

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT 8R, HERMISTON**

There will be a (POSTPONED) Regular Meeting of the
Board of Education of the Umatilla County School District 8R
at Hermiston School District Offices
Boardroom
305 S.W. 11th Street.
Hermiston, Oregon 97838
Monday, January 10, 2022, 6:30 PM

Briana Cortaberria
Executive Assistant to the
Superintendent and Board of Education

AGENDA

1. **CALL TO ORDER REGULAR MEETING (6:30 p.m.)** *Chair Goller*
2. **INTRODUCTORY ITEMS (6:30 p.m.)** *Chair Goller*
 1. Pledge of Allegiance
 2. Adoption of Agenda 3
 3. Approval of Minutes 4
3. **COMMUNICATIONS AND ANNOUNCEMENTS (6:35 p.m.)**
 1. Oregon School Employees Association *Ms. Smith*
 2. Hermiston Association of Teachers *Ms. Fisher*
 3. Student Board Representative *Mr. Purswell*
4. **REPORTS (6:50 p.m.)**
 1. Board of Education *Chair Goller*
Board of Education Goals
 1. Academic Achievement. Schools will demonstrate continuous improvement in all measured areas for each student.
 2. Stewardship. Maintain sound fiscal stewardship of community resources consistent with board policy.
 3. Community. Schools will provide specific community outreach, at least twice annually, in culturally relevant ways to encourage parent/guardian partnerships in advancing student achievement.
 2. Business Office *Ms. Saul*
 1. Financial Reports 10
 3. Superintendent's Office *Dr. Mooney*
 1. Board Appreciation Month
 2. Enrollment Report 13
 3. Safe Return to In-Person Instruction and Continuity of Services Plan 16
5. **STUDY ITEMS (7:20 p.m.)**
 1. Graduation Requirements & Essential Skills *Mr. Depew & Mr. Spoo*
6. **PUBLIC COMMENTS (7:50 p.m.)** *Chair Goller* **31**

Welcome. This is the time we reserve in our meeting for public comment. Anyone wishing to address the board should stand and be recognized, then move forward to the microphone at the

* Timing of agenda is not meant to be time specific. Instead the time identified is for pacing purposes only. The Board of Education may modify the agenda and the order in which items are taken for consideration.

** Consent agenda items are considered for action as an entire group. Details for these items are available for public inspection at the District Office.

*** Members of the public who wish to address the Board of Education should notify the Board Chairman or Superintendent prior to the meeting. The Board of Education normally accepts public comment only at its regularly scheduled meetings. Public comment is not normally accepted at Special Meetings/work sessions.

center table. Prior to making your comments, please state your first and last name, home address, and school or topic. Please limit your comments to a maximum of three (3) minutes and address them to me.

The Hermiston School District Board of Education also accepts public comment in writing to communications@hermiston.org prior to this meeting. Members of the community wishing to provide written comments submitted those statements to the district by 12:00 pm today.

According to Board policy KL, any complaint regarding a specific employee of the Hermiston School District must be routed through the superintendent's office.

Is there anyone here tonight who would like to address the board?

7. CONSENT ITEMS (8:10 p.m.)**

- 1. Human Resources Department
 - 1. Personnel Appointments 32
 - 2. Personnel Resignations 33
 - 3. Extra Responsibility & Extra Duty Contracts 34
- 2. Business Office
 - 1. Acceptance of Gifts 35
 - 2. District-paid PERS Contributions 38
- 3. Superintendent's Office
 - 1. Policy Review - Second Reading 41

8. CALENDAR AND FUTURE ITEMS (8:15 p.m.)

- 1. Future Agenda Item Discussion *Mr. Goller*
- 2. Calendar Review *Ms. Cortaberria* 115

9. EXECUTIVE SESSION (8:25 p.m.) 121

10. ADJOURN (8:55 p.m.)

This evening's Board of Education regular business meeting is postponed and will take the place of the January special meeting, scheduled for January 24.

Agenda items will be combined, and individuals will have an opportunity to address the board with public comment at that meeting.

ORS 192.660(2)(i): to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing

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**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

January 10, 2022

SUPERINTENDENT'S RECOMMENDATION

2.0 INTRODUCTORY ITEMS

2.2 TOPIC: Adoption of the Agenda

It is recommended.

RECOMMENDATION:

. that the Board of Education adopts the agenda as presented.

bc

**REGULAR MEETING
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
December 13, 2021**

1 CALL TO ORDER

Chair Goller called the meeting to order at 5:30 p.m.

Hermiston School Board members present: Ms. Karen Sherman, Mr. Josh Goller, Ms. Ginny Holthus, Ms. Bonnie Luisi, Mr. Dain Gardner, Mr. Bryan Medelez, and Ms. Sally Hansell

Also in attendance were: Superintendent of Schools Dr. Tricia Mooney, Director of Business Services Katie Saul, and Executive Assistant to the Superintendent and Board Briana Cortaberria

Chair Goller stated the respective ORS under which the Board would meet in Executive Session:

- ORS 192.660(2)(i): to review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.

2 EXECUTIVE SESSION

Chair Goller opened the executive session at 5:30 p.m.

Dr. Mooney and the seven board members were present.

2.1 ORS 192.660(2)(i)

Chair Goller closed the executive session and moved into recess at 6:18 p.m.

Chair Goller reconvened the regular meeting at 6:30 p.m.

3 INTRODUCTORY ITEMS

3.1 Pledge of Allegiance

Chair Goller led everyone in the Pledge of Allegiance.

3.2 Adoption of Agenda

Ms. Holthus made a motion to adopt the agenda as presented, which was seconded by Ms. Luisi. The motion passed 7-0.

3.3 Approval of Minutes

Regular Meeting, November 8, 2021 – A motion was made by Ms. Sherman and seconded by Ms. Holthus that the Board of Education approves the minutes of the regular meeting held on November 8, 2021.

The motion passed 7-0.

Special Meeting, November 22, 2021 – A motion was made by Mr. Medelez and seconded by Mr. Gardner that the Board of Education approves the minutes of the special meeting held on November 22, 2021.

The motion passed 7-0.

4 PRESENTATIONS AND RECOGNITIONS

4.1 Hermiston High School FFA

Dr. Mooney invited FFA Co-Advisors Mr. McKay and Ms. Gilman forward to introduce and recognize Hermiston High School FFA students and teams for competing at the state and national level. Chair Goller and the board members presented certificates of excellence to the students.

4.2 Auditor's Report

Mr. Ric Stoddard of Barnett & Moro provided and read the auditor's letter, referencing the district's 2020-2021 financial audit. He commented on the audit process and tests, noting no deficiencies or material findings. There were no concerns to report.

5 COMMUNICATIONS AND ANNOUNCEMENTS

5.1 Oregon School Employees Association

Ms. Smith was not in attendance to address the board. She provided comments to be read, commenting on OSEA officers and activities. She also stated the members' excitement for the break.

5.2 Hermiston Association of Teachers

HAT President Tammy Fisher spoke to the board, sharing of the union's community partnerships and members' recognition. She commented on staff survey results, highlighting the teachers' focus of students first.

5.3 Student Board Representative

Mr. Nick Purswell shared a Hermiston High School student leadership update, highlighting a blood drive, winter sports, spirit week, winter break, and a canned food drive.

6 REPORTS

6.1 Board of Education

The Board members shared of events and activities in which they participated or attended since the last Board meeting, highlighting board committee meetings, the district financial audit, canned food drives, the elementary boundary process and presentations, and school music concerts.

6.2 Business Office

6.2.1 Financial Reports

Director of Business Services Saul shared the revenue, expenditure, and ending fund balance financial forecast reports for October 2021. The revenue report is yellow, but it is balanced by a green expenditure report to yield a 13.24% EFB. She also explained the budget appropriation included in the consent agenda.

6.3 Superintendent's Office

6.3.1 Enrollment Report

Dr. Mooney spoke to the enrollment report as of November 30, which dips from this time last year. Historically, December enrollment has dropped due to students taking an extended break.

Dr. Mooney commented on upcoming boundary presentations and policies included in this agenda. She also spoke to the timing of the graduation rate report as released by the state.

7 STUDY ITEMS

7.1 District Professional Development & Coaching with ICLE

District Education Directors Jerad Farley and Scott Depew gave a presentation explaining district professional development and coaching with the International Center for Leadership in Education (ICLE). Mr. Farley stated that the process for this year is to train district leaders (the administrators). Mr. Depew introduced the district's ICLE Instructional Coach Dr. Stascia Hardy, who spoke of her partnership and role with the district.

Mr. Farley continued by reviewing the district goal of building managers to instructional leaders. The directors spoke to coaching the coaches, coaching the directors, and the district's ICLE professional development for the school year.

Farley and Depew continued by sharing the HSD professional development vision for 2022-23: teacher learning & alignment.

The directors responded to board member questions.

8 PUBLIC COMMENTS

The board did not receive public comment.

9 CONSENT ITEMS

A motion was made by Ms. Luisi, seconded by Ms. Holthus, and passed 7-0 that the Board of Education approves consent items 9.1.1 thru 9.3.1.

9.1 Human Resources Department

9.1.1 Personnel Appointments

Approve the appointment of the following employees:

Paige Baskins	Special Education Assistant	Rocky Heights Elementary
Felix Garcia	ELL Assistant	Rocky Heights Elementary
Hanna Johnson	Special Education Assitant	Armand Larive Middle
Jace Munro	Technology I	Districtwide
Colin Ryan	Technology I	Districtwide
Zshalie Vandever	Title I Assistant	Rocky Heights Elementary

9.1.2 Personnel Resignations

Approve the resignation of the following employees:

Kristin Blair Stephens	Accounts Receivable Clerk	District Office
Brooke Carnine	HR Specialist	District Office
Rylee Christianson	PE & Health Teacher	Sandstone Middle School
Jose Diaz	Custodian	Maintenance Department
Naxely Jaime	Special Education Assistant	Sunset Elementary
Debra Julio	Special Education Assistant	Hermiston High School
Geanette Schmerber	Special Education Assistant	Armand Larive Middle

9.1.3 Extra Responsibility & Extra Duty Contracts

Approves the following extra responsibility contracts:

Casey Arstein	High School Athletic Coordinator – Winter	Hermiston High School
Matthew Bake	Assistant Boys Basketball Coach	Hermiston High School
Troy Benson	Assitant Girls Golf Coach	Hermiston High School
Joshua Blake	Assistant Drama – One 3-Act Play - Spring	Hermiston High School
Andrea Cerrillo	Boys Basketball Coach	Armand Larive Middle
Joanne Chapman	Girls Bowling Coach	Hermiston High School
Cristina Cuevas	Hispanic Family Engagement	Hermiston High School**
Petelo Faaeteete	Strength & Conditioning Coach – Winter (50%)	Hermiston High School
Kimberly Gonzalez	College Club Advisor	Hermiston High School
Kimberly Gonzalez	Hispanic Family Engagement	Hermiston High School**
Morgan Heckman	Credit Recovery – Science	Hermiston High School
Ernest Kincaid	Assistant Girls Tennis Coach	Hermiston High School
Janeth Macias	Hispanic Family Engagement	Hermiston High School**
Kathleen Mayberry	Academic & Athletic Advisor – Winter	Hermiston High School
Omar Medina	Hispanic Family Engagement	Hermiston High School**
Micah Mercer	HTV Athletic Livestream – Winter	Hermiston High School
Micah Mercer	HTV Athletic Livestream – Spring	Hermiston High School
Benjamin Millard	Assistant Boys Wrestling Coach	Hermiston High School
Michael Mosher	Strength & Conditioning Coach – Winter (50%)	Hermiston High School
Delfino Osorio Garcia	Hispanic Family Engagement	Hermiston High School**
Gunner Olson	Assistant Boys Basketball Coach	Hermiston High School
Berkley Roberts	Middle School Athletic Coordinator – Winter 1	Sandstone Middle
Berkley Roberts	Middle School Athletic Coordinator – Winter 2	Sandstone Middle
Berkley Roberts	Middle School Athletic Coordinator – Spring	Sandstone Middle
Amanda Rodriguez	Assistant Girls Basketball Coach	Hermiston High School
Jason Sivey	Boys Basketball Coach	Armand Larive Middle
Tranden Whitsett	Boys Basketball Coach	Sandstone Middle
Valen Wyse	Assistant Boys Wrestling Coach	Hermiston High School

