

# Agenda

Wednesday, June 12, 2024 7:00 PM

Winston-Dillard School District, 620 NW Elwood St, Winston, OR 97496

## 1. Call To Order

## 2. Pledge of Allegiance

## 3. Roll Call - Establishment of a Quorum

## 4. 2024-25 BUDGET HEARING

## 5. SUPERINTENDENT REPORT

### 5.A. Employee of the Year

5.A.1. Brockway Elementary School: Dana Olson  
and Jody Wilson

5.A.2. Dillard Alternative/Douglas High School:  
Lindy Tabor and Brenda Estrada

5.A.3. Lookingglass Elementary School: Kristal  
Plikatt and Jodye Powell

5.A.4. McGovern Elementary School: Mareena  
Robbins and Deborah Walker

5.A.5. Winston Middle School: Donna Rexford and  
Sam Batman

### 5.B. Enrollment

### 5.C. Updates

5.C.1. WMS Presentation

## 6. Directors Report

## 7. ITEMS OF DISCUSSION

7.A. 2024-25 Board Meeting Schedule

7.B. OSBA Summer Board Conference August 9-11, 2024

7.C. Audit of District Policies Sections A/B Board  
Governance and Operations - 1st Reading

7.D. Field Trip Requests

## 8. CLOSE BUDGET HEARING

## 9. ADOPTION OF CONSENT AGENDA

9.A. Financial Statement

9.B. Minutes

9.B.1. May 8, 2024 Regular Session Minutes

9.B.2. Budget Board Committee Minutes May 22,  
2024

9.C. Personnel

9.C.1. Accept resignation from James Hamontree, K-5th Music Teacher effective June 14, 2024.

9.C.2. Accept resignation from McKenzie Stephens, BES Grade K effective June 14, 2024.

9.C.3. Accept retirement from Shelley Bozovich, Payroll Specialist at District Office effective September 13, 2024.

9.C.4. Accept retirement from Susan Gillespie, Instructional Assistant - 5 Years

9.C.5. Accept employment for Joseph Ausdemore, ELA Teacher at WMS effective August 19, 2024.

9.C.6. Accept employment for Kara Black, PreK Teacher at LES effective August 19, 2024.

9.C.7. Accept employment for Jennifer Foreman, 4th Grade at MES effective August 19, 2024.

9.D. Personnel Changes to Position

9.D.1. Samantha Blivens: accept resignation from LES Grade 2 effective June 30, 2024 and accept employment as LES SpED effective August 19, 2024.

9.E. Student Transfers Recommended for the 2024-25 School Year

9.F. Adoption of Consent Agenda Motion

10. **ACTION ITEMS**

10.A. Budget Resolution 2023-24-6, Resolution Adopting the Budget, Resolution Making Appropriations, Resolution Imposing the Tax, Resolution Categorizing the Tax.

10.B. Umpqua Community College Agreement

10.C. District Policy Review Sections K/L 2nd Reading

10.D. School Resource Officer Contract - Winston Police Dept/City of Winston

10.E. Superintendent Resignation

10.F. Vacancy - Office of Superintendent

11. **Public Input - Office of Superintendent**

12. **COMMUNICATIONS**

13. **FOR THE GOOD OF THE ORDER**

14. **ADJOURNMENT**

15. **UPCOMING**

15.A. Regular Session at WDSO Office Board Room July 10, 2024 at 7:00 pm.

Winston-Dillard School District Student Enrollment 2023-24													
Grade Level	6/9/2023	Head Ct.	9/6/2023	10/6/2023	11/3/2023	12/1/2023	1/5/2024	2/2/2024	3/8/2024	4/5/2024	5/3/2024	6/7/2024	
K	94		98	95	93	93	94	92	92	92	92	92	
1	112		91	89	91	91	90	89	91	91	91	89	
2	100		108	106	106	105	106	105	106	106	106	106	
3	106		92	96	95	95	99	97	99	99	99	98	
4	104		109	104	104	105	105	104	103	104	104	104	
5	92		109	106	107	110	109	108	106	106	106	104	
<b>Elem School Total</b>	<b>608</b>	<b>588</b>	<b>607</b>	<b>596</b>	<b>596</b>	<b>599</b>	<b>603</b>	<b>595</b>	<b>597</b>	<b>598</b>	<b>598</b>	<b>593</b>	
6	105		92	88	88	87	88	89	88	89	89	89	
7	89		108	105	104	107	106	106	106	106	106	104	
8	92		89	89	89	90	91	91	91	91	89	89	
<b>Middle School Total</b>	<b>286</b>	<b>290</b>	<b>289</b>	<b>282</b>	<b>281</b>	<b>284</b>	<b>285</b>	<b>286</b>	<b>285</b>	<b>285</b>	<b>284</b>	<b>282</b>	
9	121		96	96	91	89	88	87	85	85	85	83	
10	87		133	127	125	124	121	119	116	115	115	115	
11	74		74	74	74	74	73	72	73	72	72	72	
12	66		64	62	62	61	57	56	56	56	56	56	
<b>DAS</b>	<b>73</b>	<b>51</b>	<b>65</b>	<b>67</b>	<b>70</b>	<b>66</b>	<b>68</b>	<b>71</b>	<b>70</b>	<b>73</b>	<b>73</b>	<b>79</b>	
<b>High School Total</b>	<b>421</b>	<b>400</b>	<b>432</b>	<b>426</b>	<b>422</b>	<b>414</b>	<b>407</b>	<b>405</b>	<b>400</b>	<b>401</b>	<b>401</b>	<b>405</b>	
<b>Total Enrollment</b>	<b>1315</b>	<b>1278</b>	<b>1328</b>	<b>1304</b>	<b>1299</b>	<b>1297</b>	<b>1295</b>	<b>1286</b>	<b>1282</b>	<b>1282</b>	<b>1283</b>	<b>1280</b>	
<b>5/3/2024</b>													
<b>Elementary Schools</b>	<b>PK</b>	<b>K</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>					<b>DAHS</b>	
McGovern - 233	0	0	0	0	78	74	81					9	2
Brockway - 222(PK275)	53	74	72	76	0	0	0					10	10
Lookingglass -143(PK160)	17	18	19	30	21	30	25					11	14
<b>Total</b>	<b>70</b>	<b>92</b>	<b>91</b>	<b>106</b>	<b>99</b>	<b>104</b>	<b>106</b>					<b>12</b>	<b>53</b>
<b>6/7/2024</b>													
<b>Elementary Schools</b>	<b>PK</b>	<b>K</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>					<b>Total</b>	<b>79</b>
McGovern -230	0	0	0	0	77	74	79						
Brockway - 221(PK274)	53	74	71	76	0	0	0						
LES -142 (PK 159)	17	18	18	30	21	30	25						
<b>Total</b>	<b>70</b>	<b>92</b>	<b>89</b>	<b>106</b>	<b>98</b>	<b>104</b>	<b>104</b>						

# WINSTON MIDDLE SCHOOL HOME OF THE WARRIORS



# WINSTON MIDDLE SCHOOL

A positive place  
where people are valued,  
respected, and  
encouraged to be successful.

**WARRIORS** always do their **BEST!**



**B**e Safe

**E**ncourage Everyone

**S**how Respect

**T**ake Responsibility



# A DAY IN THE LIFE

AT  
WINSTON MIDDLE SCHOOL

WINSTON MIDDLE SCHOOL

330



RESERVED

RESERVED

RESERVED

# MORNING DROP OFF 6TH



# MORNING DROP OFF 7<sup>TH</sup> / 8<sup>TH</sup>



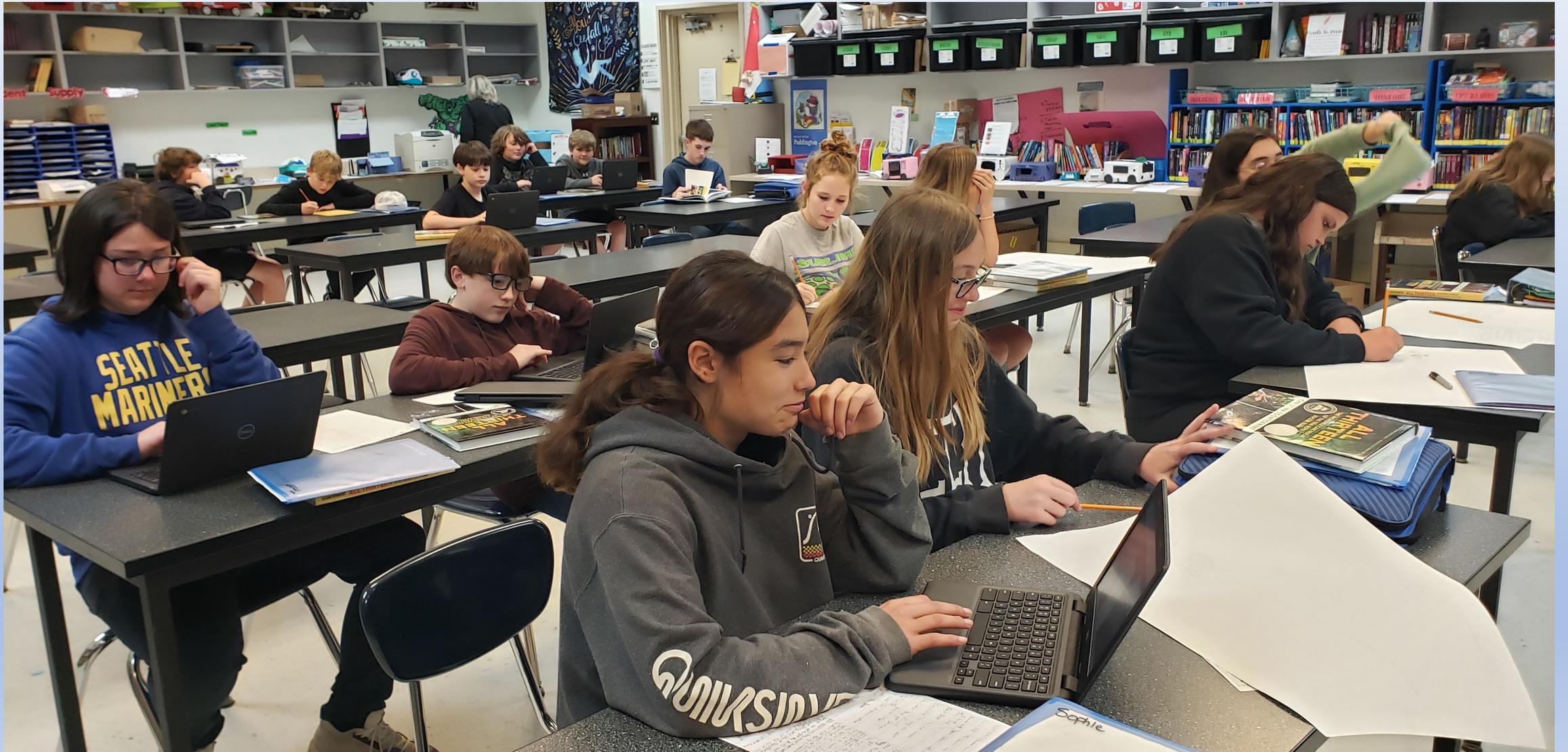
# 6<sup>TH</sup> GRADE CLASSES



# 6<sup>TH</sup> GRADE ELECTIVE WHEEL



# 7TH GRADE CLASSES



# 7/8<sup>TH</sup> GRADE ELECTIVES



# 7/8TH GRADE ELECTIVES



# 8<sup>TH</sup> GRADE CLASSES



# 7/8<sup>TH</sup> GRADE ELECTIVES



# 7/8<sup>TH</sup> GRADE ELECTIVES

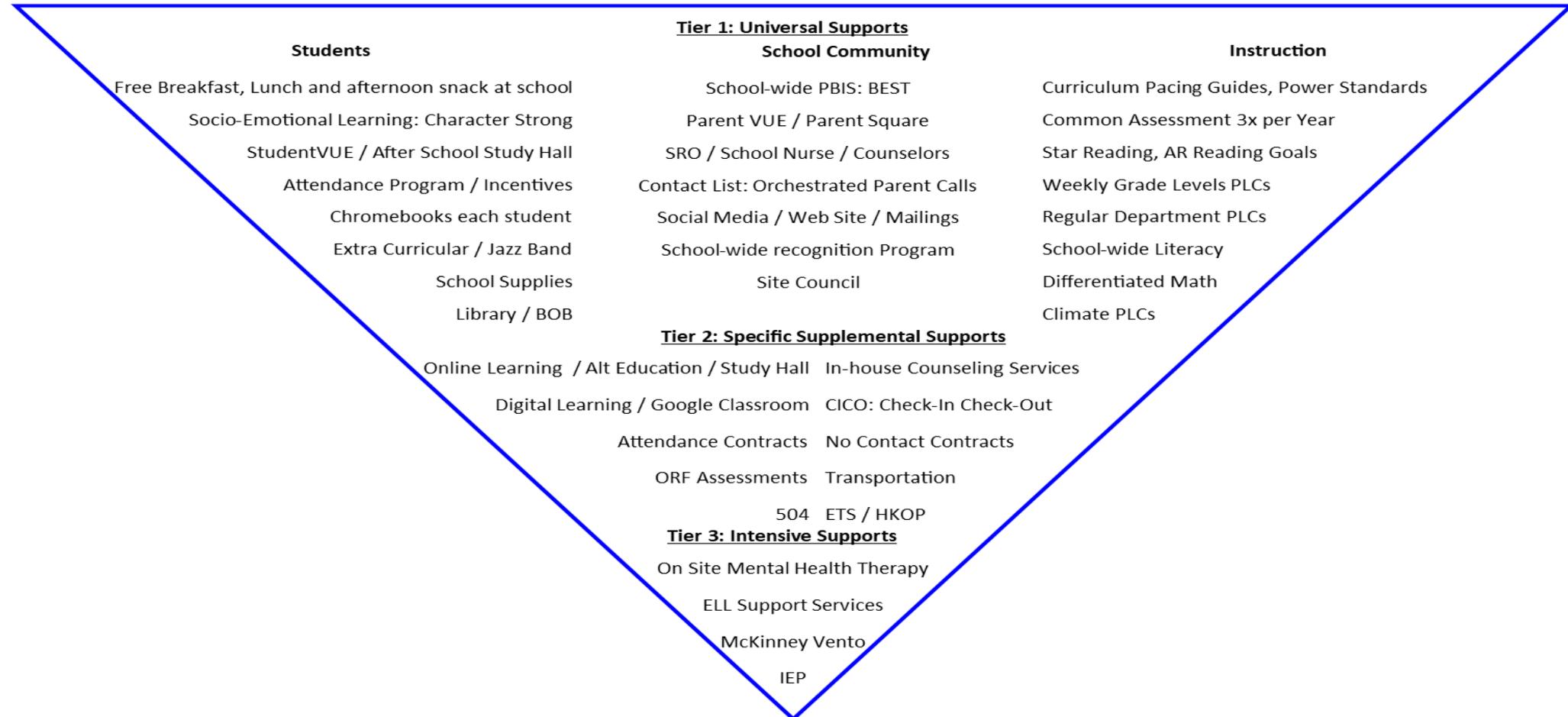




# WINSTON MIDDLE SCHOOL



## PYRAMID OF SUPPORTS



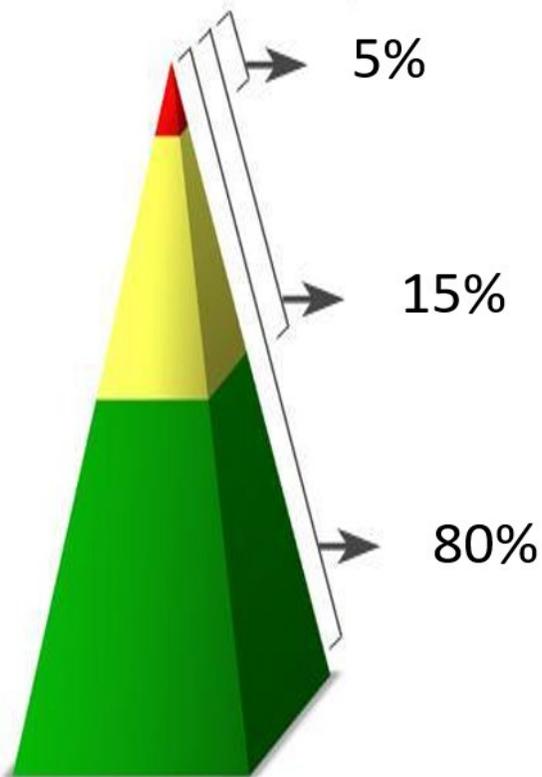
# CURRICULUM PACING GUIDES

<b>Alg 1 Grade Year at a Glance</b>										
Year: 2023-2024										
Q1:										
	Week 1	Week 2	Week 3	Week 4	Week 5	Week 6	Week 7	Week 8	Week 9	
M	No 8th grade classes	Pre-Assessment	Lesson 1-1 Solving Simple Equations	Ch. 1 Quiz	Lesson 1-5 Rewriting Equations & Formulas	Lesson 2-2 Solving Inequalities by Add/S	Lesson 2-5 Solving Compound Inequalities	Ch. 2 Review	Lesson 3-2 Linear Functions	M
T	BEST/Intro & Welcom	Pre-Assessment	Lesson 1-2 Solving Multi-Step Equations	Lesson 1-4 Solving Absolute-Value Equations	Ch. 1 Review	Lesson 2-3 Solving Inequalities by Mult/Div	Lesson 2-5 Solving Compound Inequalities	Ch. 2 Test	Lesson 3-3 Function Notation	T
W	Study Island Testing	Operations including fractional and Integer operations	Lesson 1-2 Solving Multi-Step Equations	Lesson 1-4 Solving Absolute-Value Equations	Ch. 1 Test	Lesson 2-4 Solving Multi-Step Inequalities	Lesson 2-6 Solving Absolute Value Inequalities	Lesson 3-1 Functions	Ch. 3 Quiz and start Lesson 3-4	W
Th	Study Island Testing	Operations including fractional and Integer operations	Lesson 1-3 Solving Equations w/Variables on both sides	Lesson 1-5 Rewriting Equations & Formulas	Lesson 2-1 Writing & Graphing Inequalities	Ch. 2 Quiz	Lesson 2-6 Solving Absolute Value Inequalities	Lesson 3-2 Linear Functions	Lesson 3-4 Graphing Linear Equations in Standard Form	Th
<b>September</b>					<b>October</b>					
Q2:										
	Week 1	Week 2	Week 3	Week 4	Week 5	Week 6	Week 7	Week 8	Week 9	
M	Lesson 3-5 Graphing Linear Equations in Slope-Intercept Form	Lesson 3-7 Graphing Absolute-Value Functions	Lesson 4-1 Writing Equations in slope-intercept form	Quiz Review	Lesson 4-6 Arithmetic Sequences	Lesson 5-1 Solving Systems of Linear Equation by Graphing	Lesson 5-3 Solving Systems by Elimination	Study Island Benchmark Test	Holiday-MLK	M
T	Lesson 3-6 Transformations of Graphs of Linear Functions	Ch. 3 Review	Lesson 4-2 Writing Equations in Point-slope Form	Ch. 4 Quiz	Lesson 4-7 Piecewise Functions	Lesson 5-2 Solving Systems by Substitution Method	Lesson 5-4 Solving Special Systems	Smarter Balanced Test	Lesson 5-6 Graphing Linear Inequalities in 2 Variables	T
W	Lesson 3-6 Transformations of Graphs of Linear Functions	Ch. 3 Test and performance task	Lesson 4-3 Writing Equation of Parallel & Perpendicular Lines	Lesson 4-4 Scatter Plots & lines of fit	Ch. 4 Review	Lesson 5-2 Solving Systems by Substitution Method	Ch. 5 Quiz	Lesson 5-5 Solving Equations by Graphing	Lesson 5-7 Systems of Linear Inequalities	W
Th	Lesson 3-7 Graphing Absolute-Value Functions	Ch. 1 - Ch. 3 Cumulative Test	Thanksgiving	Lesson 4-5 Analyzing Lines of Fit	Ch. 4 Test	Lesson 5-3 Solving Systems by Elimination	Lesson 5-5 Solving Equations by Graphing	Lesson 5-6 Graphing Linear Inequalities in 2 Variables	Lesson 5-7 Systems of Linear Inequalities	Th
<b>November (3.5)</b>				<b>December</b>			<b>January</b>			



# CITIZENSHIP

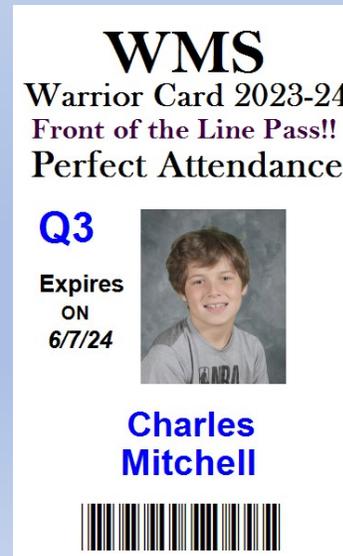
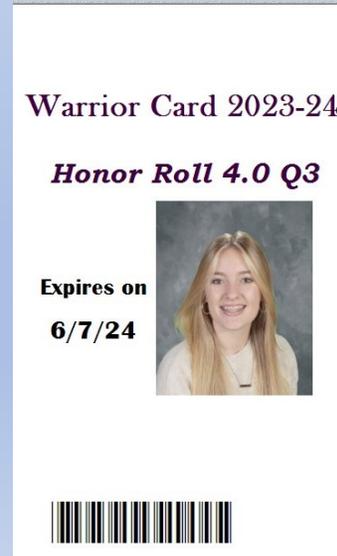
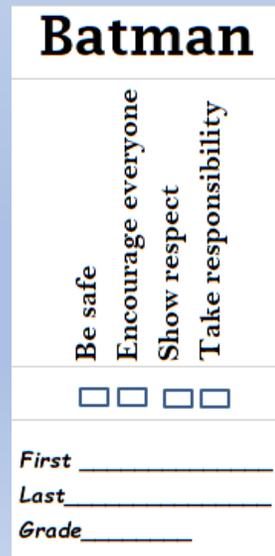
THE WMS PBIS TRIANGLE



- WMS Goal: 95% of students with Citizenship
- Suspension or 3 classroom referrals in any 9 week period.
- Loss of Citizenship + no after school activities, no fun assemblies, athletic consequences etc.

# BEST BUCKS ET AL.

- Front of the Line Passes for Perfect Attendance and 4.0 Honor Roll
- 5 BEST Bucks = Front of the Lunch Line
- BEST Buck Store



# ATTENDANCE

- **WMS Goal 90% Attendance (Regular Attendance)**
  - **This year 90.16%!**
- **Regular attenders at or above State Average (62%)**
  - **This year 70%!**

# PARENT CONTACT

## 2023-24 WMS PARENT CONTACT INFORMATION

	6th Contact PCT	6th TOTAL CONTACT	6th TOTAL STUDENTS	6th CONFERENCE 11/03-11/04	6th CONFERENCE 1/26-1/27	6th OTHER CONTACT
	97.89%	93	95	49	16	78
Number of parents attending 2nd conference NOT at						
	7th Contact PCT	7th TOTAL CONTACT	7th TOTAL STUDENTS	7th CONFERENCE 11/03-11/04	7th CONFERENCE 1/26-1/27	7th OTHER CONTACT
	93.81%	106	113	42	33	99
Number of parents attending 2nd conference NOT at						
	8th Contact PCT	8th TOTAL CONTACT	8th TOTAL STUDENTS	8th CONFERENCE 11/03-11/04	8th CONFERENCE 1/26-1/27	8th OTHER CONTACT
	91.49%	86	94	34	22	66
Number of parents attending 2nd conference NOT at						
	WMS TOTAL Contact PCT	WMS TOTAL CONTACT	WMS TOTAL STUDENTS	WMS CONFERENCE 11/03-11/04	WMS CONFERENCE 1/26-1/27	WMS TOTAL OTHER CONTACT
	94.37%	285	302	125	71	243

# 9<sup>TH</sup> GRADE ON TRACK

- 85% of ALL Current 8<sup>th</sup> graders at the end of Q3



# CONGRATULATIONS! GOLDEN APPLE AWARD WINNERS



Sam Batman  
2024  
Winston-Dillard  
School District  
Golden Apple Award

# CONGRATULATIONS! GOLDEN APPLE AWARD WINNERS



Donna Rexford  
2024  
Winston-Dillard  
School District  
Golden Apple Award



**Registration is now open!**

**Aug. 9-11 | Salem Convention Center**

**COST:**

**Preconference Workshop: \$305 per person**

**Administrative Professionals Workshop: \$305 per person**

**Summer Board Conference: \$385 per person**

**Register now**

**All registration will be closed on July 19.**

No registration will be done after that date unless you register in-person, on-site at the event. There is an extra \$100 fee for on-site registration.

There is a \$100 cancellation fee.

No refunds will be accepted after July 19, 2024.

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## **Conference Highlights:**

- **Workshop strand for admin professionals on BoardBook**
- **Book Study on Kim Scott's "Radical Candor"**
- **Hot Topics and Region Roundtables**
- **Leadership Institute bronze and gold level courses such as board governance essentials, policy fundamentals and more!**
- **Join the morning coffee conversations to connect and exchange ideas**
- **Visit with exhibitors**

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## Friday, Aug. 9

### Preconference

Join us for the OSBA Leadership Institute on Friday, Aug. 9! This full-day preconference is designed for both new and experienced board members, administrative professionals, and superintendents.

Attendees will participate in all five accredited Leadership Institute Silver level courses, with topics ranging from community engagement to accountability to effective governance. At the end of the day, participants will earn a Silver level certificate of completion.

### Administrative

### Professionals

### Workshop

For administrative professionals, connect with colleagues while enhancing your skills in cybersecurity for AI tools, election procedures, conflict resolution, minute-taking, and more.



## Saturday, Aug. 10

Lunch presentation by the Coalition of Oregon School Administrators

### When Constituents Don't See Eye to Eye: Strategies and Tools to Build Consensus

Shelly Reggiani, COSA senior director, learning, equity and communications

In this interactive session, you will learn how to leverage data to understand division better, hold respectful and productive conversations, and find common ground. We'll discuss ways to bring people together on critical issues such as bonds, staff morale and retention, student academic success and more.

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[Agenda at a Glance](#)

[Learn more](#)

## Hotel Reservations

Before you can reserve lodging in the OSBA hotel block, you must be registered for the conference. OSBA has negotiated a special rate for conference attendees. Booking information will be provided in the registration confirmation email.

All reservations should be made before **Monday, July 8**. Room availability and conference rates cannot be guaranteed after this date.

[Visit the FAQ](#)

**Questions?** Contact Charissa Geib at [cgeib@osba.org](mailto:cgeib@osba.org) or call 503-588-2800.

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Winston-Dillard School District 116

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The following symbol is used on some policies:

\*\* 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 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. 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 581-015-2000.

# Winston-Dillard School District 116

Code: AC  
Adopted: 4/08/09  
Revised/Readopted: 3/16/11; 8/12/15; 12/13/17;  
10/09/19; 2/09/22  
Orig. Code(s): AC

*Good!*

## Nondiscrimination

### Good

The district prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual race<sup>1</sup>, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans' status, or because of the perceived or actual race, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans' status of any other persons with whom the individual associates.

The district prohibits discrimination and harassment in, but not limited to, employment, assignment and promotion of personnel; educational opportunities and services offered students; student assignment to schools and classes; student discipline; location and use of facilities; educational offerings and materials; and accommodating the public at public meetings.

The Board encourages staff to improve human relations within the schools, to respect all individuals and to establish channels through which patrons can communicate their concerns to the administration and the Board.

The superintendent shall appoint individuals at the district to contact on issues concerning the Americans with Disabilities Act and Americans with Disabilities Act Amendments Act (ADA), Section 504 of the Rehabilitation Act, Titles VI and VII of the Civil Rights Act, Title IX of the Education Amendments, and other civil rights or discrimination issues, and notify students, parents, and staff with their names, office addresses, and phone numbers. The district will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees and the public, and such procedures will be available at the district's administrative office and available on the home page of the district's website.

The district prohibits retaliation and discrimination against an individual who has opposed any discrimination act or practice; because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing; and further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising any rights guaranteed under state and federal law.

END OF POLICY

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### Legal Reference(s):

<sup>1</sup> Includes discriminatory use of a Native American mascot pursuant to OAR 581-021-0047. Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001 (as amended by House Bill 2935 (2021)).

[ORS 174.100](#)  
[ORS 192.630](#)  
[ORS 326.051\(1\)\(e\)](#)  
[ORS 408.230](#)  
[ORS 659.805](#)  
[ORS 659.815](#)  
[ORS 659.850 - 659.860](#)  
[ORS 659.865](#)  
[ORS 659A.001](#)  
[ORS 659A.003](#)

[ORS 659A.006](#)  
[ORS 659A.009](#)  
[ORS 659A.029](#)  
[ORS 659A.030](#)  
[ORS 659A.040](#)  
[ORS 659A.103 - 659A.145](#)  
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[OAR 581-021-0047](#)  
[OAR 581-022-2310](#)  
[OAR 581-022-2370](#)  
[OAR 839-003](#)

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).  
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-633 (2018); 29 C.F.R. Part 1626 (2019).  
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12112 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).  
Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2018).  
Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2018); 34 C.F.R. Part 104 (2019).  
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).  
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019).  
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018); 29 C.F.R. § 1601 (2019).  
Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).  
Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).  
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (2018).  
Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (2018); 29 C.F.R. Part 1635 (2019).  
House Bill 2935 (2021).  
House Bill 3041 (2021).

# Winston-Dillard School District 116

Code: AC-AR  
Revised/Reviewed: 7/10/02; 3/16/11; 8/12/15;  
12/13/17; 2/09/22; 7/12/23;  
10/18/23  
Orig. Code: AC-AR

## Discrimination Complaint Procedure

Complaints regarding discrimination or harassment, on any basis protected by law, shall be processed in accordance with the following procedures:

**Step 1:** Complaints may be oral or in writing and must be filed with the principal. Any staff member that receives an oral or written complaint shall report the complaint to the principal.

The principal shall investigate and determine the action to be taken, if any, and reply in writing, to the complainant within 10 school days of receipt of the complaint.

**Step 2:** If the complainant wishes to appeal the decision of the principal, the complainant may submit a written appeal to the superintendent or designee within ten school days after receipt of the principal's response to the complaint.

The superintendent or designee shall review the principal's decision within ten school days and may meet with all parties involved. The superintendent or designee will review the merits of the complaint and the principal's decision. The superintendent or designee will respond in writing to the complainant within 10 school days.

**Step 3:** If the complainant is not satisfied with the decision of the superintendent or designee, a written appeal may be filed with the Board within ten working days of receipt of the superintendent's or designee's response to Step 2. The Board will review the findings and conclusion of the superintendent to determine what action is appropriate and may decide to hear or deny the request for appeal at a Board meeting. If the Board decides to hear the appeal, the Board may meet with the concerned parties and their representative at a Board meeting. The board may use executive session if the subject matter qualifies under Oregon law. The Board's decision will be final and will address each allegation in the complaint and contain reasons for the Board's decision. A copy of the Board's final decision shall be sent to the complainant in writing or electronic form within 30 days of receipt of the appeal by the Board.

If the principal is the subject of the complaint, the individual may start at Step 2 and should file a complaint with the superintendent or designee.

If the superintendent is the subject of the complaint, the complaint may start at Step 3 and should be referred to the Board chair. The Board may refer the investigation to a third party.

Complaints against the Board as a whole or against an individual Board member, may start at Step 3 and should be submitted to the Board chair and may be referred to district counsel. Complaints against the Board chair may start at Step 3 and be referred directly to the Board vice chair.

The timelines established in each step of this procedure may be extended upon mutual consent of the district and the complainant in writing, but will not be longer than 30 days from the date of the submission of the complaint at any step. The overall timeline of this complaint procedure may be extended beyond 90 days from the initial filing of the complaint upon written mutual consent of the district and the complainant.

The complainant, if a person who resides in the district, or a parent or guardian of a student who attends school in the district or a student, is not satisfied after exhausting local complaint procedures, the district fails to render a written decision within 30 days of submission of the complaint at any step or fails to resolve the complaint within 90 days of the initial filing of the complaint, may appeal<sup>1</sup> the district's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023.

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<sup>1</sup> An appeal must meet the criteria found in OAR 581-002-0005(1)(a).



# Winston-Dillard School District 116

Code:  
Adopted:

ACA

## Americans with Disabilities Act

(Version 1)

*(Interested in a policy for Americans with Disabilities Act? Still required to follow even without policy. There are two versions of the policy to consider. There is also a procedural (AR1) and a grievance procedure (AR2). All are optional.)*

The district, in compliance with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendment Act of 2008 (ADA), is committed to maintaining employment practices, services, programs and activities that provide equity to qualified individuals with disabilities.

The district will provide reasonable accommodations for the known disabilities of all applicants and current employees in all employment application procedures; hiring, advancement or discharge; employee compensation; job training; other terms, conditions and privileges of employment upon request and advance notice.

A reasonable accommodation must not present an undue hardship for the district, be unduly costly, extensive or disruptive; nor present a direct threat to the health or safety of the individual or others in the workplace.

District services, programs and activities will be accessible and usable by qualified individuals with disabilities, consistent with Section 504 of the Rehabilitation Act of 1973 and the ADA. Accessibility may be achieved through nonstructural as well as structural methods.

In order to achieve equal access, the district will make available appropriate auxiliary aids and services that promote effective communications. Primary consideration will be given to the request of individuals with disabilities in the selection of appropriate aids and services. Final determination will be made by the Board. Auxiliary aids and services determinations will be based on availability, effectiveness and financial or administrative burden to the district.

The Board directs the superintendent to develop and implement an appropriate plan that provides for district compliance with the ADA, including the appointment of an ADA compliance officer and the establishment of a process for the investigation and prompt and equitable resolution of any complaint regarding noncompliance.

Retaliation is prohibited against anyone who files a complaint of discrimination, participates in an Office of Federal Contract Compliance Program proceeding or otherwise opposes discrimination under federal or state laws.

END OF POLICY

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### Legal Reference(s):

Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794 (2010).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2010).

9/23/10 | RS

Americans with Disabilities Act – ACA

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# Winston-Dillard School District 116

*Add version 2 w/ AR*

Code: ACA  
Adopted: P

## Americans with Disabilities Act (Version 2)

The district is committed to maintaining equitable employment practices, services, programs and activities that are accessible and usable by qualified individuals with disabilities. R

The Board directs the superintendent to develop and implement an appropriate plan that provides for district compliance with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA). O

Retaliation is prohibited against anyone who files a complaint of discrimination, participates in an Office of Federal Contract Compliance Program proceeding or otherwise opposes discrimination under federal or state laws.

END OF POLICY P

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### Legal Reference(s):

Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794 (2010).  
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2010).  
Chevron U.S.A. Inc. v. Echazabal, 536 U.S. 73 (2002).  
Americans with Disabilities Act Amendments Act of 2008. O

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D

# Winston-Dillard School District 116

Code: ACA-AR(1)  
Revised/Reviewed:

## Americans with Disabilities Act

In compliance with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA), the following procedures shall be followed:

### Compliance Officer

1. The [ ] shall be designated as the district's ADA compliance officer. The compliance officer will:
- Coordinate the district's ADA responsibilities and compliance efforts;
  - Make available to all interested individuals the name, office address and telephone number of the district ADA compliance officer;
  - Investigate any complaint alleging noncompliance or actions prohibited under the ADA;
  - Administer the district's ADA grievance procedure to provide for the prompt investigation and equitable resolution of complaints.

### Self Evaluation

2. A self-evaluation study<sup>1</sup> shall be completed by the district to include:
- An evaluation of all current Board policies and practices to ensure district compliance with the requirements of the ADA;
  - A description of areas examined and identification of any barriers to accessibility and usability by qualified individuals with disabilities;
  - An opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities to participate in the self-evaluation study by submitting comments;
  - A plan(s) for the removal of any identified barrier and/or modification of Board policies and practices necessary to ensure ADA compliance;
  - A description of any modification made.

Self-evaluation records will be maintained and available for public inspection at the district office. The records will include a list of interested persons consulted, a description of the areas examined and the problems identified and a description of any modifications made.

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<sup>1</sup> If self-evaluation and/or transition plan requirements of Section 504 of the Rehabilitation Act of 1973 have been completed, these requirements apply only to the employment practices, services, programs and activities not included in the previous self-evaluation and/or transition plan. It is recommended that districts review their self-evaluation study and transition plan periodically for progress and continue to maintain and make available each document to interested individuals, organizations or agencies for verification purposes, as needed.

