

Fern Ridge School District Board of Directors

Monday, March 17, 2025 The doors will open at 6:15pm
District Administration Office, 88834 Territorial Road, Elmira, Oregon 97437

1. Call to Order: Public - 6:30 pm

We have a shared vision in the Fern Ridge School District: Provide excellence for every student so that each will reach their greatest potential.

Thank you to the members of the public who have joined us. As a reminder, School Board meetings and work sessions are meetings of the Board held in public, providing an opportunity to observe the Board's discussion and actions. In an effort to conduct official Board business, we ask that the audience be respectful and refrain from questions, comments, and unnecessary noise while the Board conducts the meeting.

There is an opportunity for citizen comment tonight, and the Board looks forward to hearing from those who signed up. I will share some reminders when we get to that portion of the meeting.

Also, please note that all Board meetings are live-streamed and posted on the School Board area of the website.

2. **Citizenship Award** **Presenter:** Olivia Johnson

3. **Flag Salute led by Citizenship Award Winner**

4. **Public Comment: None at this time.**

5. **West Lane Charter School - Curriculum Change Request** **Presenter:** Darci Stuller

6. **Monthly Items:**

6.A. Approval of Minutes - Board Action

7. **Business Office** **Presenter:** Business Manager, Quanah Bennett

7.A. Enrollment Report

7.B. General Fund Revenue and Expenditure Report - Board Action

7.C. Resolution 24-25/10 Appropriation Transfer - Board Action

7.D. Second Reading of Proposed 25-26 Calendar - Board Action

8. **Reports:**

8.A. Elmira Elementary School Presentation **Presenter:** Billie Perrier

8.B. Fern Ridge Education Association **Presenter:** Mari Jones
8.C. Student Representative(s) to the School Board **Presenter:** JT Myers
Report and Fern Valle Arvizu

8.D. Director of K-12 Programs

8.D.1. Health Curriculum Adoption - Board Action

8.D.2. Integrated Guidance Application

8.E. Superintendent's Report

9. Discussion Items

9.A. First Reading of Proposed Policy Updates -AC
Glupdate, AC R Dlupdate, GBN_JBA
Glupdate, JBA_GBN Glupdate, JFE R D1 delete, JFE
R G1-replace, JFE G1 update,

9.B. Second Reading of Proposed Policy Updates -
GCBDA_GDBDA G1 updated, and GCBDD_GDBDD G1
updated.

10. Personnel

10.A. Licensed Employees Resignations/New
Hires/Transfers/Other

10.A.1. Hiring of Conrad Davis, 1.0 FTE Temporary
Math Teacher at Elmira High School, effective
February 21, 2025, Resignation of Amy Hutton, 1.0
FTE Teacher at Elmira Elementary School,
effective June 30, 2025. Resignation of Amara
Houghtaling, 1.0 FTE Teacher at Elmira Elementary
School, effective June 30, 2025. Resignation of
River Hardy, 1.0 FTE Teacher at Fern Ridge Middle
School, effective June 30, 2025. Resignation of
Ralph Davis, 1.0 FTE Teacher at Fern Ridge Middle
School, effective June 30, 2025. Resignation of
Madison Cook, 1.0 FTE School Psychologist Intern,
effective June 30, 2025.

10.B. Non-Licensed Personnel Report

11. Late Items/Closing Comments/Board Community Involvement

12. Upcoming Events

March 21: NO School

March 24-28 Spring Break

April 3: End of 3rd Quarter

April 4: NO School - Teacher Work Day

Elmira Elementary

April 15: PTA Meeting 6pm

April 17-18 Parent/Teacher Conferences

Veneta Elementary

April 5: 22nd Annual Auction 4pm

April 8: PALS Meeting 5:30pm

April 17-18 Parent/Teacher Conferences

Fern Ridge Middle

March 18: Emergency Preparedness Workshop for students 3:30-5:30

April 8: Staff vs Student Basketball Game fundraiser

Elmira High

March 18: V Baseball @ Central Linn
V Softball @ Marshfield

March 19: Job Fair
V Baseball vs Amity
V Softball vs Amity
JV Baseball vs Amity

March 20: Elementary School Track Meet

March 21: Elmira Relays @ EHS 11am-3pm
JV Baseball @ Umpqua Valley

Christian

JV Softball @ Junction City
V Baseball vs Umpqua Valley

Christian

V Softball @ Junction City

March 24: V Softball @ Medford vs Philomath
V Softball @ Medford vs Yreka

March 25: V Baseball @ Creswell HS vs Sutherlin
V Softball @ Medford vs Dayton
V Softball @ Medford vs Hoopa

March 26: V Baseball @ Creswell HS vs North Douglas

March 31: Field and Stadium work begins!

April 1: V Baseball @ Lowell
V Softball @ Marist

April 2: Track and Field @ Willamette HS

April 4: V Baseball @ Coquille-Doubleheader

April 5: Track and Field @ Douglas HS

April 7: JV Baseball @ North Douglas

April 8: JV Baseball @ Mollala
JV Softball vs Mollala
V Baseball @ Mollala
V Softball vs Mollala

April 9: JV Track and Field @ Siuslaw

April 11: V Baseball @ Siuslaw
V Softball @ Siuslaw
JV Baseball @ Siuslaw/Mapleton
JV Softball @ Siuslaw

April 12: Track and Field @ Roseburg HS

April 15: JV Softball vs Pleasant Hill
JV Baseball @ Pleasant Hill
V Baseball vs Pleasant Hill
V Softball vs Pleasant Hill

April 17: JV Softball @ Sutherlin-Doubleheader
Track and Field @ Harrisburg

April 18: V Baseball vs La Pine-Doubleheader
V Softball vs La Pine-Doubleheader
JV Baseball vs La Pine-Doubleheader

13. Executive Session - This is an Executive Session under ORS 192.660(2)(d) regarding Negotiations.

14. Adjournment



FERN RIDGE SCHOOL DISTRICT 28J
School Board Meeting Minutes

WORK SESSION of the FERN RIDGE SCHOOL BOARD

February 24, 2025

Zoom Webinar & In-Person Meeting
88834 Territorial Rd.
Elmira, Or 97437

CALL TO ORDER (Agenda Item 1): The work session of the Fern Ridge School Board was called to order by Chair Graham at 6:01pm.

In attendance were Directors Mark Boren, Barbara Graham, Kathleen Pizzola, Lisa McCann, with Andrea Larson arriving a couple minutes late, and Superintendent Gary Carpenter.

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POLICY AND PROCEDURES: (Agenda Item 2): Lisa McCann presented a list of topics for clarification. #1She made the statement, “Material we get is the material we use to make decisions”. #2 Requested clarification on the Superintendent Evaluation process. Where sometimes the Superintendent would stay or would remove himself from the meeting process. She is requesting a plan to make it clear for the entire board of the process when it is done again the next year. #3 Lisa requested more clarification in the process of voting for committee members. There was different interpretations in the process that was outlined prior to that voting. Board Chair Graham suggested that these topics be fine tuned in the summer retreat work session.

LATE ITEMS/CLOSING COMMENTS: (Agenda Item 3): None at this time.

ADJOURNMENT (Agenda Item 6): The work session was adjourned at 6:22 pm.

Attest: _____
School Board Representative

Gary E. Carpenter, Jr., Superintendent



FERN RIDGE SCHOOL DISTRICT 28J
School Board Meeting Minutes

REGULAR MEETING of the FERN RIDGE SCHOOL BOARD

February 24, 2025

Zoom Webinar & In-Person Meeting
88834 Territorial Rd.
Elmira, Or 97437

CALL TO ORDER (Agenda Item 1): The regular meeting was called to order at 6:30 pm.

In attendance were Directors Barbara Graham, Kathleen Pizzola, Andrea Larson, Lisa McCann, Mark Boren and Superintendent Gary Carpenter.

We have a shared vision in the Fern Ridge School District: Provide excellence for every student so that each will reach their greatest potential.

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CITIZENSHIP AWARD (Agenda Item 2): The February Citizenship Award was presented to Veneta Elementary School student, Alex Brown.

FLAG SALUTE (Agenda Item 3): Veneta Elementary School student, Alex Brown led the flag salute.

PUBLIC COMMENT (Agenda Item 4): None at this time

MONTHLY ITEMS (Agenda Item 5):

5. A. Approval of Minutes: The minutes from the regular meeting on January 27, 2025, were presented for approval.

Director McCann moved to approve the minutes from the regular meeting on January 27, 2025, seconded by Director Pizzola. There was no discussion. The motion carried with Directors Boren, Larson, Graham, Pizzola, and McCann voting yes. 5-0.

BUSINESS OFFICE (Agenda Item 6):

6. A. Enrollment Report: Business Manager Quanah Bennett reviewed the enrollment report as of February 1, 2025. District Enrollment is 1,289, which is 5 over our budgeted enrollment, 6 less than last month. The elementary level is up by 2, the middle school is up by 25, and the high school is down by 22. There are seven more out of district placements than what was projected in the budget.

6. B. General Fund Revenue and Expenditure Report: Business Manager Quanah Bennett reviewed the general fund revenue and expenditure report as of January 31, 2025. The district has received 75% of our budgeted revenue. We were at 80% last year. The district's operating expenditures are at 44%, we were at 45% last year.

Director Boren moved to accept the financial report for January 31, 2025, seconded by Director Pizzola. There was no discussion. The motion carried with Directors Boren, Larson, Graham, Pizzola, and McCann voting yes. 5-0.

6. C. Fidelity Insurance Coverage: Business Manager Quanah Bennett discussed the option to increase our coverage or to maintain what the district is currently covered for. Business Manager Quanah presented comparisons of other districts. She recommends to remain at our current coverage of \$500,000. Lisa McCann inquired again what the district is currently paying. Quanah stated we pay \$2,122 with a \$5,000 deductible.

REPORTS (Agenda Item 7):

7. A. West Lane Charter School Presentation: Director Darci Stuller presented slides to highlight West Lane Charter School's programs and initiatives.

7. B. Fern Ridge Education Association: FREA Representative, Debra Lloyd presented slides of each building's recent activities and events. Representative Forest Cooper gave an update on the Legislative sessions and their focus for Oregon schools.

7. C. Student Representatives: Student representatives Fern Valle-Arvizu and JT Meyers reported that basketball senior night was February 14 and girls and boys won both games. OSAA Cheerleading placed 4th at 1A-3A competition on February 15. All of the wrestling athletes were named that qualified for state championships. Sign-ups for the Rough and Tough Grad Night Fundraiser competition with staff is open. National Honor Society sold 100 candy grams collecting \$83. The Grad Night Committee collected 182 bags of cans and bottles. Applications and interviews for outdoor school have begun. Scholarship aid workshops for students and guardians helped students with application information. Job shadows are being scheduled out over the next two months. On March 19, Elmira High School will host a career fair and students will participate in a mock interview. Leadership is meeting with the YARG foundation to present National Honor Society projects to possibly receive funding for them.

7. D. Director of K-12 Programs: Director Michelle Marshall informed the board that the health curriculum information has gone out as well as invitations for any community input. She also informed the board that United Way of Lane County has awarded the district \$30,000 to continue LetRs training for teachers. Director Marshall continued with her presentation on Board goals and Longitudinal Growth data.

7. E. Superintendent's Report: Superintendent Carpenter gave a brief overview of the Bond projects that are going to begin in March. He directed attention to the Fern Ridge School District website and where to find the newsletter update every two months. Superintendent Carpenter also explained that with weather closures so far this year, and pending that we do not have any more, he does not recommend that the district adds any student contact days. He informed the board that ultimately it is the board's decision. There was a time of discussion on the 5 potential days on the calendar that are earmarked for that makeup time. Superintendent Carpenter gave a reminder of the work session with Kristin Miles at the next board meeting on March 17. Superintendent Carpenter invited the board to attend the Outdoor School counselor training process at the Middle School.

DISCUSSION ITEMS (Agenda Item 8):

8. A. First Reading of the 2025-2026 Proposed Calendar: The 2025-2026 Public Staff Calendar was presented for review.

8. B. First Reading of Proposed Policy Updates: A first reading was held on the following proposed administrative rule and policy updates: GCBDA_GDBDA G1 updated, GCBDA_GDBDA R 1 D1- Delete, GCBDA_GDBDA R 1 G1-new, GCBDA_GDBDA R 2 D1-Delete, GCBDA_GDBDA R 3 A D1-Delete, GCBDA_GDBDA R 3 B D1-Delete, GCBDA_GDBDA R 3 C D1-Delete, GCBDA_GDBDA R 3 D D1-Delete, GCBDA_GDBDA R 4 D1-Delete, GCBDA_GDBDA R 5 D1-Delete, GCBDA_GDBDA R 6 D1-Delete, GCBDA_GDBDA R 7 D1-Delete, GCBDD_GDBDD G1 updated, and JECB R 3 G1(update).

8. C. Second Reading of Proposed Policy Updates: A second reading was held on the following proposed administrative rule and policy updates: KLD R G2-(delete), KLD D1-(delete), JHCD_JHCDA D1 (delete), JHCD_JHCDA R D1 (delete), JHCD R G1 (new), JHCD G1 (new).

There was a time of discussion on the requirements for a second reading and that administrative rules were not required to be on that action item per OSBA. Also, that there is a list of administrative rules that do require a second reading, like JHCD RG1 listed currently.

Director Boren moved to adopt the policy proposal updates as presented, seconded by Director McCann. There was no more discussion. The motion carried with Directors Boren, Larson, Graham, and Pizzola, Director McCann voting yes. 5-0.

PERSONNEL (Agenda Item 9):

9. A. Licensed Employees Resignations/New hires/Transfers/Other:

9. A.1: None at this time.

9. A.2: Resolution 24-25/04 - Teacher Contract Extension

Director Boren moved to approve the Resolution 24-25/04, seconded by Director Pizzola. There was no discussion. The motion carried with Directors Boren, Larson, Graham, and Pizzola, Director McCann voting yes. 5-0.

9. A.3: Resolution 24-25/05 – Probationary Teacher Contract Renewal

Director McCann moved to approve the Resolution 24-25/05, seconded by Director Pizzola. There was no discussion. The motion carried with Directors Boren, Larson, Graham, and Pizzola, Director McCann voting yes. 5-0.

9. A.4: Resolution 24-25/06 – Retired/Temporary Terminal Contract

Director Larson moved to approve the Resolution 24-25/06, seconded by Director McCann. There was no discussion. The motion carried with Directors Boren, Larson, Graham, and Pizzola, Director McCann voting yes. 5-0.

9. A.5: Resolution 24-25/07 – Probationary Administrator Contract Renewal

Director Pizzola moved to approve the Resolution 24-25/07, seconded by Director McCann. There was no discussion. The motion carried with Directors Boren, Larson, Graham, and Pizzola, Director McCann voting yes. 5-0.

9. A.6: Resolution 24-25/08 – Administrator Contract Extension

Director Larson moved to approve the Resolution 24-25/08, seconded by Director Boren. There was no discussion. The motion carried with Directors Boren, Larson, Graham, and Pizzola, Director McCann voting yes. 5-0.

9. A.7: Resolution 24-25/09 – Administrator Three-Year Contract Extension

Director McCann moved to approve the Resolution 24-25/09, seconded by Director Pizzola. There was no discussion. The motion carried with Directors Boren, Larson, Graham, and Pizzola, Director McCann voting yes. 5-0.

9. B. Non-Licensed Personnel Report: The non-licensed personnel report was presented for review:

Resignations/Retirements

1. None at this time.

New Hires/Transfers

1. Hiring of Brandon Gailey, Temporary 5.25 Instructional Assistant at Elmira High School, effective February 21, 2025.

Other

1. None at this time.

Coaches

1. Hiring of Lily Morales, Assistant Track/Field Throws Coach 24-25 at Elmira High School, effective March 3, 2025.
2. Hiring of Brandon Gailey, Assistant Track/Field Sprints Coach 24-25 at Elmira High School, effective March 3, 2025.

