
15 "mere desire to avoid the discomfort and unpleasantness that always accompany an unpopular  
16 viewpoint" or "an urgent wish to avoid the controversy which might result from the expression."  
17 *Id.* at 509, 510. Accordingly, "student expression may not be suppressed unless school officials  
18 reasonably conclude" that the expression "will materially and substantially disrupt the work and  
19 discipline of the school." *Morse*, 551 U.S. at 403 (citing *Tinker*, 393 U.S. at 513). On the morning  
20 plaintiff wore the shirt, his classroom environment experienced no disruption whatsoever—that is,  
21 until the assistant principal and then a security guard came in the administration's effort to shield  
22 other students from seeing the shirt.

23         6. By elevating the feelings of other students and a teacher over Barnes' free speech  
24 rights, Defendants' actions violate the "bedrock First Amendment principle" that "[s]peech may  
25 not be banned on the ground that it expresses ideas that offend." *Matal v. Tam*, 137 S. Ct. 1744,  
26 1751 (2017). See *Bachellar v. Maryland*, 397 U.S. 564, 567 (1970) ("[I]t is firmly settled that  
27 under our Constitution the public expression of ideas may not be prohibited merely because the  
28 ideas are themselves offensive to some of their hearers, or simply because bystanders object to

1 peaceful and orderly demonstrations.”). *Tinker* makes clear that, even in the classroom, the First  
2 Amendment requires that the balance be struck in favor of free expression, even though the ideas  
3 may make others uncomfortable:

4 [I]n our system, undifferentiated fear or apprehension of disturbance is not enough  
5 to overcome the right to freedom of expression. Any departure from absolute  
6 regimentation may cause trouble. Any variation from the majority’s opinion may  
7 inspire fear. Any word spoken, in class, in the lunchroom, or on the campus, that  
8 deviates from the views of another person may start an argument or cause a  
9 disturbance. But our Constitution says we must take this risk . . . .

10 393 U.S. at 508.

11 7. Such is the “hazardous freedom” and “openness” that “is the basis of our national  
12 strength and of the independence and vigor of Americans who grow up and live in this relatively  
13 permissive, often disputatious, society.” *Id.* Yet Defendants failed to heed *Tinker*’s most  
14 important command, and instead give other students (and teachers and school administrators) a  
15 heckler’s veto over ideas that they subjectively find “unpleasant,” “offensive,” or “threatening.”  
16 Precisely because “the classroom is peculiarly the ‘marketplace of ideas,’” *Tinker*, 393 U.S. at 512,  
17 “the remedy to be applied is more speech, not enforced silence.” *Whitney v. California*, 274 U.S.  
18 357, 377 (1927) (Brandeis, J., concurring). “Even in high school, a rule that permits only one  
19 point of view to be expressed is less likely to produce correct answers than the open discussion of  
20 countervailing views.” *Morse*, 551 U.S. at 448 (Stevens, J., dissenting).

21 8. The unconstitutionality of the school’s actions is strongly confirmed by the fact that  
22 the school allows—even encourages and endorses—expression of different viewpoints on the  
23 subjects of immigration and national security. One of Barnes’ teachers, for example, prominently  
24 displayed a sign in in the front of the classroom stating “Sanctuary City, Welcome Home.” (Never  
25 mind that many students, including Barnes, may feel that expression of these ideas “offends” and  
26 “threatens” them, or makes them “uncomfortable.”) By muffling one side of the debate while  
27 allowing the other side to magnify their voice with a megaphone, Defendants’ actions constitute  
28 viewpoint-based discrimination. *Tinker*, 393 U.S. at 511 (“[T]he prohibition of expression of one  
particular opinion . . . is not constitutionally permissible.”). *See also Rosenberger v. Rector and*  
*Visitors of Univ. of Va.*, 515 U.S. 819, 828–29 (1995) (regulating speech based on “the specific

1 motivating ideology or the opinion or perspective of the speaker” is a “blatant” and “egregious  
2 form of content discrimination”).