**High School Success Grant Funded

9.2 Business Office

9.2.1 Acceptance of Gifts

Accepts the following gifts:

SCHOOL/PROG; GIFT; VALUE; DONOR

Rocky Heights Elementary School; Books; Oregon Library Association

Sandstone Middle School – Library; Books; Christy Campbel

Hermiston High School – FFA; Cash; \$2,000.00; Roger’s Toyota

Armand Larive Middle School; Cash; \$70.00; The Blackbaud Giving Fund

Highland Hills Elementary School; Books; Oregon Library Association

Sunset Elementary School; Books; Oregon Library Association

West Park Elementary School; Books; Oregon Library Association

West Park Elementary School; Cash; \$200.00; Rhonda Lance

9.2.2 2020-21 Audit Report

Accepts the 2020-21 Audit Report as presented.

9.2.3 Budget Appropriation

Approves Resolution 21-22-01.

9.3 Superintendent’s Office

9.3.1 Policy Review – First Reading

Adopts the list of policies under review, as included:

AC	Nondiscrimination
ACB	Every Student Belongs
BBAA	Individual Board Member’s Authority and Responsibilities
BD/BDA	Board Meetings
BDDH	Public Comment at Board Meetings
CM	Compliance and Reporting on Standards
DJC	Bidding Requirements
GBA	Equal Employment Opportunity
GBEA	Workplace Harassment *
GBNAA/JHFF	Suspected Sexual Conduct with Students and Reporting Requirements *
GBNAB/JHFE	Suspected Abuse of a Child Reporting Requirements
IA	Instructional Goals
IB	Freedom of Expression
IGBHA	Alternative Education Programs**
IGBI	Bilingual Education**
IGDJ	Interscholastic Activities
IIA-Old	Instructional Resources/Instructional Materials
IIA-New	Instructional Resources/Instructional Materials
IKF	Graduation Requirements**
IKFB	Graduation Exercises
IL	Assessment Program
JB	Equal Educational Opportunity[**]
JBB	Educational Equity
JECB	Admission of Nonresident Students
JECBB	Intradistrict Transfer Students

JFC	Student Conduct
JFCF	[Hazing,]Harassment, Intimidation, Bullying, [Menacing,] Cyberbullying, Teen Dating Violence, or Domestic Violence – Student**
JFCJ	Weapons in Schools**
JHFE/GBNAB	Suspected Abuse of a Child Reporting Requirements
JHFF/GBNAA	Suspected Sexual Conduct with Students and Reporting Requirements *
KGGB	Firearms Prohibited
LBE-AR	Public Charter Schools

10 ACTION ITEMS

10.1 Loma Vista Elementary School Institution ID

Dr. Mooney stated that requesting an institution ID is part of the process to open a school recognized by the Oregon Department of Education.

A motion was made by Ms. Holthus and seconded by Ms. Sherman that the Board of Education authorizes the administration to make application to the Oregon Department of Education for a new school identification number for Loma Vista Elementary School.

The motion passed 7-0.

11 CALENDAR/FUTURE ITEMS

11.1 Future Agenda Item Discussion

The following item was brought forward for future consideration: results from the HAT staff survey.

11.2 Calendar Review

Upcoming calendars were reviewed.

12 ADJOURN

A motion was made by Mr. Medelez and seconded by Ms. Luisi to adjourn the meeting. The motion passed 7-0.

Chair Goller adjourned the regular meeting at 8:08 p.m.

Date

Chairman

Superintendent/Clerk

Secretary

GENERAL FUND REVENUE DATA ENTRY REPORT

MONTH	TAXES	INTST/FEES	INTER	STATE SSF	STATE OTH	FEDERAL	OTHER	TOTAL PROJ.	TOTAL ACT.	VARIANCE
JUL PRO	\$ -	\$ 46,385	\$ -	\$ 8,235,707	\$ -	\$ -	\$ -	\$ 8,282,092		\$ (14,017) -0.17%
JUL ACT	\$ -	\$ 32,368	\$ -	\$ 8,235,707	\$ -	\$ -	\$ -	\$ -	\$ 8,268,075	\$ (14,017) YTD
AUG PRO	\$ 40,687	\$ 57,040	\$ 274,854	\$ 4,116,866	\$ -	\$ -	\$ -	\$ 4,489,447		\$ 74,876 1.67%
AUG ACT	\$ 58,700	\$ 115,386	\$ 274,854	\$ 4,115,383	\$ -	\$ -	\$ -	\$ -	\$ 4,564,323	\$ 60,859 YTD
SEP PRO	\$ 44,696	\$ 84,891	\$ 91,618	\$ 4,116,866	\$ -	\$ -	\$ -	\$ 4,338,071		\$ (60,347) -1.39%
SEP ACT	\$ 17,092	\$ 53,631	\$ 91,618	\$ 4,115,383	\$ -	\$ -	\$ -	\$ -	\$ 4,277,724	\$ 512 YTD
OCT PRO	\$ 116,683	\$ 81,865	\$ 91,618	\$ 4,116,866	\$ -	\$ -	\$ -	\$ 4,407,032		\$ (108,925) -2.47%
OCT ACT	\$ 54,829	\$ 36,277	\$ 91,618	\$ 4,115,383	\$ -	\$ -	\$ -	\$ -	\$ 4,298,107	\$ (108,413) YTD
NOV PRO	\$ 8,647,521	\$ 58,614	\$ 91,618	\$ 4,116,866	\$ -	\$ -	\$ -	\$ 12,914,619		\$ 560,093 4.34%
NOV ACT	\$ 9,137,479	\$ 26,381	\$ 108,736	\$ 4,202,116	\$ -	\$ -	\$ -	\$ -	\$ 13,474,712	\$ 451,681 YTD
DEC PRO	\$ 423,627	\$ 72,408	\$ 1,480,373	\$ 4,116,866	\$ -	\$ -	\$ -	\$ 6,093,274		0.00%
DEC ACT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	YTD
JAN PRO	\$ 178,439	\$ 85,874	\$ 266,618	\$ 4,116,866	\$ 288,076	\$ -	\$ -	\$ 4,935,873		0.00%
JAN ACT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	YTD
FEB PRO	\$ 179,475	\$ 65,974	\$ 91,618	\$ 4,116,866	\$ -	\$ -	\$ -	\$ 4,453,933		0.00%
FEB ACT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	YTD
MAR PRO	\$ 135,855	\$ 62,561	\$ 121,618	\$ 4,116,866	\$ -	\$ -	\$ -	\$ 4,436,900		0.00%
MAR ACT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	YTD
APR PRO	\$ 50,595	\$ 59,164	\$ 91,618	\$ 4,116,866	\$ -	\$ -	\$ -	\$ 4,318,243		0.00%
APR ACT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	YTD
MAY PRO	\$ 199,044	\$ 56,012	\$ 50,685	\$ 4,116,866	\$ 50,000	\$ -	\$ -	\$ 4,472,607		0.00%
MAY ACT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	YTD
JUN PRO	\$ 105,416	\$ 36,212	\$ -	\$ -	\$ 288,076	\$ -	\$ -	\$ 429,704		0.00%
JUN ACT	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	YTD
Projected	\$ 10,122,038	\$ 767,000	\$ 2,652,237	\$ 49,404,367	\$ 626,152	\$ -	\$ -	\$ 63,571,794		
Budget Book	\$ 10,122,038	\$ 817,000	\$ 2,689,545	\$ 49,299,847	\$ 631,575	\$ -	\$ 1,255,000	\$ 64,815,005		
Variance	\$ -	\$ (50,000)	\$ (37,308)	\$ 104,520	\$ (5,423)	\$ -	\$ (1,255,000)	\$ (1,243,211)		

TOT ACT	\$ 9,268,101	\$ 264,043	\$ 566,825	\$ 24,783,972	\$ -	\$ -	\$ -	\$ 34,882,941	FORECAST ACT	\$ 64,023,474
% collected	91.56%	34.43%	21.37%	50.17%	0.00%	#DIV/0!	#DIV/0!	54.87%		

NOTE:

LEGEND	Above or within 2.00% of projection	Between 2.01% & 5.00% below	Below 5.01% of projection
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GENERAL FUND EXPENDITURE DATA ENTRY REPORT

MONTH	PROJ. P/R	ACTUAL P/R	PROJ. A/P	ACTUAL A/P	TOTAL	VARIANCE
JULY PROJECTED	889,136		\$ 1,071,982		\$ 1,961,118 MONTHLY	\$ 10,292 0.52%
JULY ACTUAL		\$ 842,634		\$ 1,128,776	\$ 1,971,410 YTD	\$ 10,292 0.52%
AUGUST PROJECTED	1,032,301		\$ 931,363		\$ 1,963,664 MONTHLY	\$ 31,659 1.61%
AUGUST ACTUAL		\$ 938,391		\$ 1,056,933	\$ 1,995,323 YTD	\$ 41,952 1.07%
SEPTEMBER PROJECTED	4,597,802		\$ 818,978		\$ 5,416,780 MONTHLY	\$ (388,845) -7.18%
SEPTEMBER ACTUAL		\$ 4,267,821		\$ 760,114	\$ 5,027,935 YTD	\$ (346,893) -3.71%
OCTOBER PROJECTED	4,727,314		\$ 919,937		\$ 5,647,251 MONTHLY	\$ (513,772) -9.10%
OCTOBER ACTUAL		\$ 4,493,617		\$ 639,862	\$ 5,133,479 YTD	\$ (860,665) -5.74%
NOVEMBER PROJECTED	4,799,989		\$ 834,522		\$ 5,634,511 MONTHLY	\$ (260,748) -4.63%
NOVEMBER ACTUAL		\$ 4,582,053		\$ 791,711	\$ 5,373,763 YTD	\$ (1,121,413) -5.44%
DECEMBER PROJECTED	4,673,812		\$ 872,160		\$ 5,545,972 MONTHLY	\$ (5,545,972) -100.00%
DECEMBER ACTUAL		\$ -		\$ -	\$ - YTD	\$ (6,667,385) -25.48%
JANUARY PROJECTED	4,614,359		\$ 915,922		\$ 5,530,281 MONTHLY	\$ (5,530,281) -100.00%
JANUARY ACTUAL		\$ -		\$ -	\$ - YTD	\$ (12,197,666) -38.48%
FEBRUARY PROJECTED	4,864,918		\$ 814,219		\$ 5,679,137 MONTHLY	\$ (5,679,137) -100.00%
FEBRUARY ACTUAL		\$ -		\$ -	\$ - YTD	\$ (17,876,803) -47.83%
MARCH PROJECTED	4,626,818		\$ 846,948		\$ 5,473,766 MONTHLY	\$ (5,473,766) -100.00%
MARCH ACTUAL		\$ -		\$ -	\$ - YTD	\$ (23,350,569) -54.49%
APRIL PROJECTED	4,623,152		\$ 910,798		\$ 5,533,950 MONTHLY	\$ (5,533,950) -100.00%
APRIL ACTUAL		\$ -		\$ -	\$ - YTD	\$ (28,884,519) -59.70%
MAY PROJECTED	7,920,614		\$ 1,410,919		\$ 9,331,533 MONTHLY	\$ (9,331,533) -100.00%
MAY ACTUAL		\$ -		\$ -	\$ - YTD	\$ (38,216,052) -66.21%
JUNE PROJECTED	8,318,184		\$ 2,034,185		\$ 10,352,369 MONTHLY	\$ (10,352,369) -100.00%
JUNE ACTUAL		\$ -		\$ -	\$ - YTD	\$ (48,568,421) -71.35%
PROJECTED	\$ 55,688,399		\$ 12,381,933		\$ 68,070,332	
BUDGET BOOK	\$ 57,525,339		\$ 12,507,003		\$ 70,032,342	
VARIANCE	\$ 1,836,940		\$ 125,070		\$ 1,962,010	(proj. difference in budgeted expenditures)
TOTAL ACTUAL		\$ 15,124,515		\$ 4,377,396	\$ 19,501,911	FORECAST ACT \$ 66,948,919
% spent to date		27.16%		35.35%	28.65%	