LATE ITEMS/CLOSING COMMENTS/BOARD COMMUNITY INVOLVEMENT (Agenda Item 10):

10. A. Director McCann attended all grades of basketball games, attended the Hall of Fame, and has been observing FREA negotiations.

UPCOMING EVENTS (Agenda Item 11):

11. A. Upcoming Events:

March 3-7: Classified Employee Appreciation Week!

March 13: Heart of the Community at Veneta Elementary 6-7 pm

March 21: NO School

March 24-28 Spring Break

Elmira Elementary

March 5: Kindergarten Information Night

March 6-14: Iditaread

March 18: PTA at 6pm

Veneta Elementary

March 5: Kinder Information Night

March 6: Title Math Night 5:30-7

March 7: Read Across America-PJ Day

March 11: PALS Meeting 5:30

Fern Ridge Middle

February 26: 4:30 7th Grade Boys Basketball-Home

March 18: Emergency Preparedness Workshop for students

Elmira High

March 21: Elmira Track Relays

EXECUTIVE SESSION (Agenda Item 12): Executive Session under ORS 192.660(2)(i): to review and evaluate the performance of the chief executive officer or any other public officer, employee or staff member, unless the person whose performance is being reviewed and evaluated requests an open hearing.

Chair Graham moved into executive session at 7:45 with a 5 minute break prior to.

ADJOURNMENT (Agenda Item 13): Chair Graham adjourned the meeting at 8:00 pm.

Attest: _____
School Board Representative

Gary E. Carpenter, Jr., Superintendent

Avg.
Class
Size

	K	1	2	3	4	5	6	7	8	9	10	11	12	TOTAL
EES Teacher 1	17													17
EES Teacher 2	16													16
EES Teacher 3		17												17
EES Teacher 4		18												18
EES Teacher 5			33											33
EES Teacher 6				30										30
EES Teacher 7				31										31
EES Teacher 8					22									22
EES Teacher 9					21									21
EES Teacher 10						25								25
EES Teacher 11						25								25
Elmira Elementary	33	35	33	61	43	50								255
VES Teacher 1	17													17
VES Teacher 2	19													19
VES Teacher 3	20													20
VES Teacher 4		22												22
VES Teacher 5		23												23
VES Teacher 6			24											24
VES Teacher 7			24											24
VES Teacher 8			22											22
VES Teacher 9				28										28
VES Teacher 10				24										24
VES Teacher 11					28									28
VES Teacher 12					30									30
VES Teacher 13						25								25
VES Teacher 14						25								25
Veneta Elementary	56	45	70	52	58	50								331
Total Elementary	89	80	103	113	101	100								586
Fern Ridge Middle School							103	107	95					305
FRMS Options							1		5					6
Elmira High School										83	99	91	79	352
EHS Options												7	14	21
EE Bridges (K-2)	3		4											7
EE Bridges (3-5)				3	1	2								6
VES (Structured Learning)		1	1	2	1	1								6
Home Tutor														-
FRMS Bridges (6-8)							2	3	3					8
Total In-District Enrollment	92	81	108	118	103	103	106	110	103	83	99	98	93	1,297
<i>Change from Adopted Budget (based on ADMr of 1,284)</i>														13
Out of District Placements		2	3		2	1	3	1	2	2	-	4	5	25
<i>Change from Adopted Budget (based on ADMr of 18)</i>														7
Total WLTL Charter School										22	39	24	29	114
FRSD Attending WLTL										10	16	11	16	53
<i>Change from Adopted Budget (based on ADMr of 65)</i>														49
Total District/ Out of District /Charter School Enrollment														1,436
<i>Change from Adopted Budget (based on ADMr of 1,367)</i>														69

23.18

23.64

FR FERN RIDGE SCHOOL DISTRICT 28J

General Fund Revenue and Expenditures

February 28, 2025	ADOPTED 24-25 BUDGET	2024-2025								TOTAL YTD	REMAINING BALANCE
		JULY	AUG	SEPT	OCT	NOV	DEC	JAN	FEB		
Beginning Fund Balance	3,527,994	-	-	-	-	-	-	4,556,477	-	4,556,477	(1,028,483)
OPERATING REVENUE:											
PROPERTY TAXES	5,562,447	7,802	13,870	10,581	6,118	4,237,020	928,249	55,409	43,049	5,302,098	260,349
TRANSPORTATION FEES	2,100	-	-	-	-	-	-	-	-	-	2,100
EARNINGS ON INVESTMENTS	250,000	37,683	34,880	32,691	29,232	19,440	43,167	43,287	37,072	277,451	-
EXTRACURRICULAR ACTIVITIES	4,626	-	-	-	-	-	-	-	-	-	-
RENTALS/DONATIONS/LEASES / PY REV / GRANT FEES / MISC	161,445	4,491	24,688	7,378	19,758	12,701	11,896	10,000	22,830	113,744	-
COUNTY SCHOOL FUND / ESD	159,158	-	-	-	-	-	-	41,679	-	41,679	117,479
OTHER INTERMEDIATE SOURCES	5,500	-	7	1,853	-	7	2,455	-	5	4,326	-
STATE SCHOOL FUND	11,880,479	2,056,928	999,784	962,504	981,199	965,042	982,768	983,776	863,838	8,795,841	3,084,638
COMMON SCHOOL FUND	210,000	-	-	-	-	-	-	114,725	-	114,725	95,275
STATE MANAGED COUNTY TIMBER	-	-	-	-	-	26,394	-	-	-	26,394	(26,394)
RESTRICTED GRANTS-IN-AID	-	-	-	-	-	7,225	-	-	-	7,225	-
RESTRICTED FR FED/GOV ST	-	-	-	-	-	12,240	3,780	-	-	16,020	(16,020)
FEDERAL FOREST FEES	58,620	-	-	-	-	-	-	-	-	-	58,620
SALE OF FIXED ASSETS	-	-	550	(300)	-	-	-	-	-	250	(250)
TOTAL OPERATING REVENUE	18,294,375	2,106,904	1,073,778	1,014,708	1,036,307	5,280,069	1,972,316	1,248,877	966,794	14,699,753	3,594,622

**TOTAL BUDGETED REVENUE (INCLUDES
BEGINNING FUND BALANCE)**

21,822,369

80%

19,256,230

OPERATING EXPENDITURES:											
SALARIES	8,286,866	160,615	188,940	658,462	666,590	665,873	654,904	658,665	662,632	4,316,682	3,970,184
BENEFITS	6,214,859	98,375	124,819	475,886	453,348	447,951	440,900	447,291	446,568	2,935,137	3,279,722
PURCHASED SERVICES	3,875,536	89,684	89,787	148,449	372,884	330,922	332,261	380,111	309,420	2,053,518	1,822,018
SUPPLIES & MATERIALS	472,048	33,620	28,968	50,904	20,318	43,043	51,641	22,827	56,540	307,861	164,187
CAPITAL OUTLAY	-	-	-	-	-	-	-	-	-	-	-
OTHER	297,805	244,737	6,970	1,474	2,589	1,223	321	475	939	258,727	39,078
TOTAL OPERATING EXPENDITURES	19,147,114	627,031	439,484	1,335,175	1,515,729	1,489,010	1,480,027	1,509,370	1,476,099	9,871,925	9,275,189

52%

NON-OPERATING EXPENDITURES											
INTERFUND TRANSFERS	868,500	-	-	-	-	-	-	-	860,000	860,000	8,500
CONTINGENCY	1,806,755	-	-	-	-	-	-	-	-	-	1,806,755
TOTAL NON-OPERATING EXPENDITURES	2,675,255	-	-	-	-	-	-	-	860,000	860,000	1,815,255

TOTAL BUDGETED EXPENDITURES

21,822,369

10,731,925

**Fern Ridge School District
Resolution 24-25/10**

**Transfer of Appropriations
Special Revenue Fund**

WHEREAS, ORS 294.463 provides for a governing body to transfer appropriations within a fund for the fiscal year;

AND WHEREAS, the appropriations made by the Board for the Special Revenue Fund require adjustment to acknowledge that projected actual expenditures may exceed the amounts appropriated by the Board.

BE IT RESOLVED, that the Board of Fern Ridge School District hereby transfers 2024-25 budget appropriations in the Special Revenue Fund as follows:

<u>200 Special Revenue Fund</u>	<u>As Adopted</u>	<u>Proposed</u>	<u>Change</u>
Requirements			
1000 Instruction	\$ 4,396,336	\$ 4,396,336	\$0
2000 Support Services	4,019,582	3,684,860	(334,722)
3000 Enterprise and Community Services	1,100,878	1,435,600	334,722
4000 Facilities Acquisition and Construction	1,259,476	1,259,476	0
5300 Other Uses	100,000	100,000	0
6000 Contingency	2,678,269	2,678,269	0
Total	<u>\$13,554,541</u>	<u>\$13,554,541</u>	<u>\$0</u>

The above resolution statements were approved and declared adopted on this 17th day of March, 2025.

**FERN RIDGE SCHOOL DISTRICT 28J
LANE COUNTY, OREGON**

**Barbara Graham, Chairperson
Board of Directors**

ATTEST:

Gary Carpenter, Superintendent



Fern Ridge School District 2025-2026 Public Staff Calendar

Adopted: 3-17-25

JULY 2025				
M	T	W	TH	F
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30	31	

Elementary Student: 21

Secondary Student: 20

AUGUST 2025				
M	T	W	TH	F
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

13: Kindergarten Registration
19-21: Registration

Elementary Student: 14

Secondary Student: 16

Student: 21

SEPTEMBER 2025				
M	T	W	TH	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26
29	30			

2: First Day - Grades 1-5, 6,9 Report
3: Grades 1-5, 7-12 Report
4: Grades 1-12 Report
8: Kindergarten Reports

OCTOBER 2025				
M	T	W	TH	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31

10: No School - Work Sample Day
16: MS/HS Parent Teacher Conf. (Evening Only)
17: MS/HS No School
Parent Teacher Conferences (a.m. only)
31: No School-Teacher Workday/End of 1st Qtr

Student: 18

NOVEMBER 2025				
M	T	W	TH	F
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28

11: No School - Veterans Day
24-25: Elem. No School - Parent Teacher Conf.
26-28: No School - Thanksgiving Break

Student: 19

DECEMBER 2025				
M	T	W	TH	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26
29	30	31		

22-31: No School - Winter Recess

Student: 15

JANUARY 2026				
M	T	W	TH	F
			1	2
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30

1: No School (New Year's)
2: No School
19: No School - MLK Jr Holiday
22: End of 2nd Quarter / 1st Semester
23: No School - Teacher Workday

Elementary Student: 20

Secondary Student: 21

FEBRUARY 2026				
M	T	W	TH	F
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27

16: No School - President's Day

Student: 19

MARCH 2026				
M	T	W	TH	F
2	3	4	5	6
9	10	11	12	13
16	17	18	19	20
23	24	25	26	27
30	31			

19: MS/HS Parent-Teacher Conferences (Evening Only)
20: No School - Elem. Work Sample Day-MS/HS Conf. Exchange Day
23-27: No School - Spring Break

Student: 16

APRIL 2026				
M	T	W	TH	F
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	

2: End of 3rd Quarter
3: No School - Teacher Workday
16: Elem. Parent-Teacher Conf. (Evening)
17: Elem. No-School-Parent-Teacher Conf.

MAY 2026				
M	T	W	TH	F
				1
4	5	6	7	8
11	12	13	14	15
18	19	20	21	22
25	26	27	28	29

22: No School - Work Sample Day
25: No School - Memorial Day Holiday

Student: 19

JUNE 2026				
M	T	W	TH	F
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26
29	30			

3: Potential Make up day for Seniors
10: No Early Release
11: Last Day of School - Early Release
15-19: Potential Make up Days (Grade K-11)

Student: 9

- Kindergarten Registration
- Registration
- First & Last Day of School
- Parent-Teacher Conference

- End of Quarter
- Potential Make Up Days (Grades K-11)
- Potential Make Up Day (Grade 12)

- No School
- Parent Teacher Conf.
- Potential Make Up Days

Primary Student Days: 172

Secondary Student Days: 174

Elmira Elementary School

Our Vision: Provide excellence for every student so that each will reach their greatest potential.

We are lucky to be Elmira Eagles!



School Board Presentation 2024-2025

We are lucky for *relationships*

Students

- **Total Enrollment:** 267 students
- **Average Class Size:** 22 students per class

Staff

- **Certified Employees:** 20
- **Classified Staff:** 22

Programs & Services

- General Education Classrooms
- Bridges Classrooms
- Special Education Classroom
- Title I Support
- Physical Education (PE) – Every Day
- Full-Time School Counselor
- Behavior Specialist
- Speech and Language Services

One way we build strong relationships at EES is through **morning meetings**. This year, we introduced **school-wide morning meetings every Wednesday**, called **The Eagles' Gathering**.

During each gathering, we:

- Recite the **Pledge of Allegiance**
- Chant our **school cheer**
- Participate in activities that support **social-emotional learning** and **camaraderie**

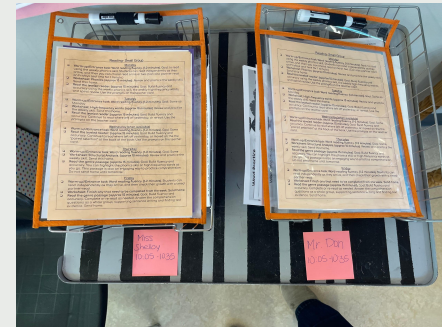
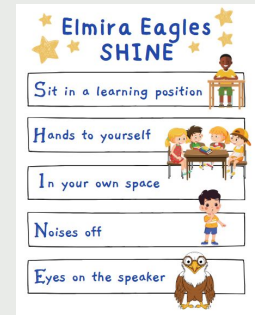
These gatherings help us foster a sense of **community, belonging, and connection** across all grade levels.