3 9. Because Defendants have censored Plaintiff’s speech commenting on an important  
4 political and societal issue, without any threat of a substantial disruption, they have violated his  
5 First Amendment rights.

6 **JURISDICTION AND VENUE**

7 10. This case raises questions under the First Amendment and 42 U.S.C. § 1983. This  
8 Court has jurisdiction over all claims for relief pursuant to 28 U.S.C. § 1331.

9 11. Venue is proper under 28 U.S.C. § 1391(b).

10 **THE PARTIES**

11 12. Plaintiff Addison Barnes is a twelfth-grade student at Liberty High School in  
12 Hillsboro, Oregon.

13 13. Defendant Liberty High School is a school operated by and located within the  
14 Hillsboro School District. The school’s campus is located at 7445 NE Wagon Drive, Hillsboro,  
15 Oregon.

16 14. Defendant Hillsboro School District is a public entity established and organized  
17 under, and pursuant to, the laws of Oregon. The district maintains its administrative office at 3083  
18 NE 49th Place, Hillsboro, Oregon.

19 15. Defendant Greg Timmons is the Principal of Liberty High School. He is  
20 responsible for implementing and enforcing the District’s and School’s policies. Timmons is sued  
21 in his official capacity.

22 **GENERAL ALLEGATIONS**

23 **Defendants’ Censorship of Plaintiff’s T-Shirt Infringes His**  
24 **First Amendment Right To Express Political Views.**

25 16. Liberty High School is subject to the policies adopted by the Hillsboro School  
26 District. The District has adopted Standards of Student Conduct, which “contain[] a positive set of  
27 guidelines and rules to ensure success and safety for each student, parent / guardian, staff, and  
28 community member.” Hillsboro Sch. Dist., *Standards of Student Conduct 2017–18* 2 (2017). A

1 true and correct copy of the relevant portions of the Standards of Student Conduct is attached as  
2 Exhibit 1.

3 17. The District's *Standards* explain that "[s]tudents have a general right to freedom of  
4 expression within the school system," and "[g]enerally, students and student organizations are free  
5 to examine and discuss questions of interest to them, and to express opinions publicly and  
6 privately within the school system, provided such examination and expression is fair and  
7 responsible, and is not disruptive to other individuals or to the educational process."<sup>1</sup> *Standards* at  
8 5. Further, "[s]tudents may support causes by orderly means that do not disrupt other individuals  
9 or the operation of the school. In the classroom, students are free to examine views offered in any  
10 course of study, provided such examination is expressed in a responsible manner." *Id.*

11 18. The *Standards* also set forth general dress and grooming restrictions. Among these  
12 "general guidelines," the District prohibits "[c]lothing decorated or marked with illustrations,  
13 words, or phrases that are disruptive or potentially disruptive, and/or that promote superiority of  
14 one group over another . . . ." *Standards* at 22. The *Standards* warn that "[w]hen dress or  
15 grooming clearly disrupts learning or presents a health or safety hazard, the student will be  
16 required to change attire prior to returning to class. Such activity may result in serious disciplinary  
17 action." *Id.* at 23.

18 19. On January 19, 2018, Barnes was subject to discipline for wearing a t-shirt  
19 supporting the immigration and homeland security policies of President Donald J. Trump.  
20 Specifically, the shirt includes the words "Donald J. Trump Border Wall Construction Co.," with  
21 the phrase "The Wall Just Got 10 Feet Taller" in quotes. A picture of the shirt is attached as  
22 Exhibit 2. One of the central questions in the 2016 presidential campaign was whether and to what  
23 extent the United States should build a wall on its southern border, and it remains a subject of  
24 intense national debate today. Variations on the language quoted in plaintiff's shirt became a  
25 fixture during the campaign after former President of Mexico Vicente Fox stated during a February  
26

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27 <sup>1</sup> The *Standards* restate the District's formal policy on freedom of expression, adopted by the  
28 Hillsboro School District Board of Directors. Hillsboro Sch. Dist. Policy IB, *Freedom of Expression*, online at <https://bit.ly/2rPzw9i>.