## Transition Plan

3. A transition plan<sup>1</sup> shall be developed by the district to address any structural changes required to achieve employment practices, services, programs and activities; the accessibility to include:
- An opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities to participate in the development of the transition plan by submitting comments;
  - An identification of physical obstacles in facilities that limit accessibility to individuals with disabilities;
  - A description in detail of the methods that will be used in removing barriers and making facilities accessible and/or steps and schedule necessary to complete the identified changes;
  - An identification of the official responsible for implementation of the plan;
  - An identification of steps that will be taken during each year of the transition period if longer than one year.

## Services, Programs, Activities Accessibility

4. All district services, programs and activities shall be readily accessible to and usable by individuals with disabilities. In order to achieve accessibility, structural and nonstructural methods such as the acquisition or redesign of equipment, assignment of aides to beneficiaries and the provision of services at alternate accessible sites will be considered. Final decision of an appropriate method of providing program accessibility will be determined by the district in accordance with the provisions of the ADA:
- Physical changes to an existing building, acquisition or construction of additional facilities will be required only when there is no other feasible way to make the services, programs or activities accessible;
  - Priority will be given to the method that results in the most integrated setting to encourage interaction among all users of the services, programs or activities, including individuals with disabilities;
  - No action will be taken that would fundamentally alter the services, programs or activities or result in undue financial or administrative burden to the district. Any such determination will take place as follows:
    - The decision will be made by the superintendent or designee;
    - All resources available for use in the funding and operation of the services, programs or activities will be considered;
    - A written statement of the reasons for reaching such decision will be maintained on file;
    - The district will take other action appropriate to ensure that individuals with disabilities receive the benefits of such services, programs and activities that would not result in such alteration or burden as determined by the district.

## Job Descriptions

5. Job descriptions shall be maintained and provided in oral, written and/or videorecorded form, reviewed and revised annually as needed to include:
- a. All essential job functions. "Essential job functions" are those job duties that include, but are not limited to, the following:
    - (1) The function is essential because the reason the position exists is to perform that function;
    - (2) The function is essential because of the limited number of employees available among whom the performance of that job function can be distributed;
    - (3) The function is so specialized that the incumbent is hired for their expertise or ability to perform the particular function.
  - b. Physical, mental and emotional skills for each position as appropriate, and only to the extent such skills are in fact required and in practice;
  - c. Vocational and/or educational preparation requirements;
  - d. Attendance standards;
  - e. A statement that new job descriptions supersede prior descriptions for the position. All past and present job descriptions that do not reflect current requirements of the position are rescinded;
  - f. A statement on job descriptions, "I have read this job description and agree with its contents.";
  - g. A provision for the current employee's signature and the date the job description was signed.

## Job Posting

6. Job postings shall be reviewed to ensure:
- a. All postings contain appropriate notice of the district's responsibilities under the ADA. For example:

*Winston-Dillard School* → *541-679-3000*

"The [ ] District, in support of employment practices free of barriers to individuals with disabilities and in compliance with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA), provides reasonable accommodations necessary upon request and appropriate notice. For further information or assistance, contact [name] at [phone]. Speech/Hearing impaired persons may reach the district through the Oregon Telecommunications Relay Service by dialing 1-800-735-2900 or 711."

OR

"Reasonable accommodations for the application and interview process will be provided upon request and as required in accordance with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA). Individuals with disabilities may contact [name] at [phone] for additional information or assistance. Speech/Hearing impaired persons may contact the district for assistance through the Oregon Telecommunication Relay Service at 1-800-735-2900 or 711."
  - b. All postings eliminate any discriminatory references;
  - c. All job advertisements provide, in addition to a telephone number to which applicants may apply for additional information, an address and/or TDD (telecommunications device for the deaf) or Oregon Telecommunication Relay Service phone number for the hearing impaired.

2/26/09 | RS

Americans with Disabilities Act – ACA-AR(1)

*Keep*

*Director of Student Services*

*Ryan Chandler*

## Job Application Forms

7. Job application forms shall be reviewed and revised as appropriate to include:

- a. Notice of the district's responsibilities under the ADA (see job posting notice);
- b. A statement asking applicant whether they require any reasonable accommodation for the hiring process. The hiring process may include, e.g., an interview, a timed written test or job demonstration;
- c. A request for applicant to provide documentation verifying the need for a reasonable accommodation, if deemed necessary by the district;
- d. The elimination of any health questions such as:
  - (1) Have you ever had or been treated for any of the following conditions or diseases (followed by a checklist)?
  - (2) Please list any conditions or diseases for which you have been treated in the past three years.
  - (3) Have you ever been hospitalized? If so, for what condition?
  - (4) Have you ever been treated by a psychiatrist or a psychologist? If so, for what condition?
  - (5) Have you ever been treated for any mental or emotional condition?
  - (6) Is there any health-related reason that may prevent you from performing the job for which you are applying?
  - (7) Have you had a major illness in the past five years?
  - (8) Do you have any physical defects which prevent you from performing certain kinds of work? If yes, describe such defects and specific work limitations.
  - (9) Do you have any disabilities or impairments which may affect your performance in the position for which you are applying?
  - (10) Are you taking any prescribed drugs?
  - (11) Have you ever been treated for drug addiction or alcoholism?
  - (12) Have you ever filed for workers' compensation benefits or had a work-related injury?

## Reasonable Accommodations - General

8. The district will provide reasonable accommodations to qualified individuals with disabilities who are part-time, full-time or probationary employees or applicants for employment, unless to do so would cause undue hardship. Reasonable accommodations include:
- a. Modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position the qualified applicant desires; or
  - b. Modifications or adjustments to the work environment or to the manner or circumstances under which the position held is customarily performed that enable a qualified individual with a disability to perform the essential functions of that position; or
  - c. Modifications or adjustments that enable an employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by other similarly situated district employees without disabilities.

## Reasonable Accommodations - Requests

9. A qualified individual with a disability should request a reasonable accommodation when they know there is a workplace barrier that is preventing them, due to a disability, from effectively competing for a position, performing a job or gaining equal access to a benefit of employment. Reasonable accommodation requests will be guided by the following provisions:
- a. To request a reasonable accommodation, an individual may use “plain English” and need not mention the ADA or use the phrase “reasonable accommodation”;
  - b. A request for a reasonable accommodation may be made on behalf of an individual with a disability by a family member, friend, health-care professional or other representative;
  - c. Requests will not be required to be in writing;
  - d. When the disability and/or the need for an accommodation is not obvious, the district may request reasonable documentation from a health-care or rehabilitation professional. The documentation requested shall be related to the particular disability for which an accommodation is requested. In requesting documentation, the district will specify what types of information it is seeking regarding the disability, its functional limitations and the need for reasonable accommodation. The district recognizes it may not request an individual’s complete medical record;
  - e. Documentation shall not be requested when both the disability and the need for the accommodation are obvious or the individual has already provided the district with sufficient information to substantiate that they have an ADA disability and needs the reasonable accommodation requested;
  - f. The district may send an individual to a health-care professional of the district’s choosing, at district expense, for the purpose of documenting a disability and/or the need for accommodation, only if the individual has provided insufficient information from their treating provider to substantiate that the disability exists or an accommodation is needed.

## Job Interview Procedures

10. Job interview procedures shall be reviewed to ensure:
- a. Physical and/or other barriers in the interview setting have been eliminated. The availability of accessible locations and accessible formats, such as a reader, Braille, audio recordings, written materials, sign language and interpreters for individuals with vision and hearing impairments and personal assistance for individuals with manual impairments have been considered as appropriate;
  - b. Questions relating to the health of the applicant, the applicant’s disabilities and work-related injuries and benefits have been eliminated;
  - c. Applicant’s previous work history will be ascertained without reference to the applicant’s disability. The specifics of prior job functions and the applicant’s ability to perform those specific functions may be discussed;
  - d. Requirements that an applicant describe or demonstrate how they would perform any or all job functions are required for all applicants in that job category. A particular applicant may be asked to describe or demonstrate how they would perform the job only when the district reasonably believes the applicant will not be able to perform a job function because of a known disability. The applicant’s disability would be “known” either because it is obvious or because the applicant has voluntarily disclosed that they have a hidden disability;

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- e. Questions related to the applicant's need to leave work to receive treatment or how often leave may be necessary as a result of a disability have been eliminated. Regular work hours, leave policies and attendance requirements may be explained and applicant asked if they will be able to meet those requirements. The district may ask about an applicant's prior attendance record (e.g., "How many days the applicant was absent from their last job?"). The district may also ask questions designed to detect whether an applicant abused their leave (e.g., "How many Mondays or Fridays were you absent last year on leave other than approved vacation leave?"). At the preoffer stage, the district may not ask how many days an applicant was sick;
  - f. Questions relating to applicant's current illegal use of drugs are not likely to elicit information about an applicant's lawful drug use, unless the district administers a test for illegal use of drugs and the applicant tests positive for illegal drug use. In such cases, the district may validate the test results by asking about lawful drug use or possible explanations for the positive result other than the illegal use of drugs;
  - g. Questions relating to an applicant's prior illegal drug use are not likely to elicit information about a disability. The district may ask, e.g., whether the applicant has ever used illegal drugs, when was the last time they used illegal drugs or if they have used illegal drugs in the last six months. The district will not ask questions about whether the applicant was a past drug addict. These questions are impermissible at the preoffer stage;
  - h. Questions relating to an applicant's drinking habits are not likely to elicit information related to how much alcohol an applicant drinks or whether they have participated in an alcohol rehabilitation program. The district may ask, e.g., whether the applicant drinks alcohol or whether they have been arrested for driving under the influence;
  - i. Questions relating to an applicant's arrest or conviction record have been included;
  - j. Selection and administration of employment tests will take place in a manner that leads to test results that accurately reflect the skills, aptitudes and whatever factors the tests purport to measure, rather than the impaired sensory, manual or speaking skills of the test subjects. Performance of any nonessential skill during any testing will not be allowed;
  - k. Physical agility/Physical fitness tests if required, will be specifically job related and administered to all applicants in a job category selected for interviews;
  - l. Applicant provides medical certification that they can safely perform a physical agility or physical fitness test when required by the district;
  - m. Applicant assumes responsibility and releases the district of liability for injuries incurred in performing physical agility/physical fitness test required by the district;
  - n. Applicant requests for reasonable accommodations in testing will be allowed for qualified individuals with a disability:
    - (1) Tests or exercises will be postponed as needed so that a reasonable accommodation can be provided;
    - (2) Modified tests or exercises will be provided unless such accommodation would change the measurement of the essential job function being tested (i.e., provide reader to assist with written test unless the ability to read is an essential job skill).
  - o. Drug screening tests, if required, will be administered to **all** applicants in a job category selected for interviews;
  - p. Preemployment offer medical examinations shall not be conducted.

## Reference Check Procedures

1. Reference check procedures shall be reviewed to ensure:

- a. Reference checks will be conducted on all applicants in a job category who meet the job requirements and are selected for interviews. Careful and complete notes will be taken and maintained. District officials conducting reference checks:

- (1) Before making a conditional offer of employment, may not ask previous employers or other sources about an applicant's:

- (a) Disability;
- (b) Illness;
- (c) Workers' compensation history;
- (d) Other questions that the district itself may not ask of the applicant.

- (2) May ask a previous employer or other sources about the applicant's:

- (a) Job functions and tasks performed;
- (b) The quality and quantity of work performed;
- (c) How the job functions were performed;
- (d) Other job-related issues that do not relate to disability.

## Job Offers

12. The process for all job offers shall be reviewed to ensure:

- a. Job offers will be made to the most qualified applicant who with or without a reasonable accommodation can perform the essential functions of the job. The district will adhere to the following job offer procedures:

- (1) After a conditional offer of employment is extended, the district may inquire as to whether the successful applicant will need a reasonable accommodation related to anything connected with the job (i.e., job performance or access to benefits/privileges of the job, etc.). If the district makes such an inquiry, it will consistently seek similar information from all other successful applicants in the same job category;
- (2) The successful applicant will be informed of medical examination and/or medical history requirements after an offer of employment has been made and before the applicant begins their employment duties. All entering employees in the same job category will be subjected to such medical examination and/or medical history requirements. An individual's workers' compensation history will be included in all such medical history inquiries;
- (3) The successful applicant will be informed that the job offer may be contingent upon disability-related questions, medical examination and/or medical history inquiries;
- (4) A completed medical history form and release for medical records with the successful applicant's signature and date may be required;
- (5) Information obtained from medical examinations and/or medical history inquiries may be used for such purposes as:

- (a) The verification of employment history;

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- (b) To screen out applicants with a history of fraudulent workers' compensation claims;
- (c) To provide information to state officials as required by state laws regulating workers' compensation and "second injury" funds;
- (d) To screen out individuals who would pose a direct threat to the health and safety of self or others in the workplace which could not be reduced to an acceptable level or eliminated by a reasonable accommodation.

(6) Reasonable accommodations will be provided if the medical examination or medical history inquiry discloses the successful applicant is a qualified individual with a disability as defined by the ADA. Reasonable accommodations will be provided by the district if such accommodation would enable the individual with a disability to perform the essential functions of the job or otherwise meet eligibility requirements. The reasonable accommodation will be established by the district. In determining the appropriate reasonable accommodation the district will:

- (a) Determine the essential functions of the job;
- (b) Consult with the individual who has the disability to determine their precise limitations and how they may be overcome;
- (c) Identify, with assistance of the individual with the disability, potential reasonable accommodations and assess their effectiveness;
- (d) Consider the preference of the individual with the disability, and then implement the reasonable accommodation that is most appropriate for the employee and the employer. (In order to be reasonable, an accommodation must be effective. It is not required that the best accommodation be selected as long as the selected accommodation provides an equal opportunity to perform the job.).

(7) Reasonable accommodations considered may include:

- (a) Job restructuring;
- (b) Modified work schedules;
- (c) Job reassignment;
- (d) Making existing facilities used by employees accessible to and usable by individuals with disabilities;
- (e) Acquisitions and/or modification of work policies including:
  - (i) Modification of leave or attendance procedures or other such policies related to working conditions (i.e., modification of a policy prohibiting employees from eating or drinking for an employee with insulin-dependent diabetes, etc.);
  - (ii) Qualified interpreters, note takers, transcription services, written materials, telephone handset amplifiers, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed captioning, telecommunications devices for deaf persons (TDD's), videotext displays or other effective methods of making aurally delivered materials available to individuals with hearing impairments;
  - (iii) Qualified readers, taped texts, audio recordings, Brailled materials, large print materials or other effective methods of making visually delivered materials available to individuals with visual impairments;

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- (iv) Acquisition or modification of equipment or devices;
- (v) Other similar services and actions for individuals with hearing, visual and/or manual impairments.

(8) A determination will be made whether an accommodation is reasonable or an undue burden by considering:

- (a) Nature and cost of accommodation;
- (b) Overall financial resources of facility;
- (c) Number of persons employed;
- (d) Impact on operation of facility;
- (e) Effect on expenses and resources;
- (f) Type of operation. Composition and functions of workforce. Geographic separation, fiscal or administrative relationship of facilities.

(9) The successful applicant who has been offered employment contingent on medical examination results and/or medical history inquiries will be rejected if the medical condition poses a direct threat to the health or safety of others in the workplace. The district shall consider whether the risk can be eliminated or reduced by a reasonable accommodation by considering the following:

- (a) The nature and severity of the potential harm to applicant or others in the workplace;
- (b) The likelihood that the potential harm will occur;
- (c) Specific risk is identified and documented;
- (d) Risk is current and not speculative or remote;
- (e) Assessment of risk is based on objective medical or factual evidence;
- (f) Medical condition is a direct threat.

(10) Should an offer of employment be withdrawn because of medical examination or medical history inquiry results, the exclusionary criteria must be job related and consistent with business necessity;

(11) Documentation will also include any determination that no reasonable accommodation was available that would enable the individual to perform the essential job functions or that accommodation would impose an undue hardship on the district;

(12) Medical information will be kept confidential:

- (a) Medical information must not be maintained in personnel file;
- (b) Medical information will be released only to those with “need to know” and/or “need to reach in emergency situations” (i.e., immediate supervisors, etc.);
- (c) Medical information records will be maintained a minimum of one year.

**Public Notice, Communications**

13. Notice of the district’s compliance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA) shall be displayed at each district facility and provided, as necessary, in appropriate accessible formats to applicants, participants, beneficiaries, professional organizations and other interested persons to include:

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- a. Pertinent provisions, duties and requirements of the ADA and its applicability to the district's employment practices, services, programs and activities, including the duty to reasonably accommodate upon request and with advance notice. In its effort to provide communications with individuals with disabilities that are as effective as communications with others, the district will also provide the following:

- (1) Individual to contact for services or questions, including office location and phone number;
- (2) Notice of Equal Employment Opportunity Commission (EEOC) requirements displayed in conspicuous places for all job applicants and employees;
- (3) Signage displayed at all inaccessible entrances to each of the district's facilities directing users to accessible entrances or to location at which information can be obtained about accessible facilities;
- (4) Signage displayed at all accessible entrances to the district's facilities. The international symbol for accessibility shall be used;
- (5) Appropriate auxiliary aids and services that may include:
  - (a) Qualified interpreters, note takers, computer-aided transcription services, written materials, telephone handset amplifiers, assistive listening systems, telephones compatible with hearing aids, telecommunications devices for deaf persons (TDD's), video text displays and/or exchange of written notes for individuals with hearing impairments;
  - (b) TDD's, computer terminals and/or communications boards for individuals with speech impairments;
  - (c) Qualified readers, taped texts, audio recordings, Brailled materials, large print materials and assistance in locating items for individuals with vision impairments;
  - (d) Telephone accessibility to enable individuals to seek immediate assistance from police, fire, ambulance and other emergency services;
  - (e) Other equally effective communications devices, services and actions.
- (6) Consultation with the individual with a disability to determine the most appropriate auxiliary aid or service. Priority will be given to the auxiliary aid or service that results in the most integrated setting to encourage interaction among all users, including those with disabilities. Primary consideration will be given to the expressed request of the individual with a disability. The district may select an alternative auxiliary aid or service should it determine that another equally effective means of communication is available or that the means chosen by the individual with a disability would result in a fundamental alteration in the services, programs or activities or in undue financial and administrative burden to the district;
- (7) Training to employees as needed on the acceptance and handling of telephone relay services for individuals with disabilities;
- (8) Information to employees through different means, including computers, bulletin boards, mailboxes, posters and public address systems. The district will ensure that employees with disabilities have access to information that is provided to other similarly situated employees without disabilities, regardless of whether they need such information to perform their jobs.



## New Construction/Alterations

14. All facilities designed, constructed or altered after January 26, 1992 shall be readily accessible and usable by individuals with disabilities. The district will ensure:

- a. Alterations to existing facilities will take place in a manner that results in the altered portion of the facility being readily accessible to persons with disabilities. Alterations must not decrease accessibility;
- b. Alterations deemed necessary to the path of travel in existing facilities requiring extensive restructuring or burdensome expense will be made in a timely fashion. Priority will be given to the following (in order):
  - (1) Entrances and routes to the altered area;
  - (2) One accessible restroom;
  - (3) Accessible drinking fountains;
  - (4) Additional, accessible parking.
- c. Appropriate requirements of either the Uniform Federal Accessibility Standards (UFAS) or Americans with Disabilities Act Accessibility Guidelines (ADAAG) will be met, including accessibility requirements related to work areas, parking, signs, entrances, water fountains, storage and shelves, telephones, assembly areas, bathrooms, detectable warnings, carpet and carpet tile, curb ramps and visual alarms.

## Posthires/Current Employees

15. All posthire and current employee Board policies and practices shall be reviewed to ensure:

- a. Medical examinations and/or medical history inquiries required by the district will be job related and consistent with business necessity. This will not prohibit the district from requiring proof of illness to substantiate a request for sick leave. Medical examinations and/or medical history inquiries may be administered by the district when:
  - (1) An employee is having difficulty performing their job effectively. The medical examination may be necessary to determine if the employee can perform essential job functions with or without a reasonable accommodation;
  - (2) An employee becomes disabled. An employee injured on or off the job, who becomes ill or otherwise suffers any other condition that meets the requirements of a disability as defined by the ADA is protected by the Act if they can perform the essential functions of the job with or without a reasonable accommodation. Such an examination or inquiry may also be required when the employee wishes to return to work after an illness or injury. The district will:
    - (a) Determine if the employee meets the ADA definition of an individual with a disability if a reasonable accommodation has been requested;
    - (b) Determine if the employee can perform the essential functions of the job currently held (or held before the injury or illness), with or without reasonable accommodation, and without posing a direct threat to the health or safety of others which could not be reduced or eliminated by a reasonable accommodation;

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(c) Identify an effective accommodation that would enable the employee to perform the essential job functions in the current (previous) job or in a vacant job for which the person is qualified with or without a reasonable accommodation.

- (3) An employee requests a reasonable accommodation on the basis of disability;
- (4) Administered as part of a voluntary employee “wellness” and health screening program.

b. Procedures for reporting and investigating employee on-the-job injury or illness will be implemented. The district will:

- (1) Require employees complete workers’ compensation form;
- (2) Investigate, as necessary, documenting circumstances that led to injury and review all employee work-related injury or illness on a case-by-case basis.

c. Procedures for communicating with health-care providers regarding employees off-work due to any injury or illness will be implemented. The district, as necessary, and at its discretion will:

- (1) Provide health-care provider with detailed description of regular job activities, physical movement, duration of physical exertions and job description;
- (2) Write detailed questions for the health-care provider to answer that may assist the district in determining any reasonable accommodation that may be necessary;
- (3) Ask for employee written release authorizing district representative to consult with the employee’s own health-care provider.

d. Procedures for employees not able to perform essential job functions completely after illness or injury will be implemented. The district will:

- (1) Determine whether temporary light duty assignment is possible. In accordance with the ADA, the district is not required to create a “light duty” position unless the “heavy duty” tasks an injured employee can no longer perform are marginal job functions which may be reallocated to co-workers as part of a reasonable accommodation;
- (2) Determine whether job can be restructured, shifting or trading duties with other workers. Job restructuring as a reasonable accommodation may involve reallocating or redistributing the marginal functions of the job, altering when and/or how an essential or marginal function is performed. Marginal functions of a job that cannot be performed by an individual with a disability may be exchanged for marginal job functions performed by one or more other employees. The district is not required to reallocate essential functions of a job as a reasonable accommodation. The district may switch the marginal functions of two or more employees in order to restructure a job as a reasonable accommodation;
- (3) Determine whether a modified or part-time work schedule may be selected as a reasonable accommodation unless modifications would cause an undue hardship. A modified schedule may involve adjusting arrival or departure times, providing periodic breaks, altering the time when certain functions are performed, allowing the employee to use accrued paid leave or providing additional unpaid leave. If modifying an employee’s work schedule poses an undue hardship, the district shall consider reassignment to a vacant position that would enable the employee to work the hours requested. Requests for modified or part-time work schedules for an employee covered under both the ADA and Oregon Family Leave Act (OFLA) or Family Medical Leave Act (FMLA) will be

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considered separately. The district will determine the employee’s rights under each statute to determine the appropriate actions to take;

- (4) Determine whether reassignment to a vacant position is possible. “Vacant” means that the position is available after the employee asks for a reasonable accommodation or that the district knows that it will become available within a reasonable amount of time. Reassignment is the reasonable accommodation of last resort and required only after it has been determined that there are no effective accommodations that will enable the employee to perform the essential functions of their current position or all other reasonable accommodations would impose undue hardship.

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- (a) The employee must be qualified for the position — satisfy the requisite skill, experience, education and other job-related requirements of the position — but need not be the best qualified person to fill the position.
- (b) The employee must be able to perform the essential functions of the position with or without a reasonable accommodation.
- (c) The district is not required to bump an employee from a job in order to create a vacancy, nor does it have to create a new position.

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- (5) Gather information from employee, health-care provider(s), consultants, etc. as to needed modifications in policies, facilities, equipment, special aids and services that may be provided as a reasonable accommodation;
- (6) Document all district efforts to provide reasonable accommodations.

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e. Qualified individuals with a disability not fully recovered from injury will not be returned to work when:

- (1) The employee cannot perform the essential functions of the job they hold or desires with or without a reasonable accommodation;
- (2) The return of the employee to work would pose a significant risk of substantial harm to self or others in the workplace and that could not be reduced to an acceptable level with a reasonable accommodation;
- (3) The return of the employee to a light duty position involves a totally different job from the job that the employee performed before the injury. A vacant light duty position already available for which an injured employee is qualified may be a reasonable accommodation;
- (4) It is demonstrated that the accommodation will cause an undue hardship or result in excessive financial and administrative burden as defined by the ADA, and as evidenced by the district.

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f. Unpaid leaves will be provided to qualified individuals with a disability when a reasonable accommodation cannot be made in the employee’s current job. The district will comply with all workers’ compensation reinstatement rights to available and suitable employment;

g. Leave of absence or attendance policies will not discriminate against qualified individuals with disabilities. (Uniformly applied leave policies are not subject to challenge because they have a more severe effect on individuals due to their disability. “No leave” policies, such as those forbidding leave during the first six months of employment are also not subject to challenge because they may have a more severe impact upon individuals with disabilities. An employer with a “no-leave” policy, however, may have to consider providing leave as a reasonable accommodation unless doing so would impose an undue hardship on its operation.) The

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district will not provide additional paid leave, but accommodations may include leave flexibility and unpaid leave;

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Drug and alcohol policies will meet the requirements of the ADA. Policies will state:

- (1) Illegal use of drugs and the use of alcohol at the workplace is prohibited by all employees;
- (2) Employees will be required to behave in conformance with the requirements of the Drug-Free Workplace Act of 1988;
- (3) Employees who engage in the illegal use of drugs or alcohol will be held to the same qualification standards for employment or job performance and behavior to which all other employees are held, even if unsatisfactory performance or behavior is related to employee's drug use or alcoholism;
- (4) Employees taking drugs under the supervision of licensed health-care professionals will be protected by the provisions of the ADA;
- (5) Employees who are no longer illegally using drugs and who have been either rehabilitated successfully or are in the process of completing a rehabilitation program will be protected by the provisions of the ADA (i.e., in-patient or out-patient programs, employee assistance programs, professionally recognized self-help programs, such as Narcotics Anonymous, or other programs that provide professional assistance and counseling for individuals).

- i. Health, life insurance, pension plans and other benefit plans offered by the district will not discriminate against qualified individuals with a disability (The ADA does not affect preexisting condition clauses in health insurance plans as long as the clauses are not used as a means to avoid complying with the ADA, and such clauses do not require that additional coverage be purchased to cover expenses related to a disability.). Employees will not be denied coverage for illness or injuries unrelated to the preexisting condition;
- j. Contractual or other business arrangements and relationships entered into by the district will not discriminate against qualified individuals with a disability. The district will:
  - (1) Not do indirectly what it is prohibited by the ADA from doing directly;
  - (2) Provide reasonable accommodations to enable access by employees with disabilities to training programs provided by the district and/or third parties, on district premises or elsewhere;
  - (3) Specify in contracts with outside entities providing training on behalf of the district, who have responsibility to fulfill the obligations of providing reasonable accommodations, as needed.



# Winston-Dillard School District 116

Code: ACA-AR(2)  
Revised/Reviewed: **P**

## ADA Grievance Procedure

The compliance officer is responsible for coordinating the district's efforts to comply with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA). The compliance officer shall be a neutral party having had no involvement in the complaint presented. **R**

Step 1 Any complaint shall be presented in writing to the compliance officer within 180 days from date of alleged discrimination. It must include the following:

- a. Name and address of the individual or the representative filing the complaint;
- b. Description of the alleged discriminatory action in sufficient detail to inform the district of the nature and date of the alleged violation;
- c. Signature by the complainant or by someone authorized to do so on their behalf;
- d. Identification (by name, if possible) of the alleged victims of the discrimination for any complaint filed on behalf of classes or third parties. **P**

Step 2 The compliance officer shall thoroughly investigate the complaint, notify the person who has been accused of discriminating, permit a response to the allegation and arrange a meeting to discuss the complaint with all concerned parties within 10 working days after receipt of the written complaint, if deemed necessary. The compliance officer shall give a written answer to the complainant within 15 working days after receipt of the written complaint. **O**

Step 3 If the complainant is not satisfied with the answer of the compliance officer, they may submit a written appeal to the superintendent or designee indicating with particularity the nature of disagreement with the answer and reason underlying such disagreement. Such appeal must be filed within 10 working days after receipt of the compliance officer's answer. The superintendent or designee shall arrange a meeting with the complainant and other affected parties, if requested by the complainant, at a mutually agreeable time to discuss the appeal. **S**

The superintendent or designee shall give a written answer to the complainant's appeal within 10 working days.

Step 4 If the complainant is not satisfied with the answer, an appeal to the Board may be filed within 10 working days after receipt of the Step 3 answer. The Board shall, within 20 working days, conduct a hearing at which the complainant shall be given an opportunity to present the complaint. The Board shall give a written answer to the complainant within 10 working days following completion of the hearing. **E**

**D**



Step 5 If the complainant is not satisfied with the decision of the Board, a complaint may be filed with the Coordination and Review Section, Civil Rights Division, U.S. Department of Justice (student complaints) or the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries (employment complaints).

Individuals may initiate complaint procedures and/or civil actions with or without first complying with local complaint procedures.

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# Winston-Dillard School District 116

Code: ACB  
Adopted: 12/09/20  
Revised/Readopted: 10/12/22  
Orig. Code(s): ACB

*Good!*

## Every Student Belongs

### Good

All students are entitled to a high quality educational experience, free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability or national origin.

All employees are entitled to work in an environment that is free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability or national origin.

All visitors are entitled to participate in a school or educational environment that is free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability or national origin.

“Bias incident” means a person’s hostile expression of animus toward another person, relating to the other person’s perceived race, color, religion, gender identity, sexual orientation, disability or national origin, of which criminal investigation or prosecution is impossible or inappropriate. Bias incidents may include derogatory language or behavior.

“Symbol of hate” means nooses<sup>1</sup>, symbols of neo-Nazi ideology or the battle flag of the Confederacy.

The district prohibits the use or display of any symbols of hate on school property<sup>2</sup> or in an education program<sup>3</sup> except where used in teaching curriculum that is aligned with state standards of education for public schools.

In responding to the use of any symbols of hate or bias incidents, the district will use non-disciplinary remedial action whenever appropriate.

The district prohibits retaliation against an individual<sup>4</sup> because that individual has in good faith reported information that the individual believes is evidence of a violation of a state or federal law, rule or regulation.

Nothing in this policy is intended to interfere with the lawful use of district facilities pursuant to a lease or license.

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<sup>1</sup> The display of a noose on public property with the intent to intimidate may be a Class A Misdemeanor under Senate Bill 398 (2021).

<sup>2</sup> “School property” means any property under the control of the district.

<sup>3</sup> “Education program” includes any program, service, school or activity sponsored by the district.

<sup>4</sup> ORS 659.852 prohibits retaliation only against students. Other statutes (and other complaint procedures) prohibit retaliation against staff and others for reporting or providing information regarding a complaint or investigation.

The district will use administrative regulation ACB-AR - Bias Incident Complaint Procedure to process reports or complaints of bias incidents.

END OF POLICY

**Legal Reference(s):**

[ORS 174.100](#)  
[ORS 339.347](#)  
[ORS 659.850](#)

[ORS 659.852](#)  
[OAR 581-002-0005](#)  
[OAR 581-022-2312](#)

[OAR 581-022-2370](#)

*Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503 (1969).  
*Dariano v. Morgan Hill Unified Sch. Dist.*, 767 F.3d 764 (9th Cir. 2014).  
*State v. Robertson*, 293 Or. 402 (1982).

# Winston-Dillard School District 116

Code: ACB-AR  
Adopted: 12/09/20  
Revised/Readopted: 10/12/22  
Orig. Code(s): ACB-AR

## Bias Incident Complaint Procedure

The terms “bias incident” and “symbols of hate” are defined in policy. Persons impacted by a bias incident or display of a symbol of hate shall be defined broadly to include persons directly targeted by an act, as well as the community of students as a whole who are likely to be impacted by the act.<sup>1</sup>

Step 1: When a staff member learns of a potential bias incident or display of a symbol of hate, the staff member will prioritize the safety and well-being of all persons impacted and promptly report the incident to the building administrator.

Step 2: The administrator shall acknowledge receipt of the complaint, reduce the complaint to writing, and investigate any complaint of a bias incident. Responding staff will recognize the experience of all persons impacted, acknowledge the impact, commit to taking immediate action, and commit to preventing further harm against those persons impacted from taking place. Educational components and redirection procedures, if any, will:

- Address the history and impact of bias and hate;
- Advance the safety and healing of those impacted by bias and hate;
- Promote accountability and transformation for people who cause harm; and
- Promote transformation of the conditions that perpetuated the harm.

The administrator must consider whether the behavior implicates other district policies or civil rights laws, and if so, respond accordingly<sup>2</sup>.

The administrator will make a decision within 10 days of receiving the complaint.

All persons impacted by the act will be provided with information<sup>3</sup> relating to the investigation and outcome of the investigation, including:

- Notice that an investigation has been initiated;
- Notice when an investigation has been completed;
- Findings of the investigation and the final determination based on those findings;
- Actions taken to remedy a person’s behavior and prevent reoccurrence; and

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<sup>1</sup> The term “complainant” in this administrative regulation includes persons filing formal complaints and persons reporting bias incidents, regardless of whether the complainant is a victim. Similarly, the term “complaint” includes any report, information or complaint.

<sup>2</sup> The nature of the behavior or act must determine the process used to respond; what rights and protections are available to the person(s) impacted by the behavior or act; and an individual’s right to appeal to the Oregon Department of Education or the U.S. Department of Education.

<sup>3</sup> For additional information regarding required notices, see OAR 581-022-2312(4)(e)(E).

- When applicable, the legal citation of any law prohibiting disclosure of any information described above, and an explanation of how that law applies to the current situation.

Step 3: If complainant or a respondent wishes to appeal the decision of the administrator, the complainant or respondent may submit a written appeal to the superintendent within five school days after receipt of the administrator’s response to the complaint.

The superintendent shall acknowledge receipt of the appeal and may meet with all parties involved. The superintendent will review the merits of the complaint and the administrator’s decision. The superintendent will respond in writing to the complainant within 10 school days.

The superintendent will ensure that the requirements in Steps 1 and 2 (redirection procedures, notice, etc.) are continued to be met through Step 3, as appropriate.

Step 4: If the complainant or respondent is not satisfied with the decision of the superintendent, a written appeal may be filed with the Board within five school days of receipt of the superintendent’s response to Step 3. The Board may decide to hear or deny the request for appeal at a Board meeting. The Board may use an executive session if the subject matter qualifies under Oregon law. If the Board decides to hear the appeal, the Board may meet with the concerned parties and their representative at a Board meeting. The Board’s decision will be final and will address each allegation in the complaint and contain reasons for the Board’s decision. A copy of the Board’s final decision shall be sent to the complainant in writing within 10 days of this meeting.

The Board will ensure that the requirements in Steps 1 and 2 (redirection procedures, notice, etc.) are continued to be met through Step 4, as appropriate.

Complaints can be filed with or communicated directly to the administrator, in which case Step 1 will be skipped. Complaints against the administrator can be directed to the superintendent or designee and will begin at Step 3. Complaints against the superintendent or a Board member(s) can be directed to the Board and will begin at Step 4. If complaints begin later than Step 1, the individuals reviewing the complaint will ensure that all requirements are met.

*Keep comma*

The complainant, if a person who resides in the district[,] [or] a parent or guardian of a student who attends school in the district[or a student,] is not satisfied after exhausting local complaint procedures, the district fails to render a written decision within 30 days of submission of the complaint at any step or fails to resolve the complaint within 90 days of the initial filing of the complaint, may appeal<sup>4</sup> the district’s final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023.

Complaints may also be filed directly with the U.S. Department of Education Office for Civil Rights.<sup>5</sup>

Building administrators will develop and implement instructional materials to ensure that all school employees, staff and students are made aware of the policy, this administrative regulation and related

<sup>4</sup> An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

<sup>5</sup> Complaints must meet criteria as established by law. For more information, visit <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>

practices. The materials will include reporting procedures, educational processes, and possible consequences.

When necessary, timelines may be adjusted by the district by communicating to all parties in writing. This communication must include a new timeline and an explanation of why the timeline must be adjusted.

# Winston-Dillard School District 116

Code: AD  
Adopted: 12/13/11  
Orig. Code(s): AD

## Educational Philosophy

*(Generally, ok. However, how does this align with the district's vision, mission and goals? Also, OSBA generally recommends removing policy related to educational philosophy. If the board desires to keep language, consider putting on the district's board web pages and or in the student/parent and staff handbooks.)*

The Board believes education should be shaped by purposes rather than by forces.

This district's education system, while maintaining flexibility in adapting to an ever-changing society, is dedicated to the personal development of each student to his/her potential through a sequentially-coordinated curriculum that allows for individual differences, becoming proficient in the knowledge and skills of the student's current grade level and the opportunity to succeed.