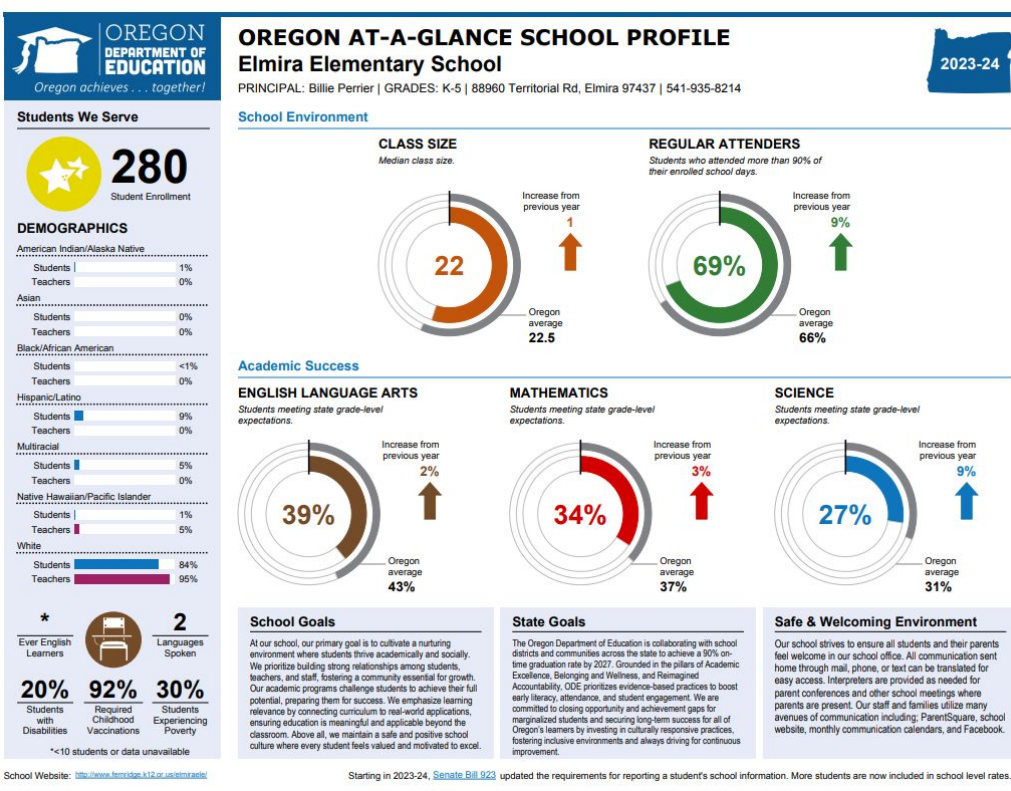
We are lucky for *rigor*

EES Instructional Supports and Practices

- **Kindergarten Interventions**
Targeted support provided for every kindergarten student to ensure a strong foundational start.
- **WIN Time at Each Grade Level**
"What I Need" time built into each grade level schedule to provide differentiated instruction and intervention.
- **STAR Assessments**
Universal screening and progress monitoring used to inform instruction and identify student needs.
- **LETRS Training**
All K-2 teachers have completed LETRS (Language Essentials for Teachers of Reading and Spelling) training, with three additional teachers currently participating.
- **Professional Learning Communities (PLCs)**
Collaborative team structures focused on student learning, data-driven decision making, and continuous improvement.
- **Participation in ORTIi**
Active involvement in Oregon Response to Instruction and Intervention, supporting the implementation of effective, equitable practices.
- **Small Group Reading Instruction**
Emphasis on evidence-based small group reading to target specific literacy needs and accelerate student growth.



Some Data

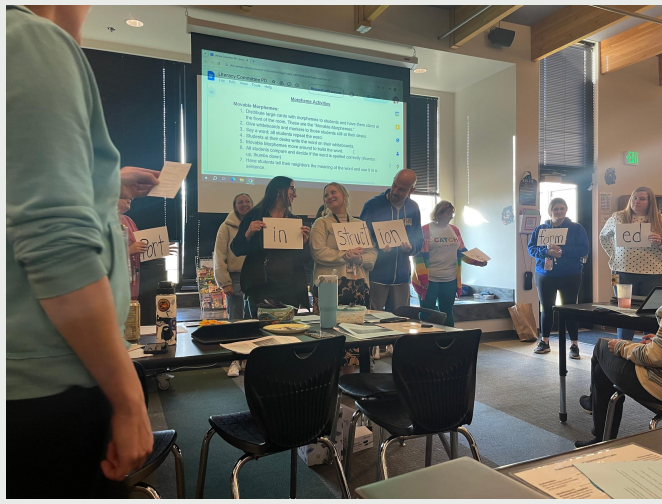
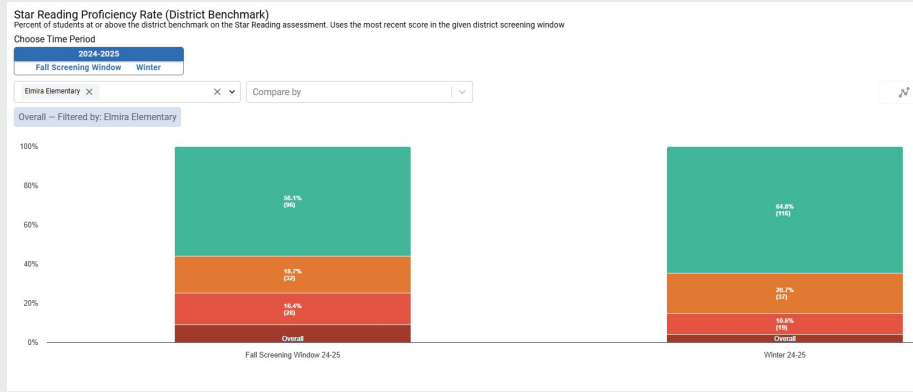
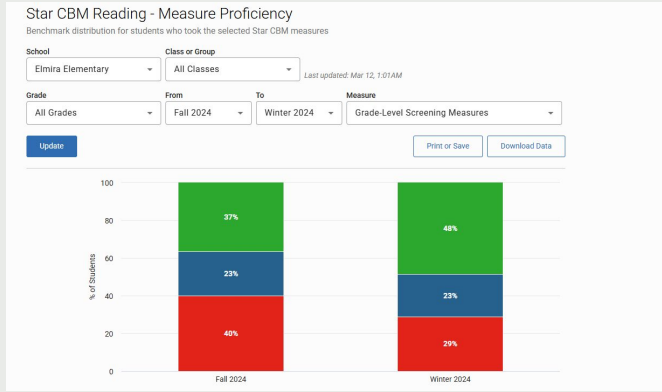


At EES, our Multi-Tiered System of Supports (MTSS) is built around intentional systems and collaborative practices, including:

- **Data Team Meetings** – to regularly analyze student progress and guide instruction
- **Core Review Meetings** – to ensure the effectiveness of Tier 1 instruction
- **Student Support Team (SST) Meetings** – to develop targeted plans for individual student needs

While there is still a lot of work to be done, we saw growth in all areas last year. I believe we will see the same trend this year due to:

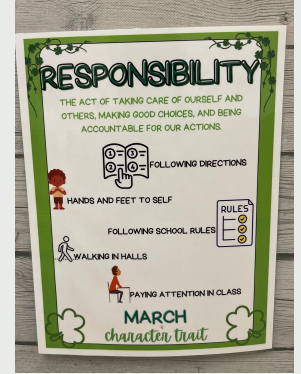
- The strong systems we have put in place
- The continued dedication and teamwork of our staff

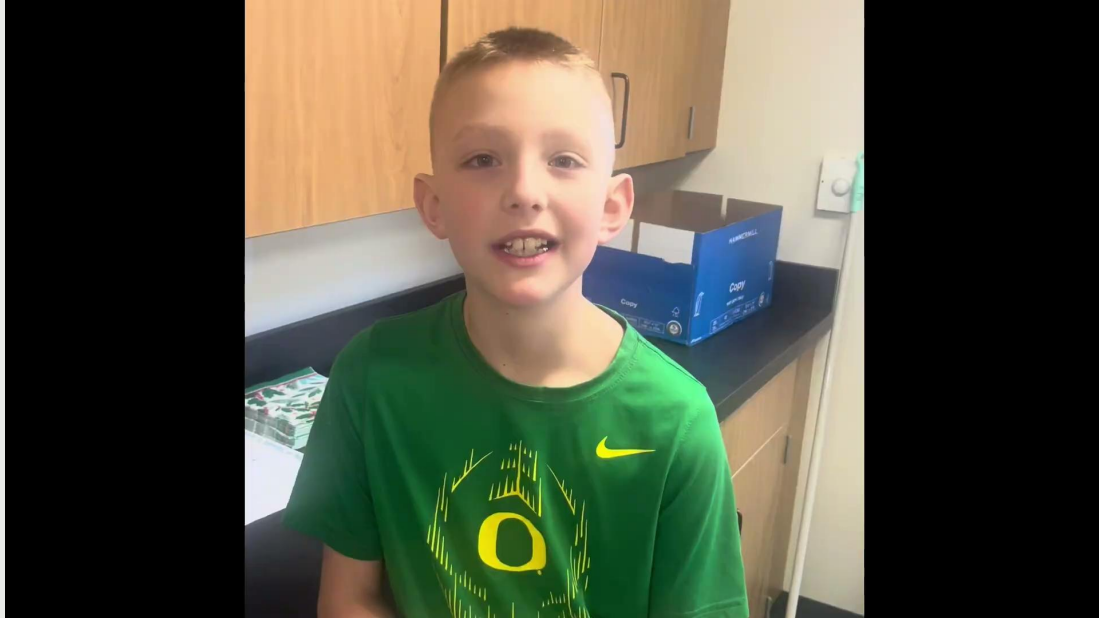


We are lucky for *relevance*

Student Enrichment and Leadership Opportunities at EES:

- **Music & Arts Programs**
 - Ukulele
 - Choir
 - *Beats in Motion: Energizing Young Minds and Bodies*
- **Leadership & Responsibility**
 - School Jobs
 - Eagle Leaders
 - Recycling Crew
 - Lunch Crew
 - Flag Helpers
- **Character & Community Development**
 - Word of the Month (to support positive character traits)
 - Walama Restoration Project
 - 4-H
- **Literacy & Enrichment Programs**
 - Oregon Battle of the Books (OBOB)
 - SMART Reading (Start Making A Reader Today)
 - Afterschool enrichment Program





The many
reasons
we are
lucky to
be *Elmira*
Eagles

We are lucky to have *you!*

Thank you for supporting our kids!

- School Board Members
- Community Members
- School Staff
- Parents
- PTA and Volunteers

Questions?



Fern Ridge Education Association (FREA)

School Board Meeting
March 17, 2025



Elmira Elementary

For the last couple weeks, students have been participating in our annual Iditaread and Sluggo bookmark challenges.

It has been exciting to watch our sled teams move across the Iditaread map with every minute the students read. Thank you PTA!!

Students will be turning in their completed bookmarks today in exchange for 2 Eugene Emerald baseball tickets!



Elmira Elementary

Kindergartners participating in their first choir session. For the next couple months, every class, K-5th, will be attending choir 1-2 times a week with Mrs. Franklin.



ELMIRA ELEMENTARY SCHOOL

TALENT SHOW

APRIL 29TH

Save the Date!

Do you have a special talent, passion or skill that you would like to share at a school assembly?

WANTED: Individual, Partner, or Group Performers:
*Singers *Dancers *Comedians *Magicians *Musicians or any anyone with a special skill!
(no animals please)

TRYOUTS APRIL 3RD

Questions? Please contact:
Amy Hutton
ahutton@fernrIDGE.k12.or.us
or
Paris Hood
phood@fernrIDGE.k12.or.us

Return the Permission Slip by Tuesday April 1st (on the back)

Elmira's annual Talent Show will be taking place on April 29th! Students will have the opportunity to practice their acts with a few amazing parent volunteers before performing for the whole school in the gym. Last year we had over 30 performers!

Veneta Elementary

We are gearing up for St. Patrick's Day at Veneta! We celebrated the 100th day of school for both 1st through 5th and then Kinder. We had a very successful Kinder night and look forward to welcoming all the new kinders in September. 1st grade is learning a lot of animal science lately and last week was all about oviparous animals. They had the opportunity to work with OSU extension and hatch baby chicks! The chicks were a hit with the whole school.



Veneta Elementary



We celebrated classified week and got to show how much we love and appreciate our IA's. School could not run without them! Audubon Society for birdwatching came to 4th and 5th grade to do a presentation on feathers. They will be coming again to do a presentation on bird watching that goes along with 4th grade science for adaptations. Classes are gearing up for our auction April 5th, by creating student artwork. Students went to regionals for OBOB and our very own Veneta Students made it to the FAB 4! They will be continuing on as one of the 4 teams that advance to state finals! Tryouts have begun for our annual talent show. Students will be auditioning this week and performing after Spring Break.

Fern Ridge Middle School

Student CPR/AED state required training:* (notes attached)

6th grade - explain basic emergency responses

7th/8th grade - how to administer hands-only CPR (307 6-8th grade students completed training); how to use an AED (289 6-8th grade students completed training)

8th grade - how to administer Narcan (response to Opioid overdose)



Fern Ridge Middle School

Students in Mr. Piccolo's 7th grade science class enjoyed making volcanoes during their physical science unit.



Auto Class - engines and cars

Upcoming at FRMS:

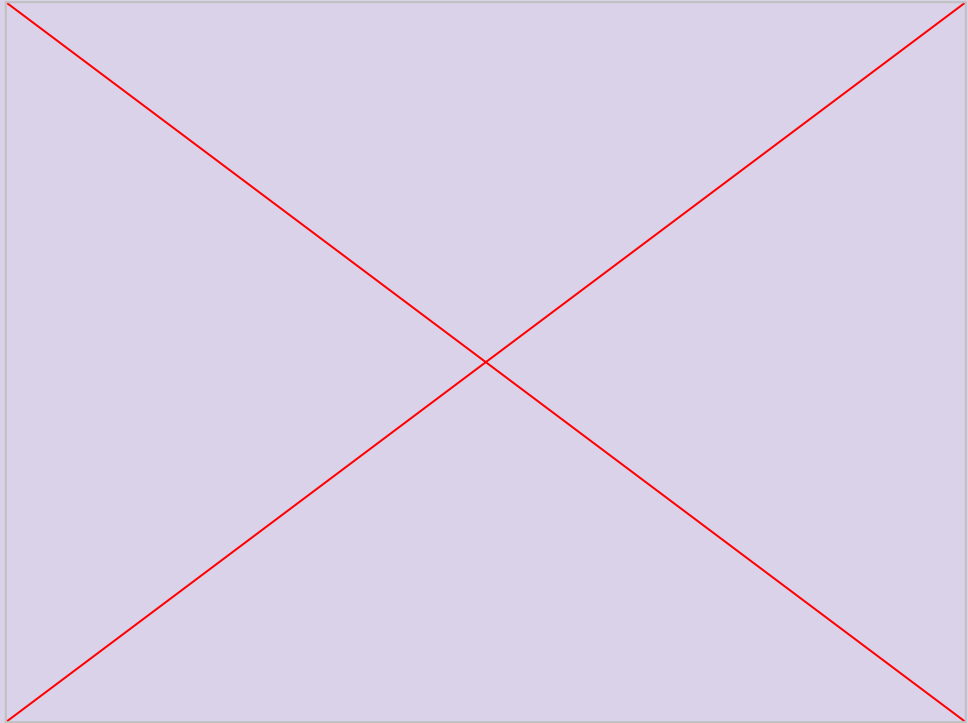
March 20 - Parent Teacher Conferences

Leadership Fundraiser - Bread Braids

April 8 - Staff v. Student Basketball Game

Elmira High School

Students in
Señorita Snider's
Spanish 2 class
learn to say body
parts in Spanish
with the "Head,
Shoulders, Knees
and Toes" song



Elmira High School

Students' Painting, Influenced By a Photo Taken at Fern Ridge Reservoir, Adds a Splash of Color to EHS Hallway



For this story and much more,
check out ehsfalconnews.org.