1 2016 interview that he was “not going to pay for that fucking wall.” Rafa Fernandez De Castro,  
2 *Former Mexican President to Donald Trump: ‘I’m not going to pay for that fucking wall’*, Fusion  
3 (Feb. 25, 2016), online at <https://bit.ly/2K1WdOg>. When asked about President Fox’s statement  
4 later that day at the tenth Republican Party presidential primary debate, then-candidate Trump  
5 responded, “[t]he wall just got 10 feet taller, believe me.” Tim Hains, *Trump Responds To*  
6 *Mexican Ex-President: “The Wall Just Got Ten Feet Taller”*, RealClearPolitics (Feb. 25, 2016),  
7 online at <https://bit.ly/2ImKg8r>.

8 20. During his first-period class on “People and Politics”—which that day was  
9 discussing immigration—Assistant Principal Amanda Ryan-Fear removed Barnes from the  
10 classroom and directed him to cover the shirt because at least one other student and a teacher had  
11 allegedly claimed that the shirt “offended” them. Ryan-Fear told Barnes that he could be  
12 suspended if he did not comply. Barnes complied by covering the shirt and returning to the  
13 classroom. A few minutes later, Barnes decided this wasn’t right—he believed that the First  
14 Amendment protected his right to peacefully express his political views in school—so he  
15 uncovered the shirt.

16 21. Later in the period, Ryan-Fear returned and saw Barnes was again wearing the shirt.  
17 She sent a security guard to remove him from class and take him to her office. Ryan-Fear told  
18 Barnes he could be suspended for up to ten days for “defiance.” School officials reiterated that  
19 Barnes could not wear his shirt because other students felt “offended” or “threatened” by the ideas  
20 or message it conveyed. Barnes was given the choice to either cover his shirt or go home for the  
21 rest of the day. He chose to go home.

22 22. The following Monday, Barnes and his father had a meeting with Principal  
23 Timmons and Assistant Principal Ryan-Fear about the incident with the border wall shirt. At this  
24 meeting Barnes learned for the first time that by choosing to go home on Friday instead of  
25 covering his shirt, the school had elected to treat his absence as a suspension. Though the school  
26 later rescinded this suspension, school officials made clear that Barnes would be subject to further  
27 discipline, including suspension, if he wore the border wall shirt to school again. The  
28 administrators also claimed for the first time that the students and teacher who had allegedly

1 claimed previously to feel “offended” by the shirt had, rather, felt “threatened” by it. The bottom-  
2 line message conveyed from the administrators was that the “feelings” of other students and  
3 teachers outweighed Barnes’ right to express his political beliefs.

4 23. Defendants’ hostility to Barnes’ political beliefs has persisted. Last month, one of  
5 Barnes’ classmates, Isaiah Espinosa, was making a documentary on the First Amendment and free  
6 speech in the school. In the course of his film, Espinosa interviewed Barnes, who wore his border  
7 wall shirt during the interview. (Barnes put on the shirt for the purpose of the interview, and took  
8 it off when Espinosa finished filming.) Espinosa submitted the film to his teacher. After  
9 reviewing the film, Espinosa’s teacher and the school administration directed him to blur or  
10 obscure the content of the border wall shirt before it could be uploaded to the school’s online  
11 learning platform.

12 24. Except for wearing the shirt for Espinosa’s documentary for the few minutes of his  
13 interview, Barnes has not worn the border wall shirt to school since he was disciplined in January.  
14 Barnes wants to wear the shirt to school again, but has refrained from doing so because he is afraid  
15 that he will be subject to further discipline from the school, including suspension, based on the  
16 administration’s prior threats.