As students develop abilities, they are expected to attain efficient and satisfying work habits, grow and develop physically and cognitively, acquire wholesome personal interests, responsibly direct their lives, develop desirable collaborative social attitudes skills, assume citizenship responsibilities, learn their heritage and their place purpose in a global society and cultivate intellectual interests.

The district supports academic growth beyond proficiency in the knowledge and skills of the student's current grade level and encourages students to attain aspirational goals that are individually challenging.

To this end, staff members will strive to aid each student's intellectual, physical, character, emotional and social growth so that he/she may become a responsible community member and lead a personally rewarding life.

END OF POLICY

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### Legal Reference(s):

[ORS 329.025](#)  
[ORS 329.035](#)

[ORS 329.485](#)  
[ORS 332.107](#)

[OAR 581-022-1020](#)

*Delete?*  
*If kept incorporate OSBA changes*

# Winston-Dillard School District 116

Code: AE  
Adopted: 6/22/05  
Revised/Readopted: 3/16/11; 12/13/11; 7/11/12  
Orig. Code: AE

Delete

## District Goals

(Version 1)

*(This language is repeated in policy 1A and are required elements of the instructional plan(s). Consider alternate language found in version 2 of this policy proposed.)*

The goal of the district, working in cooperation with staff, parents and community members, is to provide a district that, through the following characteristics:

1. Provides equal and open access and educational opportunities for all students regardless of their linguistic background, culture geographic location, race, color, religion, sex, sexual orientation, national origin, marital status, age, or disability;
2. Assumes that all students can learn and establishes high, specific skill and knowledge expectations and recognizes individual differences at all instructional levels;
3. Provides special education, compensatory education, linguistically and culturally appropriate education and other specialized programs to all students who need those services;
4. Provides students with a solid foundation in the skills of reading, writing, problem solving and communication;
5. Provides opportunities for students to learn, think, reason, retrieve information, use technology and work effectively alone and in groups;
6. Provides for acquiring the knowledge and skills of the student's current grade level and instruction in mathematics, science, English, history, geography, economics, civics, physical education, health, the arts and second languages;
7. Provides students an educational background to the end that they will function successfully in a constitutional republic, a participatory democracy and a multicultural nation and world;
8. Provides students with the knowledge and skills that will provide the opportunities to succeed in the world of work, as members of families and as citizens;
9. Provides students with the knowledge, skills and positive attitude that lead to an active, healthy lifestyle;
10. Provides students with the knowledge and skills to take responsibility for their decisions and choices;
11. Provides opportunities for students to learn through a variety of teaching strategies;
12. Emphasizes the involvement of parents and the community in the total education of students;

13. Transports students safely to and from school;
14. Ensures that the funds allocated to schools reflect the uncontrollable differences in costs facing each district;
15. Ensures that local schools have adequate control of how funds are spent to best meet the needs of students in their communities;
16. Provides for a safe, educational environment;
17. Supports students' academic growth beyond proficiency in academic content standards and encourages their attainment of individual goals;
18. Supports the physical and cognitive growth and development of students;
19. Provides for increased learning time; and
20. Utilizes valid and reliable data for evaluating the success of curriculum, instruction, resource allocation and school improvement.

END OF POLICY

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**Legal Reference(s):**

[ORS 174.100](#)  
[ORS 192.630](#)  
[ORS 329.015](#)  
[ORS 329.025](#)

[ORS 329.485](#)  
[ORS 332.107](#)  
[ORS 659.850](#)  
[ORS 659A.003](#)  
[ORS 659A.006](#)

[ORS 659A.030](#)  
[OAR 839-003](#)

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# Winston-Dillard School District 116

Code: AE  
Adopted:  
Orig. Code(s): AE

## District Goals (Version 2)

The district shall maintain a coordinated [valid and reliable data-driven] K-12 program designed to improve student achievement, support students' academic growth beyond proficiency in the knowledge and skills of the student's current grade level, encourage their attainment of individual goals and successfully prepare students to function effectively in a rapidly changing world and for the futures they choose to pursue.

The district will work with staff, parents and community members [through 21st Century Schools Councils, local school committees and advisory committees] to develop district goals that support the physical and cognitive growth and development of students. Goals will be adopted by the Board consistent with the goals adopted by the State Board of Education, and will be reviewed and revised as needed. [Goals will utilize valid and reliable data for evaluating the success of curriculum, instruction, resource allocation and school improvement.]

END OF POLICY

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### Legal Reference(s):

[ORS 174.100](#)  
[ORS 192.630](#)  
[ORS 329.015](#)  
[ORS 329.025](#)

[ORS 329.485](#)  
[ORS 332.107](#)  
[ORS 659.850](#)  
[ORS 659A.003](#)

[ORS 659A.006](#)  
[ORS 659A.030](#)  
[OAR 839-003](#)

# Winston-Dillard School District 116

Code: BA  
Adopted: 7/10/02  
Readopted: 3/16/11  
Orig. Code: BA

## Board Goals

The Board is responsible to the people for whose benefit the district has been established. Further, the Board's current decisions will influence the future course of education in the district's schools ~~district for years to come~~. By virtue of this responsibility, the Board and each of its members must look to the future and to the needs of all district community members ~~people more than the average citizen finds necessary~~. This requires a comprehensive perspective and long-range ~~planning~~ in addition to addressing ~~attention to immediate problems~~.

The Board's primary responsibility is to establish ~~those policies, purposes and programs, and procedures~~ which will best produce ~~the educational achievement~~. The Board ~~needed by district students~~. It is charged with accomplishing this while also being responsible for wise management of ~~resources available resources to the district~~. The Board ~~must~~ fulfill these responsibilities by functioning primarily as a legislative body which ~~formulates to formulate~~ and ~~adopts adopt~~ policy, by selecting a chief ~~an~~ executive officer to implement policy and by evaluating the results. Further, it ~~must~~ carry out its functions openly and seek ~~while seeking the involvement and contributions~~ of students, staff, and the public during ~~students and staff in its decision-making processes process~~.

In accordance with these principles, the Board, through its operations, will review and vote to adopt Board goals ~~that align with mode of operating, shall seek to achieve the following goals~~.

1. Concentrate ~~To concentrate~~ the Board's collective effort on ~~its~~ policy-making and planning responsibilities;
2. Formulate ~~To formulate~~ Board policies that ~~which~~ best serve each student's ~~the~~ educational interests of ~~each student~~;
3. Provide ~~To provide~~ the superintendent with sufficient and adequate guidelines for implementing Board policies;
4. Maintain ~~To maintain~~ effective communication with the students, staff, and the public ~~that the Board serves and with staff and students in order to maintain awareness of attitudes attitude, opinions, desires and ideas~~;
5. Conduct Board business openly, soliciting and encourage broad-based involvement of the students, staff, and the public in the Board's decision-making processes.

END OF POLICY

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### Legal Reference(s):

ORS 332.107

3/22/16 | PH

Board Goals – BA  
1-2



# Winston-Dillard School District 116

Code: BB  
Adopted: 7/10/02  
Readopted: 3/16/11  
Orig. Code: BB

## Board Legal Status

The Constitution of the state of Oregon charges the Legislature with providing – by statute – for a uniform and general system of common schools. The Legislature enacts laws to delegate the immediate control of the schools to locally elected boards of directors; thus, the Board is the governing body of the district.

Federal and state statutes and the State Board of Education rules define and outline the general powers and duties of the Board. The Oregon statutes authorize the Board to transact all business within the jurisdiction of the district, control the district schools and educate the children residing in the district. Oregon Administrative Rules establish further requirements and guidelines for the district. The Board’s duty is to carry out those statutes and rules that are mandatory, e.g., “The Board shall...;” where the laws are permissive, e.g. “The Board may...,” the Board is empowered to exercise judgment and discretion.

This district will be known as the Winston-Dillard School District #116.

*(either will or shall is fine here; the model says ‘will’)* The regular term of office for Board members will be four years. The terms of office will commence on the first day of July following regular district elections. The term of office for members appointed to fill a vacancy will be until June 30 following the next regular district election. The term of office for members elected to fill a vacancy will be the time remaining in the vacated Board position.

END OF POLICY

### Legal Reference(s):

[ORS 255.335](#)  
[ORS 332.018\(1\)](#)  
[ORS 332.030\(4\)](#)

[ORS 332.072](#)  
[ORS 332.075](#)  
[ORS 332.105](#)

[ORS 332.107](#)  
[ORS 335.505](#)

OR. CONST., art. VIII, § 3.

# Winston-Dillard School District 116

Code: BBA  
Adopted: 7/10/02  
Readopted: 3/16/11  
Orig. Code: BBA

## Board Powers and Duties

The ~~Legislature~~~~Legislative Assembly~~ of the state of Oregon delegates to the Board responsibility for the conduct and governance of ~~programs and services in the district schools~~. The general powers granted to the Board are:

### 1. Legislative or Rule-Making Authority

In regular or special public meetings, after open discussion and after members' votes are recorded, the Board ~~will~~~~shall~~ establish rules or policy to govern the conduct of its members and the proceedings of the Board.

The Board shall establish policies ~~and regulations~~ for governing the programs and services of the district consistent with State Board of Education rules and with local, state, and federal laws.

The Board is responsible for providing adequate and direct means for keeping informed about the needs and wishes of the public and for keeping local ~~district community members~~~~citizens~~ informed about the schools.

### 2. Judicial Authority

As provided by law, policy or contract, the Board acts as a fact-finding body or a court of appeal for staff members, students and the public when issues involve Board policies or agreements and their implementation, and when the ~~Board~~~~board~~ must determine the rights, duties, or obligations of those who address the Board.

### 3. Executive or Administrative Authority

The Board ~~will~~~~shall~~ appoint a superintendent delegated to establish administrative regulations to implement Board policy and goals. The Board ~~will~~~~shall~~ evaluate the superintendent's performance.

The Board may establish academic and financial goals for the district and evaluate the superintendent's implementation of those goals.

The Board ~~will~~~~shall~~ oversee the district's financial affairs by authorizing, appropriating, and adopting budgets and by proposing local option or bond elections, when appropriate and as allowed by law, to provide for program operation and maintenance or acquisition of district property.

The Board ~~will~~~~shall~~ authorize the superintendent to approve payment on all contracts and business transactions of the district in accordance with ~~Board~~~~board~~ policies on purchasing and budget requirements.

The Board ~~shall~~ will provide for an annual audit of the district's assets.

The Board shall employ the staff necessary to carry out the educational program and ~~will~~ shall provide for regular evaluation of staff.

The Board ~~will~~ shall direct the collective bargaining process to establish collective bargaining agreements with the district's personnel. The Board ~~will~~ shall establish, through the collective bargaining process where appropriate, salaries and salary schedules, other terms and conditions of employment, and personnel policies for districtwide application.

The Board ~~will~~ shall establish the days of the year and the hours of the day when school will be in session.

END OF POLICY

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**Legal Reference(s):**

[ORS 192.630](#)

[ORS 243.656](#)

[ORS Chapters 279A, 279B](#) and [279C](#)

[ORS 294.305](#) to -294.565

[ORS 328.205](#) to -328.304

[ORS 332.072](#)

[ORS 332.075](#)

[ORS 332.105](#)

[ORS 332.107](#)

[ORS Chapter 339](#)

[ORS 342.805](#) to -342.937

[ORS Chapter 343](#)

# Winston-Dillard School District 116

Code: BBAA  
Adopted: 7/10/02  
Revised/Readopted: 3/16/11; 10/12/16; 5/15/19  
Orig. Code: BBAA

## Individual Board Member's Authority and Duties

An individual Board member exercises the authority and responsibility of ~~their~~<sup>his/her</sup> position when the Board is in legal session only.

A Board member has the authority to act in the name of the Board when authorized by a specific Board motion. The affirmative vote of the majority of members of the Board is required to transact any business. When authorized to act as the district's designated representative in collective bargaining, a Board member may make and accept proposals in bargaining subject to subsequent approval by the Board.

~~When expressing~~ ~~A Board member has the right to express~~ personal opinions. ~~When expressing such~~ ~~opinions~~ in public, the Board member ~~should~~<sup>must</sup> clearly identify the opinions as their own.

Members will be knowledgeable of information requested through Board action, supplied by the superintendent, gained through attendance at district activities and through professional Board activities.

Members of the Board will adhere to the following in carrying out the responsibilities of membership:

### 1. Request for Information

Any individual Board member who desires a copy of an existing written report or survey prepared by the administrative staff will make such a request to the superintendent. A copy of the material may be made available to each member of the Board. Requests for the generation of reports or information, which require additional expense to the district, must be submitted to the Board for consideration.

### 2. Requests for Legal Opinions

Requests for legal ~~advice or~~ opinions by a Board member ~~that will incur a cost for the district~~ must be approved by a majority vote of the Board before the request is made to legal counsel. ~~If the legal opinion sought involves the superintendent's employment or performance, the request should be made to the board chair.~~ [The Board chair is authorized to obtain legal advice or opinions if ~~advantageous~~ to do so prior to the next meeting (e.g., advice regarding an executive session or a decision to invite district legal counsel) without a need for Board approval.] Legal counsel is responsible to the Board.

### 3. Action on Complaints or Requests Made to Board Members

When Board members receive complaints or requests for action from staff, students or members of the public, the Board members will direct the staff, students, members of the public to the appropriate complaint policy Board policy KL – Public Complaints. Such information will be conveyed to the superintendent.

4. Board Member's Relationship to Administration

Individual Board members will be informed about the district's educational program, may visit schools or other facilities to gain information, and may request information from the superintendent. No individual Board member may direct the superintendent to action without Board authorization. Board members will not intervene in the administration of the district or its schools.

5. Contracts or Agreements

All contracts of the district must be approved by the Board, unless otherwise delegated by the Board to the superintendent or designee for approval, before an order can be drawn for payment. If a contract is made without authority of the Board, the individual making such contract shall be personally liable.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.045](#)

[ORS 332.055](#)

[ORS 332.057](#)

[ORS 332.075](#)

38 OR. ATTY. GEN. OP. 1995 (1978)

S. Benton Educ. Ass'n v. Monroe Union High Sch. Dist., 83 Or. App. 425 (1987).

# Winston-Dillard School District 116

Code: BBB  
Adopted: 7/10/02  
Revised/Readopted: 3/16/11; 1/15/14  
Orig. Code(s): BBB

## Board Elections

### 1. Number of Directors

The Board shall consist of five members elected at large and shall be known as the district school Board. The term of office shall be four years.

### 2. Designation of Board Positions

Board members' positions and their respective successors in office will be designated by numbers as Position No. 1, No. 2, No. 3, No. 4, and No. 5. In all proceedings for the nomination or election of candidates for or to the office of Board member, every petition for nomination, declaration of candidacy, certificate of nomination, ballot or other document used in connection with the nomination or election will state the position number to which the candidate aspires.

Individuals may seek more than one elected position such as school board and education service district board.

Elections for Board positions ~~will~~ occur as follows:

- Position No. 1: Spring (~~2015~~2027), and every four years thereafter;
- Position No. 2: Spring (~~2017~~2025), and every four years thereafter;
- Position No. 3: Spring (~~2017~~2025), and every four years thereafter;
- Position No. 4: Spring (~~2017~~2025), and every four years thereafter;
- Position No. 5: Spring (~~2015~~2027), and every four years thereafter.

END OF POLICY

#### Legal Reference(s):

[ORS 249.013](#)

[ORS 255.235](#)

[ORS 255.245](#)

[ORS 332.011](#)

[ORS 332.018](#)

[ORS 332.118 to -332.138](#)

# Winston-Dillard School District 116

Code: BBBA  
Adopted: 12/14/05  
Readopted: 3/16/11  
Orig. Code: BBBA

## Board Member Qualifications

A person is eligible to serve as a Board member if the person~~he/she~~ is a qualified~~an~~ elector<sup>1</sup> of the district. An “elector” means an individual qualified to vote under Section 2, Article II of the Oregon Constitution. The individual must be 18 years of age or older, registered to vote at least 20 calendar days immediately preceding any election in the manner provided by law and has~~must have~~ been a resident within the district for one year immediately preceding the election or appointment. If the district and the position sought is one elected or nominated by zone, the person must also reside in the zone from which the person is nominated except as authorized by law. Additionally, if the district is zoned, the individual must meet the requirements of ~~ORS 332.124 – 332.126.~~

~~A~~ No person who is an employee of the district is not eligible to serve as a Board member while so employed. A person who is an employee of a public charter school may not serve as a member of the Board of the district in which the public charter school that employs the person is located.

END OF POLICY

### Legal Reference(s):

[ORS 247.002](#)  
[ORS 247.035](#)  
[ORS 249.013](#)

[ORS 332.016](#)  
[ORS 332.018](#)  
[ORS 332.030](#)

[ORS 332.124](#)  
[ORS 332.126](#)

OREGON CONSTITUTION, ARTICLE II, Section 2.

<sup>1</sup> “Elector” means an individual qualified to vote under Article II, section 2, [Oregon Constitution](#).

# Winston-Dillard School District 116

Code: BBBB  
Adopted: 7/10/02  
Readopted: 3/16/11  
Orig. Code: BBBB

Winston-Dillard  
SD

## Board Member Oath of Office

Any elected or appointed Board member ~~New directors~~ must qualify by taking an oath of office before assuming the duties of office. The oath of office will ~~shall~~ be in the following form:

I, \_\_\_\_\_, do solemnly swear (or affirm) that I \_\_\_\_\_, being first ~~duly sworn~~, will support the Constitution ~~and laws~~ of the United States, ~~and~~ the Constitution of the state ~~State~~ of Oregon and the laws thereof, and the policies of the [ ] District. During my term, I will faithfully and impartially ~~will~~ discharge the responsibilities of the Office of School Board Member ~~duties of school director~~ to the best of my ability [ so help me God ].

\_\_\_\_\_  
Signature

END OF POLICY

Legal Reference(s):

[ORS 332.005](#)

# Winston-Dillard School District 116



Code: BBC  
Adopted: 10/12/16  
Orig. Code(s): BBC

## Board Member Resignation

### *Good*

The Board believes that any citizen who files and seeks election or appointment to the Board should do so with full knowledge of and appreciation for the investment in time, effort and dedication expected of all Board members, and that the citizen's intent is to serve a full term of office.

When a member decides to terminate service, the Board requests earliest possible notification of intent to resign so the Board may plan for the continuity of Board business. Resignations must be made in writing. Board members can resign the office effective at a future date. If the resignation is effective at a future date, the resignation is binding unless withdrawn in writing by the end of the third business day after the resignation is made.

The Board will announce the resignation and declare the vacancy at a Board meeting.

The Board will determine the procedures to be used in filling the vacancy. The Board may begin a replacement process and select a successor prior to the effective date of resignation; however, the actual appointment shall not be made before the resignation date.

END OF POLICY

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### Legal Reference(s):

[ORS 236.320](#)

[ORS 236.325](#)

[ORS 332.030](#)

# Winston-Dillard School District 116

Code: BBD  
Adopted: 7/10/02  
Readopted: 3/16/11  
Orig. Code(s): BBD

## Board Member Removal from Office

The Board shall declare the office of a director vacant upon any of the following:

1. The death or resignation of an incumbent;
2. When an incumbent ceases to be a resident of the district;
3. When an incumbent ceases to discharge the duties of office for two consecutive months unless prevented by sickness or ~~unavoidable~~ ~~good~~ cause;
4. When an incumbent ceases to discharge the duties of office for four consecutive months for any reason;
5. When an incumbent is removed from office by judgment ~~or decree~~ of any ~~competent~~ court;
6. When an incumbent has been recalled from office by district voters.

Vacancies ~~will~~ be filled through appointment by the ~~Board~~ unless a majority of the positions are vacant at the same time. In that case, vacancies ~~will~~ be filled by the Douglas ESD.

END OF POLICY

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### Legal Reference(s):

[ORS 249.865 to -249.877](#)

[ORS 332.030](#)

[ORS 408.240](#)

# Winston-Dillard School District 116

Code: BBE  
Adopted: 7/10/02  
Readopted: 3/16/11  
Orig. Code: BBE

## Vacancies on the Board

Vacancies will ~~shall~~ be filled through Board appointment. The Board appointee must ~~shall~~ be a legally registered voter and a resident within the district for one year immediately preceding the appointment.

In the event of multiple vacancies, the position vacated first will be filled first. *OK*

Upon appointment by the Board, the newly appointed Board member(s) will be sworn and seated immediately. *OK*

If the offices of a majority of Board members are vacant at the same time, the directors of the Douglas Education Service District shall appoint persons to fill the vacancies from qualified district voters. *OK*

Board elections are held every odd-numbered year which for the purposes of this policy are termed "election" years. The appointee shall serve to June 30 following the next regular district election. At that election a successor shall be elected to serve the remainder, if any, of the unexpired term to which the individual was appointed. If the term to which the individual was appointed expires June 30 following the election of the successor, he or she shall be elected to a full term.

The appointee will:

1. Serve until June 30 following the next election, at which time the individual elected in May of that year will fill the remaining portion of an unexpired term or serve a full four-year term; or *OK*
2. Serve until June 30 of a subsequent election year if the vacancy occurs after the filing date in an election year. *OK*

~~In the event the vacancy to which the individual is appointed occurs after the filing date provided by law, he or she shall serve until June 30 of the subsequent election year.~~

A Board member so elected as a replacement will ~~shall~~ serve the remaining year(s) of the term of office of the Board member being replaced.

~~In the event of multiple vacancies, the position vacated first shall be filled first.~~

~~Upon appointment by the Board, the newly appointed board member(s) shall be sworn and seated immediately.~~

~~Vacancies shall be filled through appointment by the board unless a majority of the positions are vacant at the same time. In that case, vacancies shall be filled by the ESD.~~

END OF POLICY

3/22/16 | PH

Vacancies on the Board – BBE

1-2

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**Legal Reference(s):**

[ORS 249.865 to -249.877](#)  
[ORS 255.245](#)

[ORS 255.335](#)  
[ORS 332.030](#)

[ORS 332.122](#)  
[ORS 332.124](#)

# Winston-Dillard School District 116



Code: BBF  
Adopted: 3/16/11  
Revised/Readopted: 3/11/20  
Orig. Code(s): BBF

## Board Member Standards of Conduct

### *Good*

Individual Board members and the Board as a public entity must comply with ethics laws for public officials.

Board members will treat other Board members, the superintendent, staff and the public with dignity and courtesy and will provide an opportunity for all parties to be heard with due respect for their opinions.

Board members will recognize the superintendent as the chief executive officer to whom the Board has delegated administrative authority to establish regulations and oversee the implementation of Board policy.

When a Board member expresses personal opinions in public, the Board member should clearly identify the opinions as personal.

A Board member will respect the privacy rights of individuals when dealing with confidential information gained through association with the district.

A Board member will keep information and documents discussed in executive session confidential.

A Board member will not post confidential information or documents about students, staff or district business online, including but not limited to, on social media.

Board members will treat fellow Board members, staff, students and the public with respect while posting online or to social media and will adhere to Oregon Public Meetings Laws, including when communicating with other Board members via websites or other electronic means.

A Board member is a mandatory reporter of child abuse. A Board member having reasonable cause to believe that any child with whom the Board member comes in contact with has suffered abuse or that any person with whom the Board member comes in contact with has abused a child shall immediately make an oral report by telephone or otherwise to the local Department of Human Services (DHS), to the designee of the department or to a local law enforcement within the county where the person making the report is located at the time of contact.

END OF POLICY

**Legal Reference(s):**

[ORS 162.015 - 162.035](#)  
[ORS 162.405 - 162.425](#)  
[ORS 192.610 - 192.710](#)

[ORS 244.040](#)  
[ORS Chapter 244](#)  
[ORS 332.055](#)

[ORS 419B.005](#)  
[ORS 419B.010](#)  
[ORS 419B.015](#)

# Winston-Dillard School District 116

Code: BBFA  
Adopted: 10/8/08  
Revised/Readopted: 3/16/11; 1/15/14; 7/13/14;  
4/13/16  
Orig. Code: BBFA

## Board Member Ethics and Conflicts of Interest

No Board member will use ~~their/his/her~~ official position or office to obtain personal financial benefit or to avoid financial detriment for ~~themselves/him or herself~~, relatives or household members, or for any business with which the Board member, a household member or a relative is associated.

This prohibition does not apply to any part of an official compensation package, honorarium allowed by Oregon Revised Statute (ORS) 244.042, reimbursement of expenses, or unsolicited awards of professional achievement. Further, this prohibition does not apply to gifts from one without a legislative or administrative interest. Nor does it apply if the gift is under the annual \$50 gift limit from one who has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. District-provided meals at board meetings are acceptable under the reimbursement of expenses exception.

### I. Conflicts of Interest

“Business” means any corporation, partnership, proprietorship, enterprise, association, franchise, firm, organization, self-employed individual or any legal entity operated for economic gain. This definition excludes any income-producing tax exempt 501(c) not-for-profit corporation with which a public official or a relative of the public official is associated only as a member or board director or in a nonremunerative capacity.

“Business with which a Board member or relative is associated” means any private business or closely held corporation of which a Board member or relative is a director, officer, owner, employee or agent or any private business or closely held corporation in which a Board member or relative owns or has owned stock, another form of equity interest, stock options or debt instruments worth \$1,000 or more at any point in the preceding year; any publicly held corporation in which a Board member or relative owns or has owned \$100,000 or more in stock or another form of equity interest, stock options or debt instruments at any point in the preceding calendar year; or any publicly held corporation of which a Board member or relative is a director or officer.

“Relative” means the spouse<sup>1</sup>, parent, step-parent, child, sibling, step-sibling, ~~son-in-law or child~~ ~~daughter-in-law~~ of the Board member; or the parent, step-parent, child, sibling, step-sibling, ~~son-in-law or child~~ ~~daughter-in-law~~ of the spouse of the Board member.<sup>{2}</sup> Relative also includes any individual for

<sup>1</sup> The term spouse includes domestic partner.

<sup>2</sup> {ORS 244.020(16) uses the terms “son-in-law” and “daughter-in-law” in the definition of relative.}

whom the Board member has a legal support obligation, whose employment provides benefits<sup>3</sup> to the Board member, or who receives any benefit from the Board member's public position~~employment~~.

"Member of the household" means any person who resides with the public official.

No Board member will solicit or receive, either directly or indirectly, any pledge or promise of future employment based on any understanding that the Board member's vote, official action or judgment would be thereby influenced.

No Board member will attempt to use or use for personal gain any confidential information gained through ~~their~~<sup>his/her</sup> official position or association with the district. A Board member will respect individuals' privacy rights when dealing with confidential information gained through association with the district.

If a Board member participates in the authorization of a public contract, the Board member may not have a direct beneficial financial interest in that public contract for two years after the date the contract was authorized.

Individual Board members and the Board as a public entity are bound by the ethics laws for public officials as stated in Oregon law.

### **Potential Conflict of Interest**

"Potential conflict of interest" means any action or any decision or recommendation by a Board member that could result in a financial benefit or detriment for self or relatives or for a business with which the Board member or relatives are associated, unless otherwise provided by law.

A Board member must publicly declare a potential conflict of interest. A Board member may, after declaring ~~his/her~~ potential conflict of interest, either vote or abstain on the issue. Abstaining from a vote does not meet the legal requirement of publicly stating a potential conflict.

### **Actual Conflict of Interest**

"Actual conflict of interest" means any action or any decision or recommendation taken by a Board member that would result in a financial benefit or detriment to self or relatives or for any business with which the Board member or relatives are associated, unless otherwise provided by law.

A Board member must publicly declare an actual conflict of interest. The Board member may not vote lawfully if an actual conflict of interest exists unless a vote is needed to meet a minimum requirement of votes to take official action. Such a vote does not allow the Board member to participate in any discussion or debate on the issue out of which an actual conflict arises.

### **Class Exception**

It will not be a conflict of interest if the Board member's action would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other

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<sup>3</sup> Examples of benefits may include, but not be limited to, elements of an official compensation package including benefits such as insurance, tuition or retirement allotments.

group including one of which or in which the person, or the person's relative or business with which the person or the person's relative is associated, is a member or is engaged. For example, if a Board member's spouse is a member of the collective bargaining unit, the Board member may vote to approve the contract, as it will affect all members of that class to the same degree. However, if the collective bargaining unit is very small, the class exception may not apply. Similarly, if the contract contains special provisions that might apply only to particular persons, then the class exception may not apply. For example, if a Board member's spouse is the only one in the bargaining unit that has a doctorate and there is a pay differential for employees with doctorates in the collective bargaining agreement, the Board member should not vote on the contract.

## II. Gifts

Board members are public officials and therefore will not solicit or accept a gift or gifts with an aggregate value in excess of \$50 from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. All gift related provisions apply to the Board member, their relatives, and members of their household. The \$50 gift limit applies separately to the Board member and to the Board member's relatives or members of household, meaning that the Board member, each member of their household and relative can accept up to \$50 each from the same source/gift giver. "Gift" means something of economic value given to a Board member without valuable consideration of equivalent value, which is not extended to others who are not public officials on the same terms and conditions.

"Relative" means: the spouse<sup>4</sup>, parent, step-parent, child, sibling, step-sibling, ~~son-in-law or child~~~~daughter-in-law~~ of the Board member; or the parent, step-parent, child, sibling, step-sibling, ~~son-in-law or child~~~~daughter-in-law~~ of the spouse of the Board member.<sup>{5}</sup> Relative also includes any individual for whom the Board member has a legal support obligation, whose employment provides benefits<sup>6</sup> to the Board member, or who receives any benefit from the Board member's public ~~position~~~~employment~~.

"Member of the household" means any person who resides with the Board member.

### Determining the Source of Gifts

Board members should not accept gifts in any amount without obtaining information from the gift giver as to who is the source of the gift. It is the Board member's personal responsibility to ensure that no single source provides gifts exceeding an aggregate value of \$50 in a calendar year, if the source has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. If the giver does not have a legislative/administrative interest, the ethics rules on gifts do not apply and the Board member need not keep track of it, although they are advised to do so anyway in case of a later dispute.

### Determining Legislative and Administrative Interest

A "legislative or administrative interest" means an economic interest distinct from that of the general public, in any action subject to the decision or vote of a person acting in the capacity of a Board member.

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<sup>4</sup> Ibid. p. 1

<sup>5</sup> {ORS 244.020(16) uses the terms "son-in-law" and "daughter-in-law" in the definition of relative.}

<sup>6</sup> Ibid. p. 1

For example, everyone within a county has a general interest in the fire department, but the person who sells the uniforms to the fire department has a legislative or administrative interest in the fire department that is distinct from the general public.

### **Determining the Value of Gifts**

The fair market value of the merchandise, goods, or services received will be used to determine benefit or value.

“Fair market value” is the dollar amount goods or services would bring if offered for sale by a person who desired, but was not obligated, to sell and purchased by one who is willing, but not obligated, to buy. Any portion of the price that was donated to charity, however, does not count toward the fair market value of the gift if the Board member does not claim the charitable contribution on personal tax returns. Below are acceptable ways to calculate the fair market value of a gift:

1. In calculating the per person cost at receptions or meals the payor of the Board member’s admission or meal will include all costs other than any amount donated to a charity.

For example, a person with a legislative or administrative interest buys a table for a charitable dinner at \$100 per person. If the cost of the meal was \$25 and the amount donated to charity was \$75, the benefit conferred on the Board member is \$25. This example requires that the Board member does not claim the charitable contribution on personal tax returns.

2. For receptions and meals with multiple attendees, but with no price established to attend, the source of the Board member’s meal or reception will use reasonable methods to determine the per person value or benefit conferred. The following examples are deemed reasonable methods of calculating value or benefit conferred:
  - a. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons whom the payor reasonably expects to attend the reception or dinner;
  - b. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons who actually attend the reception or dinner; or
  - c. The source calculates the actual amount spent on the Board member.
3. Upon request by the Board member, the source will give notice of the value of the merchandise, goods, or services received.
4. Attendance at receptions where the food or beverage is provided as an incidental part of the reception is permitted without regard to the fair market value of the food and beverage provided.

### **Value of Unsolicited Tokens or Awards: Resale Value**

Board members may accept unsolicited tokens or awards that are engraved or are otherwise personalized items. Such items are deemed to have a resale value under \$25 (even if the personalized item cost the source more than \$50), unless the personalized item is made from gold or some other valuable material that would have value over \$25 as a raw material.

## Entertainment

Board members may not solicit or accept any gifts of entertainment over \$50 in value from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the Board member unless:

1. The entertainment is incidental to the main purpose of another event (i.e., a band playing at a reception). Entertainment that involves personal participation is not incidental to another event (such as a golf tournament at a conference); or
2. The Board member is acting in their official capacity for a ceremonial purpose.

Entertainment is ceremonial when a Board member appears at an entertainment event for a “ceremonial purpose” at the invitation of the source of the entertainment who requests the presence of the Board member at a special occasion associated with the entertainment. Examples of an appearance by a Board member at an entertainment event for a ceremonial purpose include throwing the first pitch at a baseball game, appearing in a parade and ribbon cutting for an opening ceremony.

## Exceptions

The following are exceptions to the ethics rules on gifts:

1. Campaign contributions are not considered gifts under the ethics rules;
2. Gifts from “relatives” and “members of the household” to the Board member are permitted in an unlimited amount; they are not considered gifts under the ethics rules;
3. Informational or program material, publications, or subscriptions related to the recipient’s performance of official duties;
4. Contributions made to a legal expense trust fund if certain requirements are met;
5. Food, lodging, and travel generally count toward the \$50 aggregate amount per year from a single source with a legislative or administrative interest, with the following exceptions:
  - a. *Organized Planned Events.* Board members are permitted to accept payment for travel conducted in the Board member’s official capacity, for certain limited purposes:
    - (1) Reasonable expenses (i.e., food, lodging, travel, fees) for attendance at a convention, fact-finding mission or trip, or other meeting do not count toward the \$50 aggregate amount IF:
      - (a) The Board member is scheduled to deliver a speech, make a presentation, participate on a panel, or represent the district; AND
        - (i) The giver is a unit of a:
          - 1) Federal, state, or local government;
          - 2) An Oregon or federally recognized Native American Tribe; OR
          - 3) Nonprofit corporation.

(b) The Board member is representing the district:

- (i) On an officially sanctioned trade-promotion or fact-finding mission; OR
- (ii) Officially designated negotiations or economic development activities *where receipt of the expenses is approved in advance by the Board.*

(2) The purpose of this exception is to allow Board members to attend organized, planned events and engage with the members of organizations by speaking or answering questions, participating in panel discussions or otherwise formally discussing matters in their official capacity. This exception to the gift definition does not authorize private meals where the participants engage in discussion.

6. Food or beverage, consumed at a reception, meal, or meeting IF held by an organization and IF the Board member is representing the district. Again, this exception does not authorize private meals where the participants engage in discussion.

“Reception” means a social gathering. Receptions are often held for the purpose of extending a ceremonial or formal welcome and may include private or public meetings during which guests are honored or welcomed. Food and beverages are often provided, but not as a plated, sit-down meal;

7. Food or beverage consumed by Board member acting in an official capacity in the course of financial transactions between the public body and another entity described in ORS 244.020(7)(b)(I)(i);

8. Waiver or discount of registration expenses or materials provided to Board member at a continuing education event that the Board member may attend to satisfy a professional licensing requirement;

9. A gift received by the Board member as part of the usual or customary practice of the Board member’s private business, employment or position as a volunteer that bears no relationship to the Board member’s holding of public office.

### Honoraria

A Board member may not solicit or receive, whether directly or indirectly, honoraria for the Board member or any relative or member of the household of the Board member if the honoraria are solicited or received in connection with the official duties of the Board member.

The honoraria rules do not prohibit the solicitation or receipt of an honorarium or a certificate, plaque, commemorative token or other item with a value of \$50 or less; or the solicitation or receipt of an honorarium for services performed in relation to the private profession, occupation, avocation or expertise of the Board member or candidate.

END OF POLICY

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#### Legal Reference(s):

[ORS 162.015 - 162.035](#)  
[ORS 162.405 - 162.425](#)

[ORS 244.010 - 244.400](#)  
[ORS 332.055](#)

[OAR 199-005-0001 - 199-010-0150](#)

38 OR. ATTY. GEN. OP. 1995 (1978)

HR1/14/16 | PH

Board Member Ethics and Conflicts of Interest – BBFA

6-7



# Winston-Dillard School District 116

Code: BBFB  
Adopted: 3/16/11  
Revised/Readopted: 1/15/14; 7/13/14; 4/13/16  
Orig. Code: BBFA

## Board Member Ethics and Nepotism

In order to avoid both potential and actual conflicts of interests, Board members will abide by the following rules when a Board member’s relative or member of the household is seeking and/or holds a position with the district:

- 1. A Board member may not appoint, employ, promote, discharge, fire, or demote or advocate for such an employment decision for a relative or member of the household, unless the Board member complies with the conflict of interest requirements of Oregon Revised Statute (ORS) Chapter 244.