OEA/NEA



Current Education Legislation Action March 2025:

Increased funding for the State School Fund - \$11.4 billion for the 2025-26 and 2026-27 school years, up from \$10.2 billion in the previous biennium. (HB 2140) Currently in Ways and Means Committee

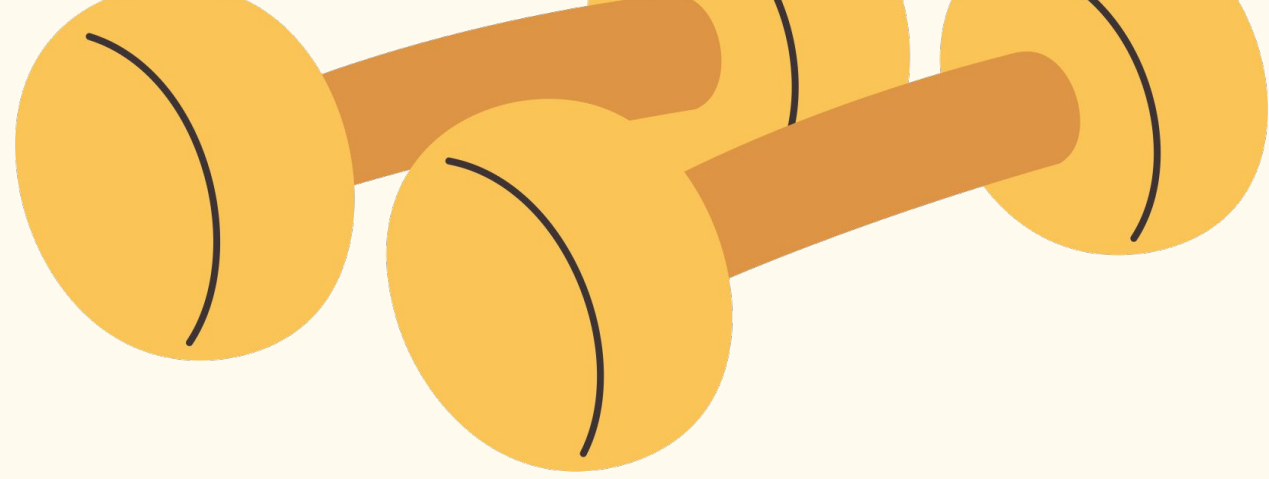
Related to Education (HB 2009 and SB 141)

- **Stricter academic performance metrics -graduation rates, eighth-grade math proficiency, and early-grade attendance.**
- **Standardized "interim assessments" to monitor student progress throughout the academic year.**
- **Enhance support for districts showing insufficient improvement, potentially involving state-directed funding adjustments.**
- **Streamlining reporting and processes within the Oregon Department of Education.**



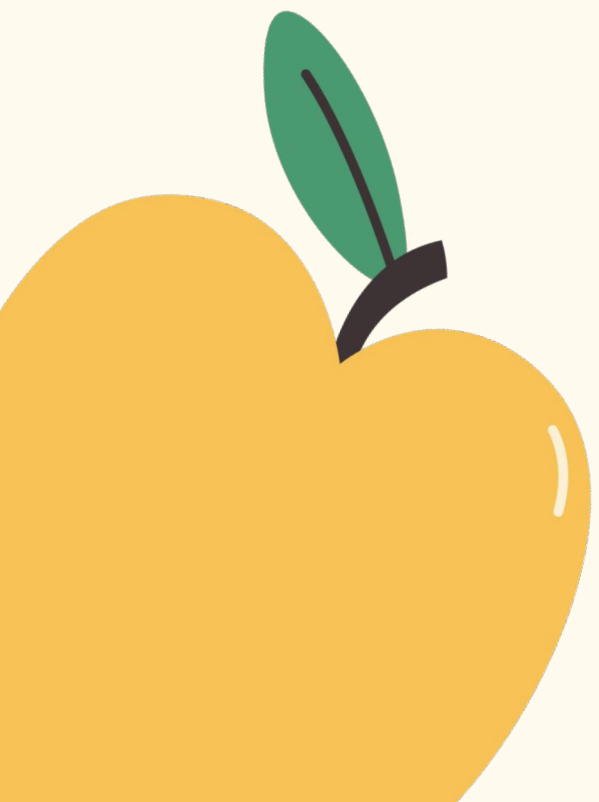
Flexibility to use \$87 million in funds in the PERS Unfunded Liability Fund (SDULF) to offset local increases. (SB849) Passed Senate, currently in a House Committee

Concern over dismantling of US Dept of Education. Oregon's Attorney General Dan Rayfield joined lawsuit with twenty other states.



FRSD 2025

K-12 HEALTH ADOPTION



FRSD Health Adoption Timeline Overview

September - January: Teams reviewed updated health standards, worked to align goals/vision for science, and participated in Health PD offered by LESD.

January - February: Teams review curriculum information- narrow choices. Teams review samples from top choices, admin. get quotes from publishers

February - March: Stakeholder input and engagement with staff, students, and community

March - April: Depending on progress, Board Action on recommended curriculum

July: Order/purchasing

August: PD plan and training



FRSD TEAM

K-5

Billie Perrier

Dawn Dean

Amara Houghtaling

Elizabeth Skensick

Shahaley Holzgang

6-8

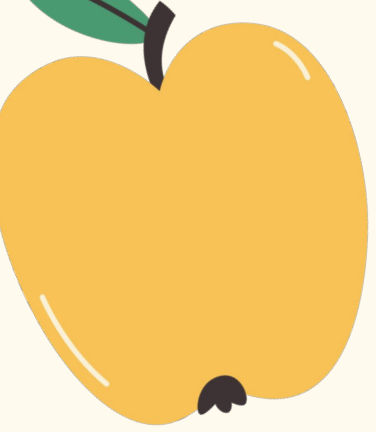
Olivia Johnson

Heather Hohnstein

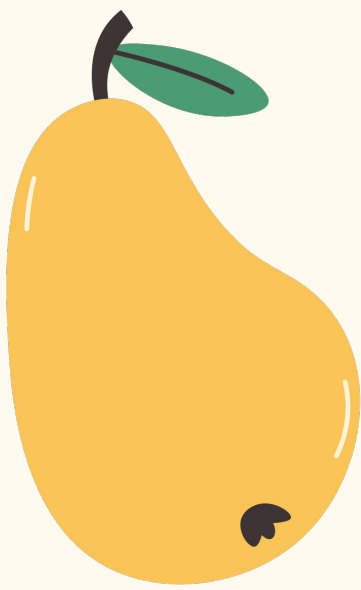
9-12

Bo Highburger



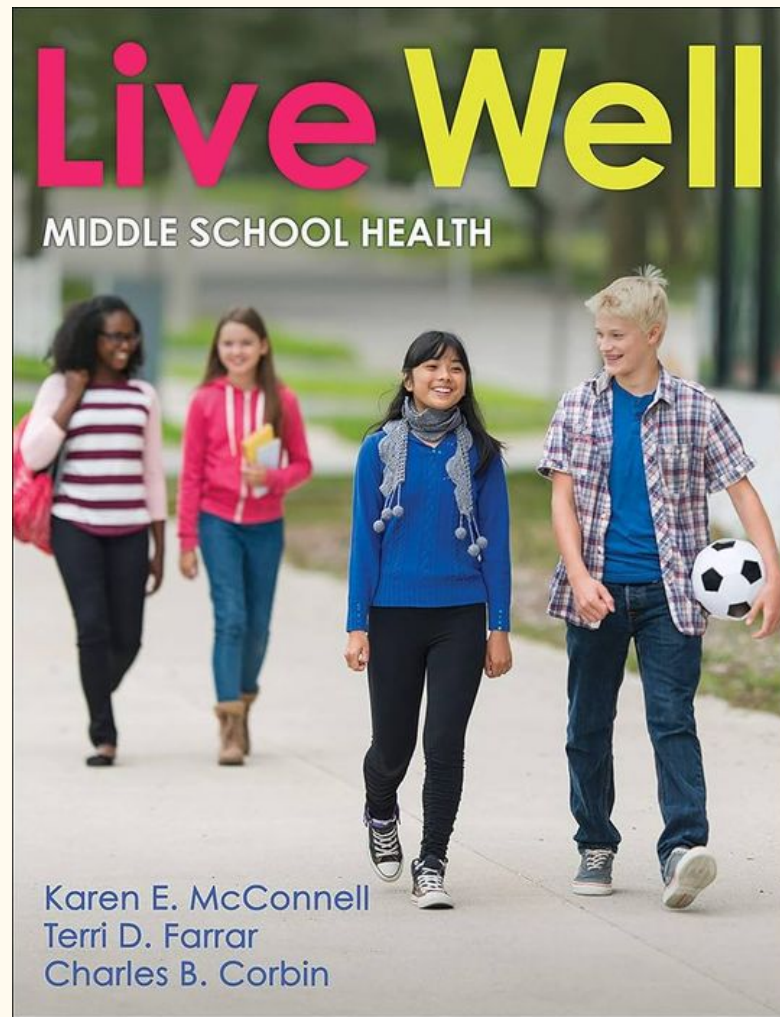


SELECTED MATERIALS



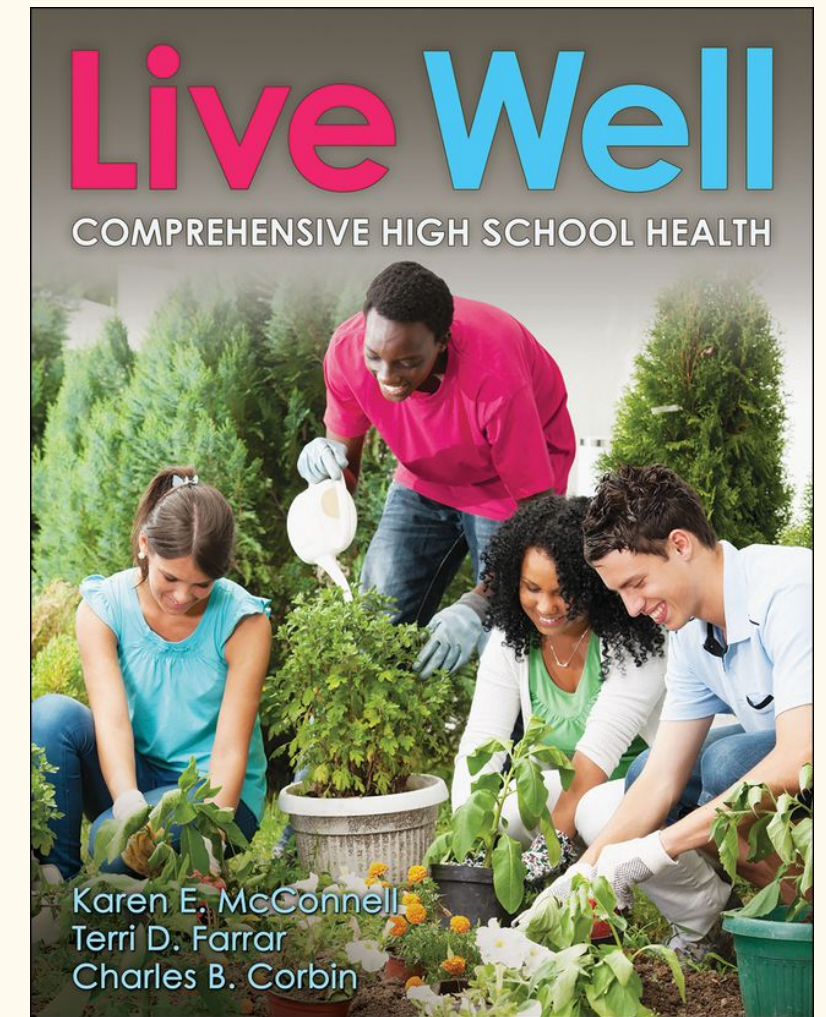
K-5

**The Great Body Shop
The Children's Health
Market, Inc.**



6-8

**Live Well
Human Kinetics**



9-12

**Live Well
Human Kinetics**



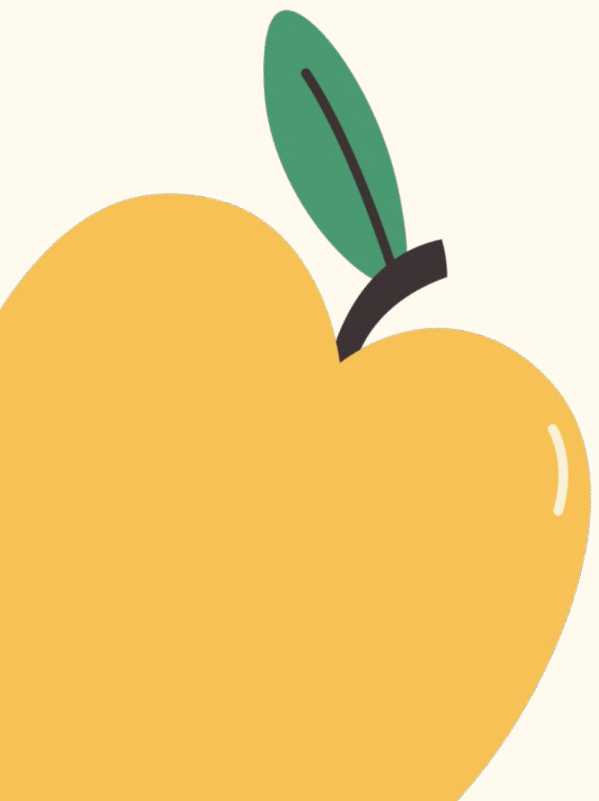
INPUT

- K-5 Choices were reviewed and shared with all K-5 Teachers
- 6-12 Departments worked together to review and select final materials
- Samples were available to review at the district office
- Community input survey

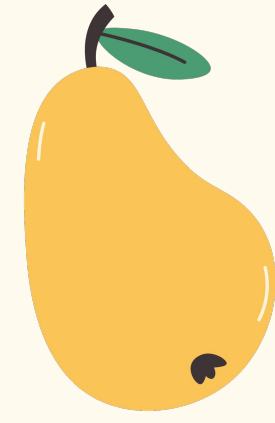
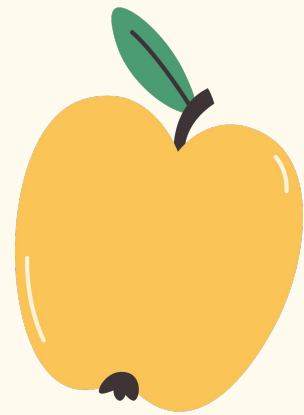


Thanks for listening!

QUESTIONS?