17 25. Defendants’ actions censoring Barnes’ political speech violate his First Amendment  
18 rights. Barnes sought to engage in “a silent, passive expression” commenting on a political and  
19 societal issue, which was “unaccompanied by any disorder or disturbance” by him. *Tinker*, 393  
20 U.S. at 508. Such “pure speech . . . is entitled to comprehensive protection under the First  
21 Amendment,” even in the school environment. *Id.* at 505–06.

22 26. Preserving students’ freedom of speech and expression is an essential component of  
23 the broader public educational mission. “[E]ducation has a fundamental role in maintaining the  
24 fabric of our society,” and public schools are a “most vital civic institution for the preservation of a  
25 democratic system of government, . . . the primary vehicle for transmitting the values on which our  
26 society rests.” *Plyler v. Doe*, 457 U.S. 202, 221 (1982) (citations omitted). *See also Brown v. Bd.*  
27 *of Educ.*, 347 U.S. 483, 493 (1954) (public education is “is the very foundation of good  
28 citizenship. Today it is a principal instrument in awakening the child to cultural values, in

1 preparing him for later professional training, and in helping him to adjust normally to his  
2 environment.”). “That [schools] are educating the young for citizenship is reason for scrupulous  
3 protection of Constitutional freedoms of the individual, if we are not to strangle the free mind at its  
4 source and teach youth to discount important principles of our government as mere platitudes.”  
5 *West Virginia State Bd. of Educ. v. Barnette*, 319 U.S. 624, 637 (1943). To that end, “vigilant  
6 protection of constitutional freedoms is nowhere more vital than in the community of American  
7 schools. . . . The Nation’s future depends upon leaders trained through wide exposure to that  
8 robust exchange of ideas which discovers truth out of a multitude of tongues, rather than through  
9 any kind of authoritative selection.” *Tinker*, 393 U.S. at 512 (citations omitted).

10 27. *Tinker* leaves no doubt that this requires tolerance of “controversial” opinions or  
11 “unpopular” viewpoints. School officials may not suppress student speech based on the “mere  
12 desire to avoid the discomfort and unpleasantness that always accompany an unpopular viewpoint”  
13 or “an urgent wish to avoid the controversy which might result from the expression.” 393 U.S. at  
14 509, 510. “[S]uppressing the expression of unpopular or controversial opinions—even in the name  
15 of avoiding potential in-school disturbances—[is] a violation of the First Amendment unless the  
16 school could show that, absent such suppression, the school’s orderly operation would be  
17 ‘materially and substantially’ compromised.” *Jacobs v. Clark Cty. Sch. Dist.*, 526 F.3d 419, 430  
18 (9th Cir. 2008) (quoting *Tinker*). Accordingly, “student expression may not be suppressed unless  
19 school officials reasonably conclude” that the expression “will materially and substantially disrupt  
20 the work and discipline of the school.” *Morse*, 551 U.S. at 403 (citing *Tinker*).

21 28. Defendants’ suppression of Barnes’ speech offends these constitutional standards.  
22 Barnes’ shirt did not substantially disrupt or materially interfere with the work of the school or the  
23 rights of his fellow students. The shirt did not promote or advocate illegal activity; it contained no  
24 violent or offensive imagery; nothing on it was obscene, vulgar, or profane. Through his shirt,  
25 Barnes sought to comment on a national debate about a serious political and societal issue.

26 29. Defendants have prevented Barnes from wearing his shirt based on the ideas and  
27 message it conveyed, based on the conclusion that other students may find those ideas to be  
28 “offensive” or “threatening.” Even though school administrators might believe this opinion may

1 be controversial or unpopular, or that other students may be uncomfortable with it, Barnes has a  
2 constitutional right under the First Amendment to express it. Public school students “may not be  
3 confined to the expression of those sentiments that are officially approved,” and the First  
4 Amendment prohibits school officials from tilting the debate by censoring “feelings with which  
5 they do not wish to contend.” *Tinker*, 393 U.S. at 511.