This policy does not apply to decisions regarding unpaid volunteer positions unless it is a Board member position or another Board-related unpaid volunteer position (i.e. a Board committee position).

- 2. A Board member may not participate as a public official in any interview, discussion, or debate regarding the appointment, employment, promotion, discharge, firing, or demotion of a relative or member of the household. A Board member may still serve as a reference or provide a recommendation.

For the purposes of this policy:

“Member of the household” means any person who resides with the Board member.

“Relative” means: the spouse<sup>1</sup>, parent, step-parent, child, sibling, step-sibling, ~~childson-in-law~~<sup>{2}</sup> or ~~daughter-in-law~~ of the Board member; or the parent, step-parent, child, sibling, step-sibling, ~~childson-in-law or daughter-in-law~~ of the spouse of the Board member. Relative also includes any individual for whom the Board member has a legal support obligation, whose employment provides benefits<sup>3</sup> to the Board member, or who receives any benefit from the Board member’s public employment.

### Class Exception

It will not be a conflict of interest if the Board member’s action would affect to the same degree a class including the Board member’s relative or household member. For example, if a Board member’s spouse is a member of the collective bargaining unit, the Board member may vote to approve the contract, as it will affect all members of that class to the same degree. However, if the collective bargaining unit is very

<sup>1</sup> The term spouse includes domestic partner.  
<sup>2</sup> {ORS 244.020(16) uses the terms “son-in-law” and “daughter-in-law in the definition of relative.”}  
<sup>3</sup> Examples of benefits may include, but not be limited to, elements of an official compensation package including benefits such as insurance, tuition or retirement allotments.

small, the class exception may not apply. Similarly, if the contract contains special provisions that might apply only to particular persons, then the class exception may not apply. For example, if a Board member's spouse is the only one in the bargaining unit that has a doctorate and there is a pay differential for employees with doctorates in the collective bargaining agreement, the Board member should not vote on the contract.

END OF POLICY

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**Legal Reference(s):**

[ORS 244.010 to -244.400](#)

[ORS 659A.309](#)

[OAR 199-005-0001 to -199-010-0150](#)

OR. ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS.

# Winston-Dillard School District 116



Code: BBFC  
Adopted: 3/11/20  
Orig. Code(s): BBFC

## Reporting of Suspected Abuse of a Child

*Good*

A Board member is a mandatory reporter of child abuse. A Board member having reasonable cause to believe that any child with whom the Board member comes in contact with has suffered abuse or that any person with whom the Board member comes in contact with has abused a child shall immediately notify the Oregon Department of Human Services (DHS) or local law enforcement pursuant to Oregon Revised Statute (ORS) 419B.015.

The Board member making a report of child abuse, as required by ORS 419B.010, shall make an oral report by telephone or otherwise to the local office of the Department of Human Services, to the designee of the department or to a law enforcement agency within the county where the Board member making the report is located at the time of the contact.

The report shall contain, if known: the names and addresses of the child and the parents of the child or other persons responsible for the care of the child; the child's age; the nature and extent of the abuse, including any evidence of previous abuse; the explanation given for the abuse; and any other information that the Board member making the report believes might be helpful in establishing the cause of the abuse and the identity of the perpetrator.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)  
[ORS 419B.005](#)

[ORS 419B.010](#)  
[ORS 419B.015](#)

# Winston-Dillard School District 116

Code: BC/BCA  
Adopted: 7/10/02  
Readopted: 3/16/11  
Orig. Code: BC/BCA

## Board Organization/Board Organizational Meeting

No later than ~~At the next~~~~first~~ regular meeting following ~~after~~ July 1, the Board will ~~shall meet to~~ organize itself for the year. In a Board election year, the Board organizational meeting must be no later than July 31st.

The organizational meeting will ~~shall~~ consist of, but not be limited to, the following actions:

1. Election of a Board chair;
2. Election of a vice chair;
3. Provision for a time and place for ~~its~~ regular meetings;
4. Other organizational actions prescribed by law or by Board practice.

The incumbent Board chair will ~~shall~~ preside until a successor is elected, whereupon the successor will ~~shall~~ assume the chair. In the event no incumbent chair or vice chair remains on the Board, or neither is able to continue to serve as an officer, the Board will ~~shall~~ select ~~(the most senior Board member to serve as)~~ a temporary chair to conduct the election.

END OF POLICY

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### Legal Reference(s):

[ORS 255.335](#)

[ORS 332.040 to -332.045](#)

[ORS 332.057](#)

# Winston-Dillard School District 116

Code: BCB  
Adopted: 7/10/02  
Readopted: 3/16/11  
Orig. Code: BCB

## Board Officers

At its first scheduled meeting after ~~in~~ July 1, the Board ~~will~~ elect one of its members to serve as chair and one to serve as vice chair. No member of the Board may serve as chair more than four years in succession. If a Board member is unable to continue to serve as an officer, a replacement ~~will~~ be elected immediately. The replacement officer ~~will~~ serve the remainder of the officer's term until the following July.

The Board chair ~~will~~:

1. Assist the superintendent in establishing the agenda for regular Board meetings ~~of the Board~~;
2. Call special meetings when required;
3. Preside at all meetings of the Board ~~board~~ and enforce the rules of order;
4. Sign the minutes, contract documents, Board resolutions, and other official documents that require the signature of the chair;
5. Represent the district and the Board ~~board~~ at official functions, unless this duty is delegated by the Board chair ~~or the Board~~ to another Board member ~~of the Board~~;
6. Appoint all committees unless otherwise ordered by the Board and shall be an ex-officio member of all such committees;
7. Have the right to discuss issues and vote on any issue.

In the absence, incapacitation or death of the chair, the vice chair ~~will~~ perform the duties of chair and, when so acting, ~~will~~ have the chair's powers ~~of the chair~~. The vice chair ~~will~~ perform ~~such~~ other functions as designated by the Board.

The superintendent ~~will~~ designate a staff member to serve as Board ~~board~~ secretary and ~~will~~ directly supervise and evaluate ~~the~~ that secretary. [In absence of the designated Board secretary, the Board may name anyone present to serve as secretary for that meeting.] The secretary to the Board ~~will~~ take notes at Board meetings, compile ~~so that~~ minutes ~~can be compiled~~ and ~~shall~~ perform ~~such~~ other related work as assigned by the superintendent or requested by the Board chair. These duties ~~will~~ include, but not be limited to, the following:

1. Record the disposition of all matters on which the Board considered action;
2. Prepare, ~~check~~ and distribute minutes in advance for approval at the next Board meeting;
3. Maintain properly authenticated official copies of the minutes;

4. Maintain the official record of Board policies; ~~of the Board.~~
5. Properly post all Board meetings.

### **Board or District Spokesperson**

The Board may appoint one of its members, usually the chair, or another person to make authorized statements to the public or the media when the Board deems that, under the circumstances, the district's position should be articulated by a single voice. The spokesperson serves at the Board's direction and may be removed or replaced at any time by action of a majority of the Board.

END OF POLICY

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#### **Legal Reference(s):**

[ORS 255.335](#)  
[ORS 332.040](#)

[ORS 332.045](#)  
[ORS 332.057](#)

[OAR 166-400-0010\(9\)](#)

# Winston-Dillard School District 116

Code: BCBA  
Adopted: 7/10/02  
Readopted: 3/16/11  
Orig. Code: BCBA

## ~~Board-Student Communication~~ Student Representative on the Board

To foster better communication, the Board requests the high school student council to select and confirm a representative of the high school student body to sit as a student representative on the Board. The manner of selection is to be determined by the student council.

Specifically:

1. The student representative is asked to attend all Board meetings;
2. The student representative is entitled to be given ~~only~~ the agenda of Board meetings, plus any information the superintendent feels the student representative should have that is not of a confidential nature and any materials as directed by the Board;
3. ~~[The student representative is to serve in an advisory capacity only and shall have no right to argument or debate with a Board member on any subject;] [The student representative role is an advisory capacity and may participate in board discussions on agenda topics;]~~
4. The student representative is not allowed to vote;
5. The student representative shall not attend executive sessions of the Board;
6. The student representative is subject to removal by the Board at any time, without appeal.

END OF POLICY

**Legal Reference(s):**

[ORS 332.107](#)

# Winston-Dillard School District 116

Code: BCD  
Adopted:

## Board-Superintendent Relationship

### *Optional policy*

The superintendent shall be the chief executive officer and shall be responsible for the professional leadership necessary to translate the will of the Board into administrative action.

The superintendent shall be responsible for all aspects of district operation and for such duties and powers pertaining thereto as directed or delegated by the Board, and to develop such procedures and regulations as the superintendent considers necessary to ensure efficient operation of the district.

The Board expects the superintendent is professionally able and possesses outstanding qualities of leadership, vision and administrative skill and will implement all Board policies in good faith.

The superintendent can expect the Board will respect the superintendent's professional competence and extend to them full responsibility for implementation of Board policy decisions.

The Board holds the superintendent responsible for carrying out its policies within established guidelines and for keeping the Board informed about district operations.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

[ORS 332.505](#)

[ORS 332.515](#)

# Winston-Dillard School District 116

Code: BCE  
Adopted:

## Board Committees

### *Optional policy*

The Board [may] [will not] [does] have standing committees. Special committees may be appointed by the Board for specific purposes to serve until their assignment is completed. The entire Board may meet as a committee-of-the-whole.

The function of special committees will be fact-finding, deliberative and advisory, rather than legislative or administrative. The committee will make recommendations directly to the Board as a whole, which alone may take action. Committee meetings may be called by the Board chair, the committee chair or any committee member.

Committee-of-the-whole meetings, called “work sessions,” may be held. Committee-of-the-whole meetings may be called by the Board chair or any [two] Board members.

All meetings of special committees and of committees-of-the-whole will follow the Public Meetings Law. The Board or its committees may sit in an executive session to discuss matters when such session is required or permitted by law.

All matters referred to a committee will be thoroughly investigated. A committee will not have the power to act for the Board except as the Board has specifically authorized, but will make recommendations to the Board. Committee recommendations and reports will become an official part of Board minutes.

A Board committee may appoint advisory members from the staff, student body or community with approval of the Board. Advisory members will be instructed in the committee’s functions and their status. Advisory members may not be included in considering whether a quorum of the committee is present, nor may they vote on recommendations to be made to the Board. Either an advisory member or an ex-officio member may present a written minority report to the Board.

END OF POLICY

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### Legal Reference(s):

[ORS 192.610 to -192.690](#)

[ORS 332.045](#)

[ORS 332.105](#)

# Winston-Dillard School District 116

Code: BCF  
Adopted: 7/10/02  
Readopted: 3/16/11; 12/14/22  
Orig. Code: BCF



## Advisory Committees to the Board

Good

In an ongoing effort to increase communication with the public and to provide for community involvement, the Board may appoint advisory committees which include community members to consider matters of districtwide importance.

Recommendations of such committees will be given careful consideration by the Board, but such recommendations will not relieve the Board of its legal responsibility to make final decisions about such matters.

All meetings of advisory committees shall follow the Public Meetings Law. The press may attend and report proceedings. Visitors shall sit apart from the committee members and shall speak only when invited to do so by the committee chair.

The composition of advisory committees to the Board will be broadly representative and will take into consideration the specific tasks assigned to the committee. The process for the appointment of community members to an advisory committee will be determined by the Board. When requested and approved by the Board, appointment of staff members, when appropriate, will be made by the superintendent.

The Board will adopt guidelines for each committee as appropriate, which will include, but not be limited to, the following:

1. The committee's written charge which shall include, but not be limited to, a statement of purpose and responsibility;
2. The resources the Board will provide;
3. The length of time the committee is asked to serve and the approximate date(s) on which the Board wishes to receive the committee report(s).

Except as specifically provided by the Board, advisory committees will cease to function when their reports have been received by the Board or when the purposes for which they were established have been accomplished.

The Board may be represented on lay and professional committees that serve the Board in an advisory capacity, with specific Board members appointed by the chair, but normally such Board members will function as ex-officio members of the committees.

END OF POLICY

**Legal Reference(s):**

[ORS 192.610](#)  
[ORS 192.630](#)

[ORS 294.414](#)  
[ORS 329.704](#)

[ORS 329.711](#)  
[ORS 332.107](#)

OR. DEP'T OF JUSTICE, OR. ATT'Y GENERAL'S MODEL PUBLIC CONTRACT RULES MANUAL.

# Winston-Dillard School District 116

Code: BCH  
Adopted: 7/10/02  
Readopted: 3/16/11  
Orig. Code: BCH



## Consultants to the Board

*(This policy is fine if it helps; it is not required.)*

The Board may engage persons in an advisory capacity when specific services are required that are beyond the capabilities or responsibilities of regularly employed personnel.

Such advisors may include attorneys, auditors, architects, agents of record and others with technical skills or professional training.

The Board may appoint such advisors to serve for a specified period of time or may engage such advisors to perform specific tasks on a temporary basis. Except where the advisor serves under a written contract for a specified period of time, the Board may terminate such advisory services at its sole discretion.

The Board may conduct periodic reviews of the services and may request periodic reports to the Board.

Prior to reappointment, the district may open proposals for service.

END OF POLICY

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### Legal Reference(s):

[ORS 332.072](#)

[ORS 332.075](#)

[ORS 332.505](#)

# Winston-Dillard School District 116

Code: BD/BDA  
Adopted: 7/10/02  
Revised/Readopted: 3/16/11; 10/12/16  
Orig. Code: BD/BDA

## Board Meetings

The Board has the authority to act only when a quorum is present at a duly called regular, special or emergency meeting. “Meeting” means the convening<sup>1</sup> of a quorum of the Board as the district’s governing body to make a decision<sup>2</sup> or to deliberate<sup>3</sup> toward a decision on any matter. This includes meeting for the purpose of gathering information to serve as the basis for a subsequent decision or recommendation by the Board ~~governing body~~, i.e. a work session. “Meeting” does not include any on-site inspection of any project or program or the attendance of members of the Board at any national, regional or state association to which the Board or its members belong.

The affirmative vote of the majority of members of the Board is required to transact any business.

All regular, special and emergency meetings of the Board will be open to the public except as provided by law. Access to and the ability to attend all meetings (excluding executive sessions) by telephone, video or other electronic or virtual means will be made available when reasonably possible. All meetings will be conducted in compliance with state and federal statutes. ~~For information how to give or submit public comment it is outlined in Board policy BDDH - Public Comment at Board Meetings<sup>4</sup> and/or posted on the district’s website.]~~

All Board meetings, including Board retreats and work sessions, will be held within district boundaries, except as allowed by law<sup>5</sup>. The Board may attend training sessions outside the district boundaries but

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<sup>1</sup> “Convening” means: (a) Gathering in a physical location; (b) Using electronic, video or telephonic technology to be able to communicate contemporaneously among participants; (c) Using serial electronic written communications among participants; or (d) Using an intermediary to communicate among participants.

<sup>2</sup> “Decision” means any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of a governing body is required, at any meeting at which a quorum is present.

<sup>3</sup> “Deliberation” means discussion or communication that is part of a decision-making process.

[<sup>4</sup> When telephone or other electronic means of communication is used during a meeting open to the public, the Board shall make at least one place available to the public where, or at least one electronic means by which, the public can listen during the meeting. At all meetings of the Board open to the public, the public will be provided an opportunity, to the extent reasonably possible, to access and attend the meeting by telephone, video or other electronic or virtual means. If in-person oral testimony (or public comment) is allowed, the public will be provided, to the extent reasonably possible, an opportunity to submit oral testimony during the meeting[, at the designated portion of the agenda,] by telephone, video or other electronic or other means. If in-person written testimony is allowed, the public will be provided, to the extent reasonably possible, an opportunity to submit written testimony including by email or other electronic means, so that the Board is able to consider the submitted testimony in a timely manner.]

<sup>5</sup> ORS 192.630(4). Meetings of the governing body of a public body shall be held within the geographic boundaries over which the public body has jurisdiction, or at the administrative headquarters of the public body or at the other nearest practical location. Training sessions may be held outside the jurisdiction if no deliberations toward a decision are involved.

cannot deliberate or discuss district business.<sup>6</sup> No meeting will be held at any place where discrimination on the basis of disability, race, creed, color, sex, sexual orientation, gender identity<sup>7</sup>, age or national origin is practiced.

The Board will give public notice reasonably calculated to give actual notice to interested persons, including the news media which have requested notice~~those with disabilities~~, of the time and place for all Board meetings and of the principal subjects to be considered. The Board may consider additional subjects at a meeting, even if they ~~are~~ were not included in the notice.

If requested to do so at least 48 hours before a meeting held in public, the Board shall make a good faith effort to provide an interpreter for hearing-impaired persons. If the meeting is being held upon less than 48 hours' notice and a request for an interpreter is made, the Board shall make a reasonable effort to have an interpreter present. Other appropriate auxiliary aids and services will be provided upon request and appropriate advance notice. ~~Communications with all qualified individuals with disabilities shall be as effective as communications with others.~~

[If requested to do so at least [72] hours before a meeting held in public, the Board will make a reasonable effort to provide translation services. {<sup>8</sup>}

All meetings held in public shall comply with the Oregon Indoor Clean Air Act ~~and the smoking provisions contained in the Public Meetings Law.~~

~~[The possession of dangerous or deadly weapons and firearms, as defined in law and Board policy, is prohibited on district property.]~~

#### 1. Regular, Special and Emergency Meetings

Generally, a regular Board meeting will be held each month. The regular meeting schedule will be established at the annual organizational meeting ~~in July~~ and may be changed by the Board with proper notice. The purpose of each regular monthly meeting will be to conduct the regular Board business.

No later than the next regular meeting following July 1, the Board will hold the ~~annual~~ annual organizational meeting to elect Board officers for the coming year and to establish the year's schedule of Board meetings. In Board election years (odd numbered years), the first meeting will be held no later than July 31.

Special meetings can be convened by the Board chair, upon request of three Board members, or by common consent of the Board at any time to discuss any topic. A special meeting may ~~also~~ be scheduled if less than a quorum is present at a meeting, ~~or~~ additional business still needs to be conducted at the ending time of a meeting, conducting business prior to the next regular meeting

<sup>6</sup> ORS 192.630(4). Meetings of the governing body of a public body shall be held within the geographic boundaries over which the public body has jurisdiction, or at the administrative headquarters of the public body or at the other nearest practical location. Training sessions may be held outside the jurisdiction as long as no deliberations toward a decision are involved.

<sup>7</sup> As defined in ORS 174.100.

{<sup>8</sup> Districts are encouraged to evaluate translation needs and resources prior to adding this language. A district may decide that translating the agenda, minutes or other documents, or public comment is sufficient.}

would be advantageous to the district or other reasons. At least 24 hours' notice must be provided to all Board members, the news media, which have requested notice, and the general public for any special meeting.

Emergency meetings can be called by the Board in the case of an actual emergency upon appropriate notice under the circumstances. The minutes of the emergency meeting must describe the emergency. Only topics necessitated by the emergency may be discussed or acted upon at the emergency meeting.

## 2. Communications Outside of Board Meetings

Communications, to, by and among a quorum of Board members outside of a legally called Board meeting, in their capacity as Board members, shall not be used for the purpose of discussing district business. This includes electronic, video or telephonic communications, serial electronic communications among participants and using an intermediary to communicate among participants. ~~Such communication. Electronic~~ communications among Board members shall be limited to messages not involving deliberation, debate, decision-making or gathering of information on which to deliberate.

Communications outside of a Board meeting ~~Electronic communications~~ may contain:

- a. Communications to, between or among members of a governing body that are:
  - (1) Purely factual or educational in nature and that convey no deliberation or decision on any matter that might reasonably come before the Board (including agendas and information concerning agenda items);
  - (2) Not related to any matter that, at any time, could reasonably be foreseen to come before the Board for deliberation and decision; or
  - (3) Nonsubstantive in nature, such as communication relating to scheduling, leaves of absence and other similar matters; or
- b. Agenda item suggestions;
- c. Reminders regarding meeting times, dates and places;
- d. Board meeting agendas or information concerning agenda items;
- e. ~~One-way information from Board members or the superintendent to each Board member (e.g., an article on student achievement or to share a report on district progress on goals) so long as that information is also being made available to the public;~~
- f.b. Individual responses to questions posed by community members, subject to other limitations in Board policy.

E-mails sent to other Board members will have the following notice:

*Important: Please do not reply or forward this communication if this communication constitutes a decision or deliberation toward a decision between and among a quorum of a governing body which could be considered a public meeting. Electronic communications on district business are governed by public meetings law. ~~Public Records and Meetings Law.~~*

3. Private or Social Meetings

Private or social meetings of a quorum of the Board for the purpose of making a decision or to deliberate toward a decision on any matter are prohibited by public meetings law. ~~the Public Meetings Law.~~

4. Work Sessions

The Board may use regular or special meetings for the purpose of conducting work sessions to provide its members with opportunities for planning and thoughtful discussion. Work sessions will be conducted in accordance with ~~the state law on public meetings, including notice and minutes.~~ [The Board ~~may make~~ ~~(is discouraged from making)~~ official decisions during a work session.] ~~[Generally, Boards do not take official action during work sessions, although there is no legal prohibition to do so.]~~

5. Executive Sessions

Executive sessions may be held ~~[as an agenda item]~~ during regular, special or emergency meetings for a reason permitted by law. (See Board policy BDC - Executive Sessions)

Complaints regarding public meetings laws can be filed with the Board in accordance with Board Policy KL – Public Complaints. The Board will respond and provide a copy of the complaint and response to the Oregon Government Ethics Commission within 21 days in accordance with state law.<sup>9</sup>

OK

{<sup>10</sup>} [Mandatory Training

Every member of the Board shall attend or view a training on public meetings law prepared or approved by the Oregon Government Ethics Commission (OGEC) at least once during the Board member’s term of office and shall verify attendance in accordance with OGEC procedures.]

OK

END OF POLICY

Legal Reference(s):

[ORS Chapter 192](#)

[ORS 255.335](#)

[ORS 433.835 - 433.875](#)

[ORS 332.040 - 332.061](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2020); 28 C.F.R. Part 35 (2020).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).

OR. ATTY. GEN. Public Records and Meetings Manual.

[House Bill 2805](#) (2023).

<sup>9</sup> See House Bill 2805 (2023) Section 5(2) for requirements of the response.

<sup>10</sup> {This is required for Board members in districts with total expenditures for a fiscal year of \$1 million or more. This number will be reviewed by OGEC at least once every five years. If the district has total expenditures of less than \$1 million, this language can be kept, but “shall” should be replaced with “is encouraged to.”}

# Winston-Dillard School District 116

Code: BDC  
Adopted: 7/10/02  
Revised/Readopted: 3/16/11; 10/12/16; 3/11/20  
Orig. Code: BDC

## Executive Sessions

The Board may meet in executive session to discuss subjects allowed by statute but may not take final action except for the expulsion of a student and matters pertaining to or examination of the confidential records of the student.

~~An executive session may be convened by order of the Board chair, upon request of three Board members or by common consent of the Board for a purpose authorized under Oregon Revised Statute (ORS) 192.660 during a regular, special or emergency meeting. The presiding officer will announce the executive session by identifying the authorization under ORS 192.660 for holding such session and by noting the subject of the executive session.~~

An executive session may be included as an agenda item of an existing meeting [in accordance with Board policy BDDC - Board Meeting Agenda] or held as its own meeting. Proper notice is required.

If open session is held prior to the executive session, the presiding officer will announce the executive session by identifying the authorization under Oregon Revised Statute (ORS) 192.660 or ORS 332.061 for holding such session and by noting the subject of the executive session.

The Board may hold an executive session:

1. To consider the employment of a public officer, employee, staff member or individual agent.<sup>1</sup> (ORS 192.660(2)(a))
2. To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer<sup>2</sup>, employee, staff member or individual agent who does not request an open hearing. (ORS 192.660(2)(b))
3. To conduct deliberations with persons designated by the governing body to carry on labor negotiations. (ORS 192.660(2)(d))

<sup>1</sup> This provision does not apply to the filling of a vacancy in elective office or on any public committee, commission or other advisory group; or for the consideration of general employment policies. Prior to holding an executive session under ORS 192.660(2)(a), the Board must ensure

- a. The vacancy has been advertised;
- b. Regular hiring procedures have been adopted;
- c. If hiring an officer, the public has had the opportunity to comment on the employment of the officer; and
- d. If hiring a chief executive officer, the Board has adopted hiring standards, criteria and policy directives in meetings open to the public in which the public has had the opportunity to comment on the standards, criteria and policy directives.

<sup>2</sup> To determine whether the individual involved is considered a public officer, consult with legal counsel.

4. To conduct deliberations with persons designated by the governing body to negotiate real property transactions. (ORS 192.660(2)(e))
5. To consider information or records that are exempt by law from public inspection. (ORS 192.660(2)(f))
6. To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. (ORS 192.660(2)(h))
7. To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing. (ORS 192.660(2)(i))
8. To consider matters relating to school safety or a plan that responds to safety threats made toward a school. (ORS 192.660(2)(k))
9. To consider matters relating to the safety of the governing body and of public body staff and volunteers and the security of public body facilities and meeting spaces. (ORS 192.660(2)(o))
10. To consider matters relating to cyber security infrastructure and responses to cyber security threats. (ORS 192.660(2)(p))
11. To review the expulsion of a minor student from a public elementary or secondary school. (ORS 332.061(1)(a))
12. To ~~review~~ discuss matters pertaining to or examination of the confidential records of a student. (ORS 332.061(1)(b))

Members of the press may attend executive sessions except those matters pertaining to:

1. Deliberations with persons designated by the Board to carry on labor negotiations;
2. Hearings on the expulsion of a minor student or examination of the confidential records of a student; and
3. Current litigation or litigation likely to be filed if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.

If an executive session is held pursuant to ORS 332.061, the following shall not be made public: the name of the minor student; the issue, including the student's confidential records; the discussion; and each Board member's vote on the issue.

Minutes shall be kept for all executive sessions.

Content discussed in executive sessions is confidential except as provided by law. Board members and the media are instructed not to disclose information obtained in executive session except when specifically authorized to do so or as required by law.

END OF POLICY

8/30/23 | SL

Executive Sessions – BDC

2-3

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**Legal Reference(s):**

[ORS 192.660](#)

[ORS 332.045](#)

[ORS 332.061](#)

OR. ATTY. GEN. Public Records and Meetings Manual.

Oregon Government Ethics Commission, [Staff Advisory Opinion](#) No. 22-106S

[House Bill 2806](#) (2023)

# Winston-Dillard School District 116

Code: BDD  
Adopted: 7/10/02  
Readopted: 3/16/11  
Orig. Code: BDD

## Board Meeting Procedures

### 1. Quorum

A majority of the members of the Board shall constitute a quorum. The district is governed by a five member Board. A quorum for a five member Board is three. A lesser number than a quorum of the Board may meet and adjourn from time to time and compel the presence of absent members.

### 2. Vote Needed for Exercise of Powers

The affirmative vote of ~~the~~ majority of Board members ~~will of the Board shall~~ be necessary for exercising ~~the exercise of~~ any of the Board's powers.

### 3. Board Member Voting

Voting shall be by the raising of hands or by voice vote. The chair shall vote on all issues. The vote of each member on all motions shall be recorded in the minutes.

### 4. Abstaining from Vote

If a Board member chooses to abstain from voting, ~~and the abstention is due to a conflict of interest,~~ the Board member will state the reason for the abstention and such abstention ~~will and the reason therefor shall~~ be recorded.

### 5. Parliamentary Procedure

Official Board business ~~will shall~~ be transacted by motion or resolution at duly called regular or special meetings. ~~[Motions may be discussed without benefit of a second.]~~

Except as otherwise provided by state law and/or ~~Board board~~ policy, the rules of parliamentary procedure comprised in *Robert's Rules of Order, Newly Revised*, ~~and~~ "Procedure in Small Boards," as ~~may be~~ modified by the Board ~~will shall~~ govern the Board in its deliberation. ~~[Modifications will include the following: Motions will all be seconded prior to consideration for discussion by the Board and motions to close or limit debate will be acceptable.]~~

The Board chair ~~will shall~~ decide all questions relative to points of order, subject to an appeal to the ~~entire~~ Board.

### 6. ~~[~~Adequate Information to Precede Action

In every phase of district affairs, the Board shall expect leadership, guidance and recommendations from the superintendent. ~~]~~

END OF POLICY

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#### Legal Reference(s):

6/01/10 | JW

Board Meeting Procedures – BDD

1-2

[ORS 192.650](#)  
[ORS 244.120\(2\)](#)

[ORS 332.045](#)  
[ORS 332.055](#)

[ORS 332.057](#)  
[ORS 332.107](#)

38 OR. ATTY. GEN. OP. 1995 (1978)  
41 OR. ATTY. GEN. OP. 28 (1980)

# Winston-Dillard School District 116

Code: **BDDA**  
Adopted: 7/10/02  
Readopted: 3/16/11  
Orig. Code: BDDA

## Notification of Board Meetings

*(Integrated into newer version of policy BD/BDA; this one is no longer needed.)*

The Board shall provide for and give public notice reasonably calculated to give actual notice to interested persons, including those with disabilities, of the time and place for regular meetings and of the principal subjects to be considered.

Notices to individuals with disabilities shall be given in an appropriate form upon request and with appropriate advance notice. Auxiliary aids and services available to ensure equally effective communications with qualified persons with disabilities may include large print, Braille, audio recordings and readers. Primary consideration shall be given to the requests of the person with a disability in the selection of appropriate auxiliary aids and services.

If only an executive session shall be held, the notice shall state the specific provision of law authorizing the executive session.

No special meeting shall be held without at least 24 hours notice to the Board members and the general public except in the case of emergency.

In the case of emergency, a meeting may be held upon such notice as is appropriate under the circumstances, but minutes shall explain the emergency situation.

Dates of regular meetings of the Board shall be provided to district employees, interested members of the public, and the news media.

END OF POLICY

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### Legal Reference(s):

[ORS 192.610 - 192.690](#)

[ORS 332.045](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

# Winston-Dillard School District 116

Code: BDDC  
Adopted: 7/10/02  
Revised/Readopted: 3/16/11; 4/18/12; 5/15/19  
Orig. Code: BDDC

## Board Meeting Agenda

*(Regarding paragraph 3, second sentence. What if the only purpose of convening is executive session... want this to say 'may' instead of shall.)*

The superintendent and board chair shall prepare an agenda for all regular meetings of the Board. Items of business may be suggested by any Board member, staff member, student or ~~citizen~~ school community member of the district by ~~so~~ notifying the superintendent at least ~~10~~ calendar days prior to the meeting.

A consent agenda may be used by the Board for noncontroversial business. The consent agenda ~~will~~ shall consist of routine business that requires action but not necessarily discussion. These items may all be approved at the same time. A Board member may ask that any item be removed from the consent agenda. The removed item ~~will~~ shall then be placed on the regular agenda.

The agenda will ~~follow~~ shall be set following a general order established by the Board ~~resolution~~. Opportunities for the audience to be heard may ~~shall~~ be included on the agenda. The Board ~~will~~ shall follow the order of business set up by the agenda unless the order is altered by a consensus of the Board.

Items of business not on the agenda may be discussed and acted upon if the majority of the Board agrees to consider them.

The agenda, together with supporting materials, ~~will~~ shall be distributed by the district office or superintendent to Board members at least five full days prior to the meeting. The agenda ~~will~~ shall be available to the press and to interested patrons through the superintendent's office at the same time it is available to the Board ~~board~~ members. Copies of the agenda for the press and public ~~will~~ shall not contain any confidential information included in the Board members' packets.

A copy of the agenda ~~will~~ shall be posted ~~[on the district website] [in each district facility]~~ on the day of the meeting. Members of the public may request a copy of the agenda ~~through~~ the superintendent's office.

The district ~~will~~ shall ensure equally effective communications are provided to qualified persons with disabilities, upon request, as required by the Americans with Disabilities Act.

Appropriate auxiliary aids and services may include, but are not limited to, qualified interpreters, assistive listening systems, note takers, large print, Braille materials, audio recordings, and readers. Primary consideration ~~will~~ shall be given to the ~~request~~ requests of the person with a disability in the selection of the appropriate auxiliary ~~aids~~ aids and/or service. ~~services~~.

Should the Board demonstrate such a ~~request~~ requests would result in a fundamental alteration in the service, program, or activity or ~~an~~ undue financial and administrative burden, an ~~burden~~, alternate, equally effective communication ~~will~~ shall be used.

Auxiliary aids and services for persons with disabilities ~~will~~ shall be available at no charge to the individual.

## Order of Agenda

The following shall be the order of business of the regular meetings. The Board may utilize a “consent” agenda for routine action. The order of business may be changed by a vote of the Board.

1. Call to order;
2. Pledge of Allegiance;
3. Roll call – Establishment of quorum;
4. Student Reports;
5. Audience welcome;
6. Superintendent’s reports
7. Discussion or information items;
8. Consent agenda;
9. Action items;
10. Communications;
11. For the good of the order;
12. Adjournment.

END OF POLICY

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### Legal Reference(s):

[ORS 192.630](#)

[ORS 192.640](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2012); 29 C.F.R. Part 1630 (2015); 28 C.F.R. Part 35 (2015).

Americans with Disabilities Act Amendments Act of 2008.

# Winston-Dillard School District 116

Code: BDDG  
Adopted: 7/10/02  
Revised/Readopted: 3/16/11; 3/11/20  
Orig. Code: BDDG



## Minutes of Board Meetings

*Good*

The Board secretary will take written minutes of all Board meetings. The written minutes will be a true reflection of the matters discussed at the meeting and the views of the participants. The minutes will include, but not be limited to, the following information:

1. All members of the Board who were present;
2. All motions, proposals, resolutions, orders and measures proposed and their disposition;
3. The results of all votes and the vote of each member by name;
4. The substance of any discussion on any matter;
5. Any other information required by law.

All minutes shall be available to the public within a reasonable time. The public and patrons of the district may receive, upon request, copies of minutes from the administration office. A copy of the minutes of each regular and special Board meeting as they are drafted for approval will be distributed after such meeting to each Board member and administrator.

The district will maintain a hard copy<sup>1</sup> of the meeting minutes and make them available to staff and other interested patrons.

Minutes of executive sessions will be kept in accordance with the requirements of Oregon's Public Meetings Law with essentially the same level of detail as for public sessions. If disclosure of material in the executive session minutes would be inconsistent with the purpose for which executive session was held under Oregon Revised Statute (ORS) 192.660, the material may be withheld from disclosure.

If an executive session is held pursuant to ORS 332.061, the following shall not be made public: the name of the minor student; the issue, including a student's confidential records; the discussion; and each Board member's vote on the issue.

END OF POLICY

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### Legal Reference(s):

[ORS 192.610 - 192.710](#)

[ORS 332.061](#)

Letter Opinion, Office of the OR Attorney General (Nov. 20, 1970).

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<sup>1</sup> Oregon Administrative Rule 166-400-0010(9)

# Winston-Dillard School District 116

Code: BDDH  
Adopted: 7/10/02  
Revised/Readopted: 3/16/11; 12/13/17  
Orig. Code: BDDH

## Public Comment at Board Meetings

{HB 2560 (2021) goes into effect on January 1, 2022, and requires that districts provide the same opportunity for public comment to those attending virtually as is provided to those attending in person. We recommend that districts review current public comment practices and adopt policy language that meets the law and the desired district practice.}

All Board meetings, with the exception of executive sessions, will be open to the public. The Board invites the district's ~~district~~ community members to attend Board meetings to become acquainted with the program and operation of the district. ~~The Members of the public~~ has a right to attend public meetings held in open session, and may be invited ~~also are encouraged~~ to share comments, ~~their ideas and opinions~~ with the Board during designated times on the agenda. The Board may conduct a meeting without public comment ~~when appropriate~~.

~~If it is the intent of the Board to ensure communications with individuals with disabilities are as effective as communications with others.~~ Individuals with hearing, vision or speech impairments will be given an equal opportunity to participate in Board meetings and submit written comments to the Board. Individuals requesting assistance, aids or accommodations are encouraged to notify the district at least 48 hours prior to the Board meeting with the request, consistent with Board policy BD/BDA – Board Meetings. ~~Primary consideration will be given to requests of qualified individuals with disabilities in selecting appropriate auxiliary aids and services.~~

~~Auxiliary aids and services for persons with disabilities will be available at no charge to the individual. All auxiliary aids and/or service requests must be made with appropriate advance notice. Should the Board demonstrate such requests would result in a fundamental alteration in the service, program or activity or in undue financial and administrative burdens, an alternative, equally effective means of communication will be used.~~

### **Audience**

~~During a session of a Board meeting open to the public, members of the public may be invited to present comments during the designated portion of the agenda. At the discretion of the Board chair, further public comment may be allowed.~~

### **Request for an Item on the Agenda**

~~A member of the public may request the Board chair consider placing an item on the agenda of a regular Board meeting. This request should be made in writing and presented to the superintendent for consideration at least ten school days prior to the scheduled meeting.~~

### **Procedures for Oral Public Comment at Meetings**

~~The Board will establish procedures for public comment in open meetings. The purpose of these procedures will be to inform the public how to effectively participate in Board meetings for the best~~

interests of the individual, the district and the patrons. The information will be easily accessible and available to all patrons attending a public Board meeting.