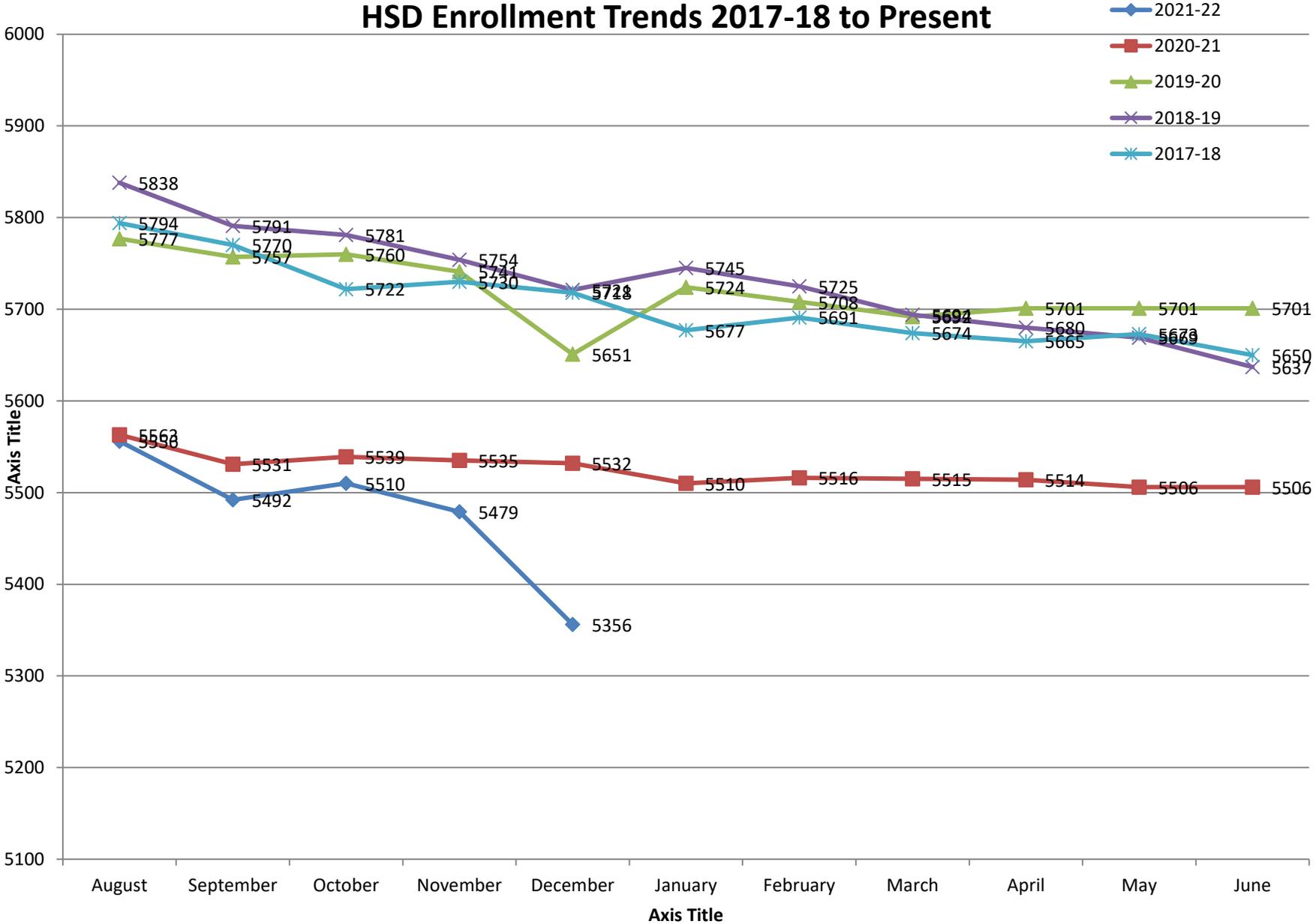
Note:

LEGEND MONTHLY	Below or within 2.00%	Between 2.01% & 5.00% above	Above 5.01% of projection
LEGEND YTD	Below or within 2.00%	Between 2.01% & 5.00% above	Above 5.01% of projection

GENERAL FUND MONTHLY ENDING FUND BALANCE REPORT

DATE	Revenue	Expenditure	Ending Fund Balance	Variance	EFB Monthly Projection for Year End
1-Jul-21 PROJECTED			\$ 14,000,000		
ACTUAL			\$ 14,702,011		
31-Jul-21 PROJECTED	\$ 8,282,092	\$ 1,961,118	\$ 20,320,974		
ACTUAL	\$ 8,268,075	\$ 1,971,410	\$ 20,998,675	\$ (24,310) -0.12%	12.22%
31-Aug-21 PROJECTED	\$ 4,489,447	\$ 1,963,664	\$ 22,846,757		
ACTUAL	\$ 4,564,323	\$ 1,995,323	\$ 23,567,674	\$ 18,907 0.08%	12.26%
30-Sep-21 PROJECTED	\$ 4,338,071	\$ 5,416,780	\$ 21,768,047		
ACTUAL	\$ 4,277,724	\$ 5,027,935	\$ 22,817,463	\$ 347,405 1.60%	12.70%
31-Oct-21 PROJECTED	\$ 4,407,032	\$ 5,647,251	\$ 20,527,828		
ACTUAL	\$ 4,298,107	\$ 5,133,479	\$ 21,982,091	\$ 752,253 3.66%	13.24%
30-Nov-21 PROJECTED	\$ 12,914,619	\$ 5,634,511	\$ 27,807,936		
ACTUAL	\$ 13,474,712	\$ 5,373,763	\$ 30,083,041	\$ 2,275,105 8.18%	14.96%
31-Dec-21 PROJECTED	\$ 6,093,274	\$ 5,545,972	\$ 28,355,238		
ACTUAL	\$ -	\$ -	\$ 30,083,041	0.00%	
31-Jan-22 PROJECTED	\$ 4,935,873	\$ 5,530,281	\$ 27,760,830		
ACTUAL	\$ -	\$ -	\$ 30,083,041	0.00%	
28-Feb-22 PROJECTED	\$ 4,453,933	\$ 5,679,137	\$ 26,535,626		
ACTUAL	\$ -	\$ -	\$ 30,083,041	0.00%	
31-Mar-22 PROJECTED	\$ 4,436,900	\$ 5,473,766	\$ 25,498,759		
ACTUAL	\$ -	\$ -	\$ 30,083,041	0.00%	
30-Apr-22 PROJECTED	\$ 4,318,243	\$ 5,533,950	\$ 24,283,052		
ACTUAL	\$ -	\$ -	\$ 30,083,041	0.00%	
31-May-22 PROJECTED	\$ 4,472,607	\$ 9,331,533	\$ 19,424,127		
ACTUAL	\$ -	\$ -	\$ 30,083,041	0.00%	
30-Jun-22 PROJECTED	\$ 429,704	\$ 10,352,369	\$ 9,501,462		
ACTUAL	\$ -	\$ -	\$ 30,083,041	0.00%	
INITIAL FORECASTED EFB	\$ 63,571,794	\$ 68,070,332	\$ 9,501,462		12.25%
ACTUALS TO DATE	\$ 34,882,941	\$ 19,501,911			
ANTICIPATED ACTUALS*	\$64,023,474	\$66,948,919	\$ 11,776,566		14.96%
Monthly Comp.	Above or within 2.00% of projection	Between 2.01% & 5.00% below projection	Below 5.01% of projection		
	*Calculated using actuals through the current month and projected revenue and expenditures for future months				
NOTE:	Final as of November 19, 2021 completed audit of June 30, 2021 financials.				
ENDING FUND BALANCE LEGEND	8.00% to 9.00% and above	Between 7.99% to 7.50%	7.49% and below		12