THANK YOU

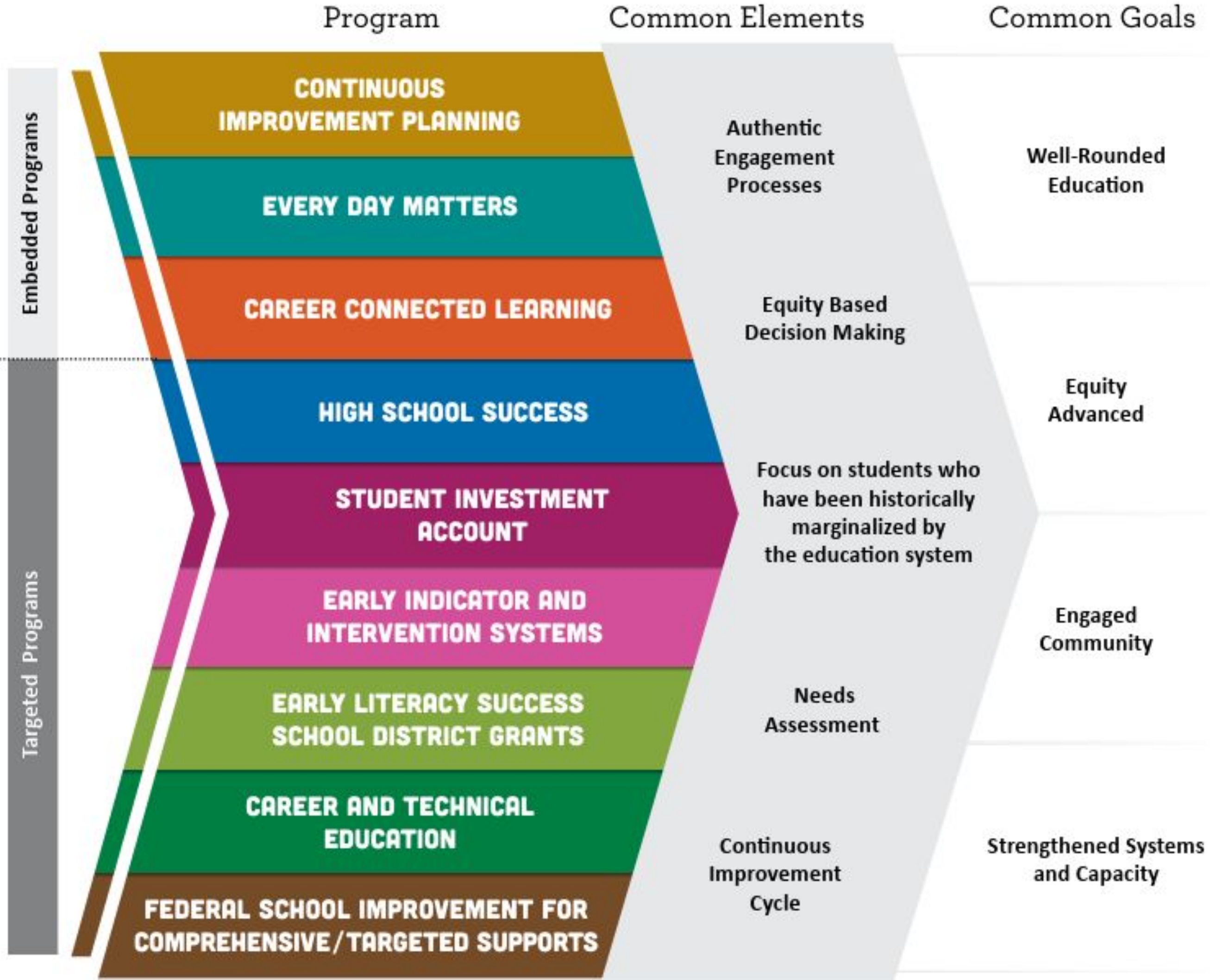


March 2025

FRSD

Integrated Plan





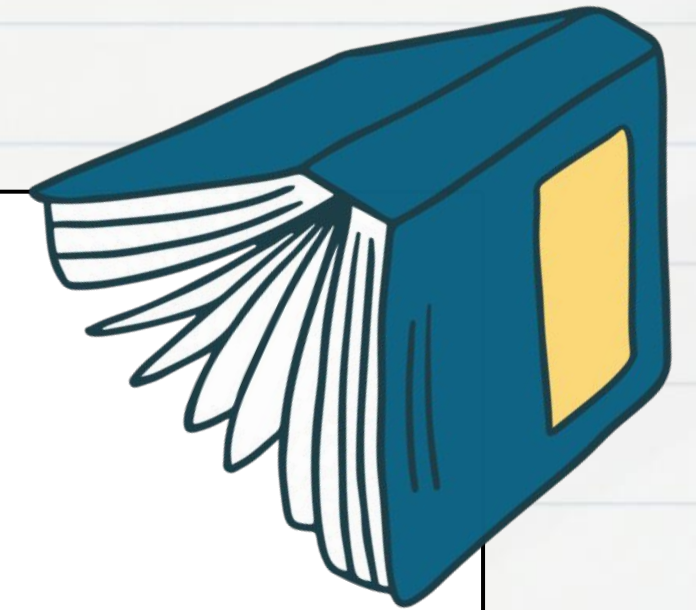


Requirements

- **Use of an Equity Lens**
- **Community Engagement**
- **Needs Assessment**
- **Development of a four-year plan with clear Outcomes, Strategies, and Activities**
- **The existing plan to review and revise**
- **Recommendations from Statewide Student Success Act Plans**
- **Reviewing and Using Regional CTE Consortia Inputs**



Outcomes



Outcome A

FRSD will provide a supportive and safe school environment that values diversity, in which all students and adults feel welcomed and respected



Outcome B

FRSD will maintain high expectations and promote academic excellence through challenging curriculum, as well as instruction that builds critical thinking skills

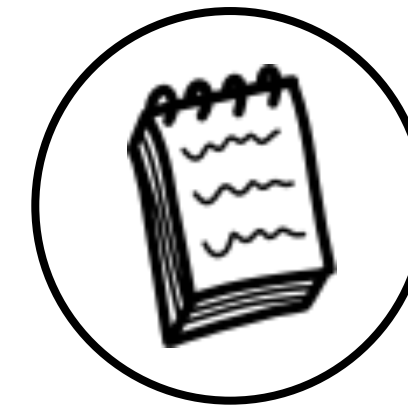
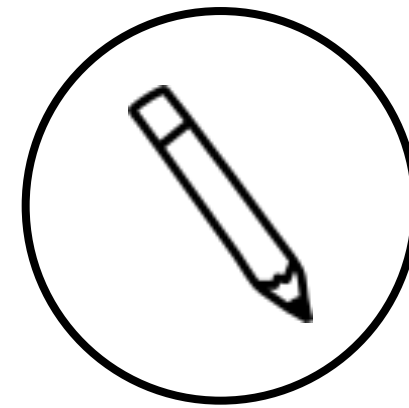
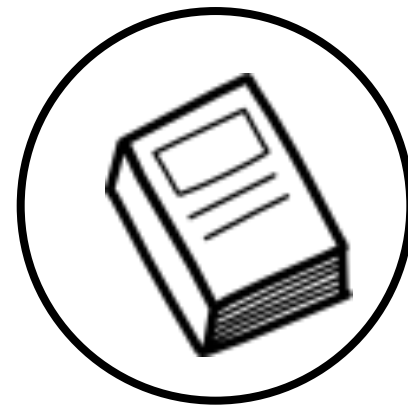


Outcome C

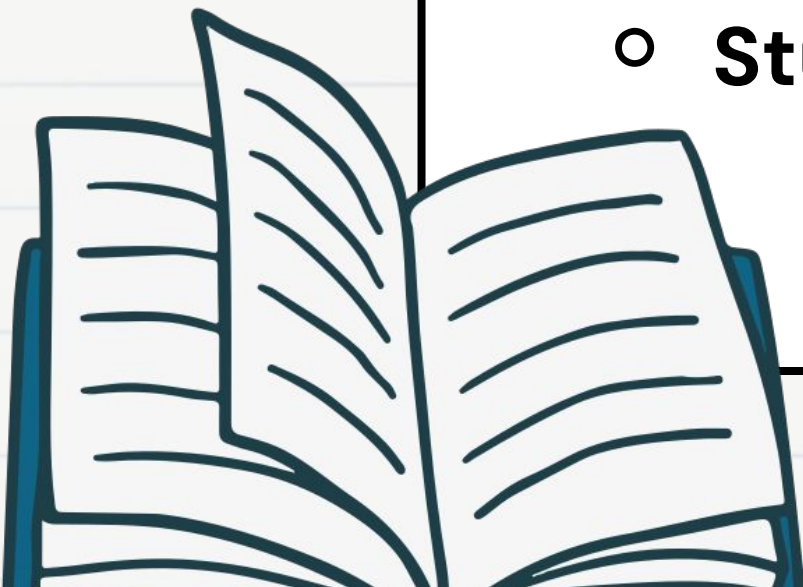
FRSD students will connect and apply their education to the world of today and tomorrow



Estimated Allocations



- **Early Literacy- \$101,084**
- **Early Indicator and Intervention Systems - \$3,928**
- **High School Success - \$388,330**
- **Student Investment Account- \$1,355,515**



Key Investments

Staff

- Counselors
- CTE Teacher
- Classroom Teachers
- Instructional Assts.
- TECH Support

Student Supports

- Free athletics
- No student supply fees
- Translation services
- Credit Recovery

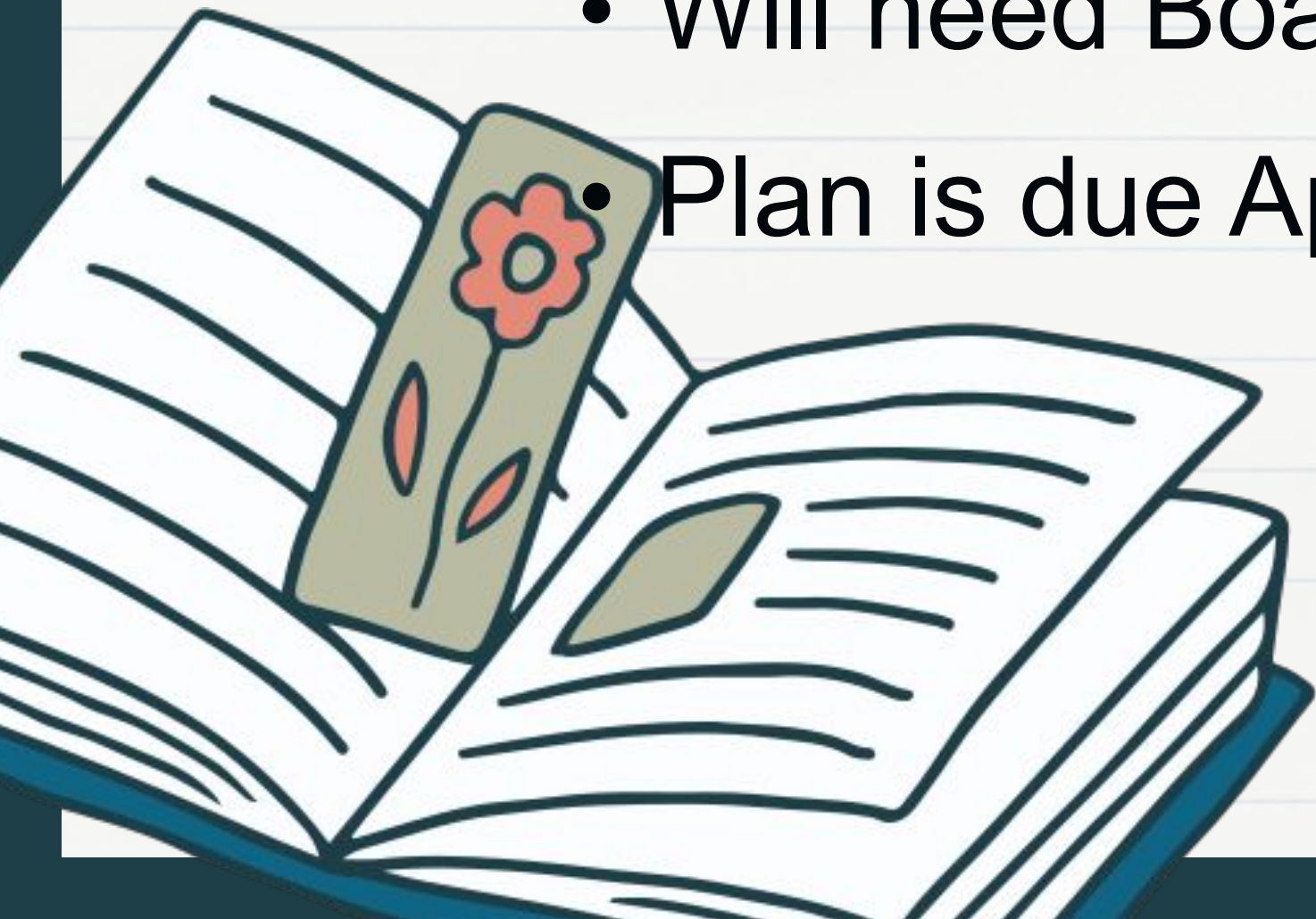
Instructional Improvement

- Digital Subscriptions
- Professional Development
- AP Course Expansion
- Behavior Supports



Next Steps

- More in-depth presentation in April
- Will need Board approval
- Plan is due April 30



OSBA Model Sample Policy

Code: AC
Adopted:

Nondiscrimination and Civil Rights

{Required policy. 34 CFR § 106.45 requires grievance procedures for complaints of sex discrimination. OAR 581-021-0655(3) requires policy regarding civil rights coordinators.}

The district does not discriminate on any basis listed below and prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual race¹, 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 Board designates the [insert position title(s)] as the district's civil rights coordinator.} {The Board directs the superintendent to designate the district's civil rights coordinator and make contact information available to staff, students and parents.} {²}~~

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.

¹ 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)).

² ~~{For additional information regarding civil rights coordinators and their responsibilities, see ORS 332.505(2).}~~

Any complaint alleging discrimination may be made to any civil rights coordinator and will be processed in accordance with administrative regulation AC-AR(1) - Discrimination or Civil Rights Complaint Procedure. Depending on the nature of the complaint, additional requirements may apply.

The district will document and track:

1. All reports of discrimination received by the district and all responses to those reports issued by the district, including any investigations completed and remedies provided; and
2. The training completed by each civil rights coordinator.

Civil Rights Coordinator

The District Superintendent is the district's civil rights coordinator.

The civil rights coordinator(s) will:

1. Be knowledgeable of the requirements in OARs 581-021-0038, 581-021-0045, 581-021-0046, and 581-021-0660;
2. Have the independence and authority necessary to carry out the provisions of OAR 581-021-0660;
3. Monitor, coordinate, and oversee district compliance with state and federal laws prohibiting discrimination in education, including ensuring the availability of, and providing to students and staff:
 - a. The notice of nondiscrimination³ required by OAR 581-021-0045; and
 - b. The district written complaint process for making reports of discrimination.
4. Oversee and ensure the resolution of district investigations of complaints alleging and substantiating discrimination, including the provision of remedies designed to restore or preserve equal access to an education program or activity;
5. Provide guidance to district staff on civil rights issues in the district;
6. Respond to questions and concerns about civil rights in the district;
7. Coordinate efforts to prevent civil rights violations from occurring in the district; and
8. {⁴}Satisfy the following training requirements:
 - a. Upon initial designation, a civil rights coordinator must receive the following training in accordance with a schedule established by the Oregon Department of Education (ODE):

³ The notice of nondiscrimination will include the name or title, work address, email address, and phone number of each civil rights coordinator.

⁴ {OAR 581-021-0655(3)(a) requires the district adopt a policy including the requirements in OAR 581-021-0660, including the training requirements referenced and listed here. The district can meet this requirement by choosing either of the two bracketed options.}

- (1) The meaning of discrimination under state and federal nondiscrimination law, including ORS 659.850, Title VI of the Civil Rights Act of 1964 Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990;
 - (2) The duties of districts under state and federal nondiscrimination law, including ORS 342.700 to 342.708, ORS 659.850 and 659.855, Title VI of the Civil Rights Act of 1964, Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the American’s with Disabilities Act of 1990, those statutes’ implementing rules and regulations, and determinations made by the Oregon Department of Education and the United States Department of Education’s Office for Civil Rights;
 - (3) The coordinators required by Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and those coordinators’ duties;
 - (4) Identifying discrimination and reports of discrimination;
 - (5) Responding to reports of discrimination;
 - (6) Conducting civil rights investigations, including identifying conflicts of interest, and using strategies to mitigate conflicts of interest;
 - (7) Preventing discrimination in public school programs and activities;
 - (8) Identifying retaliation taken in response to reports of discrimination, responding to reports of such retaliation, and preventing such retaliation in public school programs and activities;
 - (9) Tracking and documenting reports of discrimination.
- b. In years subsequent to being designated a civil rights coordinator, a civil rights coordinator must annually receive the following training in accordance with a schedule established by ODE:

- (1) The meaning of discrimination under state and federal nondiscrimination law, including ORS 659.850, Title VI of the Civil Rights Act of 1964 Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990;
- (2) The duties of districts under state and federal nondiscrimination law, including ORS 342.700 to 342.708, ORS 659.850 and 659.855, Title VI of the Civil Rights Act of 1964, Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the American’s with Disabilities Act of 1990, those statutes’ implementing rules and regulations, and determinations made by the Oregon Department of Education and the United States Department of Education’s Office for Civil Rights;
- (3) The coordinators required by Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and those coordinators’ duties;
- (4) Reporting discrimination, and responding to reports of discrimination, including through complaint processes and investigations.⁵

END OF POLICY

Legal Reference(s):

⁵ Training must first be completed by June 30, 2025.