1. Discussion or presentation concerning a published agenda item is limited to its designated place on the agenda, unless otherwise authorized by the Board chair.
2. A visitor speaking during the meeting may introduce a topic not on the published agenda. The Board, at its discretion, may require that a proposal, inquiry or request be submitted in writing, and reserves the right to refer the matter to the administration for action or study.
3. Any person who is invited by the Board chair to speak to the Board during a meeting should state his/her name and address and, if speaking for an organization, the name and identity of the organization. A spokesperson should be designated to represent a group with a common purpose.
4. Statements by members of the public should be brief and concise. The Board chair may use discretion to establish a time limit on discussion or oral presentation by visitors.
5. Questions asked by the public, when possible, will be answered by the Board chair or referred to the superintendent for reply. Questions requiring investigation may, at the discretion of the Board chair, be referred to the superintendent for response at a later time.
6. At the discretion of the Board chair, anyone wishing to speak before the Board, either as an individual or as a member of a group, on any agenda item or other topic, may do so by providing the Board secretary with a completed registration card or sign-in sheet, prior to the Board meeting in order to allow the chair to provide adequate time for each agenda item.

The Board chair should be alert to see that all visitors have been acknowledged and thanked for their presence and for any contributed comments on agenda issues. Similar courtesy should be extended to members of staff who have been in attendance. Their return for future meetings should be welcomed. The Board establishes the following procedures for public comment at Board meetings held in open session. The information will be accessible and available to all patrons accessing or attending such a Board meeting.

1. Public comment is limited to its designated place on the agenda and while time allows.
2. [A person wishing to provide public comment, if an opportunity is provided by the Board during a meeting open to the public, will ~~sign in on the public comment sheet provided~~ ~~complete and submit the Intent to Speak card to the Board secretary~~ ~~submit their name electronically~~ ~~do so as directed~~ prior to the Board meeting.<sup>1</sup> A request to give public comment in-person or electronically does not guarantee time will be available.
3. A person speaking during the public comment portion of the meeting may ~~comment on a topic not on the published agenda~~ ~~may comment only on agenda items~~.
4. A person speaking during the public comment portion of the meeting should state their name, whether they are a resident of the district, and, if speaking for an organization, the name of the organization. A spokesperson should be designated to represent a group with a common purpose.

<sup>1</sup> When in-person attendees are allowed to provide oral comment, virtual attendees will be afforded the same opportunity.

5. A person giving public comment is limited to an established time limit of ~~three~~ minutes. Statements should be brief and concise. ~~The Board chair has discretion to waive time limits or extend the overall time allotted for public comment. Additional time will be allocated in a fair and equitable manner. [Time limits will be determined based on the number of commenters and the amount of time available for public comment.]~~ If a person has more comments than time allows or is unable to comment due to time constraints, the person is encouraged to submit additional written comments to the Board through the district office as directed.
6. Inquiries from the public during the designated portion of the agenda will not generally be responded to immediately by the Board chair, and may be referred to the superintendent for reply at a later date. The Board will not respond to inquiries that are expected to be addressed during another designated portion of the agenda.

~~[The Board will not hear public comment at Board work sessions.]~~

~~[Topics raised during the public comment portion may be considered for inclusion as agenda items at future Board meetings.]~~

### Procedures for Written Comment

*dihamm@wdsd.org*

Members of the public may submit written comments or materials to the Board at any time at the district office, by mail or by email to [insert email address]. Materials or comments submitted at least ~~72 hours~~ in advance of a Board meeting will be provided to the Board before the Board meeting, but will not be read at the Board meeting. Written materials or comments submitted may not warrant action by the Board.

### Petitions

~~Petitions may be accepted at any Board meeting. No action will be taken in response to a petition before the next regular meeting. Petitions will be referred to the superintendent for consideration and recommendation.~~

### Comments Regarding Staff Members

A person speaking during the designated portion of the agenda for public comment ~~Speakers~~ may offer objective criticism of district operations and programs. The Board will not hear comments regarding any individual district staff member. The Board chair will direct the visitor to the procedures in Board policy KL - Public Complaints for ~~Board~~ consideration of a legitimate complaint ~~complaints~~ involving a staff member. ~~Any~~ ~~The~~ association contract governing the employee's rights will be followed. A commendation involving a staff member should be sent to the superintendent, who will forward it to the employee, ~~his/her~~ supervisor and the Board.

END OF POLICY

### Legal Reference(s):

[ORS 165.535](#)  
[ORS 165.540](#)

[ORS 192.610 - 192.690](#)  
[ORS 332.057](#)

[ORS 332.107](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12113 (2018); 29 C.F.R. Part 1630 (2020); 28 C.F.R. Part 1630 (2020)  
Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12113 (2018)  
*Baca v. Moreno Valley Unified Sch. Dist.*, 936 F. Supp. 719 (C.D. Cal. 1996)  
*Leventhal v. Vista Unified Sch. Dist.*, 953 F. Supp. 951 (S.D. Cal. 1997)  
Oregon House Bill 2560 (2021)

# Winston-Dillard School District 116

Code: BF/BFA  
Adopted: 7/10/02  
Revised/Readopted: 3/16/11  
Orig. Code: BF/BFA

## ~~Board Policy Development and Adoption~~

The formulation and adoption of policies, recorded in writing, will constitute the basic method by which the Board will exercise its leadership in the operation of the school system.

The policies shall be consistent with Oregon Revised Statutes, Oregon Administrative Rules and all federal laws and regulations.

[Policies shall be derived from principles, facts and objectives. It is presumed that the superintendent shall make a special study of these matters. ~~His or her~~The superintendent's recommendations on policy shall be based on cooperative study of issues by the superintendent and associates in the school system. Hence, they shall be carefully considered by the Board and subsequently adopted or sent back for further study and possible change.] **OR** [The basic responsibility for initiating, reviewing and recommending new policies or policy modification will rest with the superintendent. New policies or changes in existing policy may be proposed by any Board member, group or organization, staff member, parent, student or other member of the community to the superintendent for the Board to consider. The superintendent, in developing these policies, may be guided by the recommendations of the staff and may seek parent and community input during the preparation and subsequent review of policy statements. Advice from legal counsel may be appropriate. The superintendent will furnish necessary background information to the Board.]

[The Board shall have the authority to formulate policies and pass motions to give policies effect on its own initiative. This should, however, occur rarely as it nullifies the potential contribution that the superintendent is or should be qualified to make.]

### **Formulation of Policies**

Policies may be defined as statements of Board goals and aims. In the process of formulating policies, Board members, administrators, staff and perhaps representative laymen, should be involved. There shall be nothing eternal and immutable about district policies. Any changes, however, ought to be founded on study and well thought out proposals.

### **Advice on Policy Formulation**

It shall be the responsibility of the superintendent to advise on formulation of policy and to propose new policies to the Board for adoption as necessity for such arises.

### **Adoption and Revision of Policies (represented in policy BFC)**

The policies of the Board shall be subject to alteration, addition or deletion only upon majority vote of the Board at any regular or special meeting which all members have been notified of the text of the proposed alteration, addition or deletion in writing at least 24 hours in advance. In most cases, a first reading of the

policy shall be scheduled on the agenda of a regular meeting prior to the adoption at a subsequent regular meeting.

Unless an emergency is declared by a unanimous vote of the Board, proposed policy changes shall not be made at any meeting where that change is first proposed.

The formal adoption of policies shall be recorded in the Board minutes. Only those written statements so adopted and so recorded shall be regarded as official Board policy.

Any formal motion or action of the Board which tends to create, amend or supplement policy shall, upon discovery, be called to the attention of the Board in the review of the minutes for formal adoption as a revision to the existing policy. The superintendent is responsible for such notice.

The Board's policy manual is considered a public record and shall be open for inspection at the district office during regular working business hours.

The policy manual shall be reviewed from time to time in order to keep it current.

**Suspension of Policies** *(This is somewhat buried in this policy. What about a stand-alone? See proposed BFF. If BFF is selected, delete this section here.)*

The operation of any single policy, section or sections of board policies, including those governing its own operational procedures, ~~not established by law or specifically listed in the current collective bargaining agreement~~ may be temporarily suspended<sup>1</sup> by a majority vote of the Board members at a regular, or special or emergency meeting. The suspension, however, does not apply to any section of Board policy that may be established by law, collective bargaining agreement or other contract.

The policy manual shall be reviewed from time to time in order to keep it current.

END OF POLICY

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**Legal Reference(s):**

~~ORS 332.107~~

~~ORS 332.505~~

~~OAR 581-022-1610~~

~~OAR 581-022-1720~~

[ORS 332.107](#)

[ORS 332.505](#)

[ORS 339.240](#)

[OAR 581-022-2305](#)

[OAR 581-022-2405](#)

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<sup>1</sup> Be sure to establish a time limit for the suspension, e.g., This policy is suspended for [.....].

# Winston-Dillard School District 116

Code: BFC  
Adopted: 10/12/16  
Orig. Code(s): BFC

## Adoption and Revision of Policies

Adopting new policies and changing or repealing existing policies is the Board's responsibility. Policy will be adopted and amended or repealed only by the affirmative vote of a majority of the Board members. Such action will be scheduled on the agenda of a regular or special meeting.

Proposed policies or policy changes and repeal of existing policies will be presented in writing for consideration by the Board.

To permit time for studying all new policies or amendments to policies and to provide an opportunity for interested parties to react, proposed policies or amendments will be presented as a Board agenda item in the following sequence:

1. First reading of a proposed policy (or policies): This is an information item and no action is required by the Board. A first reading announces that a new policy, a revision of an existing policy or consideration to rescind a policy, is being considered by the Board. Comments, questions, concerns and recommended edits should be forwarded to the superintendent for consideration prior to the meeting in which the policy is recommended for a second reading and/or adoption. If a Board member wishes to discuss a proposed policy or administrative regulation listed as an information item, the policy must be moved to the agenda for discussion with a ~~consensus~~ majority vote of the Board. Any organization which represents employees of the district shall be furnished a copy of personnel policies and revisions as they are made.
2. Second reading/Adoption of a proposed policy (or policies): This is an action by the Board and may be placed on the consent agenda. Any revisions to a policy from the first reading will not require the policy go through an additional reading, except as the Board determines that the revision(s) need(s) further study and an additional reading would be advantageous.

When, in the best interest of the district, immediate adoption of a proposed policy is necessary, the Board may adopt such policy at the first meeting in which it is presented.

Policies and amendments adopted by the Board will be attached to, and made a part of, the minutes of the meeting at which they are adopted and also will be included in the district's board policy manual.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)  
[ORS 332.505](#)

[OAR 581-022-2305](#)  
[OAR 581-022-2405](#)

# Winston-Dillard School District 116

Code: BFC  
Adopted: 7/10/02  
Readopted: 3/16/11  
Orig. Code: BFC

## Administrative Regulations

Administrative regulations are detailed directions governing the operation of the district schools.

The superintendent is authorized ~~directed~~ to formulate such administrative regulations appropriate for the implementation of policies adopted by the Board and necessary for the consistent operation of the district.

When approved by the superintendent, administrative regulations shall be distributed to the Board and the staff as appropriate, ~~and included in existing policy books of each administrator.~~

The Board may review any administrative regulation and may direct its revision ~~revise it~~ by majority vote if, in the Board's judgment, such administrative regulation is not consistent with adopted board policies.

END OF POLICY

### Legal Reference(s):

[ORS 332.107](#)

[OAR 581-022-2305](#)

[OAR 581-022-2405](#)

# Winston-Dillard School District 116

Code: BFD  
Adopted: 7/10/02  
Revised/Readopted: 3/16/11; 2/15/12; 4/16/14  
Orig. Code: BFD

## Board Policy Implementation

### Effective Date of Policies

All new or amended policies will ~~shall~~ become effective ~~upon~~ the day after adoption by the Board, unless a specific ~~effective~~ date is included in the motion for adoption.

### Policy Implementation

The superintendent and administrative staff will ~~shall~~ implement ~~board~~ the policies of the Board. The superintendent may formulate administrative regulations and procedures to assist policy implementation.

It will be the Board's duty to evaluate the effectiveness of the policy and the effectiveness of the administration's implementation of the policy.

### Policy Dissemination

The written board policies that govern the district will be maintained in a policy manual to be updated by district staff as new policies are developed or existing policies are revised or repealed.

~~Each Board member will be provided with a current policy manual.~~

~~Each school shall make available for inspection to the public and district employees, copies of the Board's policy manual and personnel policies.~~

Each Board member will be informed how to access the current board policy manual.

Each district employee will be notified of the existence and availability of personnel policies.

The district shall make a copy of the Board's policy manual available to the public and district employees. The Board's policy manual will be considered a public record and will be open for inspection at the district office during regular ~~working~~ business hours.

~~The superintendent will provide channels for disseminating appropriate policies to the community.~~

END OF POLICY

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#### Legal Reference(s):

[ORS 332.107](#)  
[ORS 332.505](#)

[OAR 581-022-2305](#)  
[OAR 581-022-2405](#)

# Winston-Dillard School District 116

Code: BFE  
Adopted: 7/10/02  
Readopted: 3/16/11  
Orig. Code: BFE

## ~~Administrator Administration in the Absence of Policy Absence~~

In cases where action must be taken within the school system and ~~where~~ the Board has not provided policy to guide administrative action, the superintendent will ~~shall~~ have the power to act, ~~but his or her decisions shall be subject to review by action of the Board at its next regular meeting. It shall be the duty of the superintendent to inform the Board promptly of such action.~~

END OF POLICY

### Legal Reference(s):

[ORS 332.107](#)

[OAR 581-022-2305](#)

# Winston-Dillard School District 116

Code: BFF  
Adopted:

## Suspension of Policies

*Optional*

In the event of emergency or special circumstances, the operation of any single policy, section or sections of Board policy, including those governing its own operational procedures, may be temporarily suspended<sup>1</sup> by a majority of the Board members at any regular, special or emergency meeting. This suspension, however, does not apply to any section of Board policy that may be established by law, collective bargaining agreement or other contract.

END OF POLICY

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Legal Reference(s):

[ORS 332.107](#)

[OAR 581-022-2305](#)

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<sup>1</sup> Be sure to establish a time limit for the suspension, e.g., This policy is suspended for [.....].

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# Winston-Dillard School District 116

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Code: BFG  
Adopted: 3/16/11  
Orig. Code(s): BFG

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## Board Policy Review

To keep written policies current and relevant, the Board will ~~annually~~ review and update its board policies. The Board ~~also~~ will evaluate the implementation and effect of such policies. The superintendent has continuing responsibility to alert the Board of ~~all~~ policies that may need revision.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

[OAR 581-022-2305](#)

[OAR 581-022-2405](#)

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# Winston-Dillard School District 116

Code: BG  
Adopted: 8/13/08  
Revised/Readopted: 3/16/11  
Orig. Code: BG

## Board Staff Communications

The Board desires to maintain open channels of communication between itself and the district staff. The basic line of communication will, ~~however,~~ be through the superintendent.

### Staff Communications to the Board

All formal communications or reports to the Board, or any Board committee, from staff members will be submitted through the superintendent. This procedure will not be construed as denying the right of any employee to address the Board about issues which are neither part of an active administrative procedure, nor disruptive to the operation of the district. In addition, this procedure does not restrict protected labor relations communications of bargaining unit members. Staff members are invited to Board meetings, which provide an opportunity to observe the Board's deliberations on matters of district operation ~~staff concern.~~

### Board Communications to Staff

All official Board communications, policies and directives of staff interest and concern will be communicated to staff members through the superintendent. The superintendent will provide appropriate communication to keep staff fully informed of the Board's policies, priorities, ~~concerns~~ and actions.

### Visits to Schools

Visits by Board members will be conducted only under Board authorization and with the full knowledge of staff, including the superintendent, principals and other supervisors. School visits by Board members will be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes. ~~Official visits by Board members will be carried on only under Board authorization and with the full knowledge of staff, including the superintendent, principals and other supervisors.~~

END OF POLICY

#### Legal Reference(s):

[ORS 332.107](#)

[OAR 581-022-2405](#)

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984).

Connick v. Myers, 461 U.S. 138 (1983).

Lebanon Education Association/OEA v. Lebanon Community School District, 22 PECBR 323 (2008).

# Winston-Dillard School District 116

Code: BHA  
Adopted: 7/10/02  
Revised/Readopted: 3/16/11  
Orig. Code(s): BHA

## Orientation of New Board Members

Responsibility for the orientation of new members should be shared by the superintendent and ~~his or her~~ other district staff, the experienced members of the Board, and by the new member ~~himself or herself~~ ~~themselves~~.

In the interim between election and ~~actually~~ assuming office or following an appointment, the new Board member will ~~(s) shall~~ be assisted in ~~at least~~ the following ways:

1. The newly elected or appointed Board member will ~~The electee shall~~ be given materials related to ~~on~~ the role of a Board member;
2. The newly elected or appointed Board member will ~~The electee shall~~ be invited to attend Board meetings, ~~including executive sessions,~~ to observe the operation of the Board until they assume office ~~but shall not be a voting member;~~
3. The newly elected or appointed Board member will ~~The electee shall~~ be given a copy of Board policies, Board priorities, any long-range plans and the adopted district budget;
4. The members of the Board will serve as mentors to a newly elected or appointed Board member;
5. The superintendent will ~~shall~~ supply material pertinent to meetings and will ~~shall~~ explain its content;
6. The newly elected or appointed Board ~~incoming~~ member will ~~shall~~ be invited to meet with the superintendent ~~[and other administrative personnel, by arrangement with the superintendent,]~~ to discuss services they perform for the district;
7. The newly elected or appointed Board member will ~~The electee shall~~ be encouraged to attend the Summer Board Conference and the Board training conferences planned ~~sponsored~~ by the Oregon School Boards Association;
8. The newly elected or appointed Board member will ~~The electee shall~~ receive all materials, reports and communications normally sent to Board members.

END OF POLICY

### Legal Reference(s):

[ORS 332.107](#)

# Winston-Dillard School District 116

Code: BHB  
Adopted: 7/10/02  
Readopted: 3/16/11  
Orig. Code: BHB

## Board Member Development

The complexity of Board membership demands opportunities for development, study and training for Board of its members. The Board places a high priority on the importance of a planned and continuing program of professional development ~~in-service education~~ for its members.

In order for Board members to develop leadership capabilities, become informed about current issues in education and improve their skills as members of a policy-making body, Board members will ~~shall~~ participate in opportunities for professional development that may include, but not be limited to, the following:

1. In-service activities planned by the Board and ~~in-service planned~~ by the administration for staff members, as appropriate;
2. Participation in conferences, workshops, ~~and~~ conventions and training held by state and national school boards ~~boards~~ associations and other educational organizations;
3. Subscriptions to publications addressed ~~to the concerns of Board members~~ related topics.

[To control both the investment of time and funds necessary to implement this policy, the Board establishes these principles and procedures for its guidance:

1. The superintendent will inform Board members of upcoming conferences, conventions, workshops and training. The Board will decide which appear to produce the greatest benefit to the Board and the district.
2. Funds for participation at such professional development will be included in the district budget. When funds are limited, the Board will designate which members will participate at a given meeting or training.
3. If authorized by the Board to attend, Board members will be reimbursed, upon request, for reasonable and necessary expenses actually incurred.
4. When a conference, convention or workshop is not attended by the full Board, those who participate will share, by means of written or oral reports, information, recommendations and materials acquired at the meeting.]

END OF POLICY

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### Legal Reference(s):

[ORS 332.018\(3\)](#)

[ORS 332.107](#)



# Winston-Dillard School District 116

Code: BHD  
Adopted: 7/10/02  
Revised/Readopted: 3/16/11  
Orig. Code: BHD

## ~~Travel~~ Expense Reimbursement for Board Members

The district shall be responsible for reimbursement of expenses incurred by Board members authorized to attend Board-related meetings including travel, mileage, lodging, meals and tuition. If ~~spouses accompany~~ the Board member has a companion, those expenses directly related to ~~her or him~~ the person traveling with the Board member shall be borne by the Board member. Reimbursement will follow established accounting procedures.

All board members shall be encouraged to attend National School Boards Association (NSBA) meetings and Oregon School Boards Association (OSBA) meetings following election or appointment.

All newly elected Board chairs shall be strongly encouraged to attend at least one NSBA conference and the OSBA's Summer Board Conference in July.

All other Board members shall be encouraged to attend at least one state and/or national level conference each year.

Board members may be reimbursed, when paid admission is required of the general public, for attending district athletic events and other activities as part of their responsibilities of being informed about district operations. The district will establish accounting procedures consistent with this policy.

END OF POLICY

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### Legal Reference(s):

[ORS 244.020](#)

[ORS 244.040](#)

[ORS 332.018\(3\)](#)

OR. GOV'T STANDARDS AND PRACTICES COMM'N, STAFF OPINION 02S-015 (May 20, 2002).

OR. GOV'T STANDARDS AND PRACTICES COMM'N, STAFF OPINION 03S-015 (Sept. 11, 2003).

**Winston-Dillard School District 116**

Code: BHE  
Adopted:

**Board Member Liability Insurance**

*Optional*

The district will purchase liability insurance and errors-and-omissions insurance to protect its school board members individually and collectively from claims made against them as a result of official Board actions taken in the course of official duties.

END OF POLICY

**Legal Reference(s):**

[ORS 30.260 to -30.300](#)

[ORS 332.072](#)

[ORS 332.435](#)

# Winston-Dillard School District 116

OK

Code: BI  
Adopted: 3/16/11  
Orig. Code(s): BI

## Board Legislative Program

The Board will represent the district's interests in legislative action to promote the welfare of public education in the state of Oregon or will direct those interests to be represented through the superintendent or designee.

The Board will periodically study, discuss and weigh the merits of pending legislation for the purpose of determining its official position through Board action.

Board members, individually or as members of professional organizations, will not seek to represent any other positions on legislative matters unless it is made clear that such representation is not the official stand of the district.

END OF POLICY

---

### Legal Reference(s):

[ORS 332.107](#)

**Winston-Dillard School District 116**

Code:  
Adopted:

BK

**Evaluation of Board Operational Procedures**

*Optional*

The Board will plan an annual evaluation of its function as a Board. This evaluation may be broadly based on relationships and activities or may focus on a particular activity or area.

Working with the superintendent, the Board chair and an ad hoc Board committee appointed by the chair may develop the evaluation plan. The Board may hire a consultant to assist with the evaluation.

END OF POLICY

**Legal Reference(s):**

[ORS 332.107](#)

## FIELD TRIP REQUESTS

June 12, 2024

DATE	SCHOOL	CLASS/GROUP	TRAVELING TO
5/16/2024	BES	DLC CLASS	RIVER FORKS PARK
05/22 & 05/29	BES	2ND GR	ELKTON BUTTERFLY FARM
5/23/2024	MES	ALL STUDENTS	DHS - BAND & CHOIR CONCENT
6/3/2024	LES & MES	5TH GRADE BAND	WMS - SCHOOL TRANSITION
6/3/2024	WMS	7TH GRADE	TEN DOWN BOWLING
6/4/2024	DHS	SENIORS	MES & ELEM SCHOOLS FOR GRAD WALK THROUGH
6/4/2024	WMS	BAND	LES & MES REHEARSAL
6/5/2024	LES	3RD GRADE	DOUGLAS COUNTY MUSEUM
6/5/2024	LES & MES	5TH GRADE BAND	WMS
6/6/2024	WMS	8TH GRADE SCIENCE	UCC POOL - TEST HYDRODYNAMICS OF MILK JUG BOATS
6/11/2024	MES	ALL STUDENTS	DHS - FIELD DAY ACTIVITIES
6/12/2024	WMS	6TH GRADE	TEN DOWN BOWLING

**Winston-Dillard School District #116**  
**2023-2024**

	<u>23/24 BUDGET</u>	<u>Estimate through 05/31/2024</u>	<u>23/24 PROJECTED</u>
<b>REVENUES</b>			
Property Taxes - Current	\$ 3,700,000	\$ 3,489,809	\$ 3,600,000
Property Taxes - Prior Years	200,000	60,031	100,000
County Sales Back Taxes	15,000	-	15,000
HERT (Heavy Equip) & HB5006 (Wildfire) - New	10,000	2,937	10,000
Back Property Tax Interest Earnings	8,000	9,940	10,000
Interest on Investments - Current Rate of 5.2%	125,000	368,270	380,000
Admissions from Other Schools	10,000	-	10,000
Student Fees	10,000	-	10,000
Rentals/Lease Income	-	-	-
Contributions/Donations	-	-	-
Textbook Sales and Rentals	-	-	-
Recovery of Prior Year Expenditure	42,000	-	42,000
Miscellaneous	10,000	16,410	16,500
County School Fund	150,000	-	150,000
ESD Apportionment	115,000	113,518	113,518
State School Fund 23/24	12,350,000	12,338,801	12,350,000
State School Fund 23/24 Adj Estimate	-	-	(11,199)
SSF High Cost Disability 23/24	-	148,261	148,261
SSF Small HS Grant 23/24	-	-	-
State School Fund Prior Year 22/23 Adj	-	304,802	304,802
SSF High Cost Disability Prior Year 22/23 Adj	-	119,281	119,281
SSF Small HS Grant Prior Year 22/23 Adj	-	(63,378)	(63,378)
SSF NSLP Match	-	-	-
Common School Fund (State Owned Rangelands)	180,693	87,574	180,693
Federal Forest Fees	-	-	-
Transfer In (From Fund 200 - ODOE)	32,000	-	32,000
Sale/Loss of Fixed Assets	10,000	-	10,000
<b>SUB TOTAL REVENUES</b>	<b>\$ 16,967,693</b>	<b>\$ 16,996,256</b>	<b>\$ 17,527,478</b>
<b>Beginning Fund Balance</b>	<b>4,538,150</b>	<b>5,205,959</b>	<b>5,205,959</b>
<b>TOTAL REVENUES</b>	<b><u>\$ 21,505,843</u></b>	<b><u>\$ 22,202,215</u></b>	<b><u>\$ 22,733,437</u></b>
<b>EXPENDITURES</b>			
Salaries	\$ 8,845,397	\$ 6,756,584	\$ 8,500,000
Payroll Costs	5,483,796	3,622,437	4,600,000
Purchased Services	3,503,650	2,605,138	3,503,650
Supplies & Materials	1,779,450	1,476,310	1,650,000
Capital Outlay	220,000	53,001	150,000
Other Objects	278,550	296,168	300,000
Transfer/NSLP Food Service Program	-	-	-
Transfer to Capital Project - SSF - Supplemental	-	-	-
Transfer to QSCB Fund 300	45,200	-	45,200
Transfer to Capital Project Fund 400	194,800	-	194,800
<b>SUB TOTAL EXPENDITURES</b>	<b>\$ 20,350,843</b>	<b>\$ 14,809,638</b>	<b>\$ 18,943,650</b>
Contingency	455,000	-	-
Unappropriated, Reserved for Next Year	700,000	-	-
<b>TOTAL EXPENDITURES</b>	<b><u>\$ 21,505,843</u></b>	<b><u>\$ 14,809,638</u></b>	<b><u>\$ 18,943,650</u></b>
<b>TOTAL ESTIMATED REVENUES</b>			22,733,437
<b>TOTAL ESTIMATED EXPENDITURES</b>			18,943,650
<i>Estimated Ending Fund Balance</i>			<b><u>\$ 3,789,787</u></b>
<i>(Of the \$21,505,843 budget the estimated the ending fund balance is 17.6%)</i>			

## Fund 200 and 250

### Fund 200 - Grants and Projects Fund

<b>Fund 200 - Grants and Projects Fund</b>	<b>23/24 BUDGET</b>	<b>Estimate through 05/31/2024</b>	<b>23/24 PROJECTED</b>
<b>EXPENDITURES</b>			
Salaries	\$ 1,892,633	\$ 1,372,738	\$ 1,892,633
Payroll Costs	1,078,542	808,644	1,078,542
Purchased Services	459,700	327,260	459,700
Supplies & Materials	285,195	316,553	330,000
Capital Outlay	951,812	148,605	907,008
Other Objects	-	3,910	-
Transfers to Other Funds	32,000	-	32,000
<b>TOTAL EXPENDITURES</b>	<b><u>\$ 4,699,882</u></b>	<b><u>\$ 2,977,710</u></b>	<b><u>\$ 4,699,882</u></b>

### Fund 250 - Food Service Fund

<b>Fund 250 - Food Service Fund</b>	<b>23/24 BUDGET</b>	<b>Estimate through 05/31/2024</b>	<b>23/24 PROJECTED</b>
<b>EXPENDITURES</b>			
Salaries	\$ 241,342	\$ 165,420	\$ 241,342
Payroll Costs	173,012	105,408	173,012
Purchased Services	102,000	138,934	120,000
Supplies & Materials	725,000	264,966	707,000
Capital Outlay	150,000	93,807	150,000
Other Objects	5,000	2,015	5,000
Contingency	-	-	-
<b>TOTAL EXPENDITURES</b>	<b><u>\$ 1,396,354</u></b>	<b><u>\$ 770,551</u></b>	<b><u>\$ 1,396,354</u></b>

## Fund 300 and 400

<b>Fund 300 - Debt Service Fund</b>	<b>23/24 BUDGET</b>	<b>Estimate through 05/31/2024</b>	<b>23/24 PROJECTED</b>
<b>EXPENDITURES</b>			
Principal and Interest	\$ 2,735,000	\$ 2,721,882	\$ 2,735,000
Contingency	1,697,600	-	-
<b>TOTAL EXPENDITURES</b>	<b>\$ 4,432,600</b>	<b>\$ 2,721,882</b>	<b>\$ 2,735,000</b>

*PERS Side Acct pmts for 23/24 are \$1,576,988.50 and will escalate to \$1,813,608 with final pmt in 2028.*

*GO Bond Series 2019 (DHS) payment for 23/24 is \$1,078,200. Final pmt 2039.*

*QSCB payment for 23/24 is \$54,090 and remains consistent through 2027.*

<b>Fund 400 - Capital Project Fund</b>	<b>23/24 BUDGET</b>	<b>Estimate through 05/31/2024</b>	<b>23/24 PROJECTED</b>
<b>EXPENDITURES</b>			
Purchased Services	\$ -	\$ -	\$ -
Supplies & Material	-	113,388	113,388
Capital Outlay	1,239,200	384,481	1,125,812
Other Objects	-	-	-
Contingency	-	-	-
<b>TOTAL EXPENDITURES</b>	<b>\$ 1,239,200</b>	<b>\$ 497,868</b>	<b>\$ 1,239,200</b>



## WINSTON-DILLARD SCHOOL DISTRICT BOARD OF DIRECTORS

District Office Board Room  
620 NW Elwood Dr, Winston OR 97496

May 8, 2024 at 7:00 PM – Minutes

### REGULAR SESSION

**PRESENT:** Jasmine Geyer    Jeremy Mitchell    Lorna Quimby    Bob Shigley  
                 Curt Stookey       Kim Kellison       Kim Shigley

1. **Call To Order:** 7:00 pm

2. **Pledge of Allegiance:** Led by Jeremy Mitchell.

3. **Roll Call** - Establishment of a Quorum: All five board members in attendance.  
(Jasmine Geyer, Jeremy Mitchell, Lorna Quimby, Bob Shigley, Curt Stookey)

#### 4. **Honoring of Retirees**

4.A. *Rob Boye', Dir. of Instructional Svc. - 16 Years of Service*

4.B. *Donna Rexford, WMS Teacher - 36 Years of Service*

#### 5. **Superintendent Academic Awards - Secondary**

5.A. *Dillard Alternative High School - Nathan Friedrich*

5.B. *Winston Middle School - Willow Swales*

#### 6. **Douglas High School Student Representative**

Colby O'Toole, ASB President reported that the juniors and seniors enjoyed prom that was held at UCC in the Lane Center. The annual DHS Plant sale recently took place but the weather had an affect on sales. Plants are still available and that information along with prices will be posted on the website. Baseball is getting closer to playoffs and softball is undefeated in league. Trap club is now in 1<sup>st</sup> place for the first time since the club has begun. Colby shared that this report would be his last as he will be attending University of Oregon this fall. He thanked the board, Mrs. Kellison and the community for the opportunity to provide the monthly report and the support they have given.

#### 7. **INTERMISSION**

#### 8. **iRRE Data Survey Presentation**

Steve Amstutz, Dir of Measuring What Matters shared the data from the annual surveys collected from students, teachers and instructional assistants. The surveys are provided through the Ford Family Foundation. Information collected from the teaching staff on Conditions for Success overall are showing an upward trend. The student data showed that students felt that expectations, relationships and resources were strong between students and teachers. Attendance mid-year improved 10% from previous school year.

**Attachments:** (1)

- [Winston-Dillard.BoardPresentation.2024.05](#)

## 9. SUPERINTENDENT REPORT

### 9.A. Enrollment

The board reviewed the current enrollment numbers and we are holding steady and had an increase of one since last month.

**Attachments:** (1)

- [May 2024](#)

### 9.B. DHS Culinary Update

The DHS Culinary program was featured in the latest Ruralite magazine sponsored by Douglas Electric Cooperative. Mrs. Kellison thanked Mr. Boye for his efforts toward reviving this program through the use of High School Success funds.

**Attachments:** (1)

- [A Passion for Food Preparation Douglas Electric Cooperative](#)

10. **Directors Report:** None at this time.

## 11. ITEMS OF DISCUSSION

### 11.A. District Policy Review Section K/L 1st Reading

Continuing the desk audit of current district policy. The board was provided the suggested updates.

**Attachments:** (1)

- [Section K&L District Policies](#)

### 11.B. Summer School: July 8, 2024 - August 8, 2024

The school district will be offering summer school to students who are in need of additional support. The district will have one program at Dillard Alternative for high school students and one program for elementary/middle school students, site to be determined and will run from July 8, 2024 - August 8, 2024.

Extended School Year for SpEd students will run from July 8, 2024 - August 1, 2024

Monday through Thursday for a total of 4 weeks with a program at Douglas High school for students in 6th - 12th grade and one program for K-5th grade students at McGovern Elementary.

### 11.C. Summer Food Service Program: June 17, 2024 - August 8, 2024

The summer food service program is free for all ages through 18. Breakfast and lunch to be provided.

**Attachments:** (1)

- [2024 LunchBox Summer Schedule](#)

### 11.D. Field Trip Requests

**Attachments:** (1)

- [FT Requests for May 2024](#)

## 12. ADOPTION OF CONSENT AGENDA

### 12.A. Financial Statement

**Attachments:** (2)

- [GF - Financial Statements 04.30.24](#)
- [Other Funds - Financial Statements 04.30.24](#)

### 12.B. Minutes

12.B.1. Regular Session April 10, 2024

**Attachments:** (1)

- [April 10, 2024 Reg Sess Minutes](#)

### 12.C. Personnel

- 12.C.1. Accept resignation from Shawn Clark, SS Teacher at DHS effective May 7, 2024.
- 12.C.2. Accept resignation from Clare Leeper, MES SPED Teacher effective April 15, 2024.
- 12.C.3. Accept resignation from Kristal Plikat, LES Sped Teacher effective June 14, 2024.
- 12.C.4. Accept resignation from Mareena Robbins, 4/5 Teacher at MES effective June 14, 2024.
- 12.C.5. Approve employment for Kristal Plikat, Early Literacy Inst. Coach effective July 1, 2024.
- 12.C.6. Approve employment for Mareena Robbins, Dean of Students at MES effective August 12, 2024.

12.D. Student Transfers Recommended for the 2023-24 School Year

**12.E. Adoption of Consent Agenda Motion**

Curt Stookey made the motion for the Winston-Dillard School District Board of Directors approve the Consent Agenda as presented. Bob Shigley seconded the motion and all approved.

(Jasmine Geyer, Jeremy Mitchell, Lorna Quimby, Bob Shigley, Curt Stookey)

**13. ACTION ITEMS**

**13.A. Douglas High School Planned Course: Success Academy 2nd Reading**

Bob Shigley made the motion for the Winston-Dillard School District Board of Directors approve the Douglas High School Planned Course Statement: Success Academy as presented. Curt Stookey seconded the motion and all approved.