6 30. The unconstitutionality of the school’s actions is strongly confirmed by the fact that  
7 the school allows—even encourages and endorses—expression of different viewpoints on the  
8 subjects of immigration and national security. One of Barnes’ teachers, for example, prominently  
9 displayed a sign in the front of the classroom stating “Sanctuary City, Welcome Home.”  
10 (Nevermind that many students, including Barnes, may feel that expression of these ideas  
11 “offends” and “threatens” them, or makes them “uncomfortable.”) By muffling one side of the  
12 debate while allowing the other side to magnify their voice with a megaphone, Defendants’ actions  
13 constitute viewpoint-based discrimination. *Tinker*, 393 U.S. at 511 (“[T]he prohibition of  
14 expression of one particular opinion . . . is not constitutionally permissible.”). *See also*  
15 *Rosenberger*, 515 U.S. at 828–29 (regulating speech based on “the specific motivating ideology or  
16 the opinion or perspective of the speaker” is a “blatant” and “egregious form of content  
17 discrimination”). When a government actor’s “suppression of speech suggests an attempt to give  
18 one side of a debatable public question an advantage in expressing its views to the people, the First  
19 Amendment is plainly offended.” *First Nat’l Bank of Boston v. Bellotti*, 435 U.S. 765, 785–86  
20 (1978).

21 31. For the reasons set forth above, Defendants’ enforcement of the Hillsboro School  
22 District dress and grooming guidelines against Barnes has violated his First Amendment rights,  
23 and the threat of further discipline continues to impose a substantial burden on his freedom of  
24 speech and expression.

### 25 **CLAIM FOR RELIEF**

#### 26 **VIOLATION OF 42 U.S.C. § 1983 (FIRST AMENDMENT)**

27 32. Plaintiff incorporates here by reference paragraphs 1 through 31, *supra*, as if fully  
28 set forth herein.

1 33. Defendants, acting under color of state law, have acted to deprive Plaintiff of rights  
2 secured by the First Amendment to the United States Constitution in violation of 42 U.S.C. § 1983.

3 34. As a direct and proximate result of Defendants’ violation of the First Amendment,  
4 Plaintiff has suffered irreparable harm, including the loss of his constitutional rights, entitling him  
5 to declaratory and injunctive relief, and nominal damages.

6 **PRAYER FOR RELIEF**

7 Wherefore, Plaintiff Addison Barnes prays for judgment as follows:

8 1. Plaintiff respectfully requests that this Court enter a declaratory judgment stating  
9 that Defendants have violated the First Amendment to the United States Constitution.

10 2. Plaintiff respectfully requests that this Court enter a preliminary and permanent  
11 injunction enjoining Defendants from enforcing the Hillsboro School District dress and grooming  
12 guidelines in a manner inconsistent with the First Amendment to the United States Constitution,  
13 including an order providing that Plaintiff Addison Barnes is allowed to wear his Donald J. Trump  
14 Border Construction Co. t-shirt to Liberty High School.

15 3. Plaintiff respectfully requests an award of nominal damages against Defendants for  
16 violating his constitutional rights pursuant to 42 U.S.C. § 1983 and any other applicable law.

17 4. Plaintiff respectfully requests costs of suit, including reasonable attorneys’ fees  
18 under 42 U.S.C. § 1988 and any other applicable law, and all further relief to which Plaintiff may  
19 be justly entitled.

20 Dated: May 18, 2018

LYNCH CONGER MCLANE, LLP

21 By /s Ben Becker

22 JASON CONGER  
23 MICHAEL R. MCLANE  
24 BEN BECKER

BENBROOK LAW GROUP, PC

25 By /s Bradley A. Benbrook

26 BRADLEY A. BENBROOK  
27 STEPHEN M. DUVERNAY

28 Attorneys for Plaintiff

# EXHIBIT 1

# Standards of Student Conduct 2017-18



**Mike Scott**  
Superintendent

**Adam Stewart**  
Chief Financial Officer

**Kona Lew-Williams**  
Chief Human Resources Officer

**Travis Reiman**  
Assistant Superintendent

**Dayle Spitzer**  
Assistant Superintendent

District Administration: 503-844-1500

## Board of Directors

**Lisa Allen**  
**Wayne Clift**  
**Martin Granum**  
**Erika Lopez**  
**Jaci Spross**  
**Kim Strelchun**  
**Mark Watson**

### **MISSION STATEMENT**

In May 2011, the Hillsboro School District Board of Directors adopted a mission to guide planning and programs for the next several years.