[ORS 174.100](#)
[ORS 192.630](#)
[ORS 326.051\(1\)\(e\)](#)
[ORS 332.505](#)
[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](#)
[ORS 659A.230 - 659A.233](#)
[ORS 659A.236](#)
[ORS 659A.309](#)
[ORS 659A.321](#)
[ORS 659A.409](#)

~~[OAR 581-002-0001—002-0005](#)~~
[OAR 581-021-0045](#)
[OAR 581-021-0046](#)
[OAR 581-021-0047](#)
[OAR 581-021-0650 - 0665](#)
[OAR 581-022-2310](#)
[OAR 581-022-2370](#)
[OAR 581-075-0001 - 075-0005](#)
[OAR 581-075-0901](#)
[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~~/Americans with Disabilities Act Amendments Act, 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~~2024).

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).

Fern Ridge School District 28J

Code: AC-AR
Revised/Reviewed: 12/11/00; 5/23/05; 11/16/15;
12/18/17; 11/18/19; 3/16/20;
3/14/22; 11/22/22; 5/20/24
Orig. Code: AR 2133

Discrimination Complaint Procedure

Any person, including students, staff, visitors and third parties, may file a complaint.

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

Step 1: ^{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 within five school days after receipt of the principal's response to the complaint.

The superintendent shall review the principal's decision within five school days and may meet with all parties involved. The superintendent will review the merits of the complaint and the principal's decision. The superintendent 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, a written appeal may be filed with the Board within five school days of receipt of the superintendent's response to Step 2. The Board 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 the next regular or special 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 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.

If the superintendent is the subject of the complaint, the complaint may start at Step 3 and should be referred

^{1} For district information. The district's timeline established by each step of the district's complaint procedure 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. 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)}

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. 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, 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 initialing filing of the complaint, may appeal¹ the district's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023.

Charter Schools of which the District Board is a Sponsor

The district Board, through this administrative regulation, will review an appeal of a decision reached by the Board of West Lane Charter School on a complaint alleging violation of Oregon Revised Statute (ORS) 659.850 or Oregon Administrative Rule (OAR) 581-021-0045 or 581-021-0046 (Discrimination). A complainant may appeal will submit such appeal to the superintendent on behalf of the district Board within 30 days of receipt of the decision from the public charter school board. A final decision reached by this district Board may be appealed to the Oregon Department of Education under OAR 581-002-0001 - 581-002-0023.

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

DISCRIMINATION COMPLAINT FORM

Any person, including students, staff, visitors and third parties, may file a complaint.

Name of Person Filing Complaint _____ Date _____ School or Activity _____

Student/Parent Employee Job applicant Other _____

Type of discrimination:

- | | | |
|--|--|---|
| <input type="checkbox"/> Race | <input type="checkbox"/> Mental or physical disability | <input type="checkbox"/> Age |
| <input type="checkbox"/> Color | <input type="checkbox"/> Marital status | <input type="checkbox"/> Sexual orientation |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Familial status | <input type="checkbox"/> Pregnancy |
| <input type="checkbox"/> Sex | <input type="checkbox"/> Economic status | <input type="checkbox"/> Discriminatory use of a Native American mascot |
| <input type="checkbox"/> National or ethnic origin | <input type="checkbox"/> Veterans' status | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Gender identity | | |

Specific complaint: (Please provide detailed information including names, dates, places, activities and results of the discussion.)

Who should we talk to and what evidence should we consider?

Suggested solution/resolution/outcome:

This complaint form should be mailed or submitted to the principal.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights. Direct complaints related to employment may be filed with the Oregon Bureau of Labor and Industries, Civil Rights Division, or the U.S. Department of Labor, Equal Employment Opportunities Commission.

OSBA Model Sample Policy

Code: GBN/JBA

Adopted:

Sexual Harassment

{Required policy. The requirement for this policy comes from ORS 342.700 et. al., OAR 581-021-0038 and federal Title IX laws.}

The district is committed to eliminating sexual harassment. Sexual harassment will not be tolerated in the district. All students, staff members and other persons are entitled to learn and work in an environment that is free of harassment. All staff members, students and third parties are subject to this policy. Any person may report sexual harassment.

The district processes complaints^{1} or reports of sexual harassment under Oregon Revised Statute (ORS) 342.700 et. al. and federal Title IX laws found in Title 34 C.F.R. Part 106. Individual complaints may require both of these procedures, and may involve additional complaint procedures.

General Procedures

When information, a report or complaint regarding sexual harassment is received by the district, the district will review such information, report or complaint to determine which law applies and will follow the appropriate procedures. When the alleged conduct could meet both of the definitions in ORS Chapter 342 and Title IX, both complaint procedures should be processed simultaneously (*see* GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure and GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure). The district may also need to use other complaint procedures when the alleged conduct could meet the definitions for other complaint procedures^{2}.

OREGON DEFINITION AND PROCEDURES

Oregon Definition

Sexual harassment of students, staff members or third parties³ shall include:

1. A demand or request for sexual favors in exchange for benefits;
2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:
 - a. Interferes with a student's educational activity or program;
 - b. Interferes with a school or district staff member's ability to perform their job; or

¹ {Some districts choose not to use the terms "complaint" and "complainant" because they feel the stigma associated with the terms discourage victims from reporting conduct. The terms used in this policy are consistent with those included in the law. If the district chooses to change these terms, new terms must be consistent and clear. Note, "complainant" is defined under federal law.}

² {Common complaint procedures that may also be involved include: Nondiscrimination (Board policy AC), Workplace Harassment (Board policy GBEA), [Hazing,]Harassment, Intimidation, Bullying, [Menacing,]Cyberbullying, Teen Dating Violence and Domestic Violence – Student (Board policy JFCF), and Reporting Requirements for Suspected Sexual Conduct with Students (Board policy GBNA/JHFF).}

³ "Third party" means a person who is not a student or a school or district staff member and who is: 1) on or immediately adjacent to school grounds or district property; 2) at a school-sponsored activity or program; or 3) off school grounds or district property if a student or a school or district staff member acts toward the person in a manner that creates a hostile environment for the person while on school or district property, or at a school- or district-sponsored activity.

c. Creates an intimidating, offensive, or hostile environment.

3. Assault when sexual contact occurs without consent⁴.^{5}

Sexual harassment does not include conduct that is necessary because of a job duty of a school or district staff member or because of a service required to be provided by a contractor, agent, or volunteer, if the conduct is not the product of sexual intent or a person finding another person, or another person’s actions, offensive because of that other person’s sexual orientation or gender identity.

Examples of sexual harassment may include, but not be limited to, ^{6}physical touching or graffiti of a sexual nature; displaying or distributing of sexually explicit drawings; pictures and written materials; sexual gestures or obscene jokes; touching oneself sexually or talking about one’s sexual behaviors in front of others; or spreading rumors about or rating other students or others as to appearance, sexual activity or performance.

Oregon Procedures

Reports and complaints of sexual harassment should be made to the following individual(s):

Name	Position	Phone	Email
Michelle Marshall	Title IX Coordinator	541-935-2253	mmarshall@fernridge.k12.or.us

This individual is responsible for accepting and managing complaints of sexual harassment. Persons wishing to report should contact them using the above information. This person is also designated as the Title IX coordinator.^{7} See GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure.

Response

Any staff member who becomes aware of behavior that may violate this policy shall immediately report to a district official. The district official (with coordination involving the reporting staff member when appropriate) will take any action necessary to ensure the:

1. Student is protected and to promote a nonhostile learning environment;
2. Staff member is protected and to promote a nonhostile work environment; or
3. Third party who is subjected to the behavior is protected and to promote a nonhostile environment.

⁴ “Without consent” means an act performed: (a) without the knowing, voluntary and clear agreement by all parties to participate in the specific act; or (b) when a person who is a party to the act is incapacitated by drugs or alcohol; unconscious; or pressured through physical force, coercion or explicit or implied threats to participate in the act.

⁵ {The statutory definition (ORS 342.704) for sexual harassment includes separate definitions with slightly different language for students, staff members and third parties. The language used in this policy comes from OAR 581-021-0038(1). If the district would like to include the full statutory definition, it can do so.}

⁶ {OAR 581-021-0038 requires that the policy include a “examples of harassing behaviors covered by policy”. The bracketed list in this policy reflects OSBA’s recommendations. The district has discretion in what is included in this list. If listing behaviors not reflected in OSBA recommendations, please have the list reviewed by the district’s legal counsel.}

⁷ {This must be communicated elsewhere, but it is a good reason to specify it here as well.}

This includes providing resources for support measures to the student, staff member or third party who was subjected to the behavior and taking any actions necessary to remove potential future impact on the student, staff member or third party, but are not retaliatory against the student, staff member or third party being harassed or the person who reported to the district official.

Any student or staff member who feels they are a victim of sexual harassment are encouraged to immediately report their concerns to district officials, this includes officials such as the principal, compliance officer or superintendent. Students may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate district official.

Investigation

All reports and complaints about behavior that may violate this policy shall be investigated. The district may use, but is not limited to, the following means for investigating incidents of possible harassment:

1. Interviews with those involved;
2. Interviews with witnesses;
3. Review of video surveillance;
4. Review of written communications, including electronic communications;
5. Review of any physical evidence; and
6. Use of third-party investigator.

The district will use a reasonable person standard when determining whether a hostile environment exists. A hostile environment exists if a reasonable person with similar characteristics and under similar circumstances would consider the conduct to be so severe as to create a hostile environment. ^{⁸}

The district may take, but is not limited to, the following procedures and remedial action to address and stop sexual harassment:

1. Discipline of staff and students engaging in sexual harassment;
2. Removal of third parties engaged in sexual harassment;
3. Additional supervision in activities;
4. Additional controls for district electronic systems;
5. Trainings and education for staff and students; and
6. Increased notifications regarding district procedures and resources.

When a student or staff member is harassed by a third party, the district will consider the following:

⁸ {OSBA strongly recommends that the Board receive input from district administration prior to adopting a standard here. Of note, Title IX's definition of sexual harassment includes "unwelcome conduct determined by a reasonable person to be..." 34 CFR 106.30(a), emphasis added. It is important to consider the different definitions under Oregon law and Title IX when determining which standards will apply for the Oregon process.}

1. Removing that third party's ability to contract or volunteer with the district, or be present on district property;
2. If the third party works for an entity that contracts with the district, communicating with the third party's employer;
3. If the third party is a student of another district or school, communicate information related to the incident to the other district or school;
4. Limiting attendance at district events; and
5. Providing for additional supervision, including law enforcement if necessary, at district events.

No Retaliation

Retaliation against persons who initiate complaint or otherwise report sexual harassment or who participate in an investigation or other related activities is prohibited. The initiation of a complaint, reporting of behavior, or participation in an investigation, in good faith about behavior that may violate this policy may not adversely affect the:

1. Educational assignments or educational environment of a student or other person initiating the complaint, reporting the behavior, or participating in the investigation; or
2. Any terms or conditions of employment or of work or educational environment of a school or district staff member or other person initiating the complaint, reporting the behavior, or participating in the investigation.

Students who initiate a complaint or otherwise report harassment covered by the policy or who participate in an investigation may not be disciplined for violations of the district's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered because of the report or investigation, unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct.

Notice

When a person⁹ who may have been affected by this policy files a complaint or otherwise reports behavior that may violate the policy, the district shall provide written notification to the following:

1. Each reporting person;
2. If appropriate, any impacted person who is not a reporting person;
3. Each reported person; and
4. Where applicable, a parent or legal guardian of a reporting person, impacted person, or reported person.

The written notification must include¹⁰:

⁹ Student, staff member, or third party, or if applicable, the student or third party's parent. If the person is a minor, the district should consider when to contact the person's parent.

¹⁰ Remember confidentiality laws when providing any information.

1. Name and contact information for all person designated by the district to receive complaints;
2. The rights of the person that the notification is going to;
3. Information about the internal complaint processes available through the school or district that the student, student’s parents, staff member, person or person’s parent who filed the complaint may pursue, including the person designated for the school or district for receiving complaints and any timelines;
4. Notice that civil and criminal remedies that are not provided by the school or district may be available to the person through the legal system and that those remedies may be subject to statutes of limitation;
5. Information about services available to the student or staff member through the school or district, including any counseling services, nursing services or peer advising;
6. Information about the privacy rights of the person and legally recognized exceptions to those rights for internal complaint processes and services available through the school or district;
7. Information about, and contact information for, services and resources that are available to the person, including but not limited to:
 - a. For the reporting person, state and community-based resources for persons who have experienced sexual harassment; or
 - b. For the reported persons, information about and contact information for state and community-based mental health services.
8. Notice that students who report about possible prohibited conduct and students who participate in an investigation under this policy may not be disciplined for violations of the district’s drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered as a result of a prohibited conduct report or investigation unless the student gave another person alcohol or drugs without the person’s knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct; and
9. Prohibition of retaliation.

Notification, to the extent allowable under state and federal student confidentiality laws, must be provided when the investigation is initiated and concluded. The notification at the conclusion must include whether a violation of the policy was found to have occurred.

The notice must:

1. Be written in plain language that is easy to understand;
2. Use print that is of a color, size and font that allows the notification to be easily read; and
3. Be made available to students, students’ parents, staff members and member of the public at each office, at the district office and on the website of the school or district.

Oregon Department of Education (ODE) Support

The ODE will provide technical assistance and training upon request.

FEDERAL DEFINITION AND PROCEDURES

Federal Definition

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity¹¹;
3. "Sexual assault": an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
4. "Dating violence": violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship;
5. "Domestic violence": felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or
6. "Stalking": engaging in a course of conduct directed at a specific person that would cause a reasonable person fear for the person's own safety or the safety of others, or suffer substantial emotional distress.

This definition only applies to sex discrimination occurring against a person who is a subject of this policy in the United States. A district's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX.

Federal Procedures

The district will adopt and publish grievance procedures that provide for the prompt and equitable resolution of the student and employee complaints alleging any action that would be prohibited by this policy. *See* GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure.

Reporting

Any person may report sexual harassment. This report may be made in person, by mail, by telephone, or by electronic mail, or by any other means that results in the Title IX coordinator receiving the person's verbal or written report. The report can be made at any time.

Michelle Marshall is designated as the Title IX coordinator and can be contacted at 541-935-2253. The Title IX coordinator will coordinate the district's efforts to comply with its responsibilities related to this AR. The district prominently will display the contact information for the Title IX coordinator on the district website and in each handbook.^{12}

¹¹ "Education program or activity" includes locations, events, or circumstances over which the recipient exercised substantial control over both the respondent and the context in which the sexual harassment occurs." (Title 34 C.F.R. § 106.44(a))

¹² {Note the difference in requirements for Title IX and Oregon law. It makes sense to align these requirements.}

Response

The district will promptly respond to information, allegations or reports of sexual harassment when there is actual knowledge of such harassment, even if a formal complaint has not been filed.¹³ The district shall treat complainants and respondents equitably by providing supportive measures¹⁴ to the complainant and by following a grievance procedure¹⁵ prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX coordinator is responsible for coordinating the effective implementation of supportive measures.

The Title IX coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes, with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.¹⁶

If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place.¹⁷ The district must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. A non-student employee may also be placed on non-disciplinary administrative leave pending the grievance process.

Notice

The district shall provide notice to all applicants for admission and employment, students, parents or legal guardians, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district of the following:

1. The name or title, office address, electronic mail address, and telephone number of the Title IX coordinator(s);
2. That the district does not discriminate on the basis of sex in the education program or activity that it operates, as required by Title IX. This includes admissions and employment; and
3. The grievance procedure and process, how to file a formal complaint of sex discrimination or sexual harassment, and how the district will respond.

¹³ (Title 34 C.F.R. § 106.44(a)) Response cannot be deliberately indifferent. A recipient is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

¹⁴ (Title 34 C.F.R. § 106.44(a)) Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment.¹⁴ The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures. (Title 34 C.F.R. § 99.30(a))

¹⁵ This grievance procedure must meet the requirements of Title 34 C.F.R. § 106.45 (included in accompanying administrative regulation, *see* GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure).