HSD Enrollment Trends 2017-18 to Present



12/31/2021 HERMISTON SCHOOL DISTRICT 8R - ELEMENTARY ENROLLMENT BY TEACHER									
Desert View	544	Highland Hills	406	Rocky Heights	413	Sunset	555	West Park	509
Kinder		Ross, W(lifeskills)	1	K. Hinton(Able)					Total
Ramirez	20	K. Carlson	1	Godby	15	Castellanos	13	Gorham	17
D. Smith	23	Adams	20	Hammett	17	Escobedo	24	Kellison, A	17
Spears	20	Cearns	20	Moore	15	Newton	14	McCoy	19
Wells	21	Koenig	20	Schwirse	15	Trigg Linderman	14	Stark	17
						Trotter	15	Diaz	6
Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!	Avg,
Total	84		62		62		80		76
1st grade				K.Hinton(Able)					Total
Bennett	22	K. Carlson	1	Badillo-Juarez	12	Cartagena	16	Diaz	2
Johnson	22	Ross, W(lifeskills)	3	Dunkel	12	Milligan	18	Posten	21
Lillie	21	Liebe	19	James	13	Mosher	18	Schaefer	20
Scott, V	23	Seibel	21	Powell	14	Sloan	16	Wattenburger	20
		Watson	20			Torres	15	Zuniga	19
Hermiston Online!	1	Hermiston Online!		Hermiston Online!		Hermiston Online!	1	Hermiston Online!	Avg,
Total	89		64		51		84		82
2nd grade		Ross, W(lifeskills)						(Soc. Com) Morris	Total
Lowry	23	K. Carlson	1	K. Hinton (Able)		Colbray	18	Diaz	1
Masenhimer	21	Cooley,Sam	22	Hancock	18	Corona	20	Johnston, D	19
McCann	20	Gilstrap	21	Putman	20	Smith	18	Neddo	19
Rettkowski	21	Meade	22	Phillips	20	Spencer	19	Searles	20
				Shira	20	Zumaya	21	Springstead	18
Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!	Avg.
Total	85		66		78		96		77
3rd grade		Ross, W(lifeskills)	2					(Soc. Com)Morris	Total
Artz	24	K. Carlson	1	Eckblad (Team)	2	Mulkey	23	Diaz	2
Dynes	24	Cox	23	K.Hinton(Able)	1	Robinson	23	Anderholm	22
Fraizer	22	Juul	23	Basso	25	Weber	23	Degan	23
Roberts	20	Turner	22	Griffin	24	Wheeler	23	Morgan	23
		Alvarez	1	Rodriguez, A	24	White	21	Purswell	25
Hermiston Online!		Hermiston Online!	1	Hermiston Online!		Hermiston Online!	1	Hermiston Online!	Avg.
Total	90		73		76		114		96
4th grade		K. Carlson	2					(Soc. Com) Morris	Total
Nicodemus	25	Cooke	19	Eckblad (Team)	2	Drobish	22	Diaz	0
Valdez	24	Culligan	20	Elwood	23	Richardson	21	Dopps	20
Wellsandt	26	Plum	20	Lindeman	24	Rouska	23	Denton	18
Winn	25	Ross, W(lifeskills)	2	McElrea	23	Srofe	23	Peterson	21
		Alvarez	9					Rodriguez	17
Hermiston Online!	1	Hermiston Online!		Hermiston Online!		Hermiston Online!		Hermiston Online!	Avg.
Total	101		72		72		89		82
5th grade		K. Carlson						(Soc. Com) Morris	Total
Bunn	24	Cook, J	21	Eckblad (Team)	1	Beggs	22	Diaz	0
Kramer	23	Hamann	20	Lathim	25	Contreras	21	Lambert	23
Lomas	23	Moore	21	Linn	24	Finn, J	24	Nycz	24
McCormack	24	Ross, W(lifeskills)	1	Madrigal	24	Johnson	23	Schultz	23
		Alvarez	5					Smith, B	23
Hermiston Online!	1	Hermiston Online!	1	Hermiston Online!	0	Hermiston Online!	2	Hermiston Online!	Avg.
Total	95		69		74		92		96

HermistonOnline Dean-Kennedy HermistonOnline Dean-Hackett HermistonOnline Dean-Barron HermistonOnline Dean-Nicodemus HermistonOnline Dean-Frazier

12/31/2021

CUMULATIVE SCHOOL ENROLLMENT -- HERMISTON SCHOOL DISTRICT 8R

	Part Time	Kg	1st grade	2nd grade	3rd grade	4th grade	5th grade	6th grade	7th grade	8th grade	9th grade	10th grade	11th grade	12th grade	Total
DESERT VIEW		84	89	85	90	101	95								544
HIGHLAND HILLS		62	64	66	73	72	69								406
ROCKY HEIGHTS		62	51	78	76	72	74								413
SUNSET		80	84	96	114	89	92								555
WEST PARK		76	82	77	96	82	96								509
Elementary Total		364	370	402	449	416	426								2427
ALMS								255	252	259					766
SMS								161	176	176					513
HHS											450	406	398	396	1650
COMBINED TOTAL		364	370	402	449	416	426	416	428	435	450	406	398	396	5356

	Increase/ Decrease
Last month's total enrollment:	5479 -123
Same month one year ago:	5532 -176

**American Rescue Plan Elementary and Secondary
School Emergency Relief Fund (ARP ESSER);
OAR 581-022-0106 (State Operational Plan)**

Safe Return to In-Person Instruction and Continuity of Services Plan

District Information

Institution ID: _____ Institution Name: _____

District Continuity of Services Plan/RSSL Contact Name and Title:

Contact Phone: _____ Contact Email: _____

Safe Return to In-Person Instruction and Continuity of Services Plan

In order to best support students and families with the safest possible return to school for the 2021 school year, the Oregon Department of Education (ODE) has created an operational plan template to align guidance from the federal and state level in support of local decision-making and transparency of health and safety measures in the communities that school districts serve. The Safe Return to In-Person Instruction and Continuity of Services Plan serves the following purposes:

- 1) Replaces the Ready Schools, Safe Learners Operational Blueprint required under [Executive Order 21-06](#); and
- 2) Meets the requirements for:
 - a. An operational plan required under [OAR 581-022-0106\(4\)](#), while aligning the [CDC Guidance](#) on School Reopening with the [Ready Schools, Safe Learners Resiliency Framework for the 2021-22 School Year](#) (RSSL Resiliency Framework);
 - b. [Section 2001\(i\)\(1\)](#) of the ARP ESSER and the US Department of Education's [Interim Final Requirements](#) for Safe Return/Continuity of Services Plan; and
 - c. Communicable Disease Plan and Isolation Plan under [OAR 581-022-2220](#) (Division 22 requirements).

As districts plan and implement the recommendations in ODE's RSSL Resiliency Framework, they will need to consider a continuum of risk levels when all recommendations cannot be fully implemented. For example, universal correct wearing of face coverings between people is one of the most effective preventive measures. However, there will be times when this is not possible based on a specific interaction or a physical space limitation, such as during meal times. It will be necessary to [consider and balance](#) the mitigation strategies described to best protect health and safety while ensuring full time in person learning.

ODE remains committed to the guiding principles introduced in spring of 2020 to generate collective action and leadership for efforts to respond to COVID-19 across Oregon. These principles are updated to reflect the current context:

- **Ensure safety and wellness.** Prioritizing basic needs such as food, shelter, wellness, supportive relationships and support for mental, social, and emotional health of students and staff.
- **Center health and well-being.** Acknowledging the health and mental health impacts of this past year, commit to creating learning opportunities that foster creative expression, make space for reflection and connection, and center on the needs of the whole child rather than solely emphasizing academic achievement.

- **Cultivate connection and relationship.** Reconnecting with one another after a year of separation can occur through quality learning experiences and deep interpersonal relationships among families, students and staff.
- **Prioritize equity.** Recognize the disproportionate impact of COVID-19 on Black, American Indian/Alaska Native, and Latino/a/x, Pacific Islander communities; students experiencing disabilities; students living in rural areas; and students and families navigating poverty and houselessness. Apply an equity-informed, anti-racist, and anti-oppressive lens to promote culturally sustaining and revitalizing educational systems that support every child.
- **Innovate.** Returning to school is an opportunity to improve teaching and learning by iterating on new instructional strategies, rethinking learning environments, and investing in creative approaches to address unfinished learning.

Continued on next page.

Planning Mental Health Supports

ARP ESSER & OAR 581-022-0106 Component	Extent to which district has adopted policies, protocols, or procedures and description of policies, protocols, or procedures adopted to ensure continuity of services	How do the district's policies, protocols, and procedures center on equity?
Devote time for students and staff to connect and build relationships		
Ample class time, and private time if needed, for creative opportunities that allow students and staff to explore and process their experiences		

ARP ESSER & OAR 581-022-0106 Component	Extent to which district has adopted policies, protocols, or procedures and description of policies, protocols, or procedures adopted to ensure continuity of services	How do the district's policies, protocols, and procedures center on equity?
Link staff, students and families with culturally relevant health and mental health services and supports		
Foster peer/student lead initiatives on wellbeing and mental health		

Communicable Disease Management Plan

Please provide a link to the district’s **communicable disease management plan** that describes measures put in place to limit the spread of COVID-19 within school settings. ([OAR 581-022-2220](#)). The advised components of the plan and additional information are found in the Communicable Disease Management Plan section of the [RSSL Resiliency Framework](#) and meet the ESSER process requirements of “coordination with local public health authorities.”

Link: _____

ARP ESSER Component	Extent to which district has adopted policies, protocols, or procedures and description of policies, protocols, or procedures to ensure continuity of services	How do the district's policies, protocols, and procedures center on equity?
Coordination with local public health authority(ies) including Tribal health departments		

Isolation Plan

Please provide a link to the district's plan to **maintain health care and space** that is appropriately supervised and adequately equipped for providing first aid, and **isolates** the sick or injured child. ([OAR 581-022-2220](#)). If planning for this space is in your communicable disease management plan for COVID-19, please provide the page number. Additional information about the Isolation Plan can be found in the Isolation & Quarantine Protocols section of the [RSSL Resiliency Framework](#).

Link: _____

Continued on next page.

Health and Safety Strategies

School administrators are required to **exclude staff or students from school** whom they have reason to suspect have been exposed to COVID-19. ([OAR 333-019-0010](#))

Please complete the table below to include the extent to which the district has adopted policies and the description of each policy for each health and safety strategy. In developing the response, please review and consider the [CDC guidance](#) and the [RSSL Resiliency Framework](#) for each health and safety strategy. Additional documents to support district and school planning are available on the [ODE Ready Schools, Safe Learners website](#).

Health and Safety Strategy	Extent to which district has adopted policies, protocols, or procedures and description thereof	How do the district's policies, protocols, and procedures center on equity?
COVID-19 vaccinations to educators, other staff, and students if eligible		

Health and Safety Strategy	Extent to which district has adopted policies, protocols, or procedures and description thereof	How do the district's policies, protocols, and procedures center on equity?
Universal and correct wearing of face coverings		
Physical distancing and cohorting		

Health and Safety Strategy	Extent to which district has adopted policies, protocols, or procedures and description thereof	How do the district's policies, protocols, and procedures center on equity?
Ventilation and air flow		
Handwashing and respiratory etiquette		

Health and Safety Strategy	Extent to which district has adopted policies, protocols, or procedures and description thereof	How do the district's policies, protocols, and procedures center on equity?
Free, on-site COVID-19 diagnostic testing		
COVID-19 screening testing		

Health and Safety Strategy	Extent to which district has adopted policies, protocols, or procedures and description thereof	How do the district's policies, protocols, and procedures center on equity?
<p>Public health communication</p>		
<p>Isolation: Health care and a designated space that is appropriately supervised and adequately equipped for providing first aid and isolating the sick or injured child are required by OAR 581-022-2220.</p>		

Health and Safety Strategy	Extent to which district has adopted policies, protocols, or procedures and description thereof	How do the district's policies, protocols, and procedures center on equity?
<p><u>Exclusion</u>: School administrators are required to exclude staff and students from school whom they have reason to suspect have been exposed to COVID-19. (OAR 333-019-0010)</p>		

Individualized COVID-19 Recovery Services

The [Individualized COVID Recovery Services](#) rule became permanent in December 2021. ESSER III requires at least 20% of funding to be spent on unfinished learning which can include recovery services to students experiencing disability (and prioritizes students in underserved or disproportionately impacted communities, including students who experience disability). Recovery services are special education services designed to meet the needs of eligible students in special education who were adversely impacted by the educational limitations caused by COVID 19. ODE has developed a guide for [Planning for Individualized COVID Recovery Services](#) to support school districts in understanding and developing a process to implement this rule.