The mission of the Hillsboro School District  
is to engage and challenge all learners to  
ensure academic excellence.

You will recognize efforts to achieve the mission in our curriculum program, in our teaching methods, in our co-curricular programs, and in our standards of behavior for all students.

### **STANDARDS OF STUDENT CONDUCT 2017-18**

*Standards of Student Conduct* is reviewed annually by Hillsboro School District administrators to align with state and federal law, Board policy, and District practices.

*Standards of Student Conduct* is published for the students, parents, patrons, and staff of the Hillsboro School District by the District's Office for School Performance, 3083 NE 49<sup>th</sup> Place, Hillsboro, Oregon 97124.

Your comments are invited. Phone: 503-844-1500; Fax: 503-844-1540

### **DISCLAIMER STATEMENT**

This document is based on updated state and federal laws and regulations at the time of publication. Any changes in state and federal law supersede the contents of this manual.

### **STATEMENT OF NONDISCRIMINATION**

It is the policy of Hillsboro School District that no person be subjected to discrimination based on race, color, national origin, religion, sex, sexual orientation, age, disability, parental status, or marital status in any program, service, or activity for which the District is responsible. The District will comply with the requirements of state and federal law concerning nondiscrimination, and will strive by its actions to enhance the dignity and worth of all persons.



**Dear Students and Parents,**

When we bring more than 20,000 students together each school day, we agree to abide by certain behavioral standards to ensure that our schools operate in a respectful, positive, and safe environment.

*Standards of Student Conduct* contains a positive set of guidelines and rules to ensure success and safety for each student, parent / guardian, staff, and community member. Please review *Standards of Student Conduct*, discuss the contents and expectations with your student(s), and reinforce the importance of appropriate behavior and responsible action on school property, when riding District transportation, and while attending District events.

Following the established guidelines in *Standards of Student Conduct* will help each of us develop a greater sense of pride and ownership in our community schools. Join me in ensuring that every student has the opportunity to not only succeed in school, but also excel in their school career with the Hillsboro School District in a respectful, positive, and safe environment.

Sincerely,

A handwritten signature in black ink that reads "Mike Scott". The signature is written in a cursive style with a large, prominent "M" and "S".

Mike Scott  
Superintendent

## EXPECTATIONS FOR LEARNING

The District believes all students can be successful learners. Students have a responsibility for their own learning, for supporting the learning of others, and for contributing to a positive school environment through positive character.

While families have the primary responsibility for the character and moral development of their children, schools play an important partnership role in contributing to the development of students' ethics and strong moral character.

The Board of Directors believes schools support good character and ethical development by providing clear interactions with students, through behavior expectations and school rules that are fairly enforced, and through communication with parents.

Staff and administrators will reinforce good habits and conduct. One tool that will be used consistently is the *Standards of Student Conduct* handbook. You will find student rights; student, parent, and school responsibilities; the District's philosophy of discipline; and rules governing student conduct in this document. Every effort will be made to support ethical behavior in our school environment.

### Agreements and Commitments

Our staff and community are critical elements in the equation of student achievement. Creating a structure, curriculum, and environment in which students are thriving and successful requires a baseline of common agreements and commitments. Our current Strategic Plan (2016-2021) outlines these agreements and commitments.

#### In Hillsboro, we are connected:

##### To Career

- Students deserve academic content that is engaging, connects to their personal goals, and is responsive to the world around them.
- Students deserve clear pathways to career preparedness.