(Jasmine Geyer, Jeremy Mitchell, Lorna Quimby, Bob Shigley, Curt Stookey)

**Attachments:** (2)

- [WDSO PCS Frosh Success](#)
- [WDSO PCS Frosh Success B](#)

**13.B. Roofing Project - DHS Culinary Arts Building: HSS/M98 Funds**

Jasmine Geyer made the motion for the Winston-Dillard School District Board of Directors to approve the roofing project for the DHS Culinary Arts Building for a total amount of \$34,986.00 payable to NW Roofing & Siding Pros. Lorna Quimby seconded the motion and all approved.

(Jasmine Geyer, Jeremy Mitchell, Lorna Quimby, Bob Shigley, Curt Stookey)

**Attachments:** (3)

- [NW Roofing Siding Pros \\$34986](#)
- [Pressure Point Roofing \\$60514](#)
- [Roseburg Roofing \\$72433.80](#)

**13.C. Security Vestibule Project - Winston Middle School: COPS Grant & Capital Project Funds**

Jasmine Geyer made the motion for the Winston-Dillard School District Board of Directors to approve the Security Vestibule Project for Winston Middle School for a total amount of \$81,598.51 payable to Zerbach Construction, Inc. Curt Stookey seconded the motion and all approved.

(Jasmine Geyer, Jeremy Mitchell, Lorna Quimby, Bob Shigley, Curt Stookey)

**Attachments:** (2)

- [Zerbach Construction \\$81598.51](#)
- [Z Terrel Son \\$93789.82](#)

**13.D. Perimeter Fencing at Lookingglass Elementary - COPS Grant & Capital Projects Fund**

Bob Shigley made the motion for the Winston-Dillard School District Board of Directors to approve the perimeter fencing project at Lookingglass Elementary School for a total amount of \$45,328.00 payable to Roseburg Fence. Curt Stookey seconded the motion and all approved.

(Jasmine Geyer, Jeremy Mitchell, Lorna Quimby, Bob Shigley, Curt Stookey)

**Attachments:** (3)

- [Roseburg Fence \\$45327.28](#)
- [Pacific Northwest Fence Co \\$48593](#)
- [Quality Fence \\$68925](#)

**13.E. Resolution 2023-24-5 - Authorizing Budget Appropriation of Transfers**

Curt Stookey made the motion for the Winston-Dillard School District Board of Directors to approve Resolution 2023-24-5 as written. Jasmine seconded the motion and all approved.

(Jasmine Geyer, Jeremy Mitchell, Lorna Quimby, Curt Stookey)

**Attachments:** (1)

- [Resolution 2023-24-5 Authorizing Transfers](#)

**14. COMMUNICATIONS:** None at this time.

**15. FOR THE GOOD OF THE ORDER**

Mrs. Emily Ledbetter, LES Principal shared that she interviewed students from each grade level and asked them what they thought of their teacher. The responses were very positive and showed how connected the teachers are with their students. She took a moment to thank all her teachers.

Mr. Kerry Dwight, BES Principal said the annual “Art Night” was a huge success. Mr. Dwight got to see the SpEd students in action who participate in the Hydro Therapy at YMCA. He also shared that the NewsReview was there and the program will be featured in the newspaper. Mr. Dwight also took a moment thank Mr. Boye for his time with the district.

Mr. Kevin Wilson, MES Principal shared the fifth-grade classes are preparing for “Outdoor School” at Camp Baker in the upcoming week.

Mrs. Clarno, WMS Asst. Principal reported the 6<sup>th</sup> grade students had just returned from outdoor school at Camp Gray. Students and staff were exhausted but said they had a great time. The spring afternoon activity will be held next week from 2:30 – 4:30 and students will get a chance to participate in various activities. She also shared all the upcoming events for the end of the year. The track teams did very well at districts.

Mr. Jeff Jones, Asst Principal/AD said that FFA students recently did very well in various events at the state convention in Corvallis. The High School Success team had their review and received high ratings and exceeded far beyond what was expected for year one. The annual “Night of Excellence” will be held Tuesday May 14<sup>th</sup>. In the upcoming weeks, the school will be hosting “Field” days for the elementary schools and looking forward to providing that for the elementary students. They will also be hosting a “Band & Choir” day where the elementary schools can come and see what the music program looks like. Spring athletics are wrapping end of the season competitions.

**16. ADJOURNMENT:** 8:17 pm

**17. UPCOMING**

17.A. Budget Board Committee Meeting at Winston-Dillard District Office Board Room on May 22, 2024 at 6:00 pm.

17.B. Regular Session at Winston-Dillard District Office Board Room on June 12, 2024 at 7:00 pm.



# WINSTON-DILLARD SCHOOL BOARD OF EDUCATION BUDGET BOARD

District Office Board Room  
620 NW Elwood, Winston, OR 97496

May 22, 2024 at 6:00 PM - Budget Board Minutes

## BOARD BUDGET SESSION

1. **Present:** Alesha Anderson      Margie Giusto      Treva Hunter      Jeremy Mitchell  
                         Bob Shigley                      Kimberly Kellison      Kim Shigley

2. **Call To Order:** 6:04 pm

3. **Pledge of Allegiance:** Led by Treva Hunter.

4. **Roll Call** - Establishment of a Quorum: Five Budget Board Committee members in attendance.

(Alesha Anderson, Margie Giusto, Treva Hunter, Jeremy Mitchell, Bob Shigley)

5. **Discussion of Proposed Budget:** Alisha Anderson asked if the Early Literacy Grant was renewable yearly? Kim Shigley, Business Manager replied that the grant was available yearly.

## 6. Approval of Minutes - May 8, 2024

Alesha Anderson made the motion for the Winston-Dillard School District No. 116 Budget Board Committee approve the minutes as presented. Bob Shigley seconded the motion and all approved.

(Alesha Anderson, Margie Giusto, Treva Hunter, Jeremy Mitchell, Bob Shigley)

Attachments: (1)

- [May 8, 2024 Budget Board Session Minutes](#)

7. **Public Input:** None at this time.

## 8. Approve Tax Rate and Budget or Schedule an Additional Meeting

Margie Giusto made the motion for the Winston-Dillard School District No. 116 Budget Board Committee approve the 2024-2025 budget as presented for a total of \$34,383,058.00 and approve imposing ad valorem property taxes in tax year 2024-2025 at a rate of \$4.3994 per \$1000 of assessed value for operating purposes in the General Fund and \$1,087,400 for General Obligation Bond payment of principal and interest in the Debt Service fund.

9. **ADJOURNMENT:** 6:12 pm

## 10. UPCOMING

10.A. Budget Hearing June 12, 2024 at WDSB District Office Board Room at 7:00 pm to Adopt the Budget, enacts a resolution to make appropriations, impose and categorize property taxes.



**Winston-Dillard School District No. 116**  
620 NW Elwood, Winston OR 97496  
Phone (541)-679-3000/Fax (541)-679-4819

## **RESOLUTION 2023-24-6**

### **ADOPTING THE BUDGET**

**BE IT RESOLVED** that the Board of the Winston-Dillard School District No. 116 hereby adopts the budget for fiscal year 2024-2025 in the total amount of \$34,383,058.01\*. This budget is now on file at the District Office located at 620 NW Elwood in Winston, Oregon.

### **MAKING APPROPRIATIONS**

**BE IT RESOLVED** that the amounts for the fiscal year beginning July 1, 2024, and for the purposes shown below are hereby appropriated:

<b><u>General Fund</u></b>		
1000	Instruction	\$ 11,971,893.15
2000	Support Services	9,172,605.84
3000	Enterprise & Community Services	22,000.00
5000	Transfers	240,000.00
6000	Contingency	<u>420,000.00</u>
	Total	\$21,826,498.99
<b><u>Grants &amp; Projects Fund</u></b>		
1000	Instruction	\$ 2,844,308.05
2000	Support Services	1,720,029.05
4000	Facilities Acquisition and Construction	110,000
5000	Transfers	<u>35,000.00</u>
	Total	\$ 4,709,337.10
<b><u>Food Service Fund</u></b>		
3000	Enterprise & Community Services	\$ <u>1,442,821.92</u>
	Total	\$ 1,442,821.92
<b><u>Associated Student Body Funds</u></b>		
1000	Instruction	\$ <u>600,000.00</u>
	Total	\$ 600,000.00
<b><u>Debt Service Fund</u></b>		
2000	Support Services	\$ 10,000.00
5000	Debt Service	2,850,000.00
6000	Contingency	<u>1,205,200.00</u>
	Total	\$ 4,065,200.00

<b><u>Capital Projects Fund</u></b>	
4000	Facilities Acquisition and Construction \$ <u>1,039,200.00</u>
	Total \$ <u>1,039,200.00</u>
	Total Appropriations, All Funds <u>\$33,683,058.01</u>
	Total Unappropriated and Reserve Amounts, All Funds \$ <u>700,000.00</u>
	<b><i>TOTAL ADOPTED BUDGET</i></b> <u>\$34,383,058.01*</u>

(\*amounts with asterisks must match)

**IMPOSING THE TAX**

**BE IT RESOLVED** that the following ad valorem property taxes are hereby imposed upon the assessed value of all taxable property within the district for tax year 2024-2025:

- (1) At the rate of \$4.3994 per \$1,000 of assessed value for permanent rate tax;
- (2) In the amount of \$1,087,400 for debt service on general obligation bonds;

**CATEGORIZING THE TAX**

**BE IT RESOLVED** that the taxes imposed are hereby categorized for purposes of Article XI section 11b as:

<b><u>Subject to the Education Limitation</u></b>	<b><u>Excluded from the Limitation</u></b>
Permanent Rate Tax	\$4.3994/\$1,000
General Obligation Bond Debt Service	\$1,087,400.00

**BE IT RESOLVED** that the Board designates the authority to classify the assignment of ending fund balances is granted to the Superintendent and Business Manager.

The above resolutions and statements were approved and declared adopted on this 12th day of June 2024.

\_\_\_\_\_  
Jeremy Mitchell, Board Chair

\_\_\_\_\_  
Kimberly Kellison, Superintendent

**INSTRUCTIONAL SERVICE AGREEMENT**  
**Senate Bill 300: Expanded Options Program**



Purpose:

To provide instructional services for a specified group of students known as EXPANDED OPTIONS STUDENTS under the provisions of Senate Bill 300, UMPQUA COMMUNITY COLLEGE (UCC) and the WINSTON-DILLARD SCHOOL DISTRICT agree to the following:

Winston-Dillard School District will:

1. Provide UCC with the names and identification numbers of students in grades 11 and 12 who have been identified by the High School as eligible to enroll in UCC classes through the Expanded Options Program for the year of 2024-2025.
2. Complete the UCC EOP Student Authorization two weeks prior to the start of each term that students are eligible to register for classes. The authorization must include: student name, UCC student ID number or birthdate, authorized course(s) for enrollment, and additional (if any) textbooks, supplies and related software.
3. Provide Umpqua Community College with the name of a high school representative contact for each Expanded Options student referred to the College.
4. Retain the responsibility of providing special education and related services to eligible students with a disability. Students anticipating a need for accommodations should contact the UCC Accessibility Services Office.
5. Timely pay applicable agreed upon tuition (80% of the current rate), fees, books, and other required instructional course costs per student per term.

Umpqua Community College will:

1. Provide academic advising to each student as appropriate.
2. Not limit access to any classes other than by prerequisite requirements.
3. Provide notice of the tuition, fees, and other required instructional course costs as they are established by the College's Board of Education each spring.
4. Invoice the School District for application, tuition, textbooks, related software and fees per student per term. The remittance address and due date will be indicated on the invoice. All college policies as outlined in the current college catalog regarding student accounts, refunds and late fees will apply.
5. Provide guidance and links to registration information through the UCC website and student Self-Service account.
6. Comply with all applicable state and federal laws, rules and regulations that apply to student records. The records of student(s) enrolled at UCC are protected by the Family Education Rights and Privacy Act (FERPA).
7. Award post-secondary credit for any eligible course successfully completed for credit at the institution if the course is considered by the institution to be a college-level course.

Career Academy Program:

The school district will be responsible for tuition only (billed at 80%) for students participating in a Career Academy Program. UCC has obtained funding to cover textbooks and fees.

Terms:

The term of this contract shall be for the 2024-2025 academic year. Either party may cancel this agreement with 30 days written notice. Such cancellations shall not be cause for additional charges to either party. Courses already in progress shall be permitted to operate until the end of the current term when cancellations are in effect.

**Umpqua Community College**

**Winston-Dillard School District**

\_\_\_\_\_  
Natalya Brown, Chief Financial Officer      Date

\_\_\_\_\_  
Superintendent/Principal      Date

Winston-Dillard School District 116

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The following symbol is used on some policies:

\*\* 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 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. 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 581-015-2000.

# Winston-Dillard School District 116

Code: KAB  
Adopted: 5/25/11  
Revised/Readopted: 9/13/17  
Orig. Code(s): KAB

*all 10/15/17  
ESSA  
changes*

## Parental Rights

The Board recognizes the importance of promoting parental input in decision making related to their student's health and general well-being; in determining district and student needs for educational services; and in program development and district operations. To assist the district in this effort, and in accordance with law, ~~the Every Student Succeeds Act of 2015 (ESSA), the district~~ affirms the right of parents, upon request, to inspect:

1. A survey created by a third party before the survey is administered or distributed by the district to a student, including any district survey containing "covered survey items"<sup>1</sup> ~~as defined by ESSA~~;
2. Any instructional material used by the district as part of the educational curriculum for the student;
3. Any instrument used in the collection of personal information from students for the purpose of marketing or for selling that information or otherwise providing that information to others for that purpose.

As provided by law, parents of district students will also, upon request, be permitted to excuse their student from "covered activities"<sup>2</sup> ~~as defined by ESSA~~. The rights provided to parents under this policy, transfer to the student when the student turns 18 years of age, or is an emancipated minor under applicable state law.

The superintendent will ensure that activities requiring parental notification are provided as required by law and that reasonable notice of the adoption or continued use of this policy is provided to parents of students enrolled in district schools. The input of parents will be encouraged in the development, adoption and any subsequent revision of this policy.

The superintendent shall develop administrative regulations to implement this policy, including provisions as may be necessary to ensure appropriate notification to parents of their rights under federal law and district procedures to request review of covered materials, excuse a student from participating in covered activities and protect student privacy in the event of administration or distribution of a survey to a student.

END OF POLICY

<sup>1</sup> "Covered survey items" ~~under ESSA~~ include one or more of the following items: political affiliations or beliefs of the student or the student's family; mental and psychological problems of the student or the student's family; sex behavior or attitudes; illegal, antisocial, self-incriminating or demeaning behavior; critical appraisals of other individuals with whom respondents have close family relationships; legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers; religious practices, affiliations or beliefs of the student or the student's parent; and income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program.

<sup>2</sup> "Covered activities," requiring notification, ~~under ESSA~~ include activities involving the collection, disclosure or use of personal information collected from students for the purpose of marketing or for selling that information or otherwise providing that information to others for that purpose; the administration of any survey containing one or more of covered survey items; and any nonemergency, invasive physical examination or screening that is required as a condition of attendance and administered and scheduled by the school in advance. See the administrative regulation for additional definitions.

**Legal Reference(s):**

ORS 332.107

Every Student Succeeds Act of 2015, 20 U.S.C. § 7928 (2012).

Protection of Pupil Rights, 20 U.S.C. § 1232h (2012); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2017).

Family Education Rights and Privacy Act, 20 U.S.C. § 1232g (2012).

# Winston-Dillard School District 116

Code: KAB-AR  
Revised/Reviewed: 4/8/09; 5/25/11; 9/13/17  
Orig. Code: KAB-AR

## Parental Rights

The following definitions and procedures will be used to implement the parental rights requirements of ~~the Every Student Succeeds Act of 2015 (ESSA)~~:

### Definitions

1. "Survey," as defined by federal law and as used in Board policy and this regulation, includes an evaluation. It does not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (IDEA);
2. "Covered survey items" means one or more of the following items: political affiliations or beliefs of the student or the student's family; mental and psychological problems of the student or the student's family; sex behavior or attitudes; illegal, antisocial, self-incriminating or demeaning behavior; critical appraisals of other individuals with whom respondents have close family relationships; legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers; religious practices, affiliations or beliefs of the student or the student's parent; and income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program;
3. "Covered activities," requiring notification, ~~under ESSA~~ means those activities involving the collection, disclosure or use of personal information collected from students for the purpose of marketing or for selling that information or otherwise providing that information to others for that purpose; the administration of any survey containing one or more covered survey items; and any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered and scheduled by the school in advance and not necessary to protect the immediate health and safety of the student, or of other students. This provision does not apply to physical examinations or screenings that are permitted or required by law, including physical examinations or screenings permitted without parental notification;
4. "Third parties" include, but are not limited to, school volunteers, parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control;
5. "Instructional material" means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual materials and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments;
6. "Personal information" means individually identifiable information including a student or parent's first and last name; a home or other physical address (including a street name and the name of the city or town); telephone number; or a social security identification number;

7. "Invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion or injection into the body. It does not include a hearing, vision or scoliosis screening and does not apply to any physical examination or screening that is permitted or required by an applicable state law, including physical examinations or screenings that are permitted without parental notification.

### **Requests to Inspect Materials**

Parents may inspect surveys, instructional materials or instruments used to collect personal student information for marketing purposes before such items are administered or distributed by a school to a student as follows:

1. Requests may be directed to the school office by phone or in person;
2. Requests must be received by the district no later than ~~five~~<sup>five</sup> working days following receipt of notification by the district of its intent to administer or distribute such items;
3. Materials may be reviewed at the school office or mailed by the district;
4. Requests to mail materials must be accompanied by a self-addressed, stamped envelope.

### **Requests to Excuse Student from Covered Activities**

A parent may request that their ~~his/her~~ student be excused from participation in any of the following covered activities:

1. The collection, disclosure or use of personal information collected from students for the purpose of marketing or selling that information to others;
2. Any district or third party survey;
3. The administration of nonemergency, invasive physical examinations or screenings.

All such requests must be:

1. Directed to the principal in writing;
2. Received by the district no later than ~~five~~<sup>five</sup> working days following receipt of notification by the district of its intent to administer or distribute such items.

### **Student Privacy**

The district recognizes its responsibility to protect student privacy in the event of administration or distribution of a survey to a student containing one or more covered survey items.

A student's personal information that may be collected as a result of such surveys will be released only with prior, written parental permission. The district will use reasonable methods to identify and authenticate the identity of the parents, students, school officials, and any other parties to whom the district discloses personally identifiable information from educational records.

## **Notification**

Each principal shall be responsible for ensuring appropriate notification to parents of their rights under federal law, Board policy and this regulation. Accordingly, notification will:

1. Be made at least annually at the beginning of the school year or at other times during the school year when enrolling students for the first time in school;
2. Include the specific or approximate dates during the school year when covered activities are scheduled or expected to be scheduled.

# Winston-Dillard School District 116

Code: KBA  
Adopted: 9/10/08  
Revised/Readopted: 5/25/11; 12/13/11; 1/15/14;  
12/13/17  
Orig. Code: KBA

## Public Records\*\*

~~“Public record” means any information that:~~

- ~~1. Is prepared, owned, used or retained by the district;~~
- ~~2. Is related to an activity, transaction or function of the district; and~~
- ~~3. Is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the district.~~

~~Public record does not include messages on voice mail or on other telephone message storage and retrieval systems, or spoken communication that is not recorded.~~

A request to inspect or receive a copy of a public record shall be in writing and will be presented to the [superintendent’s] [district] office.

A “public record” includes any writing that contains information relating to the conduct of the public’s business, prepared, owned, used or retained by the district regardless of physical form or characteristics, unless otherwise exempted by law.<sup>1</sup> “Writing” means handwriting, typewriting, printing, photographing and every means of recording, including letters, words, pictures, sounds, or symbols or combination thereof and all papers, maps, files, facsimiles or electronic recordings. Public record does not include any writing that does not relate to the conduct of the public’s business and that is contained on a privately owned computer.<sup>2</sup>

~~Board meetings and records will be matters of public information subject to such restrictions as are set by federal law or regulation, by state statute or by pertinent court rulings.~~

~~The Board’s official minutes, its written policies and its financial records will be available at the superintendent’s office for inspection by any citizen desiring to examine them during hours when the superintendent’s office is open. All such information will be made available to individuals with disabilities in an accessible~~any appropriate~~ format, upon request and with appropriate advanced notice. Auxiliary aids and services available to ensure equally effective communications to qualified persons with disabilities~~

<sup>1</sup> There are multiple definitions for “public record” in ORS 192. This definition comes from ORS 192.311 and applies to the inspection of records.

<sup>2</sup> In accordance with *Bialostosky v. Cummings*, 319 Or. App. 352 (2022), an individual board member may be considered a public body for public record purposes. Consequently, records created and retained solely by individual board members may be considered public records.

may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.

The Board supports the right of the people to know about programs and services of their schools and will make reasonable efforts ~~every effort~~ to disseminate information. Each principal is authorized to use ~~all means~~ available means to keep parents and others in the ~~of his/her~~ particular school's community informed about the school's program and activities.

~~No records will be released for inspection by the public or any unauthorized persons — either by the superintendent or any other person designated as custodian for district records — if such disclosure would be contrary to the public interest, as described in state law.~~

The Board reserves the right to establish a fee schedule which will reasonably reimburse the district for the actual cost of making public records available pursuant to law. The district will not be obligated to complete a request for which the requester has not paid the fee as permitted by state law. There will be no additional charge for auxiliary aids and services provided for ~~qualified~~ persons with disabilities.

Employee and volunteer personal residential addresses, personal electronic mail addresses, ~~(other than district electronic mail addresses assigned by the district to district employees)~~, social security numbers, dates of birth and personal telephone or cellular numbers, and other information listed in Oregon Revised Statute (ORS) 192.355 as exempt, contained in personnel records maintained by the district are exempt from public disclosure pursuant to ~~Oregon Revised Statute (ORS) 192.363 - 368445~~ and ORS 192.355502(3). ~~Such information may be released only upon the written request of the employee or volunteer or as otherwise provided by law.~~ This exemption does not apply to a substitute teacher, as defined in ORS 342.815, when requested by a professional education association of which the substitute teacher may be a member. District electronic mail addresses assigned by the district to district employees are not exempt.

The district will not disclose the identification badge or card of an employee without the employee's written consent if the badge or card contains the employee's photograph and the badge or card was prepared solely for internal use by the district to identify district employees. A duplicate of the photograph used on the badge or card shall not be disclosed.

The district shall not, in accordance with state law, disclose personal information for the purpose of enforcement of federal immigration laws.

The district shall retain and maintain its public records in accordance with Oregon Administrative Rule (OAR) 166-005-0010 and Chapter 166, Division 400 and ORS Chapter 192.

END OF POLICY

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**Legal Reference(s):**

[ORS 180.805](#)

[OAR 137-004-0800\(1\)](#)

[OAR 166-400](#)

[ORS Chapter 192](#)

[OAR 166-005-0010](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2021); 28 C.F.R. Part 35 (2021).

OREGON DEP'T OF JUSTICE, OREGON ATTORNEY GENERAL, *Public Records and Meetings Manual*.



# Winston-Dillard School District 116

Code: KBA-AR  
Revised/Reviewed: 7/10/02; 5/25/11; 12/13/17;  
4/11/18  
Orig. Code: KBA-AR

## Public Records

In compliance with Oregon law the following guidelines apply to the dissemination, inspection and examination of the public records of the district:

1. A public records request shall be submitted in writing through the ~~superintendent's~~ ~~district~~ office at 620 NW Elwood, Winston, Oregon 97496.
2. Upon receipt of a written request, the district shall respond within five business days<sup>1</sup> acknowledging receipt of the request or completing<sup>2</sup> the district's response to the request. If the district provides an acknowledgment of the request, it must:
  - a. Confirm that the district is the custodian of the requested record;
  - b. Inform the requester that the district is not the custodian of the requested record; or
  - c. Notify the requester that the district is uncertain whether the district is the custodian of the requested record.
3. If the district is the custodian of the requested record, as soon as reasonably possible but not later than 10 business days after the date the district is required to acknowledge receipt of the request as described above, the district shall:
  - a. Complete its response to the public records request in accordance with ORS 192.329(2). If the district determines that a record is exempt from public disclosure, the district will include a statement to that effect and that the requester may appeal the decision pursuant to state law; or
  - b. Provide a written statement that the district is still processing the request and a reasonable estimated date by which the district expects to complete its response based on the information currently available.
4. The time periods, established by Oregon law and identified above in Section 2 or 3, will not apply to the district if compliance would be impracticable because:
  - a. The staff or volunteers<sup>3</sup> necessary to complete a response to the public records request are unavailable;

<sup>1</sup> "Business day" means a day other than Saturday, Sunday or a legal holiday, and on which at least one paid employee of the district is scheduled to and does report to work. Business day does not include any day on which the central administration offices of the district are closed.

<sup>2</sup> The district response to a public records request will be considered complete ~~when it complies with~~ ~~pursuant to~~ criteria in Oregon law (ORS 192.329).

<sup>3</sup> Staff member or volunteers who are on leave or are not scheduled to work are considered to be unavailable.

- b. Compliance would demonstrably impede the district's ability to perform other necessary services; or
- c. Of the volume of the public records request being simultaneously processed by the district.

In these situations, ~~the~~ The district shall, as soon as practicable and without unreasonable delay, acknowledge a public records request and complete the response to the request.

- 5. The district may request additional information or clarification from the requester for the purpose of expediting the district's response to the request as permitted by law. If the district requests additional information or clarification, in good faith, the obligation to complete the request is suspended until the requester provides the requested information or clarification or affirmatively declines to provide the information or clarification. If the requester fails to respond within 60 days to a good faith request from the district for information or clarification, the district shall close the request.
- 6. If a copy of a public record is requested, the district will provide a single copy. If a request to inspect a public record is made and the record is maintained in a machine readable or electronic form, the custodian shall provide the record in the form requested, if available. If the public record is not available in the form requested, it will be made available ~~provided~~ in the form the record is maintained. If a person who is a party to a civil judicial proceeding to which the district is a party or who has filed notice under Oregon Revised Statute (ORS) 30.275(5)(a) asks to inspect or to receive a copy of a public record that the person knows relates to the proceeding or notice, the individual must submit the request in writing to the designated custodian of district records and at the same time to the district's attorney.
- 7. Information will be made available to individuals with disabilities in an accessible ~~appropriate~~ format upon request and advance notice. Auxiliary aids and services available to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.
- 8. Where the labor effort exceeds 30 minutes, labor, material and out-of-pocket charges will be reimbursed to the district. Labor will be calculated at the hourly rate of the employee affected. Materials and out-of-pocket charges will be reimbursed at the established rate of \$0.25 per page. Auxiliary aids and services for qualified persons with disabilities will be available at no additional charge.

If the district has informed the requester of a permitted fee, the obligation of the district to complete its response to the request is suspended until the fee has been received by the district. If the requester fails to pay the fee within 60 days of the date they were ~~he/she was~~ informed of the fee or fails to pay the fee within 60 days of the date on which the district informed them of the denial of the fee waiver, the district shall close the request.

- 9. ~~The district reserves the right to restrict the inspection of some public records to the district's facilities.~~

# Winston-Dillard School District 116

Code: KBCA  
Adopted: 7/10/02  
Revised/Readopted: 5/25/11  
Orig. Code: KBCA

*OK  
w/ OSBA  
changes*

## News Releases

Information about district ~~school~~ activities and issues will ~~shall~~ be provided to the community in a way which will ~~shall~~ create and maintain a dignified and professionally responsible image for the district.

The procedures listed below will ~~shall~~ be followed in giving official information to the news media:

1. The Board chair will ~~shall~~ be the official spokesperson ~~spokesman~~ for the Board, unless this duty is delegated;
2. News releases that are of districtwide interest or that pertain to established district policy will ~~shall~~ be the responsibility of the superintendent;
3. The superintendent will establish procedures for the dissemination of news releases pertaining to the district.

END OF POLICY

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### Legal Reference(s):

[ORS 192.640](#)

[ORS 332.107](#)

# Winston-Dillard School District 116

Add

Code: KC  
Adopted: 5/25/11  
Orig. Code(s): KC

## Community Involvement in Decision Making

*Optional.*

The Board endorses the concept that community participation in school affairs is essential if the school system and the community are to maintain mutual confidence and respect and work together to improve the quality of education for students. It therefore intends to exert every effort to identify the community's desires and to be responsive, through its actions, to those desires.

All district ~~citizens~~ community members will be encouraged to express their ideas, concerns and judgments about the schools through such means as:

1. Written suggestion(s) or proposal(s);
2. Presentations at public hearings;
3. Responses to surveys made through interviews, written instruments or other means;
4. Comments when public comment times are provided at Board meetings; and
5. Service on ~~citizens'~~ board advisory committees, school improvement teams and/or ~~21st Century Schools~~ site councils.

~~The public advice will be given careful consideration. In evaluating such advice, the first concern will be for the educational program as it affects students. The Board's final decisions may depart from public advice comments when, in the judgment of staff and the Board, such advice comments are not consistent with goals adopted by the Board or with good educational practice or within available financial resources.~~

END OF POLICY

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### Legal Reference(s):

[ORS 329.125](#)

[ORS 332.107](#)

# Winston-Dillard School District 116



Code: KG  
Adopted: 7/10/02  
Revised/Readopted: 5/25/11; 5/21/14  
Orig. Code: KG

## Community Use of District Facilities

*(Any changes need made to the categories below? Is there an electronic option to make such requests? If yes, may want to add something in the first paragraph below #7. Has the process changed? See second para under #7.)*

The Board supports the community education concept, which encourages the use of district facilities by community members for recreation, education and service activities. The following categories have been determined in order of priority for building and grounds usage:

1. Activities directly related to the required K-12 school program, including graduation;
2. Activities related to the extracurricular K-12 school program such as sports and seasonal programs;
3. Community school-sponsored programs such as classes and workshops;
4. Local<sup>1</sup> youth-related nonschool activities;
5. Outside youth-related nonschool activities;
6. Local adult-related nonschool activities;
7. Outside adult-related nonschool activities.

The Board expects the users to treat the facilities with respect. A Building Use Request form must be submitted by the person or group to the school office in coordination with administrators of the involved facility. The users must agree to all guidelines on the Building Use Request form. The original copy of the agreement will remain in the school office, with copies distributed to the appropriate administrator, building custodial staff and facility user.

Approval for using the facilities will be granted for a period not to exceed three months. Requests must be resubmitted if the user desires to continue usage. The building principal will set the registration periods for their facility. The first week of each period will be reserved for local sign-up. After the first week approval for using facilities is first-come, first-served.

Use of school facilities by district employees will be in accordance with Oregon Ethics laws.

The superintendent will encourage the involvement of staff, parents and the community in the development of specific building-use regulations.

---

<sup>1</sup> The term Local refers to youth or adults that reside within the Winston-Dillard School District attendance boundaries and/or attend Winston-Dillard Schools. A group is considered local if at least half of its members meet the above criteria.

END OF POLICY

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**Legal Reference(s):**

[ORS Chapter 244](#)  
[ORS 260.432](#)

[ORS 332.107](#)  
[ORS 332.172](#)

# Winston-Dillard School District 116

Code: KGAA  
Adopted: 6/18/08  
Readopted: 5/25/11  
Orig. Code: KGAA

Keep  
w/ addition

## Interscholastic Summer Facility Use

*(Any changes to make for procedure in this policy? Need to keep it?)*

It is the intent of the district to encourage the use of district buildings and facilities for the purpose of providing school-related activities for district students year-round. Coaches and advisors who wish to engage students in these types of activities must first secure the approval of their principal. Activities must adhere to the guidelines established under the district's Interscholastic Activities Program as outlined in Board policy IGDJ. District students who are involved in these summertime activities are subject to the district discipline, drug, alcohol and tobacco policies and district and all Oregon School Activities Association (OSAA) standards. Students who were eligible during the prior school year will remain eligible during the summer months until the annually established OSAA fall first practice date.

Coaches, advisors and principals will administrate the activity programs as outlined in the *Winston-Dillard School District Athletics Handbook* and school handbooks.

It is fundamentally understood that coaches, advisors and administrators, which become volunteers, would not be compensated monetarily for time spent supervising, coaching or advising these summertime activities. All volunteers, however, must comply with requirements of Board policy ICC - Volunteers and Board policy GCDA/GDDA and its accompanying administrative regulation. OK to add

Extended School Year, Title and instructional programs will be given priority for summer vehicle use.

Estimated fuel costs for trips in excess of a 60 mile radius from the district will be paid for in advance by the school activity trip advisor, club or activity program.

Commercial camps, contact camps or activities that involve students other than district students must be approved by the principal and may be required to meet all of the conditions of the private, for profit use of facility provisions as outlined in Board policies KG - Community Use of Facilities and KGF/EDC - Authorized Use of District Equipment and Materials.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

# Winston-Dillard School District 116

Code: KGB  
Adopted: 2/22/06  
Revised/Readopted: 5/25/11; 8/12/15; 10/12/16  
Orig. Code: KGB

*OK  
w/ OSTA  
changes*

## Public Conduct on District Property

No person on district property or any district grounds, including parking lots, shall:

1. Haze, harass, intimidate, bully or menace another, or engage in behavior deemed by the district to endanger the safety of students, employees, self or others;
2. Use or engage in abusive verbal expression or physical conduct that interferes with the performance of students, event officials or sponsors of approved activities;
3. Damage the property of another or of the district;
4. Initiate or circulate a report, one knows to be false, concerning an alleged hazardous substance, impending fire, explosion, catastrophe or other emergency that will take place in or upon a school;
5. Construct or transport to district property for temporary or permanent purposes any structure not approved for construction on, or transportation to, district property;
6. Uproot, pick, cut, mutilate or remove plant life or other natural resources of any kind. Roots, tubers, flowers and stems may not be collected. Soil or rock may not be dug up or removed;
7. Dump or spill any sewage, waste water or other fluids from any vehicle;
8. Use district waste containers or other district property for the deposit of waste or refuse generated from household, commercial, industrial, construction or other uses not related to approved use on district property;
9. Block, obstruct or interfere with vehicular or pedestrian traffic on any district road, parking area, walkway, pathway or common area. Occupying or impeding access to any district facility in a manner that interferes with the approved use of such facility by district employees, students or other authorized users is prohibited;
10. Fly, launch or otherwise operate motorized model airplanes/helicopters/rockets or other similar propulsion devices unless approved in advance by the district;
11. Operate an unmanned aircraft system (UAS) or drone unless granted permission from the superintendent or designee;
12. Distribute or post circulars, notices, leaflets, pamphlets or other written or printed material in violation of Board policy KJA - Materials Distribution;
13. Operate a concession, solicit, sell or offer for sale any goods, wares, merchandise, food, beverages or services without prior district approval. Public sales and solicitation on district property will be

governed by Board policies KGA - Public Sales on District Property, KI - Public Solicitation in District Facilities and KJ - Advertising in District Facilities;

14. Operate a motor vehicle in an area other than on roads and in parking areas constructed or designated for motor vehicle use. Vehicles shall be driven in a safe manner, at posted speeds and will only be appropriately parked in areas designated by the district. Motorized vehicles such as minibikes, scooters, go-carts, all-terrain-vehicles, snowmobiles and other similar devices are prohibited on district grounds. Bicyclists must comply with motor vehicle and bike regulatory signs;
15. Use a skateboard, rollerblades, scooter or similar device;
16. Bring an animal into a district building without prior administrator approval and, where appropriate, only when proof of current rabies vaccination has been provided. Dogs are permitted on district grounds only when confined to a vehicle or on a leash and when kept under the physical control of the individual at all times. The owner is responsible for the animal's behavior and containment and for the removal of the animal's wastes while on district property. All other animals on district property are permitted with prior district approval only. Animals serving the disabled are permitted as provided by law;
17. Camp overnight, loiter or otherwise be present on district property after the conclusion of approved activities or as otherwise posted or authorized by the district. Individuals are prohibited from entering any portion of district premises at any other time for purposes other than those which are lawful and authorized by district officials;
18. Use or operate any noise-producing machine, vehicle, device or instrument in a manner that, in the judgment of district officials, is disturbing to, or interferes with, the orderly conduct of district programs or approved activities;
19. Impede, delay or otherwise interfere with the orderly conduct of the district's educational program or any other activity taking place on district property which has been authorized by the district;
20. Bring, possess, conceal or use a weapon as prohibited by ~~Board policy JFCJ - Weapons in the Schools and~~ state and federal law;
21. Possess, consume, sell, give or deliver unlawful drugs and/or alcoholic beverages. Possess, sell, give or deliver drug paraphernalia;
22. Use, distribute or sell tobacco products or inhalant delivery systems, in any form ~~(Pro Children Act of 1994; ORS 433.835 to 433.990; OAR 581-021-0110);~~
23. Wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign or other item that is evidence of membership or affiliation with any gang. Use speech or commit any act or omission in furtherance of the interests of any gang or gang activity. A "gang" is defined as a group that identifies itself through the use of a name, unique appearance or language including hand signs, claiming of geographical territory or the espousing of a distinctive belief system that frequently results in criminal activity;
24. Violate posted regulatory signs;

25. Willfully violate other district policies, administrative regulations or school rules designed to maintain public order on school property.