OAR 581-015-2228 Requirement	For each of the below areas, describe the district's policies, protocols, or procedures that will be followed to ensure appropriate consideration of Individualized COVID-19 Recovery Services for each eligible student.	For each of the below areas, describe how the district's policies, protocols, and procedures center equity.
The IEP team for each eligible student shall consider the need for Individualized COVID-19 Recovery Services at least at each initial IEP meeting and each regularly scheduled annual review meeting.		
Each school district or program shall provide written notice to the parents of each eligible student regarding the opportunity for the IEP team to meet to consider Individualized COVID-19 Recovery Services.		
After each determination is made, the school district or program shall provide written notice to the parent and/or adult student with a disability regarding the determination of need for Individualized COVID-19 Recovery Services.		

Updates to this Plan

To remain in compliance with ARP ESSER requirements, school districts must regularly, but no less frequently than every six months (taking into consideration the timing of significant changes to CDC guidance on reopening schools), review, and as appropriate, revise its Safe Return to In-Person Instruction and Continuity of Services Plan.

Date Last Updated: _____

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

PUBLIC COMMENT GUIDELINES

Welcome. This is the time we reserve in our meeting for public comment. Anyone wishing to address the board should stand and be recognized, then move forward to the microphone at the center table. Prior to making your comments, please state your first and last name, home address, and school or topic. Please limit your comments to a maximum of three (3) minutes and address them to me.

The Hermiston School District Board of Education also accepts public comment in writing prior to this meeting. Members of the community wishing to provide written comments submitted those statements to the district by 12:00 pm today.

According to Board policy KL, any complaint regarding a specific employee of the Hermiston School District must be routed through the superintendent's office.

Is there anyone here tonight who would like to address the board?

bc

**OARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

January 10, 2022

SUPERINTENDENT'S RECOMMENDATION

7.1 CONSENT: Human Resources Department

7.1.1 TOPIC: Personnel Appointment

It is recommended.

RECOMMENDATION:

. that the Board of Education approves the appointment of the following employees:

Jazzmin Eckel	Special Education Assistant	Rocky Heights Elementary
Raeann Haagenson	Administrative Assistant	Sandstone Middle
David Morales	Custodian Roamer	Maintenance Department
Kasi Sandlin	Physical Education Teacher	Sandstone Middle
	Temporary	
Maryela Sandoval	Attendance Secretary	Rocky Heights Elementary
Denise Wadley	Direct Care Nurse	Hermiston High School

bc

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

January 10, 2022

SUPERINTENDENT'S RECOMMENDATION

7.1 CONSENT: Human Resources Department

7.1.2 TOPIC: Personnel Resignation

It is recommended.

RECOMMENDATION:

. that the Board of Education approves the resignation of the following employees:

Shannon Allman	Speech Language Pathology Assistant	District Office
Galen Merkley	Assistant Technology Manager	District Office
Elizabeth Ulloa	Administrative Assistant	Armand Larive Middle

bc

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

January 10, 2022

SUPERINTENDENT'S RECOMMENDATION

7.1 CONSENT: Human Resources Department

7.1.3 TOPIC: Extra Responsibility & Extra Duty Contracts

It is recommended.

RECOMMENDATION:

. that the Board of Education approves the following extra responsibility and extra duty contracts:

Gary Posten	HTV Live Stream – Winter	Hermiston High School
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bc

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

January 10, 2022

DIRECTOR OF BUSINESS SERVICES' RECOMMENDATION

7.2 CONSENT ITEMS: Business Office

7.2.1 TOPIC: Acceptance of Gifts

It is recommended.

RECOMMENDATION:

. that the Board of Education accepts the following gifts:

SCHOOL/PROG	GIFT	VALUE	DONOR
Hermiston School District Secondary Schools	Gift Cards	\$100.00	Dutch Bros.
Armand Larive Middle School – Kindness Club	Cash	\$100.00	Shawn Worstell



Hermiston School District 8R

305 SW 11TH Street, Hermiston, Oregon 97838-2103

Phone: (541) 667-6000 Fax: (541) 667-6050

www.hermiston.k12.or.us

APPLICATION FOR ACCEPTANCE OF GIFT

Unit to be presented with Gift/Donation: Hermiston School District

Name of Donor: Dutch Bros.

Donor Address: Hermiston

Donor Telephone Number: 541-955-4700

Description of gift(s)/donation(s) including Serial #, purchase date, original purchase price and current cash value: 11/24/21 - Donated 20 \$5 gift cards. Donated value: \$100

Purpose of gift/donation: Student incentives/rewards for Read 180 and Math 180 classes at Armand Larive and Sandstone Middle Schools and Hermiston High School. Students are not only gaining confidence as they experience success in these core content classes but, at the high school level, earning credit and remaining on track to graduate.

Signature of Donor: _____

Date: 11/24/2021

Authority to accept a gift, donation, emolument, favor, or gratuity to the School District is vested in the Board of Education. All such gifts shall become property of the School District.

Gifts will be considered for acceptance, with full District responsibility for maintenance, if they are of a type appearing on approved standard equipment lists or are closely related in instructional value.

Recommendation of Unit Administrator [Signature] Date: 11/24/21

Recommendation of Business Manager [Signature] Date: 12.15.2021

Recommendation of Superintendent [Signature] Date: 1/4/2022

Action of the Board of Education: Accepted _____ Not Accepted _____

Secretary to the Board of Education _____ Date: _____



Hermiston School District 8R

305 SW 11TH Street, Hermiston, Oregon 97838-2103
Phone: (541) 667-6000 Fax: (541) 667-6050
www.hermiston.k12.or.us

APPLICATION FOR ACCEPTANCE OF GIFT

Unit to be presented with Gift/Donation: ALMS Kindness Club

Name of Donor: Shawn Worstell

Donor Address: 4151 SW Majestic Ave Redmond, OR 97756

Donor Telephone Number: _____

Description of gift(s)/donation(s) including Serial #, purchase date, original purchase price and current cash value: Check # 2013 \$100.00

Purpose of gift/donation: In memory of Marissa Worstell

Signature of Donor: N/A

Date: _____

Authority to accept a gift, donation, emolument, favor, or gratuity to the School District is vested in the Board of Education. All such gifts shall become property of the School District.

Gifts will be considered for acceptance, with full District responsibility for maintenance, if they are of a type appearing on approved standard equipment lists or are closely related in instructional value.

Recommendation of Unit Administrator: [Signature] Date: 12/17/21

Recommendation of Business Manager: [Signature] Date: 12/29/2021

Recommendation of Superintendent: [Signature] Date: 1/4/22

Action of the Board of Education: Accepted _____ Not Accepted _____

Secretary to the Board of Education _____ Date: _____

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

January 10, 2022

DIRECTOR OF BUSINESS SERVICES' RECOMMENDATION

7.2 CONSENT ITEMS: Business Office

7.2.2 TOPIC: District-paid PERS Contributions

It is recommended.

RECOMMENDATION:

. that the Board of Education approves resolution 21-22-02:

bc

Resolution 21-22-02

BEFORE THE BOARD OF DIRECTORS OF
Hermiston School District #8R

A resolution to change the type of employee contributions for substitutes, temporary employees and other personnel, not covered by a collective bargaining agreement or group working agreement, of Hermiston School District #8R from Member Paid Pre-Tax (MPPT) to Employer Paid Pre-Tax (EPPT) contributions, rescinding the prior policy which provided for MPPT contributions, and to be deemed “Picked Up” for purposes of Internal Revenue Code Section 414 (h)(2).

WHEREAS, Section 414(h) of the Internal Revenue Code (IRC) provides an employer may treat the 6% PERS contribution by employee as a pick up on a pretax basis and the governing body of the Hermiston School District #8R has the authority to implement the provisions of section 414(h)(2) of the IRC; and

WHEREAS, the Hermiston School District #8R has determined that even though the implementation of the provisions of IRC section 414(h)(2) is not required by law, the tax benefit offered by IRC section 414(h)(2) should be provided to substitutes, temporary employees and other personnel, not covered by a collective bargaining agreement or group working agreement, who are members of OPERS:

NOW, THEREFORE, BE IT RESOLVED:

- I. That, effective January 1, 2022 the Hermiston School District #8R will implement the provisions of IRC section 414(h)(2) by making employee contributions pursuant to Oregon Revised Statute 238A.335(2)(b) and Oregon Administrative Rule 459-009-0200(2) to OPERS on behalf of substitutes, temporary employees and other personnel, not covered by a collective bargaining agreement or group working agreement, who are members of the OPERS. “Employee contributions” shall mean those contributions to OPERS which are deducted from the salary of employees and are credited to individual employee’s accounts pursuant to ORS 238A.330(2).
- II. That Section 414(h)(2) provides a special rule that allows for contributions made by the Hermiston School District #8R to OPERS, although designated as employee contributions, are nevertheless treated as employer contributions if the contributions are picked up by the Hermiston School District #8R.
- III. The employer’s employment policy(s) or agreement(s) is not retroactive in its application.
- IV. That employees shall not have the option of choosing to receive the contributed amounts directly instead of having them paid by the Hermiston School District #8R to OPERS.
- V. That the Hermiston School District #8R shall pay to OPERS the contributions designated as employee contributions from the same source of funds as used in paying salary.

- VI. That the amount of the contributions designated as employee contributions and paid by the Hermiston School District #8R to OPERS on behalf of an employee shall be the entire contribution required of the employee by OPERS.
- VII. That the contributions designated as employee contributions made by Hermiston School District #8R to OPERS shall be treated for all purposes, other than taxation, in the same way that member contributions are treated by the OPERS.
- VIII. That this resolution does not change the designation for any other employee groups of the Hermiston School District #8R.

PASSED AND ADOPTED by the governing body of the Hermiston School District #8R

this 10th day of January, 2022.

BY:

Josh Goller
Board Chairman
Hermiston School District #8R

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

January 10, 2022

SUPERINTENDENT’S RECOMMENDATION

7.3 CONSENT ITEMS: Superintendent’s Office

7.3.1 TOPIC: Policy Review – Second Reading

It is recommended.

RECOMMENDATION:

. that the Board of Education adopt the list of policies under review, as included:

AC	Nondiscrimination
ACB	Every Student Belongs
BBAA	Individual Board Member’s Authority and Responsibilities
BD/BDA	Board Meetings
BDDH	Public Comment at Board Meetings
CM	Compliance and Reporting on Standards
DJC	Bidding Requirements
GBA	Equal Employment Opportunity
GBEA	Workplace Harassment *
GBNAA/JHFF	Suspected Sexual Conduct with Students and Reporting Requirements *
GBNAB/JHFE	Suspected Abuse of a Child Reporting Requirements
IB	Freedom of Expression
IGBHA	Alternative Education Programs**
IGBI	Bilingual Education**
IGDJ	Interscholastic Activities
IIA-Old	Instructional Resources/Instructional Materials
IIA-New	Instructional Resources/Instructional Materials
IKF	Graduation Requirements**
IKFB	Graduation Exercises
IL	Assessment Program
JB	Equal Educational Opportunity[**]
JECB	Admission of Nonresident Students
JECBB	Intradistrict Transfer Students
JFC	Student Conduct
JFCF	Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence, or Domestic Violence – Student**
JFCJ	Weapons in Schools**
JHFE/GBNAB	Suspected Abuse of a Child Reporting Requirements

Hermiston School District 8R

Code: AC
Adopted: 9/14/15
Revised/Readopted: 7/10/17; 12/11/17; 10/14/19
Orig. Code: AC

Nondiscrimination

The district 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 identity², 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,~~ **including** but not limited to, ~~in~~-employment, assignment and promotion of personnel; ~~in~~-educational opportunities and services offered students; ~~in~~ student assignment to schools and classes; ~~in~~-student discipline; ~~in~~-location and use of facilities; ~~in~~ educational offerings and materials; and ~~in~~ 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~~**citizens** can communicate their concerns to the administration and the Board.