##### To Culture

- Students deserve to have experiences that lead them to believe that diversity and multilingualism are assets.
- Students deserve to have experiences that allow them to see their own and others'

cultures reflected in their learning opportunities.

##### To Community

- Students deserve to be surrounded by caring adults who are committed to working together in professional learning communities to ensure equitable support, experiences, and outcomes for each student.
- Students deserve at least one identified adult who knows them by name, strength, and need, and ensures that they are successful in their K-12 education and beyond.

REF: Policy IF-AR

## FREEDOM OF EXPRESSION

Students have a general right to freedom of expression within the school system. The District requires, however, that students exercise their rights fairly, responsibly, and in a manner not disruptive to other individuals or to the educational process.

Generally, students and student organizations are free to examine and discuss questions of interest to them, and to express opinions publicly and privately within the school system, provided such examination and expression is fair and responsible, and is not disruptive to other individuals or to the educational process. Students may support causes by orderly means that do not disrupt other individuals or the operation of the school.

In the classroom, students are free to examine views offered in any course of study, provided such examination is expressed in a responsible manner.

See policy IB for information on freedom of association and publications.

REF: Policy IB

## STUDENT ORGANIZATIONS

All members of the school community, including students, faculty, administrators, and the Board are responsible for the activities that are conducted in the schools. Besides being accountable to one another, these groups are held accountable for the public image of the District. It is important, therefore, to the orderly use of school facilities that the use of all space be approved

## DRESS AND GROOMING

Dress and grooming restrictions are imposed when they are related to intimidating behavior or interfere with the learning of others. We wish to work cooperatively with students and parents / guardians to clarify and apply dress and grooming standards.

Students' attire has an important influence on the attitude toward learning within any school. Although matters of taste should appropriately be left up to students and their parents / guardians, we feel a strong responsibility as the District to provide recommended guidelines for parents / guardians and students to use in determining what is and is not appropriate. The key guideline is that dress and grooming should never interfere with anyone's right to learn or teach, or endanger health or safety. Where the nature of a learning activity rules out certain modes of dress and grooming because of health or safety, appropriate standards will be developed and made available to students involved in those activities.

1. The following general guidelines are designed broadly enough to allow individual expression.
  - 1.1 Appropriate shoes must be worn at all times.
  - 1.2 An adequate coverage of the body is required. Revealing tops, exposed underwear, and very short skirts are inappropriate.
  - 1.3 Exceptions to 1.1 and 1.2 above may be allowed in the P.E. areas only.
  - 1.4 Clothing decorated or marked with illustrations, words, or phrases that have sexual innuendoes, are vulgar, obscene, or promote behavior violating school conduct standards is not permitted. Gang-related symbols, colors, or insignias are not allowed. Clothing decorated or marked with illustrations, words, or phrases that are disruptive or potentially disruptive, and/or that promote superiority of one group over another is not permitted.
  - 1.5 Shorts are allowed at school, provided they are appropriate. Bathing suits are not allowed at school.
  - 1.6 Schools may require that students leave clothing in their locker if that

clothing could be worn to conceal weapons or to intimidate others.

- 1.7 Clothing that could be harmful to self or others (e.g. studded collars, chains, spiked jewelry and adornments) is not permitted.
- 1.8 Clothing displaying drug and / or alcohol symbols or paraphernalia is not permitted.
- 1.9 Bedtime clothing (pajamas and slippers) is not appropriate, except as part of a designated "dress-up" or spirit day.

The following dress and grooming restrictions pertain to Gang / Secret Society. Modifications to these restrictions will occur as recommended by the Inter-Agency Gang Enforcement Team (IGET).