¹⁶ The Title IX coordinator may also discuss that the Title IX coordinator has the ability to file a formal complaint.

¹⁷ The district may still have obligations under Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the American with Disabilities Act (ADA). (Title 34 C.F.R. § 106.44(c))

[Inquiries about the application to Title IX and its requirements may be referred to the Title IX coordinator or the Assistant Secretary¹⁸, or both.]

No Retaliation

Neither the district or any person may retaliate¹⁹ against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. The district must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act (FERPA), as required by law, or to carry out the proceedings herein. Complaints of retaliation may be filed using these procedures.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation.

Publication

This policy shall be made available to students, parents of students and staff members. This policy and contact information for the Title IX coordinator shall be prominently published in the district student handbook and on the district website. This policy shall also be made available at each school office and at the district office. The district shall post this policy on a sign in all grade 6 through 12 schools, on a sign that is at least 8.5 inches by 11 inches in size. A copy of the policy will be made available to any person upon request.

END OF POLICY

Legal Reference(s):

[ORS 243.706](#)
[ORS 332.107](#)
[ORS 342.700](#)
[ORS 342.704](#)
[ORS 342.708](#)

[ORS 342.850](#)
[ORS 342.865](#)
[ORS 659.850](#)
[ORS 659A.006](#)
[ORS 659A.029](#)

[ORS 659A.030](#)
[OAR 581-021-0038](#)
[OAR 584-020-0040](#)
[OAR 584-020-0041](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Bartsch v. Elkton School District, FDA-13-011 (March 27, 2014).

¹⁸ Of the United States Department of Education.

¹⁹ Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

OSBA Model Sample Policy

Code: JBA/GBN
Adopted:

Sexual Harassment

{Required policy. The requirement for this policy comes from ORS 342.700 et. al., OAR 581-021-0038 and federal Title IX laws.}

The district is committed to eliminating sexual harassment. Sexual harassment will not be tolerated in the district. All students, staff members and other persons are entitled to learn and work in an environment that is free of harassment. All staff members, students and third parties are subject to this policy. Any person may report sexual harassment.

The district processes complaints^{1} or reports of sexual harassment under Oregon Revised Statute (ORS) 342.700 et. al. and federal Title IX laws found in Title 34 C.F.R. Part 106. Individual complaints may require both of these procedures, and may involve additional complaint procedures.

General Procedures

When information, a report or complaint regarding sexual harassment is received by the district, the district will review such information, report or complaint to determine which law applies and will follow the appropriate procedures. When the alleged conduct could meet both of the definitions in ORS Chapter 342 and Title IX, both complaint procedures should be processed simultaneously (*see* JBA/GBN-AR(1) - Sexual Harassment Complaint Procedure and JBA/GBN-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure). The district may also need to use other complaint procedures when the alleged conduct could meet the definitions for other complaint procedures^{2}.

OREGON DEFINITION AND PROCEDURES

Oregon Definition

Sexual harassment of students, staff members or third parties³ shall include:

1. A demand or request for sexual favors in exchange for benefits;
2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:
 - a. Interferes with a student's educational activity or program;
 - b. Interferes with a school or district staff member's ability to perform their job; or

¹ {Some districts choose not to use the terms "complaint" and "complainant" because they feel the stigma associated with the terms discourage victims from reporting conduct. The terms used in this policy are consistent with those included in the law. If the district chooses to change these terms, new terms must be consistent and clear. Note, "complainant" is defined under federal law.}

² {Common complaint procedures that may also be involved include: Nondiscrimination (Board policy AC), Workplace Harassment (Board policy GBEA), [Hazing,]Harassment, Intimidation, Bullying, [Menacing,]Cyberbullying, Teen Dating Violence and Domestic Violence – Student (Board policy JFCF), and Reporting Requirements for Suspected Sexual Conduct with Students (Board policy JHFF/GBNAA).}

³ "Third party" means a person who is not a student or a school or district staff member and who is: 1) on or immediately adjacent to school grounds or district property; 2) at a school-sponsored activity or program; or 3) off school grounds or district property if a student or a school or district staff member acts toward the person in a manner that creates a hostile environment for the person while on school or district property, or at a school- or district-sponsored activity.

c. Creates an intimidating, offensive, or hostile environment.

3. Assault when sexual contact occurs without **consent**⁴.^{5}

Sexual harassment does not include conduct that is necessary because of a job duty of a school or district staff member or because of a service required to be provided by a contractor, agent, or volunteer, if the conduct is not the product of sexual intent or a person finding another person, or another person’s actions, offensive because of that other person’s sexual orientation or gender identity.

Examples of sexual harassment may include, but not be limited to, ^{6}physical touching or graffiti of a sexual nature; displaying or distributing of sexually explicit drawings; pictures and written materials; sexual gestures or obscene jokes; touching oneself sexually or talking about one’s sexual behaviors in front of others; or spreading rumors about or rating other students or others as to appearance, sexual activity or performance.

Oregon Procedures

Reports and complaints of sexual harassment should be made to the following individual(s):

Name	Position	Phone	Email
Michelle Marshall	Title IX Coordinator	541-935-2253	mmarshall@fernridge.k12.or.us

This individual is responsible for accepting and managing complaints of sexual harassment. Persons wishing to report should contact them using the above information. This person is also designated as the Title IX coordinator.^{7} See JBA/GBN-AR(1) - Sexual Harassment Complaint Procedure.

Response

Any staff member who becomes aware of behavior that may violate this policy shall [immediately] report to a district official. The district official (with coordination involving the reporting staff member when appropriate) will take any action necessary to ensure the:

1. Student is protected and to promote a nonhostile learning environment;
2. Staff member is protected and to promote a nonhostile work environment; or
3. Third party who is subjected to the behavior is protected and to promote a nonhostile environment.

⁴ “Without consent” means an act performed: (a) without the knowing, voluntary and clear agreement by all parties to participate in the specific act; or (b) when a person who is a party to the act is incapacitated by drugs or alcohol; unconscious; or pressured through physical force, coercion or explicit or implied threats to participate in the act.

⁵ {The statutory definition (ORS 342.704) for sexual harassment includes separate definitions with slightly different language for students, staff members and third parties. The language used in this policy comes from OAR 581-021-0038(1). If the district would like to include the full statutory definition, it can do so.}

⁶ {OAR 581-021-0038 requires that the policy include a “examples of harassing behaviors covered by policy”. The bracketed list in this policy reflects OSBA’s recommendations. The district has discretion in what is included in this list. If listing behaviors not reflected in OSBA recommendations, please have the list reviewed by the district’s legal counsel.}

⁷ {This must be communicated elsewhere, but it is a good reason to specify it here as well.}

This includes providing resources for support measures to the student, staff member or third party who was subjected to the behavior and taking any actions necessary to remove potential future impact on the student, staff member or third party, but are not retaliatory against the student, staff member or third party being harassed or the person who reported to the district official.

Any student or staff member who feels they are a victim of sexual harassment are encouraged to [immediately] report their concerns to district officials, this includes officials such as the principal, compliance officer or superintendent. Students may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate district official.

Investigation

All reports and complaints about behavior that may violate this policy shall be investigated. The district may use, but is not limited to, the following means for investigating incidents of possible harassment:

1. Interviews with those involved;
2. Interviews with witnesses;
3. Review of video surveillance;
4. Review of written communications, including electronic communications;
5. Review of any physical evidence; and
6. Use of third-party investigator.

The district will use a reasonable person standard when determining whether a hostile environment exists. A hostile environment exists if a reasonable person with similar characteristics and under similar circumstances would consider the conduct to be so severe as to create a hostile environment. ^{8}

The district may take, but is not limited to, the following procedures and remedial action to address and stop sexual harassment:

1. Discipline of staff and students engaging in sexual harassment;
2. Removal of third parties engaged in sexual harassment;
3. Additional supervision in activities;
4. Additional controls for district electronic systems;
5. Trainings and education for staff and students; and
6. Increased notifications regarding district procedures and resources.

When a student or staff member is harassed by a third party, the district will consider the following:

⁸ {OSBA strongly recommends that the Board receive input from district administration prior to adopting a standard here. Of note, Title IX's definition of sexual harassment includes "unwelcome conduct determined by a reasonable person to be..." 34 CFR 106.30(a), emphasis added. It is important to consider the different definitions under Oregon law and Title IX when determining which standards will apply for the Oregon process.}

1. Removing that third party's ability to contract or volunteer with the district, or be present on district property;
2. If the third party works for an entity that contracts with the district, communicating with the third party's employer;
3. If the third party is a student of another district or school, communicate information related to the incident to the other district or school;
4. Limiting attendance at district events; and
5. Providing for additional supervision, including law enforcement if necessary, at district events.

No Retaliation

Retaliation against persons who initiate complaint or otherwise report sexual harassment or who participate in an investigation or other related activities is prohibited. The initiation of a complaint, reporting of behavior, or participation in an investigation, in good faith about behavior that may violate this policy may not adversely affect the:

1. Educational assignments or educational environment of a student or other person initiating the complaint, reporting the behavior, or participating in the investigation; or
2. Any terms or conditions of employment or of work or educational environment of a school or district staff member or other person initiating the complaint, reporting the behavior, or participating in the investigation.

Students who initiate a complaint or otherwise report harassment covered by the policy or who participate in an investigation may not be disciplined for violations of the district's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered because of the report or investigation, unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct.

Notice

When a person⁹ who may have been affected by this policy files a complaint or otherwise reports behavior that may violate the policy, the district shall provide written notification to the following:

1. Each reporting person;
2. If appropriate, any impacted person who is not a reporting person;
3. Each reported person; and
4. Where applicable, a parent or legal guardian of a reporting person, impacted person, or reported person.

The written notification must include¹⁰:

⁹ Student, staff member, or third party, or if applicable, the student or third party's parent. If the person is a minor, the district should consider when to contact the person's parent.

¹⁰ Remember confidentiality laws when providing any information.

1. Name and contact information for all person designated by the district to receive complaints;
2. The rights of the person that the notification is going to;
3. Information about the internal complaint processes available through the school or district that the student, student’s parents, staff member, person or person’s parent who filed the complaint may pursue, including the person designated for the school or district for receiving complaints and any timelines;
4. Notice that civil and criminal remedies that are not provided by the school or district may be available to the person through the legal system and that those remedies may be subject to statutes of limitation;
5. Information about services available to the student or staff member through the school or district, including any counseling services, nursing services or peer advising;
6. Information about the privacy rights of the person and legally recognized exceptions to those rights for internal complaint processes and services available through the school or district;
7. Information about, and contact information for, services and resources that are available to the person, including but not limited to:
 - a. For the reporting person, state and community-based resources for persons who have experienced sexual harassment; or
 - b. For the reported persons, information about and contact information for state and community-based mental health services.
8. Notice that students who report about possible prohibited conduct and students who participate in an investigation under this policy may not be disciplined for violations of the district’s drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered as a result of a prohibited conduct report or investigation unless the student gave another person alcohol or drugs without the person’s knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct; and
9. Prohibition of retaliation.

Notification, to the extent allowable under state and federal student confidentiality laws, must be provided when the investigation is initiated and concluded. The notification at the conclusion must include whether a violation of the policy was found to have occurred.

The notice must:

1. Be written in plain language that is easy to understand;
2. Use print that is of a color, size and font that allows the notification to be easily read; and
3. Be made available to students, students’ parents, staff members and member of the public at each office, at the district office and on the website of the school or district.

Oregon Department of Education (ODE) Support

The ODE will provide technical assistance and training upon request.

FEDERAL DEFINITION AND PROCEDURES

Federal Definition

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity¹¹;
3. "Sexual assault": an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
4. "Dating violence": violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship;
5. "Domestic violence": felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or
6. "Stalking": engaging in a course of conduct directed at a specific person that would cause a reasonable person fear for the person's own safety or the safety of others, or suffer substantial emotional distress.

This definition only applies to sex discrimination occurring against a person who is a subject of this policy in the United States. A district's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX.

Federal Procedures

The district will adopt and publish grievance procedures that provide for the prompt and equitable resolution of the student and employee complaints alleging any action that would be prohibited by this policy. *See* JBA/GBN-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure.

Reporting

Any person may report sexual harassment. This report may be made in person, by mail, by telephone, or by electronic mail, or by any other means that results in the Title IX coordinator receiving the person's verbal or written report. The report can be made at any time.

[Person or position] is designated as the Title IX coordinator [and can be contacted at [insert phone number]]. The Title IX coordinator will coordinate the district's efforts to comply with its responsibilities related to this policy. The district prominently will display the contact information for the Title IX coordinator on the district website and in each handbook.^{12}

¹¹ "Education program or activity" includes locations, events, or circumstances over which the recipient exercised substantial control over both the respondent and the context in which the sexual harassment occurs." (Title 34 C.F.R. § 106.44(a))

¹² {Note the difference in requirements for Title IX and Oregon law. It makes sense to align these requirements.}

Response

The district will promptly respond to information, allegations or reports of sexual harassment when there is actual knowledge of such harassment, even if a formal complaint has not been filed.¹³ The district shall treat complainants and respondents equitably by providing supportive measures¹⁴ to the complainant and by following a grievance procedure¹⁵ prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX coordinator is responsible for coordinating the effective implementation of supportive measures.

The Title IX coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes, with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.¹⁶

If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place.¹⁷ The district must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. A non-student employee may also be placed on non-disciplinary administrative leave pending the grievance process.

Notice

The district shall provide notice to all applicants for admission and employment, students, parents or legal guardians, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district of the following:

1. The name or title, office address, electronic mail address, and telephone number of the Title IX coordinator(s);
2. That the district does not discriminate on the basis of sex in the education program or activity that it operates, as required by Title IX. This includes admissions and employment; and
3. The grievance procedure and process, how to file a formal complaint of sex discrimination or sexual harassment, and how the district will respond.

¹³ (Title 34 C.F.R. § 106.44(a)) Response cannot be deliberately indifferent. A recipient is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

¹⁴ (Title 34 C.F.R. § 106.44(a)) Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment.¹⁴ The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures. (Title 34 C.F.R. § 99.30(a))

¹⁵ This grievance procedure must meet the requirements of Title 34 C.F.R. § 106.45 (included in accompanying administrative regulation, *see* JBA/GBN-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure).

¹⁶ The Title IX coordinator may also discuss that the Title IX coordinator has the ability to file a formal complaint.

¹⁷ The district may still have obligations under Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the American with Disabilities Act (ADA). (Title 34 C.F.R. § 106.44(c))

Inquiries about the application to Title IX and its requirements may be referred to the Title IX coordinator or the Assistant Secretary¹⁸, or both.

No Retaliation

Neither the district or any person may retaliate¹⁹ against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. The district must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act (FERPA), as required by law, or to carry out the proceedings herein. Complaints of retaliation may be filed using these procedures.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation.

Publication

This policy shall be made available to students, parents of students and staff members. This policy and contact information for the Title IX coordinator shall be prominently published in the district student handbook and on the district website. This policy shall also be made available at each school office and at the district office. The district shall post this policy on a sign in all grade 6 through 12 schools, on a sign that is at least 8.5 inches by 11 inches in size. A copy of the policy will be made available to any person upon request.

END OF POLICY

Legal Reference(s):

[ORS 243.706](#)
[ORS 332.107](#)
[ORS 342.700](#)
[ORS 342.704](#)
[ORS 342.708](#)

[ORS 342.850](#)
[ORS 342.865](#)
[ORS 659.850](#)
[ORS 659A.006](#)
[ORS 659A.029](#)

[ORS 659A.030](#)

[OAR 581-021-0038](#)
[OAR 584-020-0040](#)
[OAR 584-020-0041](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).