The superintendent shall appoint individuals at the district to contact on issues concerning the Americans with Disabilities Act ~~of 1990~~ and Americans with Disabilities Act Amendments Act ~~of 2008~~ (ADA), Section 504 of the Rehabilitation Act, Titles VI and VII of the Civil Rights Act, Title IX of the Education Amendments ~~of 1972~~, and other civil rights or discrimination issues, and notify students, parents, and staff with their names, office addresses, and phone numbers. The district will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees and the public, and such procedures will be available at the district's administrative office and available on the home page of the district's website.

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

END OF POLICY

Legal Reference(s):

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 ~~“Sexual orientation” means an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behavior differs from that traditionally associated with the individual’s sex at birth.~~

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

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

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-633 (2018); 29 C.F.R Part 1626 (2019).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12112 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2018).

Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2018); 34 C.F.R. Part 104 (2019).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018); 29 C.F.R. § 1601 (2019).

Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (2018).

Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (2018); 29 C.F.R. Part 1635 (2019).

House Bill 2935 (2021).

House Bill 3041 (2021).

Cross Reference(s):

ACA - Americans with Disabilities Act

GBA - Equal Employment Opportunity

JB - Equal Educational Opportunity

Corrected 10/26/21

Hermiston School District 8R

Code: ACB
Adopted: 12/14/20

~~Every Student Belongs~~ All Students Belong

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

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

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

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

~~“Symbol of hate” means a symbol, image, or object that expresses animus on the basis of race, color, religion, gender identity, sexual orientation, disability or national origin including, the noose, swastika, or confederate flag¹, and whose display:~~

- ~~1. Is reasonably likely to cause a substantial disruption of or material interference with school activities; or~~
- ~~1. Is reasonably likely to interfere with the rights of students by denying them full access to the services, activities, and opportunities offered by a school.~~

“Symbol of hate” means nooses^[2], symbols of neo-Nazi ideology or the battle flag of the Confederacy.

¹ While commonly referred to as the “confederate flag,” the official name of the prohibited flag is the Battle Flag of the Armies of Northern Virginia.

² [The display of a noose on public property with the intent to intimidate may be a Class A Misdemeanor under Senate Bill 398 (2021).]

The district prohibits the use or display of any symbols of hate^{3} on school property⁴ or in an education^{any district or school sponsored program}⁵, service, school or activity that is funded in whole or in part by monies appropriated by the Oregon Legislative Assembly, except where used in teaching curriculum that is aligned with state standards of education for public schools^{to the Oregon State Standards}.

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

The district prohibits retaliation against an individual^{6} 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 has in good faith reported information that the individual believes is evidence of a violation of a state or federal law, rule or regulation.

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

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

END OF POLICY

Legal Reference(s):

[ORS 659.850](#)
[ORS 659.852](#)
[OAR 581-002-0005](#)

[OAR 581-022-2312](#)
[OAR 581-022-2370](#)

[House Bill 2697 \(2021\)](#)
[House Bill 3041 \(2021\)](#)

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

Corrected 11/12/21

³ {Prior to adopting the symbols of hate prohibition, or adding other symbols to the list, we recommend that the district document why the district feels that the presence of these symbols will cause a “material and substantial interference with schoolwork or discipline” or collide “with the rights of other students to be secure and be let alone.” These reasons may include previous incidents, current conditions in the schools and other factors.}

⁴ “School property” means any property under the control of the district.

⁵ “Education program” includes any program, service, school or activity sponsored by the district.

⁶ {ORS 659.852 prohibits retaliation only against students. Other statutes (and other complaint procedures) prohibit retaliation against staff and others for reporting or providing information regarding a complaint or investigation.}

Hermiston School District 8R

Code: BBAA
Adopted: 7/10/17
Revised/Readopted: 6/10/19

Individual Board Member's Authority and Responsibilities

An individual Board member exercises the authority and responsibility of their position when the Board is in legal session only.

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

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

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

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

1. Request for Information

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

2. Requests for Legal Opinions

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

3. Action on Complaints or Requests Made to Board Members

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

4. Board Member's Relationship to Administration

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

5. Contracts or Agreements

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

END OF POLICY

Legal Reference(s):

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

[ORS 332.057](#)
[ORS 332.075](#)

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

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

Cross Reference(s):

BHD - Board Member Compensation and Expense Reimbursement

DFEA - Admissions to District Events

Corrected 10/26/21

Hermiston School District 8R

Code: **BD/BDA**
Adopted: 9/12/16
Revised/Readopted: 7/10/17
Orig. Code: BD/BDA

Board Meetings

The Board has the authority to act only when a quorum is present at a duly called regular, special or emergency meeting. “Meeting” means the convening of a quorum of the Board as the district’s governing body to make a decision or to deliberate toward a decision on any matter. This includes meeting for the purpose of gathering information to serve as the basis for a subsequent decision or recommendation by the governing body, i.e. a work session. The affirmative vote of the majority of members of the Board is required to transact any business.

All regular, special and emergency meetings of the Board will be open to the public except as provided by law. Access to and the ability to attend all meetings (excluding executive sessions) by telephone, video or other electronic or virtual means will be made available when reasonably possible. All meetings will be conducted in compliance with state and federal statutes. [For information on how to give or submit public comment, ~~it is outlined in refer to~~ Board policy BDDH - Public Comment at Board Meetings¹ ~~and/or~~ ~~posted on the district’s website~~.]

All Board meetings, including Board retreats and work sessions, will be held within district boundaries, except as allowed by law². The Board may attend training sessions outside the district boundaries but cannot deliberate or discuss district business.³ No meeting will be held at any place where discrimination on the basis of disability, race, creed, color, sex, sexual orientation, gender identity⁴, age or national origin is practiced.

The Board will give public notice reasonably calculated to give actual notice to interested persons, including those with disabilities, of the time and place for all Board meetings and of the principal subjects

[¹ When telephone or other electronic means of communication is used during a meeting open to the public, the Board shall make at least one place available to the public where, or at least one electronic means by which, the public can listen during the meeting. At all meetings of the Board open to the public, the public will be provided an opportunity, to the extent reasonably possible, to access and attend the meeting by telephone, video or other electronic or virtual means. If in-person oral testimony (or public comment) is allowed, the public will be provided, to the extent reasonably possible, an opportunity to submit oral testimony during the meeting[, at the designated portion of the agenda,] by telephone, video or other electronic or other means. If in-person written testimony is allowed, the public will be provided, to the extent reasonably possible, an opportunity to submit written testimony including by email or other electronic means, so that the Board is able to consider the submitted testimony in a timely manner.]

² ORS 192.630(4). Meetings of the governing body of a public body shall be held within the geographic boundaries over which the public body has jurisdiction, or at the administrative headquarters of the public body or at the other nearest practical location. Training sessions may be held outside the jurisdiction if no deliberations toward a decision are involved.

~~³ ORS 192.630(4). Meetings of the governing body of a public body shall be held within the geographic boundaries over which the public body has jurisdiction, or at the administrative headquarters of the public body or at the other nearest practical location. Training sessions may be held outside the jurisdiction as long as no deliberations toward a decision are involved.~~

~~⁴ As defined in ORS 174.100.~~

to be considered. The Board may consider additional subjects at a meeting, even if they were not included in the notice.

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

~~If requested to do so at least [72] 48 business hours before a meeting held in public, the Board will make a reasonable effort to provide translation services. {⁵}~~

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

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

1. Regular, Special and Emergency Meetings

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

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

Special meetings can be convened by the Board chair, upon request of three Board members, or by common consent of the Board at any time to discuss any topic. A special meeting may also be scheduled if less than a quorum is present at a meeting or additional business still needs to be conducted at the ending time of a meeting. At least 24 hours' notice must be provided to all Board members, the news media, which have requested notice, and the general public for any special meeting.

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

2. Communications Outside of Board Meetings

Communications, to, by and among a quorum of Board members outside of a legally called Board meeting, in their capacity as Board members, shall not be used for the purpose of discussing district business. This includes electronic communication. Electronic communications among Board

{⁵ Districts are encouraged to evaluate translation needs and resources prior to adding this language. A district may decide that translating the agenda, minutes or other documents, or public comment is sufficient.}

members shall be limited to: messages not involving deliberation, debate, decision-making or gathering of information on which to deliberate.

Electronic communications may contain:

- a. Agenda item suggestions;
- b. Reminders regarding meeting times, dates, and places;
- c. Board meeting agendas or information concerning agenda items;
- d. One-way information from Board members or the superintendent to each Board member (e.g., an article on student achievement or to share a report on district progress on goals); ~~so long as that information is also being made available to the public;~~
- e. Individual responses to questions posed by community members, subject to other limitations in Board policy.

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

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

3. Private or Social Meetings

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

4. Work Sessions

The Board may use regular or special meetings for the purpose of conducting work sessions to provide its members with opportunities for planning and thoughtful discussion. Work sessions will be conducted in accordance with the state law on public meetings, including notice and minutes. The Board may make official decisions during a work session.

5. Executive Sessions

Executive sessions may be held during regular, special or emergency meetings for a reason permitted by law.

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)

[ORS 174.104](#)

[ORS Chapter 192](#)

[ORS Chapter 193](#)

[ORS 255.335](#)

[ORS 332.040 - 332.061](#)

[ORS 433.835 - 433.875](#)

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

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

OR. ATTY. GEN. Public Records and Meetings Manual.
Oregon House Bill 2560 (2021).
Oregon House Bill 3041 (2021).

Cross Reference(s):

ACA - Americans with Disabilities Act
BDC - Executive Sessions

Corrected 10/26/21

Hermiston School District 8R

Code: BDDH
Adopted: 7/10/17
Revised/Readopted: 12/11/17

Public Comment at Board Meetings

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

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

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

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

Audience

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

Request for an Item on the Agenda

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

[†] Auxiliary aids may include, but are not limited to, such services and devices as qualified interpreters, assistive listening systems, note takers, readers, taped texts, Braille materials and large print.

Procedures for Oral Public Comment at Meetings

The Board establishes the following procedures for public comment at Board meetings held in open session. The purpose of these procedures will be to inform the public how to effectively participate in Board meetings for the best interests of the individual, the district and the patrons. The information will be easily accessible and available to all patrons accessing or attending such a public Board meeting.

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

~~The Board chair should be alert to see that all visitors have been acknowledged and thanked for their presence and for any contributed comments on agenda issues. Similar courtesy should be extended to members of staff who have been in attendance. Their return for future meetings should be welcomed.~~

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

² When in-person attendees are allowed to provide oral comment, virtual attendees will be afforded the same opportunity.

name of the organization. A spokesperson should be designated to represent a group with a common purpose.

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

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

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

Procedures for Written Comment

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

Petitions

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

Comments Regarding Staff Members

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

END OF POLICY

Legal Reference(s):

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

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

[ORS 332.107](#)

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

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

Baca v. Moreno Valley Unified Sch. Dist., 936 F. Supp. 719 (C.D. Cal. 1996).