Persons having no legitimate purpose or business on district property, or those violating or threatening to violate the above rules, may be issued a trespass citation, ejected from the premises, excluded from district-approved activities temporarily or permanently and/or referred to law enforcement officials.

The superintendent will ensure that appropriate notice of these rules is provided.

END OF POLICY

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**Legal Reference(s):**

[ORS 161.015](#)

[ORS 164.245](#)

[ORS 164.255](#)

[ORS 166.025](#)

[ORS 166.155 to -166.165](#)

[ORS 166.210 to -166.370](#)

[ORS 332.172](#)

[ORS 336.109](#)

[ORS 339.883](#)

[ORS 431.840](#)

[ORS 433.835 to -433.990](#)

[ORS 806.060 to -806.080](#)

[OAR 333-015-0025 to -0090](#)

[OAR 581-021-0110](#)

[OAR 584-020-0040\(4\)\(e\),\(g\)](#)

Gun-Free Schools Act, 20 U.S.C. § 7961 (2012).

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2012).

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2012).

# Winston-Dillard School District 116

Code: KGBB  
Adopted:

## Firearms Prohibited

*{Oregon law has allowed members of the public possessing a concealed carry license to carry firearms on district property in accordance with ORS 166.370(3)(g). Senate Bill (SB) 554 (2021) allows districts to now prohibit even those with concealed carry licenses from carrying firearms by adopting a policy and posting notice at entry points.*

*OSBA considers this policy to be conditionally required because if the district wants to prohibit concealed carry licensees from carrying firearms on district property, the district must adopt a policy. If the district does not want to limit concealed carry licensees, the district does not need to adopt this policy.*

No person on grounds of the schools controlled by the Board (including in school buildings), will possess any firearm<sup>1</sup>, except when said firearm is possessed by a person who is not otherwise prohibited from possessing the firearm, and is unloaded and locked in a motor vehicle. The exception provided in Oregon Revised Statute (ORS) 166.370(3)(g) for concealed carry licensees (see ORS 166.291 and 166.292) does not apply to the possession of firearms on grounds of the schools controlled by the Board.<sup>2</sup> Firearms under the control of law enforcement personnel are permitted. The superintendent may authorize other persons to possess weapons for courses, programs and activities when in compliance with law and board policy.

Any person violating or threatening to violate the above rules, as determined by the district, may be issued a trespass citation, ejected from the premises and referred to law enforcement officials<sup>3</sup>.

[The district will post clearly visible sign(s) at all normal points of entry to the school grounds subject to this policy indicating that the affirmative defense described in ORS 166.370(3)(g) does not apply. The district will post on the district's web pages designated for school board operations, identifying designated school grounds that are subject to this policy.]

END OF POLICY

### Legal Reference(s):

[ORS 161.015](#)  
[ORS 164.245](#)  
[ORS 164.255](#)

[ORS 166.210 - 166.370](#)  
[ORS 297.405](#)  
[ORS 332.107](#)

[ORS 332.172](#)  
[ORS 339.315](#)

<sup>1</sup> "Firearm" has the meaning given that term in ORS 166.210, except that it does not include a firearm that has been rendered permanently inoperable.

<sup>2</sup> See Senate Bill 554 (2021).

<sup>3</sup> ORS 339.315 requires any district employee with reasonable cause to believe that a person is in possession of a firearm within a school or has possessed a firearm within a school in violation of Oregon law in the previous 120 days report such information to an administrator or law enforcement. A district employee with reasonable cause to believe that a person is in possession of a firearm within a school or has possessed a firearm within a school in the previous 120 days in violation of Oregon law, may report such information to law enforcement.

Gun-Free Schools Act, 20 U.S.C. § 7961 (2018).  
Senate Bill 554 (2021).

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# Winston-Dillard School District 116

Code: KGC/GBK  
Adopted: 4/20/11  
Revised/Readopted: 8/12/15; 4/11/18  
Orig. Code(s): KGC/GBK

OK w/  
Proposed  
Updates

## Prohibited Use, Distribution or Sale of Tobacco Products and Inhalant Delivery Systems

The Board establishes a school and working environment that is free of smoke, aerosols and vapors containing inhalants. The use, distribution or sale of tobacco products or inhalant delivery systems by staff on district property, including parking lots, at district-sponsored events, in district-owned, rented or leased vehicles or otherwise while on duty on or off district premises is prohibited. Use, distribution or sale of tobacco products or inhalant delivery systems by all others on district property, in district vehicles or at district-sponsored events, on or off district premises, on all district grounds, including parking lots, is prohibited. Staff and/or all others authorized to use any private vehicle to transport district students to school-sponsored activities are prohibited from using tobacco products or inhalant delivery systems in those vehicles while students are under their care.

For the purpose of this policy, “tobacco products” is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew or snuff in any form. This does not include products that are USFDA-approved for sale as a tobacco cessation product~~products~~ or for any other therapeutic purpose, if marketed and sold solely for the approved purpose.

For the purpose of this policy, “inhalant delivery system” means a device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device; or a component of a device; or a substance in any form sold for the purpose of being vaporized or aerosolized by a device, whether the component or substance is sold or not sold separately. This does not include products that are USFDA-approved for sale as a tobacco cessation product~~products~~ or for any other therapeutic purpose, if marketed and sold solely for the approved purpose.

Clothing, bags, hats and other personal items used by staff to display, promote or advertise tobacco products or inhalant delivery systems are prohibited on all district grounds, including parking lots, at school-sponsored activities or in district vehicles. Advertising is prohibited in all school-sponsored publications, in all school buildings, on district grounds, including parking lots, and at all school-sponsored events. District acceptance of gifts or funds from the tobacco products and inhalant delivery system industries is similarly prohibited.

~~Staff~~ Violations of this policy by staff ~~may~~ ~~will~~ ~~lead to~~ result in disciplinary action up to and including dismissal.

Violations by all others will result in appropriate sanctions as determined and imposed by the superintendent or the Board.

Information about community resources and/or cessation programs to help staff may be provided.

The superintendent shall consult with local officials to promote enforcement of law that prohibits the use or possession of tobacco products or inhalant delivery systems by persons under 21 years of age on or off district grounds or at district-sponsored activities.

This policy shall be enforced at all times. The superintendent will develop guidelines as necessary to implement this policy, including provisions for notification of the district’s policy, through such means as staff handbooks, newsletters, inclusion on school event programs, signs at appropriate locations; disciplinary consequences; and procedures for filing and handling complaints about violations of the district’s policy.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.107](#)  
[ORS 336.227](#)  
[ORS 339.883](#)  
[ORS 431A.175](#)

[ORS 433.835 to -433.990](#)  
[OAR 581-021-0110](#)  
[OAR 581-053-0230\(9\)\(s\)](#)

[OAR 581-053-0330\(1\)\(m\)](#)  
[OAR 581-053-0430\(12\)](#)  
[OAR 581-053-0531\(11\)](#)

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2012).

# Winston-Dillard School District 116

Code: KGE  
Adopted: 7/10/02  
Readopted: 5/25/11  
Orig. Code: KGE

Delete

## Public Responsibility for Facility Usage

*(This is already covered by policy KG.)*

The Board supports the community education concept, which encourages the use of district facilities by community members for recreation, education, and service activities. A Building Use Request must be submitted by the person or group to the school office three or more days prior to the use date. Approval or denial shall be granted by the school office in coordination with facility administrators. The original copy of the agreement shall remain in the school office. Other copies shall be distributed to the custodial staff and facility user.

Approval for using facilities shall be granted for a period not to exceed three months. Requests must be resubmitted if the person or group desires to continue using the facility.

The Board expects the users to treat the facilities with respect. The user must agree to the guidelines on the Building Use Request form.

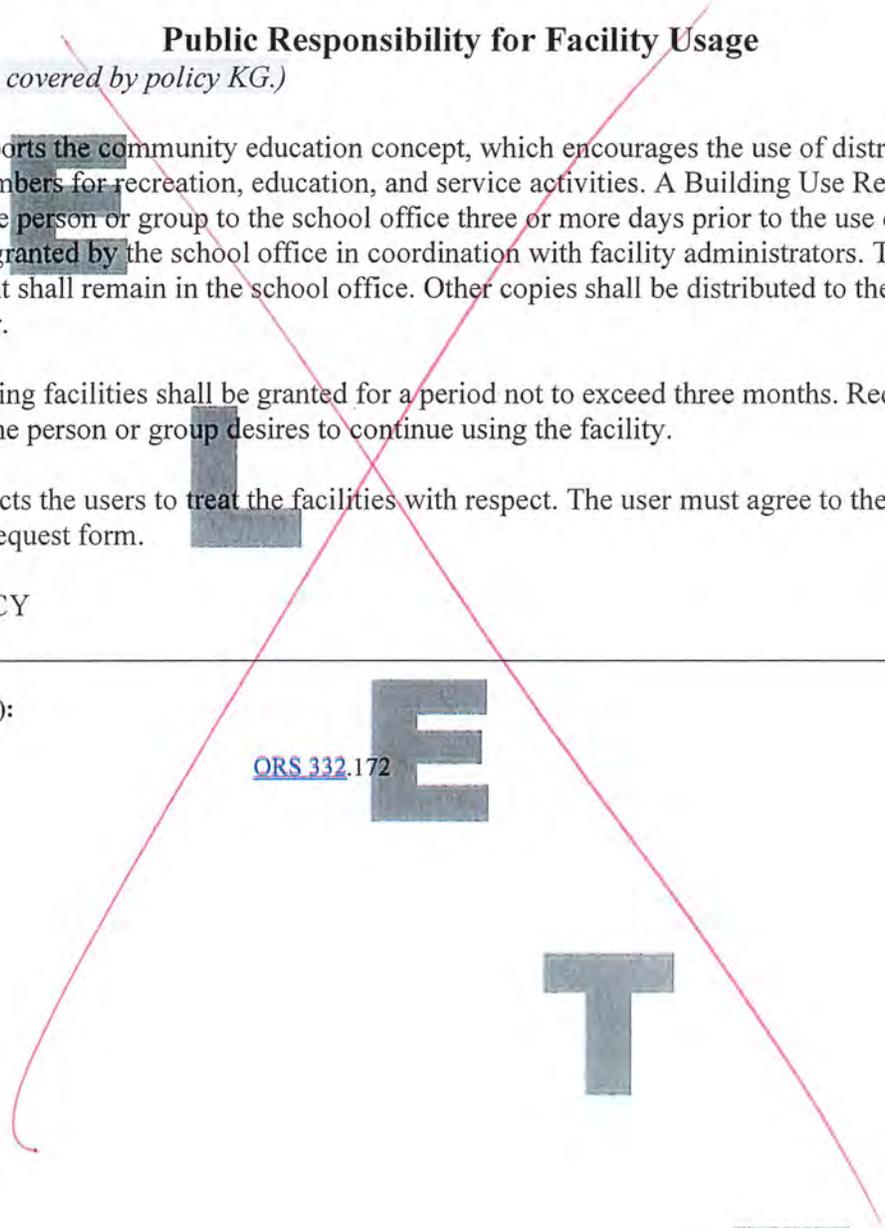
END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

[ORS 332.172](#)



# Winston-Dillard School District 116

*OK  
w/ proposed  
updates*

Code: KGF/EDC  
Adopted: 7/10/02  
Readopted: 4/20/11  
Orig. Code(s): KGF/EDC

## Authorized Use of District Equipment and Materials \*

District materials and equipment will ~~shall~~ be used only for school purposes by district personnel on district properties.

Exceptions to this policy must be approved by the ~~superintendent~~ ~~and/or Board~~ and authorized use shall be consistent with Oregon Revised Statute (ORS) Chapter 244.

In all cases of public use, equipment shall not be used for private financial gain. An equipment use form must be submitted and approved, and all conditions outlined on the attached district equipment list must be adhered to. ~~[There are no equipment use fees.]~~ In the event of excessive damage, a fee will be determined according to repair or replacement costs. Transportation of borrowed equipment will be the user's responsibility. ~~[No equipment may be transported off district property unless used for a district-sponsored activity.]~~

END OF POLICY

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### Legal Reference(s):

[ORS Chapter 244](#)

[ORS 332.107](#)

[OAR 584-020-0040](#)

OREGON GOVERNMENT ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS (2008).

# Winston-Dillard School District 116

Code: KH  
Adopted: 7/10/02  
Readopted: 5/25/11  
Orig. Code: KH

*all w/ updates*

## Public Gifts to the District

All gifts to the district shall become the property of the district and shall be used for the purpose for which they were donated.

~~The superintendent is authorized to accept gifts to the district for particular schools on behalf of the Board. The donor shall be officially thanked in the Board's name and all major gifts shall be reported to the Board and publicly announced.~~

1. Tangible property contributed to the schools becomes the property of the district and is subject to the same controls and regulations that govern the use of other district-owned property.
2. Contributions of property or services that may involve major costs for installation or maintenance, or initial or continuing financial commitments from district funds, will be presented by the superintendent for Board consideration and approval.
3. Any groups planning to raise money for a gift to a school or the educational system will first consult with the principal and superintendent regarding what kind of gift should be made. The superintendent will develop guidelines for accepting gifts. Such guidelines will include a concern for fairness and equity among schools.
4. All gifts will be subject to the provisions of Board policy.

In instances where the superintendent doubts the appropriateness or usefulness of an offered gift, the gift may be declined or the matter may be referred to the Board.

The Board welcomes gifts of books and other materials to district libraries provided that they meet the same standards of selection as those applied to the purchase of library materials.

~~Any gifts to libraries shall only be disposed of following Board policy DN – Disposal of School Property.~~

In accepting gifts, the Board will be aware of the requirement that there should not be significant differences among the various school facilities.

END OF POLICY

### Legal Reference(s):

[ORS 294.338](#)  
[ORS 332.075](#)

[ORS 332.107](#)  
[ORS 332.3](#)

# Winston-Dillard School District 116

Code: KI  
Adopted: 7/10/02  
Revised/Readopted: 5/25/11; 9/13/17; 9/12/18  
Orig. Code: KI



## Public Solicitation in District Facilities\*\*

Fund raising and solicitation by non-school agencies or for non-school activities during school hours will not be permitted without prior approval of the superintendent and/or principal.

Demonstrations of services or materials and canvassing of students or employees for the purpose of selling products or services shall not be permitted in either the district's schools or grounds, unless authorized by the superintendent and/or principal.

No non-school-sponsored organization or individual may solicit funds or sell tickets within the district without first securing permission through the superintendent and/or principal.

Whenever possible, solicitation should occur during non-classroom time.

The administration of surveys, questionnaires and requests for information by non-school-connected organizations are prohibited. Exceptions may be approved by the superintendent. In the event an exception is granted for the administration or distribution of a survey created by a third party, the district will provide an opportunity for the student's parent to inspect such survey upon request, before the survey is administered or distributed by a school to a student. Any district survey containing any "covered survey items"<sup>1</sup> may also be inspected by parents.

Parents may also request that their student be excused from participation in such surveys. Requests may be submitted in accordance with the provisions of Board policy KAB - Parental Rights and accompanying administrative regulation.

As required by law, the superintendent shall ensure that notification is provided to parents of students at least annually at the beginning of the school year or when enrolling students for the first time in school, of the specific or approximate dates during the school year when such surveys are scheduled or expected to be scheduled. The rights provided to parents under this policy transfer to the student when the student turns 18 years of age or is an emancipated minor under applicable state law.

The district recognizes its responsibility to protect student privacy. Personal information that may be collected as a result of such surveys will be released only with prior, written parental permission, unless as

<sup>1</sup> "Covered survey items" ~~under the ESSA~~ include one or more of the following items: political affiliations or beliefs of the student or the student's family; mental and psychological problems of the student or the student's family; sex behavior or attitudes; illegal, anti-social, self-incriminating or demeaning behavior; critical appraisals of other individuals with whom respondents have close family relationships; legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers; religious practices, affiliations or beliefs of the student or the student's parent; and income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program.

otherwise provided by law and/or the provisions of Board policy JOB - Personally Identifiable Information.

END OF POLICY

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**Legal Reference(s):**

[ORS 332.107](#)

[ORS 339.880](#)

32 OR. ATTY. GEN. OP. 209 (1965)

46 OR. ATTY. GEN. OP 239 (1989)

Protection of Pupil Rights, 20 U.S.C. § 1232h (2012); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2017).

Every Student Succeeds Act, 20 U.S.C. § 7928 (2012).

Family Education Rights and Privacy Act, 20 U.S.C. § 1232g (2012).

# Winston-Dillard School District 116

Code: KJ  
Adopted: 7/10/02  
Readopted: 5/25/11; 9/12/18  
Orig. Code: KJ

*OK  
See updates  
P. 2*

## Commercial Advertising

The Board recognizes that district-sponsored commercial advertising may provide an important source of revenue for its programs and activities. Such sales may be permitted as approved by the superintendent or designee and by this policy.

“Commercial advertising” as used in this policy means, use by any person, company, business or corporation, for personal or private gain, of any district media, including, but not limited to, school newspaper, yearbook or other printed material, flyer or circular, radio, television, video or any other electronic technology or indoor or outdoor signage designed to:

1. Transmit a message offering any goods or services;
2. Cause or induce any other person to purchase any goods or services;
3. Increase demand for any goods or services.

Commercial advertising approved by the district must be consistent with district mission, goals, Board policies and administrative regulations; promote positive values for district students through proactive educational messages that encourage student achievement and high standards of personal conduct.

The superintendent may consider for approval revenue-enhancing activities that include, but are not limited to, contracts or agreements for:

1. Exclusive advertising of any product or service throughout the district or at specified locations or times to a person, business or corporation in exchange for goods or services (e.g., scoreboards, electronic message boards, athletic gear, exclusive right to sell beverages, bottled water, snacks, meals, etc.);
2. Products or services that require the dissemination of advertising to staff, students, parents or others or allow any person, business or corporation to obtain information from staff, students, parents or others for the purposes of market research;
3. The use of district facilities or grounds in exchange for products, services or financial considerations (e.g., cell phone towers, etc.);
4. Technology hardware, software, satellite hook-up and/or access in exchange for free or reduced prices and/or fees and/or advertising rights, or agreement to use equipment a certain number of hours of the day, month, etc.;
5. Naming rights to district property in exchange for goods, services or monetary considerations.

Contracts shall include a provision allowing the district to terminate the contract if it is determined by the district to have an adverse impact on district programs, services or activities. Revenue derived shall be used for programs, services and/or activities *(Choose one of the following bracketed options for the end of this sentence:)* ~~[designed to enhance student achievement, assist in the maintenance of existing district programs, services or activities and/or to provide scholarships for students who demonstrate financial need and merit]~~ [as determined by the district].

All contracts considered for approval are subject to the competitive procurement requirements of Board policies DJ - District Purchasing, DJC - Bidding Requirements and the local contract review board's public contracting rules. Competitive procurement as used in this policy includes monetary as well as in-kind contributions (i.e., scoreboards, computers, other equipment or materials).

The superintendent will develop administrative regulations as needed for implementation of this policy.

END OF POLICY

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**Legal Reference(s):**

[ORS 279B.055](#)  
[ORS 279C.335](#)

[ORS 332.107](#)  
[ORS 339.880](#)

# Winston-Dillard School District 116

Code: KJ-AR  
Revised/Reviewed: 9/12/18  
Orig. Code(s): KJ-AR



## Commercial Advertising

Commercial advertising in district schools may be permitted by the superintendent or designee subject to the following. Schools, with prior approval, may:

1. Publish advertising in any school newspaper, other school periodical, school or district publication, web page or yearbook;
2. Distribute advertising or market research as part of a district-approved curriculum on advertising, marketing or media literacy, etc.;
3. Post signs of school, district or public appreciation for financial or other support from any person, business or corporation for the educational program in any school in the district;
4. Use free educational materials with incidental advertisements;
5. Permit demonstrations of educational materials and equipment;
6. Cooperate with nonprofit community organizations in making or posting announcements or distributing program materials that supplement the school program provided that such cooperation does not interfere with the school program and is consistent with the mission, goals and policies of the district;
7. Utilize films or other educational materials and instructional aids, including newspapers and magazines in either print or electronic form furnished by private sources, when the advertising content is reasonable in the judgment of the superintendent or designee;
8. Permit participation, on a student-option basis, in essay, art, science and similar contests sponsored by outside interests when such activities parallel the curriculum and contribute to the educational program;
9. Release promotional material for nonschool athletic and cultural events through appropriate school departments;
10. Accept limited advertising on extracurricular activity schedules and programs.

Other exceptions may be approved when, in the judgment of the superintendent or designee, students of the district will benefit.

There may be no obligation on the part of students or staff to sell products, make purchases or distribute information.

The use of any advertising for alcohol or tobacco products in district publications or for any other purpose inconsistent with Board policies and administrative regulations is prohibited.

No activity which requires staff or students to assist in promoting campaigns (financial, charitable, educational or otherwise) will be permitted without the express permission of the superintendent.

# Winston-Dillard School District 116

Code: KJA  
Adopted: 7/10/02  
Revised/Readopted: 5/25/11  
Orig. Code: KJA

*OK w/ updates*

## Materials Distribution\*\*

Requests by individuals or groups to distribute pamphlets, booklets, flyers, brochures and other similar materials to students for classroom use or to take home shall be submitted to the ~~[school administration]~~ ~~[superintendent or designee]~~. Materials and the proposed method of distribution shall be subject to review.

Materials shall be reviewed based on legitimate educational concerns. Such concerns include: the material is or may be defamatory; the material is inappropriate based on the age, grade level, and/or maturity of the reading audience; the material is poorly written, inadequately researched, biased, or prejudiced; the material contains information that is not factual; the material is not free of racial, ethnic, religious or sexual bias; or the material contains advertising that violates public school laws, rules and/or policy, is deemed inappropriate for students or that the public might reasonably perceive to bear the sanction or approval of the district.

The ~~[administration]~~ ~~[superintendent or designee]~~ shall determine distribution procedures. Such procedures may include:

1. Distribution to each student before or after class if materials are not directly related to the instructional goals;
2. Notification to students or parents of the availability of the materials in a specified location if this procedure is deemed less disruptive to the educational process;
3. Solicitation of school-related groups such as parent organizations to distribute materials; or
4. Students may not be used as agents for distributing nonschool materials to the homes without the superintendent's or designee's approval.

The practice of distributing pamphlets, booklets, flyers, brochures and other similar materials shall be periodically reviewed to ensure that the mere volume of requests has not become an interruption to the educational process.

END OF POLICY

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### Legal Reference(s):

[ORS 332.107](#)

46 OR. ATTY. GEN. OP. 239 (1989).

# Winston-Dillard School District 116

*OK w/ updates*

Code: KJB  
Adopted:

## Signs and Banners

Signs and banners in and on all district facilities, owned or leased, shall be subject to the district's provisions which shall consider the health, safety and welfare of staff and students.

Signs and banners will be allowed in or upon buildings and other district facilities only with the prior written approval of the superintendent ~~for designee~~.

The following shall be applied in considering requests to display signs or banners:

1. Signs and banners on ~~sticks~~ require special authorization of the superintendent ~~for designee~~;
2. Signs and banners fastened to any structure of a building or structures immediately adjacent to an open space shall not be allowed without specific prior written permission;
3. Signs and banner presenting recognizable health or safety hazards are prohibited;
4. Signs and banners presenting false information shall be prohibited.

END OF POLICY

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Legal Reference(s):

[ORS 332.107](#)

# Winston-Dillard School District 116

OK  
w/updates

Code: KK  
Adopted: 7/10/02  
Revised/Readopted: 5/25/11  
Orig. Code: KK

## Visitors to District Facilities\*\*

The Board believes that a better understanding of its educational program and improved relationship between the schools and community can be developed through school and classroom visitations of parents and patrons. Such visitations should be encouraged, arranged and permitted within considerations of the requirements of the educational program, the orderly administration of the school, school grounds and classrooms and the safety and welfare of students and staff. ✓

The district is responsible for the schools' supervision and administration. To ensure that school work is not disrupted and that visitors are properly directed to the areas in which they are interested, all visitors to district facilities must report to the school office upon entering school property. ✓

~~The Board encourages parents and other citizens of the district to visit the district and classrooms at any time to observe the work of students, teachers and other employees.~~

~~In order to assure that no unauthorized persons enter the district, all visitors shall report to the school office when entering and shall receive authorization to visit elsewhere in the building. Permission may be revoked at any time.~~

1. Students shall not be permitted to bring visitors to school without prior approval of the principal.
2. To protect the rights of student members of a class, visitors may not use recording devices during visitations to classrooms without prior superintendent or designee approval.
3. Teachers' work must not be impeded by interruption of visitors or by unreasonable demands on their time.
4. Visitors must not contact individual students except as authorized by the principal and/or teachers.
5. When in the interest of orderly educational programs and the safety of students it is determined by the principal that some specific visitor or visitors shall not be permitted to enter the school facilities, the principal shall do the following:
  - a. Advise the person that admission is refused and give that person an explanation for the refusal;
  - b. If possible and appropriate, attempt to arrange alternative visitation of school facilities.
6. A visitor with permission to visit may be directed to leave when any teacher or administrator reasonably believes the visitor has engaged in physical violence, loud or disruptive speech or behavior, violation of a posted school rule or illegal conduct.

A visitor may also be directed to leave by the staff member administratively in charge of the building if the visit would be disruptive to the educational program or school order; would impede the work of teachers through visitor's interruptions or unreasonable demands on teacher time; or if

the visitors' course of conduct would conflict with Board policies, district or building regulations or would violate the law.

7. A direction to leave revokes any permission to visit or license to enter. Whenever possible, the direction should be given in writing or followed by written notice which identifies the issuer and gives a brief statement of the reason for the direction to leave. The principal's office should be notified of any direction to leave and given a copy of any written notice.
8. Those who insist on remaining despite a principal's request to leave and who thereby create a disruption of the carrying on of school business are subject to citizen's arrest and a report made to law enforcement. Failure to leave will render a visitor liable for criminal trespass pursuant to Oregon law.
9. Any visitor who believes that they have had a visit unfairly limited, may request a meeting with the superintendent. The superintendent shall meet with the visitor, investigate the dispute and render a written decision. The superintendent's decision may be appealed to the Board.
10. Any visitor who commits a violent act or threatens to commit a violent act toward a student or staff member while on school grounds, at a school-sponsored event or on the way to and from school, shall be reported immediately to the principal and the superintendent. The superintendent shall immediately contact any student or staff member involved.

Any unauthorized person on district property shall be reported to the principal or superintendent. The person may be asked to leave. ~~Police~~ Law enforcement may be called if the situation warrants such measures.

END OF POLICY

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**Legal Reference(s):**

[ORS 164.245](#)  
[ORS 164.255](#)

[ORS 166.025](#)  
[ORS 166.155 to -166.165](#)

[ORS 332.107](#)  
[ORS 339.327](#)

# Winston-Dillard School District 116

Code: KL  
Adopted: 5/25/11  
Revised/Readopted: 1/14/15; 8/12/15; 12/09/15;  
4/13/16; 12/13/17; 10/09/19;  
3/11/20; 7/12/23; 9/13/23  
Orig. Code(s): KL

## Public Complaints\*\*

*(Considering this new updated, adopted version of policy KL - Public Complaints includes a complaint procedure, the attached KL-AR is no longer needed; this is a stand-alone policy which includes procedures.)*

Board members recognize that complaints about schools may be voiced by employees, students, parents of students who attend a school in the district, and persons who reside in the district. When such complaints are made to a Board member, the Board member shall refer the person making the complaint to the superintendent or designee. A Board member shall not attempt to respond, review, handle or resolve such complaints as the individual board member has no authority to do so.

A complaint of retaliation against a student who in good faith reported information that the student believes is evidence of a violation of state or federal law, rule or regulation, should be made to the superintendent.

A person may initiate a complaint by filing a written complaint with the principal. That principal shall attempt to resolve the complaint within 10 working days of initiation of the complaint with the principal. If the complainant is dissatisfied, the complainant may file a written complaint with the superintendent within 10 working days of the decision from the principal. The superintendent will attempt to resolve the complaint. If the complaint remains unresolved after 10 working days of receipt of the complaint by the superintendent, the complainant may appeal to the Board. A written complaint referred to the Board may be considered at the next regularly scheduled or special Board meeting. A final written decision regarding the complaint shall be made by the Board within 20 days from receipt of the complaint. The written decision of the Board will be final and will address each allegation in the complaint and reasons for the district's decision. If the Board chooses not to hear the complaint, the superintendent's decision is final. The Board may hold the hearing in executive session if the subject matter qualifies under Oregon law.

The timelines may be extended upon written agreement between the district the complainant.<sup>‡</sup>

The district may offer mediation or another alternative dispute resolution process as an option if all parties to the complaint agree in writing to participate in such mediation or resolution.

Complaints against the principal should be filed in writing with the superintendent. The superintendent will attempt to resolve the complaint. If the complaint remains unresolved within 10 working days of

<sup>‡</sup>For district information. The district's timeline established by each step of the district's complaint procedure for alleging a violation found in OAR 581-002-0003 must be within 30 days of the submission of the complaint at any step, unless the district and complainant have agreed in writing to a longer time period for that step. However, the district's complaint procedure should not exceed a total of 90 days from the initial filing of the complaint, regardless of the number of steps involved, unless the district and the complainant have agreed in writing to a longer time period. (OAR 581-002-0005)

receipt by the superintendent, the complainant may request to place the complaint on the Board agenda at the next regularly scheduled or special Board meeting. The Board may use executive session if the subject matter qualifies under Oregon law. The Board shall decide in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 30 days of receipt of the request to place the complaint on a Board meeting agenda. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the superintendent should be referred to the Board chair in writing on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. The Board shall decide in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 30 days of receipt of the complaint. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the Board as a whole or against an individual Board member should be referred in writing to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 30 days of receipt of the complaint. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the Board chair should be made in writing directly to the Board vice chair on behalf of the Board. The Board vice chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 30 days of receipt of the complaint. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

A complainant must file a complaint within the later of either time limit set below, in accordance with State law:

1. Within two years after the alleged violation or unlawful incident occurred or the complainant discovered the alleged violation or unlawful incident. For incidents that are continuing in nature, the time limitation must run from the date of the most recent incident; or
2. Within one year after the affected student has graduated from, moved away from or otherwise left the district

The district's final decision for a complaint processed under this Board policy that alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Division 22 Standards), ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation), will be issued in writing or electronic form. The final decision will address each allegation in the complaint and contain reasons for the district's decision. If the complainant is a student, parent or guardian of a student attending school in the district or a person that resides in the district, and the complaint is not

resolved through the complaint process above, the complainant may file an appeal<sup>2</sup> to the Deputy Superintendent of Public Instruction under OAR 581-002-0001 – 581-002-0023 (~~See KL AR(2) Appeal to the Deputy Superintendent of Public Instruction.~~

END OF POLICY

**Legal Reference(s):**

[ORS 192.660](#)  
[ORS 332.107](#)

[ORS 659.852](#)  
[OAR 581-002-0001 - 002-0005](#)

[OAR 581-022-2370](#)

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984).  
Connick v. Myers, 461 U.S. 138 (1983).

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<sup>2</sup> An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

# Winston-Dillard School District 116

Code: KL-AR  
Adopted: 9/13/23  
Orig. Code(s): KL-AR

*OK as updated*

## Public Complaint Procedure Form

A parent or guardian of a student attending a school in the district, a person who resides in the district, a staff member, or a student who wishes to express a concern should discuss the matter with the school employee involved.

### The Administrator: Step One

If the individual is unable to resolve a problem or concern with the employee, the individual may file a written, signed complaint with the administrator within ten working days of the employee's response. The administrator shall evaluate the complaint and render a decision within ten working days after receiving the complaint. (A form is available, but is not required.)

### The Superintendent: Step Two

If Step One does not resolve the complaint, within 10 working days of the written response from the administrator, the complainant may file a written, signed complaint with the superintendent or designee clearly stating the nature of the complaint and a suggested remedy.

The superintendent or designee shall investigate the complaint, confer with the complainant and the parties involved, prepare a report of their findings and conclusion, and provide the report in writing or in an electronic form to the complainant within 10 working days after receiving the written complaint.

### The Board: Step Three

If the complainant is dissatisfied with the superintendent's or designee's findings and conclusion, the complainant may appeal the decision to the Board within ten working days of receiving the superintendent's decision. The Board will review the findings and conclusion of the superintendent in a public meeting to determine what action is appropriate. The Board may use executive session if the subject matter qualifies under Oregon law. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, and adopting the superintendent's decision as the district's final decision. All parties involved, including the school administration, may be asked to attend such hearing for the purposes of making further explanations and clarifying the issues.

If the Board chooses not to hear the complaint, the superintendent's decision in Step Two is final.

The complainant shall be informed in writing or in electronic form of the Board's decision within 30 days from the receipt of the appeal by the Board. The Board's decision will address each allegation in the complaint and contain reasons for the district's decision. The Board's decision will be final.

The timelines may be extended upon written agreement between the district and the complainant.

The district's final decision for a complaint processed under this administrative regulation that alleges a violation of Oregon Administrative rule (OAR) Chapter 581, Division 22 (Division 22 Standards), ORS 339.285—339.303 or OAR 581-021-0550—581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation), will be issued in writing or electronic form. The final decision will address each allegation in the complaint and contain reasons for the district's decision. If the complainant, who is a student, parent or guardian of a student attending school in the district or a person that resides in the district, and this complaint is not resolved through the complaint process, the complainant may appeal<sup>†</sup> the district's final decision to the Deputy Superintendent of Public Instruction under Oregon OARs 581-002-0001—581-002-0023.

Complaints against the principal should be filed with the superintendent. The superintendent will attempt to resolve the complaint. If the complaint remains unresolved within 10 working days of receipt by the superintendent, the complainant may request to place the complaint on the Board agenda[ at the next regularly scheduled or special Board meeting]. The Board may use executive session if the subject matter qualifies under Oregon law. The Board shall decide in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 30 days of receipt of the request to place the complaint on the Board agenda. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide in open session what action, if any, is warranted. The Board may use executive session if the subject matter qualifies under Oregon law. A final written decision regarding the complaint shall be issued by the Board within 30 days of receipt of the complaint. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the Board as a whole or against an individual Board member should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 30 days of receipt of the complaint. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the Board chair may be referred directly to the Board vice chair on behalf of the Board. The Board vice chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 20 days of receipt of the complaint. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

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<sup>†</sup> An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

Winston-Dillard School District

COMPLAINT FORM

*(Keep this as KL-AR)*

To:  Employee\*  Administrator/Supervisor\*  Superintendent  Board chair  Board vice chair  
\* Form available but is not required.

Person Making Complaint \_\_\_\_\_

Phone Number \_\_\_\_\_ Email \_\_\_\_\_

Nature of Complaint \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Who should we talk to and what evidence should we consider? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Suggested solution/resolution/outcome: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature of Complainant: \_\_\_\_\_ Date: \_\_\_\_\_

.....

**Office Use**

Disposition of Complaint: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

cc: District Office

# Winston-Dillard School District 116



Code: KN  
Adopted: 5/25/11  
Orig. Code(s): KN

## Relations with Law Enforcement Agencies

The Board recognizes that districtwide cooperation with law enforcement agencies is essential for the protection of staff and students, for maintaining a safe environment in district schools and for safeguarding district property.

Programs and activities designed to enrich district curriculum and to develop and promote good citizenship and a healthy attitude toward law enforcement agencies and officials will be encouraged by the district. Law enforcement participation in such programs and activities is encouraged.

Law enforcement officials may enter school facilities if a crime has been committed on district property or to investigate matters concerning staff and students upon request initiated by either agency officials or by district administrators.

The superintendent will develop administrative regulations to implement this policy, including procedures for handling investigations, administrator requests for assistance and required referrals to law enforcement agencies.

END OF POLICY

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### Legal Reference(s):

[ORS 329.150](#)

[ORS 419B.015](#)

[ORS 419B.045](#)

Letter Opinion, Office of the Attorney General (August 18, 1986).

Greene v. Camreta, 588 F.3d 1011 (9th Cir. 2009), vacated in part by, remanded by Camreta v. Greene, 131 S. Ct. 2020 (U.S. 2011); vacated in part, remanded by Greene v. Camreta 661 F. 3d 1201 (9<sup>th</sup> Cir. 2011).