Gebser v. Lago Vista Indep. Sch. Dist., 524 U.S. 274 (1998).

¹⁸ Of the United States Department of Education.

¹⁹ Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

Fern Ridge School District 28J

Code: **JFE-AR**
Adopted: 2/17/98
Readopted: 5/23/05
Orig. Code(s): 5350

Individualized Plan for Pregnant and/or Parenting Teens

District _____ School _____

Date _____

STUDENT INFORMATION:

Student Name _____

Age _____ Date of Birth _____

Pregnant? _____ Yes _____ No _____ If yes, what is the due date? _____

Parenting? _____ Yes _____ No _____ No. of Children _____ Ages _____

Living Situation: _____

Sources of Financial Support _____

Education Status – Grade Standing: 6 7 8 9 10 11 12 (please circle)

On track for graduation? _____ Yes _____ No _____ Number of credits behind: _____

Date of Enrollment in Individualized Plan: _____

PROGRAM INFORMATION: Check whether service is to be provided and paid for by family, school or agency. If agency, please indicate source. Briefly describe service to be provided.

EDUCATION DESCRIPTION

Provided by:		Paid for by:	
Family	<input type="checkbox"/>	Family	<input type="checkbox"/>
School	<input type="checkbox"/>	School	<input type="checkbox"/>
Agency	<input type="checkbox"/>	Agency	<input type="checkbox"/>

TRANSPORTATION DESCRIPTION

Provided by:		Paid for by:	
Family	<input type="checkbox"/>	Family	<input type="checkbox"/>
School	<input type="checkbox"/>	School	<input type="checkbox"/>
Agency	<input type="checkbox"/>	Agency	<input type="checkbox"/>

CHILD CARE DESCRIPTION

Provided by:		Paid for by:	
Family	<input type="checkbox"/>	Family	<input type="checkbox"/>
School	<input type="checkbox"/>	School	<input type="checkbox"/>
Agency	<input type="checkbox"/>	Agency	<input type="checkbox"/>

Individualized Plan for Pregnant and/or Parenting Teens – JFE-AR
(continued)

LIFE SKILLS TRAINING DESCRIPTION

Provided by: Paid for by:
 Family Family
 School School
 Agency Agency

PARENTING EDUCATION DESCRIPTION

Provided by: Paid for by:
 Family Family
 School School
 Agency Agency

CAREER DEVELOPMENT DESCRIPTION

Provided by: Paid for by:
 Family Family
 School School
 Agency Agency

HEALTH AND NUTRITION SERVICES DESCRIPTION

Provided by: Paid for by:
 Family Family
 School School
 Agency Agency

COUNSELING DESCRIPTION

Provided by: Paid for by:
 Family Family
 School School
 Agency Agency

OTHER SOCIAL SERVICES DESCRIPTION

Provided by: Paid for by:
 Family Family
 School School
 Agency Agency

I have been informed of the services available for pregnant and parenting students in the district and I have received information about the availability of resources provided by other agencies, including health and social services.

Signature of Student _____ Date _____

Signature of Parent _____ Date _____

Signature of School Representative _____ Date _____

TERMINATION DATA

Date of termination from program _____

Reason (check one)

Comments: _____

- _____ Non-attendance
- _____ Moved
- _____ Completed HS degree
- _____ Completed GED
- _____ Returned to regular school program

_____ Other: _____

OSBA Model Sample Administrative Regulation

Code: JFE-AR
Revised/Reviewed:

Individualized Plan for Pregnant and/or Parenting Students

District _____ Date _____

School _____

Student Information

Student name: _____

Age: _____ Date of birth: _____

Pregnant? Yes No Due date: _____

Parenting? Yes No No. of children: _____ Ages: _____

Living situation: _____

Sources of financial support: _____

Education status:

Grade completed 6 7 8 9 10 11 12

On track for graduation? Yes No

Number of credits needed to be on track? _____

Date of enrollment in individualized plan: _____

Program Information

Check whether service is to be provided and paid for by family, school or agency. If agency, please indicate source. Briefly describe service to be provided.

Education

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Transportation

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Child Care

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Life Skills Training

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Parenting Education

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Career Development

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Health and Nutrition Services

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Counseling

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Other Social Services

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

I have been informed of the services available for pregnant and/or parenting students in the district and I have received information about the availability of resources provided by other agencies, including health and social services.

Signature of student

Date

Signature of parent/guardian

Date

Signature of school representative

Date

Termination Data

Date of termination from program: _____

Reason (check one): Nonattendance Moved Completed diploma¹ Completed GED
 Returned to regular school program
 Other _____

Comments: _____

¹ A “diploma,” as it pertains to Board policy JFE – Pregnant and/or Parenting Students, means a diploma, a modified diploma, or an extended diploma.

OSBA Model Sample Policy

Code: JFE
Adopted:

Pregnant and/or Parenting Students**

{Required policy. The requirement for policy comes from ORS 336.640. *This is the April 2021 published version of this policy and is the policy recommendation following the invalidation of the 2024 Title IX regulations.*}

A pregnant and/or parenting student shall be encouraged to continue with an educational program and to participate in all district-sponsored activities unless physically unable. The district shall ensure that pregnant and/or parenting students receive special services as temporarily necessitated by their condition.

Neither pregnancy nor parenting constitute an exemption from Oregon compulsory attendance law.

No pregnant or parenting student shall be excluded from the public schools on the basis of pregnancy or parenthood.

The district shall, in considering and obtaining special services for pregnant and/or parenting students:

1. Inform pregnant and/or parenting students and their parents of the availability of such services in the school district, education service district or in the community.
2. Facilitate the provision of such services, including counseling, life skills and parenting education, childcare, transportation, career development and health and nutrition services to pregnant and/or parenting students.
3. Inform pregnant and/or parenting students and their parents of the availability of resources provided by other agencies, including health and social services.
4. Provide educational programs and schedules that address the individual learning styles and needs of pregnant and/or parenting students.
5. Develop individualized educational programs or services, or both, to address the needs of pregnant and/or parenting students when their educational needs cannot be met by the regularly provided school program.

The superintendent will develop ~~administrative regulations as~~ guidelines^{1} necessary to ensure compliance with the provisions of state and federal law.

END OF POLICY

Legal Reference(s):

[ORS 336.640](#)
[ORS 339.010](#)

[ORS 339.030](#)

[OAR 581-021-0046](#)
[OAR 581-023-0100\(3\)](#)

¹ {Guidelines are required according to ORS 336.640 but does not rise to the level of an administrative regulation. A sample form is available to support developing a student's required individual written plan (OAR 581-023-0100(3)).}

OSBA Model Sample Policy

Code: GCBDA/GDBDA
Adopted:

Family and Medical Leave * (Version 1)

{The law does not require districts to have a board-adopted policy, but the district is required to follow the law; having policy and an administrative regulation in place can assist with compliance. This policy is intended for districts with 50 or more employees as counted in accordance with ORS 659A.153. If the district has between 25 and 50 employees, the district should use version 2 of GCBDA/GDBDA – Family Leave *. If the district does not have 25 employees, the district should not adopt this policy.}

When applicable, the district will comply with the provisions of the Family and Medical Leave Act (FMLA)^{1}, the Oregon Family Leave Act (OFLA)^{2}, the Oregon Military Family Leave Act (OMFLA), Paid Family and Medical Leave Insurance (PFMLI) and other applicable provisions of state and federal law, Board policies and collective bargaining agreements regarding family medical leave.

In order for an employee to be eligible for the benefits under FMLA, the employee must have been employed by the district for at least 12 months, have worked at least 1,250 hours during the past 12-month period and works at a worksite that employs 50 or more district employees within 75 miles of the worksite.

Generally, in order for an employee to be eligible for the benefits under OFLA, the employee must work an average of 25 hours or more per week during the 180 calendar days immediately prior to the first day of the start of the requested leave. Special requirements apply during public health emergencies.

OMFLA applies to employees who work an average of at least 20 hours per week; there is no minimum number of days worked when determining an employee’s eligibility for OMFLA.

PFMLI is generally available to district employees who have earned \$1,000 in subject wages or taxable income during the alternate or base years³, contributed to the PFMLI fund in the alternate or base years and are otherwise eligible.⁴ PFMLI can be taken for family leave, medical leave or safe leave.⁵

Leave taken under OFLA is in addition to leave taken under PFMLI and cannot be taken concurrently; however, OFLA leave or PFMLI may run concurrently with leave available under ORS 653.601 - 653.661,

¹ {Generally, FMLA applies only to entities with 50 or more employees, however, FMLA applies to all public elementary and secondary educational institutions. See 29 CFR 825.600(b). The rule regarding individual employee eligibility does apply: an employee is only eligible if the employee “is employed at a worksite where 50 or more employees are employed by the employer within 75 miles of that worksite.” See 29 CFR 825.110(a)(3). Consequently, FMLA applies to districts with fewer than 50 employees, but individual employees will not be eligible to receive benefits.}

² {OFLA applies to employers with 25 or more employees in Oregon (ORS 659A.153) and OMFLA applies to all public-sector employers in Oregon. (ORS 659A.090(2)) (Oregon BOLI Leave Laws – 2023 Edition)}

³ The wages are not required to have been earned for work in the district.

⁴ See OAR 471-070-1010 for additional information.

⁵ Time to effectuate the legal process for the placement of a child in foster care or a child being adopted qualifies for PFMLI starting January 1, 2025. Until then, leave is available through OFLA. {See SB 1515 (2024) Sections 4, 13, 21 and 25.}

FMLA, and other types of leave if provided by the district. Any leave taken under PFMLI must be taken concurrently with any leave taken under FMLA when for the same purpose.

The superintendent or designee will develop administrative regulations as necessary for the implementation of the provisions of both federal and state law.

END OF POLICY

Legal Reference(s):

[ORS 332.507](#)

[ORS 657B.010](#)

[ORS 657B.025](#)

[ORS 659A.090](#)

[ORS 659A.093](#)

[ORS 659A.096](#)

[ORS 659A.099](#)

[ORS 659A.150 - 659A.186](#)

[OAR 839-009-0210 - 0460](#)

Family and Medical Leave Act, 29 U.S.C. §§ 2601-2654; 5 U.S.C. §§ 6381-6387 (2018); Family and Medical Leave Act, 29 C.F.R. Part 825 (2023).

Americans with Disabilities Act, 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2023); 28 C.F.R. Part 35 (2023).

Escriba v. Foster Poultry Farms, Inc. 743 F.3d 1236 (9th Cir. 2014).

Senate Bill 1515 (2024).

OSBA Model Sample Policy

Code: GCBDD/GDBDD

Adopted:

Sick Time *

{The recommendation for highly recommended comes from the requirement for schools to implement a sick time policy (ORS 653.606) and provide notice to employees of sick time policies and procedures. Many districts bargain aspects of this leave; policy language should not conflict with language in collective bargaining agreements.}

“Employee” means an individual who renders personal services at a fixed rate to the district if the district either pays or agrees to pay for personal services or permits the individual to perform personal services. The definition does not include volunteers or independent contractors.

Employees qualify to begin earning and accruing sick time on the first day of employment with the district and are eligible to use sick time beginning on the 91st calendar day of employment with the district and may use sick time as it is accrued.

The district employs ^{1} 10 or more employees and therefore shall allow an eligible employee to access up to 40 hours of paid sick time per year. Paid sick time shall accrue at the rate of at least one hour of paid sick time for every 30 hours the employee works, or 1-1/3 hours for every 40 hours the employee works.

OR

The employee may carry up to 40 hours of unused sick time from one year to the subsequent year. ^{2} An employee is limited to using no more than 40 hours of sick time in a year.

Sick time shall be taken in hourly increments and may be used for the employee’s or a family member’s³ mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive care, or for reasons consistent with qualifying Family Medical Leave (FMLA), Paid Family and Medical Leave Insurance (PFMLI) or Oregon Family Leave (OFLA). Sick time may also be used in the event of a public health emergency or for leave to address domestic violence, harassment, sexual assault, bias, or stalking under ORS 659A.272. When sick time is used to care for, or to deal with the death of, an individual related by blood or affinity whose close association with the district employee is the equivalent of a family relationship, the district requires an attestation form signed and submitted by the employee.

The use of sick time may not lead to, or result in, an adverse employment action against the employee.

¹ {If the district is located in a city with a population exceeding 500,000, the threshold is whether the district employs at least six employees working anywhere in this state.}

² {If the district chooses to limit the accrual or usage, the district must choose language in the bracketed sentence and keep this sentence in policy. The application of these limits need not be applied to employers with less than 10 employees and who front-load at least 40 hours of unpaid sick time or unpaid time off at the beginning of each year used to calculate the accrual and usage of sick time or time off. (ORS 653.606 (1)(d))}

³ “Family member” is defined in OAR 839-007-0000.

The district reserves the right, after three consecutive ~~scheduled workdays~~ absences, to require verification or certification in accordance with law of the need for the sick time, including a medical verification or certification⁴ paid for by the district. If an employee fails to provide verification or certification or fails to provide other evidence as required by the district, the employee shall be subject to appropriate disciplinary action, up to and including dismissal.

When the reason for sick time is consistent with FMLA, PFMLI or OFLA leave, sick time leave and qualifying FMLA, PFMLI or OFLA leave may run concurrently.

When the reason for sick time is consistent with ORS 332.507, sick time leave and leave pursuant to ORS 332.507 may run concurrently.

If the reason for sick time is a foreseeable absence, the district requires an employee to provide advance notice of the intention to use sick time ^{⁵} within 10 days prior to when of when the requested sick time is to begin or as soon as otherwise practicable. When an employee uses sick time for a foreseeable absence, the employee shall take reasonable effort to schedule the sick time in a manner that does not unduly disrupt the operations of the district (e.g., grading deadlines, inservice training, mandatory meetings). The district may discipline an employee if the employee fails to make a reasonable effort to schedule leave in a manner that does not unduly disrupt the operations of the district.

If the reason for sick time is unforeseeable, such as an emergency, accident or sudden illness, the employee shall notify the district at least 24 hours in advance as soon as practicable.

The district may discipline an employee for violating workplace policies and procedures if the employee fails to provide notice as required.

The district shall establish a standard process to track the eligibility for sick time of a substitute.

END OF POLICY

Legal Reference(s):

[ORS 332.507](#)
[ORS 342.545](#)

[ORS 342.610](#)
[ORS 653.601 - 653.661](#)

[ORS 659A.150 - 659A.186](#)
[OAR 839-007-0020 - 0065](#)

Americans with Disabilities Act/Americans with Disabilities Act Amendments Act, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2023); 28 C.F.R. Part 35 (2023).

Family and Medical Leave Act, 29 U.S.C. §§ 2601-2654 (2018); Family and Medical Leave Act, 29 C.F.R. Part 825 (2023).

⁴ In the case of need for leave under ORS 659A.272, the district may not require the verification or certification to explain the nature of the illness or details related to the domestic violence, sexual assault, harassment, bias, or stalking, which necessitates the use of sick time.

⁵ {ORS 653.621(3): "...not to exceed 10 days"}



Fern Ridge School District 28J

Gary E. Carpenter Jr.
Superintendent

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Classified/Confidential/Manager/Coach Employees Resignations/New Hires/Transfers/Other Report March 17, 2025

Resignations/Retirements

1. None at this time.

New Hires/Transfers

1. None at this time.

Other

1. None at this time.

Coaches

1. Hiring of Jeannie Core, JV Softball Coach at Elmira High School, effective March 3, 2025.
2. Hiring of Aaron Franklin, JV Baseball Coach at Elmira High School, effective March 3, 2025.