Leventhal v. Vista Unified Sch. Dist., 973 F. Supp. 951 (S.D. Cal. 1997).

Oregon House Bill 2560 (2021).

Cross Reference(s):

BDDC - Board Meeting Agenda

KC - Community Involvement in Decision Making

Corrected 10/26/21

Hermiston School District 8R

Code: CM
Adopted: 4/09/18

Compliance and Reporting on Standards

The superintendent will prepare an annual report that represents the district's compliance with the standards adopted by the State Board of Education for the preceding school year and submit that report to the Board.

The district's annual report will be presented orally at a public Board meeting by ~~November~~ February 1 of each school year and will allow public comment on such report. This report will be posted on the district's web page, ~~by February 1 of each school year. The Board will acknowledge receipt of the report prior to its submission to the Oregon Department of Education (ODE).~~

The district will report on its compliance with state standards to Oregon Department of Education (ODE) by ~~November~~ February 15 each year on a form provided by ODE.

END OF POLICY

Legal Reference(s):

[ORS 329.095](#)
[ORS 329.105](#)

[OAR 581-022-2260](#)
[OAR 581-022-2305](#)

Corrected 10/26/21

Hermiston School District 8R

Code: DJC
Adopted: 12/09/13
Revised/Readopted: 7/10/17
Orig. Code: DJC

Bidding Requirements

The Board is the Local Contract Review Board (LCRB) for the district. All public contracts shall be invited in accordance with applicable competitive procurement provisions of the Oregon Revised Statutes and the adopted public contracting rules.

The Board, acting as its own LCRB, adopts¹ the *Oregon Attorney General's Model Public Contract Rules*, Oregon Administrative Rule (OAR) Chapter 137, Divisions 046 through 049 ~~in effect at the time this policy is adopted.~~

The district shall procure the construction manager/general contractor services in accordance with model rules the Attorney General adopts under Oregon Revised Statute (ORS) 279A.065(3).

Additionally, the Board may include as part of its rules portions of the Oregon Department of Administrative Services rules governing Public Contract Exemptions, OAR Chapter 125, Divisions 246-249 in effect at the time this policy is adopted.

~~The~~ ~~Where necessary, the~~ Board ~~may make~~ ~~has made~~ the written findings required by law for exemptions from competitive bidding. Such findings shall be maintained by the district and made available on request.

The district shall review its rules each time the Attorney General adopts a modification of the model rules, as required by ORS 279A.065(65)(b), to determine whether any modifications need to be made to district rules to ensure compliance with statutory changes. New rules, as necessary, shall be adopted by the Board. In the event it is unnecessary to adopt new rules, Board minutes will reflect that the review process was completed as required.

The Board, acting as the LCRB, may enact a resolution that authorizes the district to designate a public improvement as a community benefit contract per the requirements included in ORS 279C.300 to 279C.470.

~~The Board recognizes that a public contracting agency that has not established its own rules of procedure as permitted under ORS 279A.065(5) is subject to the model rules adopted by the Attorney General, including all modifications to the model rules that the Attorney General may adopt.~~

¹ {Public Contracts shall be governed by ORS Chapter 279, 279A, 279B and ~~or~~ 279C. Additionally, the Board may, as provided by ORS 279A.065, adopt the Oregon Attorney General's Model Public Contract Rules, OAR Chapter 137 governing purchasing/ bid procedures. The Board may also adopt the Oregon Department of Administrative Services rules governing Public Contract Exemptions, OAR Chapter 125. The Board may adopt portions of those rules or adopt its own rules. A Board that has not established its own rules of procedure for public contracts is subject to the model rules (OAR Chapter 137) adopted by the Attorney General.}

Procurements for services estimated to be in excess of \$250,000 shall go through the cost analysis and feasibility process described in ORS 279B.

END OF POLICY

Legal Reference(s):

ORS Chapters [279](#), [279A](#), [279B](#) and [OAR Chapter 125](#), Divisions 246-249
[279C](#)

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

Cross Reference(s):

DJ - District Purchasing
DJCA - Personal Services Contracts
EH - Electronic Data Management

Corrected 10/26/21

Hermiston School District 8R

Code: GBA
Adopted: 11/14/11
Revised/Readopted: 7/10/17; 2/10/20
Orig. Code: GBA

Equal Employment Opportunity

Equal employment opportunity and treatment shall be practiced by the district regardless of race¹, color, religion, sex, sexual orientation, gender identity², national origin, marital status, ~~age~~, pregnancy, childbirth or a related medical condition³, age, veterans' status⁴, service in uniformed service, familial status, genetic information, an individual's juvenile record that has been expunged, and disability⁵ if the employee, with or without reasonable accommodation, is able to perform the essential functions of the position.

The superintendent will appoint an employee to serve as the officer in charge of compliance with the Americans with Disabilities Act and ~~of 1990~~, the Americans with Disabilities Act Amendments Act ~~of 2008~~ (ADA), and Section 504 of the Rehabilitation Act. The superintendent will also designate a Title IX coordinator to comply with the requirements of Title IX of the Education Amendments ~~of 1972~~. The Title IX coordinator will investigate complaints communicated to the district alleging noncompliance with Title IX. The name, address and telephone number of the Title IX coordinator will be provided to all students and employees.

The superintendent will develop other specific recruiting, interviewing and evaluation procedures as are necessary to implement this policy.

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)
[ORS 243.317 – 243.323](#)
[ORS 326.051](#)
[ORS 332.505](#)

[ORS 342.934](#)
[ORS 408.225](#)
[ORS 408.230](#)
[ORS 408.235](#)

[ORS 652.210 - 652.220](#)
[ORS 659.850](#)
[ORS 659A.003](#)
[ORS 659A.006](#)

¹ 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 ~~“Sexual orientation” means an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behavior differs from that traditionally associated with in the individual’s sex at birth.~~

³ This unlawful employment practice related to pregnancy, childbirth or a related medical condition as described in House Bill 2341 (2019) (added to ORS 659A) applies to employers who employ six or more persons.

⁴ The district grants a preference in hiring and promotion to veterans and disabled veterans. A veteran is eligible to use the preference any time when applying for a position at any time after discharge or release from service in the Armed Forces of the United States.

⁵ This unlawful employment practice related to disability as described in ORS 659A.112 applies to employers who employ six or more persons (ORS 659A.106).

[ORS 659A.009](#)
[ORS 659A.029](#)
[ORS 659A.030](#)
[ORS 659A.040](#)
[ORS 659A.082](#)
[ORS 659A.109](#)
[ORS 659A.112](#)
[ORS 659A.147](#)

[ORS 659A.233](#)
[ORS 659A.236](#)
[ORS 659A.309](#)
[ORS 659A.321](#)
[ORS 659A.409](#)
[ORS 659A.820](#)
[OAR 581-021-0045](#)
[OAR 581-022-2405](#)

[OAR 839-003-0000](#)
[OAR 839-006-0435](#)
[OAR 839-006-0440](#)
[OAR 839-006-0450](#)
[OAR 839-006-0455](#)
[OAR 839-006-0460](#)
[OAR 839-006-0465](#)

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, et. seq. (2018).
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 (2018); 29 C.F.R Part 1626 (2019).
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).
Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2018).
Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 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).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (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).
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).
Chevron USA Inc. v. Echazabal, 536 U.S. 736 (2002).
Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. §§ 4301-4303 (2018).
House Bill 2935 (2021)
House Bill 3041 (2021)

Cross Reference(s):

AC - Nondiscrimination
ACA - Americans with Disabilities Act

Corrected 10/26/21

Hermiston School District 8R

Code: GBEA
Adopted: 2/10/20

Workplace Harassment

Workplace harassment is prohibited and shall not be tolerated. This includes workplace harassment that occurs between district employees or between a district employee and the district in the workplace or at a work-related event that is off district premises and coordinated by or through the district, or between a district and a district employee off district premises. Elected school board members, volunteers and interns are subject to this policy.

Any district employee who believes they have been a victim of workplace harassment may file a report with the district employee designated in the administrative regulation GBEA-AR - Workplace Harassment Reporting and Procedure, may file a report through the Bureau of Labor and Industries' (BOLI) complaint resolution process or under any other available law. The reporting of such information is voluntary. The district employee making the report is advised to document any incidents of workplace harassment.

“Workplace harassment” means conduct that constitutes discrimination prohibited by Oregon Revised Statute (ORS) 659A.030 (discrimination in employment based on race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age, or expunged juvenile record), including conduct that constitutes sexual assault¹ or that constitutes conduct prohibited by ORS 659A.082 (discrimination against person in uniformed service) or 659A.112 (discrimination in employment based on disability).

The district, upon receipt of a report from a district employee who believes they are a victim of workplace harassment, shall provide information about legal resources and counseling and support services, including any available employee assistance services. The district employee receiving the report, whether a supervisor of the employer or the district employee designated to receive reports, is advised to document any incidents of workplace harassment, and shall provide a copy of this policy and accompanying administrative regulation to the victim upon their disclosure about alleged workplace harassment.

All incidents of behavior that may violate this policy shall be promptly investigated.

Any person who reports workplace harassment has the right to be protected from retaliation.

The district may not require or coerce a district employee to enter into a nondisclosure² or nondisparagement³ agreement.

The district may not enter into an agreement with an employee or prospective employee, as a condition of employment, continued employment, promotion, compensation, or the receipt of benefits, that contains a nondisclosure provision, a nondisparagement provision or any other provision that has the purpose or effect of preventing the employee from disclosing or discussing workplace harassment that occurred between district employees or between a district employee and the district, in the workplace or at a work-

¹ “Sexual assault” means unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat or intimidation.

² A “nondisclosure” agreement or provision prevents either party from disclosing the contents of or circumstances surrounding the agreement.

³ A “nondisparagement” agreement or provision prevents either party from making disparaging statements about the other party.

related event that is off district premises and coordinated by or through the district, or between a district employee and employer off district premises.

The district may enter into a settlement agreement, separation or severance agreement that includes one or more of the following provisions only when a district employee claiming to be aggrieved by workplace harassment requests to enter into the agreement: 1) a nondisclosure or nondisparagement provision; 2) a provision that prevents disclosure of factual information relating to the claim of workplace harassment; or 3) a no-rehire provision that prohibits the employee from seeking reemployment with the district as a term or condition of the agreement. The agreement must provide the district employee at least seven days after signing the agreement to revoke it.

If the district determines in good faith that an employee has engaged in workplace harassment, the district may enter into a settlement, separation or severance agreement that includes one or more of the provisions described in the previous paragraph.

It is the intent of the Board that appropriate corrective action will be taken by the district to stop workplace harassment, prevent its recurrence and address negative consequences. Staff members in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional workplace harassment awareness training, as appropriate. Other individuals (e.g., board members, witnesses, and volunteers) whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or the Board.

The district shall make this policy available to all district employees and shall be made a part of district orientation materials provided and copied to new district employees at the time of hire.

The superintendent will establish a process of reporting incidents of workplace harassment and the prompt investigation.