# Winston-Dillard School District 116

Code: KN-AR(1)  
Revised/Reviewed: 5/25/11; 12/13/17; 10/27/23  
Orig. Code(s): KN-AR(1)

## Relations with Law Enforcement Agencies\*\*

### Request to Interview a Student or to Conduct an Investigation by Law Enforcement (Other Investigations)

1. Interviews or investigations by law enforcement officials **not** based on allegations of abuse of a child, a warrant for an arrest or search or probable cause that an illegal act or crime is occurring or has been committed on district property, may be permitted upon request and with administrator approval.
2. The law enforcement official shall contact the administrator, provide adequate identification, inform the administrator of the nature of the investigation and provide the name of the student to be interviewed.
3. The administrator shall verify and record the identity of the law enforcement official or other authority.
4. Requests to interview a student during school hours should be, in the opinion of the administrator important and urgent to justify interrupting school activities.
5. The administrator will attempt to notify the student's parent(s) prior to granting the interview. If the parent(s) does not give consent to have their child interviewed, then the interview should not take place.
6. If the parent(s) cannot be contacted, the administrator may grant permission for the questioning to proceed if the student agrees to be interviewed or in the event of compelling emergency circumstances.
7. If the administrator has been unable to contact the parent(s) then the administrator shall make a reasonable attempt to notify the parent(s) as soon as possible after the interview.
8. All such interviews shall be conducted in privacy, out of the view of staff, students and others.
9. An administrator shall be present at all times during the interview unless the student's parent(s) is present and asks the administrator not to participate or the district official is otherwise prohibited from being present by law.
10. The administrator shall maintain a written record of all such interviews conducted.

## **Questioning of a Student Suspected of a Crime, Arrest of a Student or Taking a Student into Custody**

1. When a student is a suspect in a criminal act and is to be questioned by a law enforcement official for the purpose of establishing involvement in the act, questioning will be allowed on district property only with parental consent. Normally, such questioning should occur outside school hours, off district property.
2. At no time will a student be released to a law enforcement officer without one of the following:
  - a. A warrant;
  - b. A court order;
  - c. Arrest;
  - d. Protective custody resulting from abuse of a child investigation. If the student is in imminent danger, DHS or law enforcement may take the student into custody with approval by the superintendent and notification to the School Resource Officer. Office personnel will record the DHS agent's name and confirm identity by requesting the investigating official fill out the appropriate form (See JHFE/GBNAB-AR(2)).
  - e. Permission of the parent.
3. In all cases, **other than** abuse of a child cases, where a student is to be taken from the building by a law enforcement official, the administrator will verify the official's identity and make a reasonable effort to notify the student's parent(s). Law enforcement officials have the primary responsibility for notifying the parent(s) in such instances. Administrators must request law enforcement officials to complete the appropriate form provided by the district. (See KN-AR(2) - Investigations Conducted on District Premises)

### **Abuse of a Child Investigations**

Any investigation of abuse of a child will be directed by the Oregon Department of Human Services (DHS) or law enforcement officials as required by law. The DHS or law enforcement agency will first notify the administrator of the investigation, unless the administrator is a subject of the investigation. The administrator must request the investigating official fill out the appropriate form (See JHFE/GBNAB-AR(2) – Abuse of a Child Investigations Conducted on District Premises). If the investigating official refuses to fill out or sign the form, the administrator may complete the form but should not deny the official's request to interview the student on school property. If the investigating official does not have adequate identification the administrator shall refuse access to the student. The administrator or designee may be present at the interview of the student at the discretion of the investigating official. When the subject matter of the interview or investigation involves abuse of a child, administrators and school employees shall not notify the parents.

### **Administrator-Initiated Requests**

On occasion, administrators may need, or be required to seek law enforcement assistance. Any student violation of the district's weapons policy shall be reported to the appropriate law enforcement agency. Abuse of a child also requires immediate referral to the DHS or law enforcement officials. Additionally, administrators and/or designee(s) may report to law enforcement officials, other violations of law occurring on district property or at school-sponsored activities, as deemed appropriate.

# Winston-Dillard School District 116

CP  
Revised/Reviewed: KN-AR(2)

## Investigations Conducted on District Premises

When an administrator is notified that law enforcement would like to interview a student at school for the purpose of an investigation **that is not related to abuse of a child**, the administrator must request that the investigating official provide the information below. Failure to meet one of the five criteria may result in the administrator's refusal to allow the student interview on district property.

I, \_\_\_\_\_ (Name) of \_\_\_\_\_ (Agency) declare that I have the authority to conduct this student interview based on the following:

1.  Warrant (attach copy)
2.  Court order (attach copy)
3.  Exigent circumstances (briefly describe): \_\_\_\_\_  
\_\_\_\_\_
4. Parental consent  
Parent or guardian's name: \_\_\_\_\_  
Date consent granted: \_\_\_\_\_
5. This interview is not considered a "seizure" pursuant to state and federal law.

\_\_\_\_\_  
Signature of interviewer

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name of student to be interviewed

\_\_\_\_\_  
Date of interview

- Student not available for interview
- Student refused to be interviewed

\_\_\_\_\_  
Name of school official (administrator/  
designee) receiving this form

This form should be placed in a separate file and not in student's educational record file.

**D**

# Winston-Dillard School District 116



Code: LBE  
Adopted: 5/23/12  
Revised/Readopted: 7/11/12; 1/14/15; 9/13/17;  
5/15/19; 2/10/21  
Orig. Code(s): LBE

## Public Charter Schools\*\*

Public charter schools may be established as a new public school or a virtual public school, from one or more existing public schools in the district or a portion of the school, or from an existing alternative education program. A public charter school may not convert an existing tuition-based private school into a charter school, affiliate itself with a nonpublic sectarian school or religious institution, or encompass all the schools in the district unless the district is composed of only one school.

Public charter schools shall demonstrate a commitment to the mission and diversity of public education while adhering to the following goals:

1. Increase student learning and achievement;
2. Increase choices of learning opportunities for students;
3. Better meet individual student academic needs and interests;
4. Build stronger working relationships among educators, parents and other community members;
5. Encourage the use of different and innovative learning methods;
6. Provide opportunities in small learning environments for flexibility and innovation;
7. Create new professional opportunities for teachers;
8. Establish additional forms of accountability for schools; and
9. Create innovative measurement tools.

An applicant must submit a complete public charter school proposal that meets the requirements of Oregon law, and includes other information required by the district in the application process.

The public charter school will be located and operated within the sponsoring district except where authorized by law.

The public charter school employer will be determined with each proposal. If the district is the employer, the terms of the current collective bargaining agreement will be examined to determine which parts of the agreement apply. If the district is not the sponsor of the public charter school, the district shall not be the employer and will not collectively bargain with public charter school employees.

The district will determine if it has any vacant or unused buildings and make a list of such buildings; buildings may be made available for public charter school use, subject to Board approval and Board policy.

Public charter school students may, upon request, be allowed to participate in district programs such as physical education, instrumental and vocal music offerings, or other selected options if space and materials are available.<sup>1</sup> Students must adhere to state law, Board policies, regulations, and rules concerning student conduct and discipline.

Public charter school students in grades K-8 may participate in their resident district's activities that are offered before or after regular school hours. Public charter school students in grades 9-12 may participate in their resident district's available activities that are sanctioned by the Oregon School Activities Association (OSAA) when the requirements found in Oregon law are met.

The district will not provide instructional materials, lesson plans, or curriculum guides for use in a public charter school.

The superintendent will develop administrative regulations to include, but not limited to, the proposal process, review, and appeal procedures, and program evaluation, renewal, and termination.

END OF POLICY

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**Legal Reference(s):**

[ORS 327.077](#)  
[ORS 327.109](#)  
[ORS 332.107](#)

[ORS 338](#)  
[ORS 339.141](#)  
[ORS 339.147](#)

[ORS 339.450](#)  
[ORS 339.460](#)  
[OAR 581-026-0005 - 0710](#)

Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2018).  
[Senate Bill 767](#) (2023).

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<sup>1</sup> This does not apply to the Oregon law related to OSAA-sanctioned activity participation.

# Winston-Dillard School District 116

Code: LBE-AR  
Revised/Reviewed: 5/23/12; 7/11/12; 1/15/14; 7/13/14;  
1/14/15; 8/12/15; 12/09/15; 4/13/16;  
9/13/17; 2/10/21  
Orig. Code(s): LBE-AR

*old  
w/ updates*

## Public Charter Schools

### 1. Definitions

- a. “Applicant” means any person or group that develops and submits a written proposal for a public charter school to the district.
- b. “Public charter school” means an elementary or secondary school offering a comprehensive instructional program operating under a written agreement entered into between the district and an applicant.
- c. “Virtual public charter school” means a public charter school that provides online courses, but does not primarily serve students in a physical location as described in Oregon Administrative Rule (OAR) 581-026-0300.
- d. “Remote and necessary school district” means a school district that offers kindergarten through grade 12 and has: (a) an average daily membership (ADM), as defined in Oregon Revised Statute (ORS) 327.006, in the prior fiscal year of less than 110; and (b) a school that is located, by the nearest traveled road, more than 20 miles from the nearest school or from a city with a population of more than 5,000.
- e. “Sponsor” means the district or Board.

### 2. Proposal Process

- a. An applicant will issue a written statement of its intent to submit a proposal not less than 30 days prior to the submission date outlined below.
- b. An applicant shall submit a complete proposal for sponsorship of a public charter school by the Board, including items outlined in ORS 338.045 and any additional requirements as are required in the Board’s application for sponsorship to the district office <sup>1</sup>no less than 180 days prior to the proposed starting date of the proposed public charter school during the hours the district office is open to the public for a start date in a subsequent school year. The applicant shall also submit a copy of the same proposal to the State Board of Education.
- c. The district will complete the review process as outlined in Section 3 below.
- d. As part of the proposal, each member of the proposed public charter school’s governing body must provide an acknowledgment of understanding of the standards of conduct and the liabilities of a director of a nonprofit organization, as described in ORS Chapter 65, if the public charter school is organized as required by ORS 338.035(2)(a)(B) and (C).

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<sup>1</sup> The date shall be at least 180 days prior to the date that the public charter school would begin operating and give a reasonable period of time for the school district board to complete the approval process and the public charter school to begin operating by the beginning of the desired school year. Choose one of the proposed options or make other edits.

### 3. Proposal Review Process

- a. Within 30 business days of receipt of a proposal, the district will notify the applicant as to the completeness of the proposal.
  - (1) If the Board determines the proposal is incomplete, the district will identify the specific elements of the proposal that are not complete and provide the applicant with a reasonable opportunity, as determined by the Board, to complete the proposal.
  - (2) If after given a reasonable opportunity the applicant does not complete the required elements, the Board may disapprove<sup>2</sup> the proposal.
  - (3) An applicant, that has had a proposal disapproved pursuant to section (2) may appeal the Board's decision to the State Board of Education within 30 days of the disapproval.
  - (4) A good faith disapproval is not a denial for purposes of requesting a review by the State Board of Education under ORS 338.075.
- b. Within 60 days after the receipt of a completed proposal, or a final order issued by the Superintendent of Public Instruction remanding the proposal to the Board for consideration following a decision on an appeal, the Board shall hold a public hearing on the provisions of the public charter school proposal.
- c. The Board must evaluate a proposal in good faith using the following criteria:
  - (1) The demonstrated sustainable support for the proposed charter school by teachers, parents, students and other community members, including comments received at the public hearing;
  - (2) The demonstrated financial stability of the proposed public charter school including the demonstrated ability of the school to have a sound financial management system that
  - (3) is in place at the time the school begins operating and meets requirements of ORS 338.095(1);
  - (4) The capability of the applicant, in terms of support and planning, to provide comprehensive instructional programs;
  - (5) The capability of the applicant, in terms of support and planning, to provide comprehensive instructional programs to students identified as academically low achieving;
  - (6) The adequacy of the information provided as required in the proposal criteria;
  - (7) Whether the value of the public charter school is outweighed by any directly identifiable, significant and adverse impact<sup>3</sup> on the quality of the public education of students residing in the district in which the public charter school will be located.
  - (8) Whether there are arrangements for any necessary special education and related services for students with disabilities;
  - (9) Whether there are alternative arrangements for students, teachers and other school employees who choose not to attend or who choose not to be employed by the public charter school; and

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<sup>2</sup> The term "disapprove" is used for a proposal that is rejected due to being incomplete. See ORS 338.055(1)(c).

<sup>3</sup> A determination of whether an impact is directly identifiable, significant and adverse may include, but is not limited to student enrollment, student-teacher ratios, staff with requisite licensure or endorsement, student learning and performance, specialty programs, financial considerations, and maintenance capabilities.

- (10) The prior history, if any, of the applicant in operating a public charter school or in providing educational services.
- d. The Board must either approve or deny the proposal within 30 days of the public hearing. Written notice of the Board's action shall be sent to the applicant by the district.
  - (1) If approved, the applicant shall also submit a copy of the approval to the State Board of Education.
  - (2) If denied, the notice must include the reasons for the denial with suggested remedial measures. The Board shall provide a reasonable opportunity for the applicant to amend and resubmit the proposal. The Board must either approve or deny the resubmitted proposal within 30 days of receipt. The Board may, with good cause, request an extension in the approval process timelines from the State Board of Education.
- e. If the Board denies the resubmitted proposal, the process ends. An applicant whose resubmitted proposal is not approved by the Board may request a review of that decision to the State Board of Education within 30 days of the disapproval.

#### 4. Terms of the Charter Agreement

- a. Upon the approval of a proposal by the Board, the applicant, in cooperation with the district, must prepare and execute a written charter agreement, subject to Board approval, which shall act as the legal authorization for the establishment of the public charter school.
- b. The charter agreement shall be legally binding and must be in effect for a period of not more than five years but may be renewed by the Board.
- c. The Board and the public charter school may amend a charter agreement through joint agreement.
- d. The agreement shall incorporate the elements of the approved proposal, will address the requirements outlined in OAR 581-026-0100(2) and any additional requirements that may apply to the public charter school including, but not limited to, the following:
  - (1) Pregnant and parenting students (ORS 336.640);
  - (2) English language learners (ORS 336.079);
  - (3) Student conduct (ORS 339.250);
  - (4) Alcohol and drug abuse policy and plan (ORS 336.222);
  - (5) Oregon Report Card (ORS 329.115);
  - (6) Employment status of public charter school employees pursuant to ORS 338.135;
  - (7) Student enrollment, application procedures and whether the public charter school will admit nonresident students and on what basis pursuant to ORS 338.125<sup>4</sup>;
  - (8) Transportation of students shall comply with ORS 338.145;

<sup>4</sup> Student enrollment shall be voluntary. A public charter school may not limit student enrollment based on ethnicity, national origin, race, religion, disability, sex, sexual orientation, gender identity,<sup>4</sup> income level, the terms of an individualized education program, proficiency in the English language or athletic ability but may limit admission within a given age group or grade level. A public charter school must select students through ~~and may implement~~ an equitable lottery selection process if the number of student applicants exceeds ~~applications for enrollment exceed~~ the capacity of a program, class, grade level or building. A public charter school may implement a weighted lottery that favors historically underserved students and may give priority for admission ~~pursuant~~ to students when in accordance with ORS 338.125(3)(c) (as amended by HB 2954 (2021)).

- (9) The plan for performance bonding or insuring the public charter school sufficient to protect the public charter school and the district from loss and liability and comply with Oregon law. Documentation shall be submitted prior to agreement approval.
- e. If the district and the public charter school enter a cooperative agreement with other school districts for the purpose of forming a partnership to provide educational services, then the agreement must be incorporated into the charter of the public charter school.

## 5. Public Charter School Operation

- a. The public charter school shall operate at all times in accordance with the laws and rules governing public charter school operation in the state of Oregon, including but not limited to ORS Chapter 338 and applicable OAR Chapter 581 Division 22, and the charter agreement.
- b. Upon application by the public charter school, the State Board of Education may grant a waiver of certain public charter school law provisions if the waiver promotes the development of programs by providers, enhances the equitable access by underserved families to the public education of their choice, extends the equitable access to public support by all students or permits high quality programs of unusual cost. This waiver request must specify the reasons the public charter school is seeking the waiver and further requires the public charter school to notify the sponsor if a waiver is being considered.

## 6. Virtual Public Charter School Operation

In addition to the other requirements for a public charter school, a virtual public charter school must comply with additional requirements pursuant to ORS 338.120.

## 7. Charter Agreement Review

- a. The public charter school shall report at least annually on the performance of the school and its students to ODE and the district.
- b. The public charter school shall be audited annually in accordance with the Municipal Audit Law. After the audit, the public charter school shall forward a copy of the annual audit to ODE and the following to the sponsoring district:
  - (1) A copy of the annual audit;
  - (2) Any statements from the public charter school that show the results of operations and transactions affecting the financial status of the public charter school during the preceding annual audit period for the school; and
  - (3) A balance sheet containing a summary of the assets and liabilities of the public charter school as of the closing date of the preceding annual audit period for the school.
- c. The district may request at any time an acknowledgment from each member of the public charter school board that the member understands the standards of conduct and liabilities of a director of a nonprofit organization, as those standards and liabilities are described in ORS Chapter 65.
- d. The public charter school shall submit to the district [quarterly] financial statements that reflect the school's financial operations. The report shall include, but not be limited to, revenues, expenditures, loans and investments.

## 8. Authorizing Duties

- a. The district shall designate a liaison to the public charter school for ease of communication between the district and the public charter school.
- b. The district shall ensure at all times that both the public charter school and the district are in compliance with the charter agreement, as per ORS 338.065(2).
- c. The district shall conduct:
  - (1) A comprehensive annual visit to the public charter school and written evaluation of the charter school's program, which should include an audit of the public charter school's academic, financial, and operational performance.
  - (2) A review of public charter school staff credentials to ensure that public charter school staff are properly licensed and/or registered with TSPC.
  - (3) A collection and review of all deliverables specified in the agreement.
  - (4) A review of data to ensure the public charter school is making progress on reasonable, measurable written goals for academic, financial, and operational performance.
  - (5) A review to ensure the public charter school is providing appropriate services to students who qualify, e.g., English learner supports.

## 9. Complaints Heard by the Charter School Board

A final decision reached by the public charter school board for a complaint that alleges a violation of ORS 339.285 - 339.303 or OAR 581-021-0550 - OAR 581-021-0570 (Restraint or Seclusion), ORS 659.850 (Discrimination), ORS 659.852 (Retaliation), or applicable OAR Chapter 581, Division 22 (Division 22 Standards), is recognized as the final decision regarding this complaint<sup>5</sup> by the Board of ~~insert full name of district~~ Winston-Dillard School District. A final decision may be appealed to the Oregon Department of Education under OAR 581-002-0003 - 581-002-0005.

## 10. Charter School Renewal

- a. The first renewal of a charter agreement shall be for the same time period as the initial charter. Subsequent renewals of a charter agreement shall be for a minimum of five years but may not exceed 10 years.
- b. The Board and the public charter school shall follow the timeline listed below, unless a different timeline has been agreed upon by the Board and the public charter school:
  - (1) The public charter school board shall submit a written renewal request to the Board for consideration at least 180 days prior to the expiration of the charter agreement;
  - (2) Within 45 days after receiving a written renewal request from a public charter school, the Board shall hold a public hearing regarding the renewal request;
  - (3) Within 30 days after the public hearing, the Board shall approve the charter renewal or state in writing the reasons for denying charter renewal;
  - (4) If the Board approves the charter renewal, the district and the public charter school shall negotiate a new charter agreement within 90 days unless the district and the public charter school agree to an extension of the time period. Notwithstanding the time period

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<sup>5</sup> The public charter school board is given this authority by the district Board as established by ~~the charter agreement~~ [Board policy] ~~resolution~~.

specified in the charter agreement, an expiring charter agreement shall remain in effect until a new charter agreement is negotiated;

- (5) If the Board does not renew the charter agreement, the public charter school board may address the reasons stated for denial of the renewal and any remedial measures suggested by the district and submit a revised request for renewal to the Board;
- (6) If the Board does not renew the charter agreement based on the revised request for renewal the public charter school may appeal the Board's decision to the State Board of Education for a review of whether the Board used the process required by Oregon law in denying the charter agreement renewal pursuant to ORS 338.065(6).
- (7) The Board shall base the charter agreement renewal decision on a good faith evaluation pursuant to ORS 338.065(8) and shall base the renewal evaluation described primarily on a review of the public charter school's annual performance reports, annual audit of accounts and annual site visit and review as required by ORS 338.095 and any other information mutually agreed upon by the public charter school board and the Board.

For purposes of this section, the phrase "good faith evaluation" means an evaluation of all criteria required by ORS 338.065 resulting in a conclusion that a reasonable person would come to who is informed of the law and the facts before that person.

## 11. Charter School Termination

- a. The public charter school may be terminated by the Board for any of the following reasons:
  - (1) Failure to meet the terms of an approved charter agreement or any requirement of ORS Chapter 338 unless waived by the State Board of Education.
  - (2) Failure to meet the requirements for student performance as outlined in the charter agreement.
  - (3) Failure to correct a violation of federal or state law that is described in ORS 338.115.
  - (4) Failure to maintain insurance as described in the charter.
  - (5) Failure to maintain financial stability.
  - (6) Failure to maintain, for one or more consecutive years, a sound financial management system described in the proposal submitted under ORS 338.045 and incorporated into the written charter under ORS 338.065.
  - (7) Failure to maintain the health and safety of the students.
- b. If a public charter school is terminated by the Board for any reason listed in sections a.(1) through a.(6) above, the following shall occur:
  - (1) The Board shall give the public charter school board, at least 60 days prior to the proposed effective date of termination, written notification of its decision which shall state the grounds for termination.
  - (2) If the grounds for termination include failure to maintain financial stability or failure to maintain a sound financial management system, the Board and the public charter school may agree to develop a plan to correct deficiencies. The plan to correct deficiencies will follow a process outlined in ORS 338.105.
  - (3) The public charter school may request a hearing with the Board in relation to a termination or a plan to correct deficiencies. The request must be made in writing and delivered to the business address of the district.
  - (4) Following a hearing, a decision reached by the Board to terminate may be appealed by the public charter school to the State Board of Education.

- c. The Board may terminate a charter immediately and close the public charter school for endangering the health or safety of the students enrolled in the public charter school under ORS 338.105(4):
- (1) A public charter school board may request, in writing and delivered to the business address of the district, a hearing with the Board.
  - (2) Within 10 days of receiving the request for a hearing, the Board must hold a hearing on the termination.
  - (3) If the Board acts to terminate the charter following the hearing, the public charter school may appeal the decision reached by the Board to the State Board of Education.
  - (4) The public charter school will remain closed during the appeal process at the discretion of the Board unless the State Board of Education orders the Board not to terminate and to re-open the public charter school.

If the charter agreement is terminated or a public charter school is closed or dissolved by the governing body of the public charter school, it shall be done only at the end of a semester and the public charter school board shall notify the district at least 180 days' prior to the proposed effective date of the termination, closure or dissolution.

- d. If a charter agreement is terminated or a public charter school is dissolved, assets that were obtained with grant funds will be dispersed according to the terms of the grant. If the grant is absent any reference to ownership or distribution of assets of a terminated, closed or dissolved public charter school, all assets will be given to the State Board of Education for disposal.

# Winston-Dillard School District 116

*OK  
w/ changes*

Code: LBEA  
Adopted:

## Resident Student Denial for Virtual Public Charter School Attendance\*\*

{Conditionally Required. This policy is required if the district plans to deny enrollment of a student to attend a virtual public charter school. OAR 581-026-0007}

The district is not required to approve a transfer of a resident student, when more than three percent of the students residing in the district are attending a virtual public charter school not sponsored by the district. The district will semiannually, by [October 1 and April 1], calculate the percentage of students residing in the district, who are attending a virtual public charter school not sponsored by the district. When the established percentage is more than three percent, the district will not approve additional students enrollment to such a virtual public charter school.

A parent must give notice to the district of intent to enroll their student in a virtual public charter school not sponsored by the district, before enrolling their student in such a school and notice of actual enrollment.

If the district is not approving the enrollment, the district must respond with a decision to not give approval within 10 calendar days of receipt of the notice of intent from the parent. Such decision must include:

1. The percentage of students in the district that attend virtual public charter schools that are not sponsored by the district, based on recent calculations;
2. The right to appeal the decision to the State Board of Education;
3. A list of two or more other online options available to the student; and
4. A copy of OAR 581-026-0305 and OAR 581-026-0310.

The district is only required to use data that is reasonably available to the district, including but not limited to the following for such calculation:

1. The number of students residing in the district enrolled in the schools within the district;
2. The number of students residing in the district enrolled in public charter schools located in the district;
3. The number of students residing in the district enrolled in virtual public charter schools;
4. The number of home-schooled students who reside in the district and who have registered with the educational service district; and
5. The number of students who reside in the district enrolled in private schools located within the school district.

A parent may appeal a decision of a district to not approve a student enrollment to a virtual public charter school to the State Board of Education under OAR 581-026-0310.

If the student was enrolled in a virtual public charter school while living in another district and has maintained continuous enrollment in such school since moving into, and residing in this district, approval is not required.

**P**  
END OF POLICY

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**Legal Reference(s):**

[ORS 332.107](#)

[ORS 338.125](#)

[House Bill 3204](#) (2023).

**R**

[OAR 581-026-0305](#)

[OAR 581-026-0310](#)

**O**

**P**

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**S**

**E**

**D**

## **INTERGOVERNMENTAL AGREEMENT FOR SCHOOL RESOURCE OFFICER**

This agreement is entered into this 1<sup>st</sup> day of July 2024, between the City of Winston, a political subdivision of the State of Oregon (“City”); and Winston Dillard School District, Douglas County School District No. 116 (“School District”), a common school district organized under the laws of the State of Oregon.

### **RECITALS:**

- A. School District provides education services to students and patrons at the following locations:
  - a. Douglas High School, at 1381 NW Douglas Blvd., Winston, Oregon;
  - b. Winston Middle School, at 330 SE Thompson, Winston, Oregon;
  - c. Brockway Elementary School, at 2520 Brockway Rd., Winston, Oregon;
  - d. McGovern Elementary School, at 600 NW Elwood Dr., Winston, Oregon;
  - e. Lookingglass Elementary School, at 7421 Lookingglass Rd., Lookingglass, Oregon;
  - f. Dillard Alternative High School, at 165 Dyke Rd., Dillard, Oregon.
- B. City provides law enforcement services in Winston, Douglas County, Oregon.
- C. Each party has the authority to enter into Intergovernmental Agreements under the provisions of ORS 190.003 to 190.130.
- D. School District and City desire to enter into this Intergovernmental Agreement to define and memorialize their agreement for the assignment of two Police Officers for duty as a School Resource Officer (“SRO”), to serve at School District’s locations during the term of this agreement.

IN consideration of the mutual promises and covenants contained in this Agreement under the provisions of ORS 190.003 to 190.130, the Parties agree as follows:

### **1.0 SERVICES:**

1.1 The City shall provide “law enforcement services” to the School District’s campuses: DHS; WMS; Brockway; and McGovern, on a weekly basis in addition to “on call” basis as determined by School District Administration. City shall provide “law enforcement services” at Lookingglass Elementary and Dillard Alternative High School on an every two-week periodic basis and “on call” basis as determined by the School District.

1.1.1 The services shall generally include the enforcement of the criminal provisions of the Oregon Revised Statutes (“ORS”) as now or hereafter amended.

1.1.2 Law enforcement services shall not include the enforcement of School District’s rules and regulations.

1.2 The two officers assigned as School Resource Officer (“SRO”) shall provide “law enforcement services” to School District only when the School District’s schools are in regular

session, for four days per week (Monday through Thursday) between the hours of 6:00 a.m. and 4:00 p.m. or (40) forty hours per week.

1.2.1 The identified hours may be modified on occasion by the SRO so that the SRO can cover other obligations.

1.2.2 Within the above time periods, the term “law enforcement services” includes those duties customarily and statutorily performed by certified police officers assigned to school grounds and includes the following duties:

a. Enforcement of ORS provisions (including investigation of crimes and traffic enforcement) occurring immediately prior to school hours, immediately following school hours, and during school hours, which occur on or near School District’s school grounds and which are, or can reasonably be believed to have been, committed by school age students, or juveniles on School District property.

b. On campus presence of uniformed officers on a regular basis; as well as presence at school extracurricular activities, as mutually agreed upon by the SRO and School District officials.

1.3 As agreed by the parties, the SRO’s duties shall include the following:

1.3.1 Participation on case management teams, as appropriate, for at-risk students displaying inappropriate behavior, as designated by building Principals or Administrators.

1.3.2 Presentation of an overview of the SRO program presented to students, school staff, parents and community members on a frequency as agreed by the parties

a. The overview will cover recognition of the substance abuse and the impaired driver;

b. How to report such instances;

c. Networking for obtaining treatment for those who display chronic symptoms of substance abuse; and

d. Other areas of inappropriate conduct specific to School District, upon the prior agreement of city.

1.4 Each SRO shall be a certified Police Officer.

1.5 city shall provide all administrative and support services to the officer assigned to fulfill the terms of this agreement.

1.6 The officer assigned to fulfill the terms of this agreement shall be an employee of city for all purposes. The SRO shall not be considered a “shared employee” of city and School District.

1.7 Nothing in this agreement prohibits the officer’s attendance at appropriate law officer training programs or the officer’s annual vacation or other leaves of absence. Nothing in this agreement prohibits the officer from being assigned, within or without the School District’s boundaries, to short term special events involving the presence of students.

1.8 During each school year, School District shall provide to the SRO the use of appropriate office space in each building as needed. All expenses related to the office space shall be paid for by School District, including all property taxes, insurance costs, access to District Wi-Fi network, and utility charges.

1.9 The SRO shall be allowed to respond to criminal calls and other calls for service, within or without the School District’s boundaries.

1.10 SRO shall be present a minimum of (20) twenty hours per week on school district premises, or at school district functions, under this contract.

## **2.0 AUTHORITY:**

2.1 The City and the officers of the City, including the SRO’s, are vested with full power and authority while on or within the School District’s school grounds to enforce the laws set forth in section 1, above, including full power and authority to arrest.

2.2 School campuses are located both within the City limits and outside the City limits.

2.3 The Officer retains full prosecutorial discretion, including the judgment whether to enforce any particular statutory or ordinance provision, whether to charge or prosecute any particular person, and in which court to file tickets and charging documents.

2.4 All personnel matters, including standards of service, discipline of officers and performance of duties, shall be within the discretion of the City.

2.5 School District may, if it desires, form an “Advisory Committee”, composed of representatives from the School District, and the community at large. Any Advisory Committee shall act in an advisory capacity to the Officer and shall not interfere with the Officer’s authority. The Advisory Committee may advise the Chief of Police or representative whether the general level and the quality of service provided is within the Advisory Committee’s expectations. The Advisory Committee may make non-binding recommendations to the City about the final selection of an officer to fill the position of SRO. The SRO shall be subject to the direction of the District Superintendent and or Chief of Police during those hours the SRO is serving in the district. City and District shall cooperatively agree on the core services and locations for the provision of services under this agreement.

**3. TERM:**

3.1 The term of this agreement shall commence on July 1, 2024, and shall continue until June 30, 2027, contingent upon funding.

3.2 This agreement may be terminated by either party upon giving the other party 30 days' prior written notice.

3.3 The parties may negotiate for renewal of this contract for additional years on such terms as the parties may agree.

**4.0 COMPENSATION**

4.1 School District will pay the City of Winston \$ \$50,760.00 quarterly, on or before the 15<sup>th</sup> day of the month following the calendar quarter for services to be rendered for fiscal year 2024-2025 (10/15/2024; 01/15/2025; 04/15/2025; and 07/15/2025).

4.2 The quarterly amount designated in 4.1 shall increase annually by the negotiated COLA within the Officers union contract. Currently, the minimum COLA is 4%, in conjunction with the new contract that was negotiated and executed in 2024. In addition, the School District shall be responsible for any adjustments to the Officers Oregon PERS. These adjustments will be made during the fiscal years 2024-2025; 2025-2026; and 2026-2027.

4.3 Should the agreement terminate prior to the dates stated in 4.1 and 4.2 above, the City shall reimburse the School District for any overpayment for services not rendered.

4.4 In recognition of time worked, each SRO shall receive 4 paid administrative days off, on a use it or lose it basis during each school year.

4.5 Each SRO shall be allowed to accumulate up to 80 hours of comp time throughout the duration of the contract. Comp time earned while working for the School District will be the responsibility of the School District and comp time earned while working on City business will be the responsibility of the City.

4.6 The School District shall be responsible for reimbursement to the City for health insurance for each SRO. The current amount as of July 1, 2024 shall be \$10,546.20 per quarter. The reimbursement for insurance shall be made on a quarterly basis beginning as billed by the City.

**5.0 REPRESENTATIVES:**

5.1 The City Manager, or designee, shall have the authority to administer this agreement on behalf of City.

5.2 The School District's school board or its designee shall have the authority to administer this agreement on behalf of School District.

**6. INDEMNIFICATION:**

6.1 To the extent permitted by the Oregon Constitution, and within the limits of liability established in the Oregon Tort Claims Act, School District shall defend, indemnify and save City, and its officers, agents, and employees harmless from any and all claims, actions, costs or other damages resulting from injury to any person or damage to property, caused by the negligence of School District.

6.2 To the extent permitted by the Oregon Constitution, and within the limits of liability established in the Oregon Tort Claims Act, City shall defend, indemnify and save School District, and its officers, agents, and employees harmless from any and all claims, actions, costs or other damages resulting from injury to any person or damage to property, caused by the intentional acts or negligence of City, its officers, agents, and employees.

**7. EDUCATIONAL RECORDS ACCESS:** Any access to educational records maintained by the School District shall be determined by the Superintendent, or designee, subject to Oregon Public Record Laws ORS Ch. 192, and the provisions of the Family Educational Privacy Rights Act of 1974 (FERPA), as amended, 20 USC § 1232g. No records maintained by the SRO, or City shall be considered “educational records” so long as the records are maintained only by the SRO or City solely for law enforcement purposes.

**8. COMPLIANCE WITH LAW:** This agreement shall be governed by and construed in accordance with laws of the State of Oregon. Each party shall perform its obligations in accordance with all applicable federal, state and local laws, rules, regulations and ordinances.

**9. RELATIONSHIP OF PARTIES:** The parties to this agreement are of equal authority. Each party acts in an independent capacity in the performance of its obligations and functions under this agreement and no party shall be considered an agent of another.

**10. NOTICES:** Any notice required to be given under this agreement shall be in writing and shall be given by personal delivery, mail, e-mail or facsimile transmission. Any notice required by law shall be given in the manner specified by the applicable law.

**11. NO WAIVER:** No provision of this agreement shall be deemed waived unless such waiver is in writing and signed by the party waiving its rights. Any waiver of a breach by any party, whether express or implied, shall not constitute waiver of any other different or subsequent breach.

**12. DEFAULT:**

12.1 There shall be a default under this agreement if any party fails to perform any act or obligation required by this agreement within thirty days after the other party gives written notice specifying the breach with reasonable particularity. If the breach specified in the notice cannot be completely performed within the thirty-day period, no default shall occur if the party receiving the notice begins performance of the act or obligation within the thirty-day period and

thereafter proceeds with reasonable diligence and in good faith to cure the breach as soon as practicable.

12.2 Notwithstanding subsection 12.1, any party may declare a default without allowing the breaching party an opportunity to cure if the breaching party repeatedly breaches the terms of this agreement.

12.3 In the event of a default, any dispute shall be subject to binding arbitration under ORS 190.710-190.800. Before any party to this agreement may bring a dispute to binding arbitration concerning any obligations under this agreement, such party must first seek in good faith to resolve the issue through negotiation or through other non-binding alternative dispute resolution method, such as mediation under the rules applicable under ORS 190.710-190.800.

12.4 Pending final resolution of a dispute or pending termination of this agreement under this section, the parties shall proceed diligently with the performance of this agreement.

12.5 If a default occurs and it is not resolved under subsection 12.3, above, the party injured by the default may elect to terminate this agreement and pursue any equitable or legal rights and remedies available under Oregon law.

**13. CITY OFFICERS, AGENTS AND EMPLOYEES:** City officers, agents and employees are prohibited from receiving any pecuniary or material benefit from School District in violation of ORS chapter 244 or City’s policy on employee ethics. School District shall not confer any appreciable pecuniary or material benefit on any officer, employee or agent of City during the term of this agreement.

**14. SEVERABILITY:** If any provision of this agreement is held by any court to be invalid, such invalidity shall not affect any other provision of this agreement.

**15. ENTIRE AGREEMENT:** The foregoing constitutes the entire agreement between the parties and supersedes all previous agreements. This agreement may be changed only by written modifications that are signed by both parties.

**SCHOOL DISTRICT**

**CITY OF WINSTON**

By \_\_\_\_\_

By \_\_\_\_\_

Title \_\_\_\_\_

Title \_\_\_\_\_

By \_\_\_\_\_

Attest \_\_\_\_\_

Title \_\_\_\_\_

Title \_\_\_\_\_

Date \_\_\_\_\_

Date \_\_\_\_\_