2. Certain clothing, personal property, and other adornments worn for the purpose of identifying youth gang membership or youth gang support clearly interfere with the learning process and school climate. Examples include, but are not limited to:
  - 2.1 Clothing with the numbers 12, 13, 14, 18, or those same numbers in reverse order, or numbers which, when added or subtracted, equal any of the previous listed numbers, or any other number associated with gang membership (this does not apply to school-issued clothing or approved youth organization uniforms worn by members of a Hillsboro School District team);
  - 2.2 Dressing in a single solid color;
  - 2.3 Baseball caps with initials or logos that indicate gang membership or support;
  - 2.4 Stylized writing, numerals, or designs associated with gang membership;
  - 2.5 Accessories (e.g., bandanas, head and hand gear);
  - 2.6 Gloves (worn indoors) and hanging belts;
  - 2.7 Sunglasses (worn indoors);
  - 2.8 Tattoos associated with gang membership (must be covered);
  - 2.9 Eyebrows shaved with a design of one, two, or three shaved lines;

2.10 Emblems, badges, patches, or symbols espousing violence, hate, racist views, or gang membership.

Such clothing, personal property, and adornments are prohibited on District property and at school-sponsored events.

Initial referrals by teachers in connection with these guidelines will be referred to an administrator. In cases of obvious inappropriateness, the student's parents / guardians will be contacted, offending articles / clothing will be photographed, and students will be placed on a gang-behavior contract. When dress or grooming clearly disrupts learning or presents a health or safety hazard, the student will be required to change attire prior to returning to class. Such activity may result in serious disciplinary action.

**REF: Policies JFCA and JFCEA-AR**

### **DRESS AND GROOMING FOR OPTIONAL ACTIVITIES**

It is the intent of the Board to give every encouragement to advisors of District activities to establish high expectations, particularly in areas of dress and grooming, for students representing our school in public. In voluntary activities where students represent the school, the advisor or coach may recommend required dress and grooming standards to the principal. Upon approval by the principal, students will be notified of the standards, and any student not in compliance may be denied the opportunity to participate. Expectations must be clear at the outset and should be within the financial capability of all students.

**REF: Policy JFCA**

### **PERSONAL ELECTRONIC DEVICES AND SOCIAL MEDIA – STUDENTS**

Students may be allowed to use and possess personal electronic devices on District property and at District-sponsored activities, provided such devices are not used in any manner that may disrupt the learning environment or District-sponsored activities, or violate Board policies, administrative regulations, acceptable

<sup>2</sup>The taking, disseminating, transferring, or sharing of obscene, pornographic, or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal

use guidelines, school or classroom rules, or state and federal law.<sup>2</sup>

A "personal electronic device" is a device not issued by the District that is capable of electronically communicating, sending, receiving, storing, recording, reproducing and/or displaying information and data.

If the District implements a curriculum that uses technology, students may be allowed to use their own personal electronic devices to access the curriculum. Students who are allowed to use their own devices to access the curriculum will be granted access to any application or electronic materials when they are available to students who do not use their own devices, or provided free of charge to students who do not use their own devices for curriculum.

The District will not be liable for personal electronic devices brought on District property or to District-sponsored activities. The District will not be liable for information or comments posted by students on social media websites when the student is not engaged in District activities and not using District equipment.

Social media tools (as defined in JFCEB-AR) may be used by students in a manner that supports the instructional and learning environment. The District will not be responsible for information / comments posted by students on social media websites when the student is not using social media tools directly related to District activities. Administrative regulations may include grade- or age-level possession and/or use restrictions by students on District property and at District-sponsored activities, consequences for violations, a process for responding to a student's request to use a personal electronic device, including an appeal process if the request is denied, and such other provisions as the Superintendent / designee may deem necessary.

**REF: Policy JFCEB and JFCEB-AR**

### **STUDENT DEVICE USE GUIDELINES**

When accessing the District's technology hardware and network, students agree to use it in a responsible, ethical, and legal manner in support of teaching, learning, District work, and the attainment of the Board's goals. Use

law. Any person taking, disseminating, transferring, or sharing obscene, pornographic, or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.

## EXHIBIT 2