END OF POLICY

Legal Reference(s):

[ORS 243.317 - 243.323](#)
[ORS 659A.001](#)
[ORS 659A.003](#)
[ORS 659A.006](#)
[ORS 659A.029](#)

[ORS 659A.030](#)
[ORS 659A.082](#)
[ORS 659A.112](#)
[ORS 659A.820](#)
[ORS 659A.875](#)

[ORS 659A.885](#)
[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).

House Bill 3041 (2021)

Cross Reference(s):

AC - Nondiscrimination

ACA - Americans with Disabilities Act

GBA - Equal Employment Opportunity

Corrected 10/26/21

Hermiston School District 8R

Code: GBNAA/JHFF
Adopted: 2/10/20
Orig. Code(s): JHFF

Reporting Requirements for Suspected Sexual Conduct with Students

Sexual conduct by district employees, contractors¹, agents², and volunteers³ is prohibited and will not be tolerated. All district employees, contractors, agents, and volunteers are subject to this policy. Students are also subject to this policy if they are acting as an employee, contractor, agent or volunteer.

⁴“Sexual conduct,” means verbal or physical conduct or verbal, written or electronic communications by a school employee, a contractor, an agent or a volunteer that involve a student and that are sexual advances or requests for sexual favors directed toward the student, or of a sexual nature that are directed toward the student or that have the effect of unreasonably interfering with a student’s educational performance, or of creating an intimidating or hostile or offensive educational environment. “Sexual conduct” does not include touching or other physical contact that is necessitated by the nature of the school employee’s job duties or by the services required to be provided by the contractor, agent or volunteer, and for which there is no sexual intent; verbal, written or electronic communications that are provided as part of an education program that meets state educational standards or a policy approved by the Board; or conduct or communications described in the definition of sexual conduct herein if the school employee, contractor, agent or volunteer is also a student and the conduct or communications arise out of a consensual relationship between students, do not create an intimidating or hostile educational environment and are not prohibited by law, any policies of the district or any applicable employment agreements.

“Student” means any person who is in any grade from prekindergarten through grade 12 or 21 years of age or younger and receiving educational or related services from the district that is not a post-secondary institution of education, or who was previously known as a student by the person engaging in sexual conduct and who left school or graduated from high school within 90 days prior to the sexual conduct.

¹ “Contractor” means a person providing services to the district under a contract in a manner that requires the person to have direct, unsupervised contact with students.

² “Agent” means a person acting as an agent for the district in a manner that requires the person to have direct, unsupervised contact with students.

³ “Volunteer” means a person acting as a volunteer for the district in a manner that requires the person to have direct, unsupervised contact with students.

⁴ This definition of “sexual conduct” affects all conduct that occurs before, on or after June 23, 2021, for purposes of reports that are made, investigations that are initiated, or a collective bargaining agreement, an employment contract, an agreement for resignation or termination, a severance agreement or any similar contract or agreement entered into, on or after June 23, 2021.

The district will post in each school building the names and contact information of the employees designated for the respective school buildings to receive reports of suspected sexual conduct and the procedures the designee will follow upon receipt of the report.

Any district employee who has reasonable cause to believe that a student has been subjected to sexual conduct by another district employee, contractor, agent or volunteer, or that another district employee, contractor, agent or volunteer has engaged in sexual conduct with a student shall immediately report such suspected sexual conduct to the designated licensed administrator or the alternate designated licensed administrator, in the event the designated administrator is the suspected perpetrator, for their school building. If the conduct also constitutes child abuse, the employee must make mandatory reports in accordance with Board policy GBNAB/JHFE – Suspected Abuse of a Child Reporting Requirements.

If the superintendent is the alleged perpetrator the report shall be submitted to the Assistant Superintendent who shall report the suspected sexual conduct to the Board chair.

If an employee fails to report suspected sexual conduct or fails to maintain confidentiality of records, the employee will be disciplined up to and including dismissal.

When ~~the~~ designated licensed administrator receives a report of suspected sexual conduct by a district employee, contractor, agent or volunteer, the administrator will follow procedures established by the district and set forth in the district’s administrative regulation GBNAA/JHFF-AR - Suspected Sexual Conduct Report Procedures and Form. All such reports will be reported to the Oregon Department of Education (ODE) or Teacher Standards and Practices Commission (TSPC) in accordance with such administrative regulation. ~~as appropriate, for investigation.~~ The agency receiving a report will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged perpetrator.

When there is reasonable cause to support the report, a district employee suspected of sexual conduct shall be placed on paid administrative leave pending an investigation and the district will take necessary actions to ensure the student’s safety.

When there is reasonable cause to support the report, a district contractor, agent or volunteer suspected of sexual conduct shall be removed from providing services to the district and the district will take necessary actions to ensure the student’s safety.

~~The district will post in each school building the names and contact information of the employees designated for the school building to receive reports of suspected sexual conduct and the procedures the designee will follow upon receipt of the report.~~

The district will notify, as allowed by state and federal law, the person who was subjected to the suspected sexual conduct about any actions taken by the district as a result of the report.

A district employee, contractor or agent will not assist another district employee, contractor or agent in obtaining a new job if the individual knows, or has reasonable cause to believe the district employee, contractor or agent engaged in sexual conduct. Nothing in this policy prevents the district from disclosing information required by law or providing the routine transmission of administrative and personnel files pursuant to law.

The initiation of a report in good faith about suspected sexual conduct may not adversely affect any terms or conditions of employment or the work environment of the person who initiated the report or who may have been subject to sexual conduct. If a student initiates a report of suspected sexual conduct by a district employee, contractor, agent or volunteer in good faith, the student will not be disciplined by the district or any district employee, contractor, agent or volunteer.

The district will provide to employees at the time of hire, or to a contractor, agent or volunteer at the time of beginning service for the district, the following:

1. A description of conduct that may constitute sexual conduct;
2. A description of the investigatory process and possible consequences if a report of suspected sexual conduct is substantiated; and
3. A description of the prohibitions imposed on district employees, contractors and agents when they attempt to obtain a new job, pursuant to ORS 339.378(2).

All district employees are subject to Board policy GCAB - Personal Electronic Devices and Social Media - Staff regarding appropriate electronic communications with students.

Any electronic communications with students by a contractor, agent or volunteer for the district will be appropriate and only when directed by district administration. When communicating with students electronically regarding school-related matters, contractors, agents or volunteers shall use district e-mail using mailing lists and/or other internet messaging approved by the district to a group of students rather than individual students or as directed by district administration. Texting or electronically communicating with a student through contact information gained as a contractor, agent or volunteer for the district is prohibited.

The superintendent shall develop administrative regulations to implement this policy and to comply with state law.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 339.370 - 339.400](#)

[ORS 419B.005 - 419B.045](#)

Every Student Succeeds Act, 20 U.S.C. § 7926 (2018).

House Bill 2136 (2021).

Senate Bill 51 (2021).

Cross Reference(s):

GCAB - Personal Electronic Devices and Social Media - Staff

JHFF/GBNAA - Reporting Requirements for Suspected Sexual Conduct with Students

Corrected 10/26/21

Hermiston School District 8R

Code: **GBNAB/JHFE**
Adopted: 12/10/12
Revised/Readopted: 7/24/17; 2/10/20
Orig. Code: JHFE

Reporting of Suspected Abuse of a Child

Any district employee who has reasonable cause to believe that **any child** with whom the employee has come in contact has suffered abuse¹ shall orally report or cause an oral report immediately by telephone or otherwise to the local office of the Oregon Department of Human Services (DHS) or its designee or to the law enforcement agency within the county where the person making the report is located at the time of the contact pursuant to Oregon Revised Statute (ORS) 419B.010. Any district employee who has reasonable cause to believe that **any person² adult or student** with whom the employee is in contact has abused a child shall immediately report or cause a report to be made in the same manner to DHS or its designee or to the law enforcement agency within the county where the person making the report is located at the time of the contact pursuant to ORS ~~419B~~**419**.010. If known, the report shall contain the names and addresses of the child and the parents of the child or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, including any evidence of previous abuse, the explanation given for the suspected abuse, any other information that the person making the report believes might be helpful in establishing the possible cause of the abuse and the identity of a possible perpetrator.

Abuse of a child by district employees, contractors³, agents⁴, volunteers⁵, or students **is prohibited and** will not be tolerated. All district employees, contractors, agents, volunteers and students are subject to this policy and the accompanying administrative regulation.

Any district employee who has reasonable cause to believe that another district employee, contractor, agent, volunteer or student has engaged in abuse, or that a student has been subjected to abuse by another district employee, contractor, agent, volunteer or student shall immediately report such to the Oregon Department of Human Services (DHS) or its designee or the local law enforcement agency pursuant to ORS 419B.015, and to the designated licensed administrator.

The district will designate a licensed administrator and an alternate licensed administrator, in the event that the designated licensed administrator is the suspected abuser, for each school building to receive reports of suspected abuse of a child by district employees, contractors, agents, volunteers or students.

¹ Includes the neglect of a child; abuse is defined in ORS 419B.005.

² "Person" could include adult, student or other child.

³ "Contractor" means a person providing services to the district under a contract in a manner that requires the person to have direct, unsupervised contact with students.

⁴ "Agent" means a person acting as an agent for the district in a manner that requires the person to have direct, unsupervised contact with students.

⁵ "Volunteer" means a person acting as a volunteer for the district in a manner that requires the person to have direct, unsupervised contact with students.

If the superintendent is the alleged perpetrator the report shall be submitted to the Assistant Superintendent who shall also report to the Board chair.

The district will post the names~~name~~ and contact information of the designees for each school building, in the respective school, designated to receive reports of suspected abuse and the procedures in GBNAB/JHFE-AR(1) - Reporting of Suspected Abuse of a Child the designee will follow upon receipt of a report, the contact information for local law enforcement and the local DHS office or its designee, and a statement that ~~this~~the duty to report suspected~~suspect~~ abuse is in addition to the requirements of reporting to a designated licensed administrator.

When a designee receives a report of suspected abuse, the designee will follow procedure established by the district and set forth in administrative regulation GBNAB/JHFE-AR(1) - Reporting of Suspected Abuse of a Child. All such reports of suspected abuse will be reported to a law enforcement agency or DHS, or its designee, for investigation, and the agency will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged abuser.

When there is reasonable cause to support ~~a~~the report, a district employee suspected of abuse shall be placed on paid administrative leave pending an investigation and the district will take necessary actions to ensure the student's safety. When there is reasonable cause to support ~~a~~the report, a district contractor, agent or volunteer suspected of abuse shall be removed from providing services to the district and the district will take necessary actions to ensure the student's safety.

The district will notify the person, as allowed by state and federal law, who was subjected to the suspected abuse about any actions taken by the district as a result of the report.

A substantiated report of abuse by an employee shall be documented in the employee's personnel file. A substantiated report of abuse by a student shall be documented in the student's education record.

The initiation of a report in good faith, pursuant to this policy, may not adversely affect any terms or conditions of employment or the work environment of the person initiating the report or who may have been subjected to abuse. If a student initiates a report of suspected abuse of a child by a district employee, contractor, agent, volunteer or student, in good faith, the student will not be disciplined by the district or any district employee, contractor, agent or volunteer. Intentionally making a false report of abuse of a child is a Class A violation.

The district shall provide information and training each school year to district employees on the prevention and identification of abuse, the obligations of district employees under ORS 339.388 and ORS 419B.005 - 419B.050 and as directed by Board policy to report suspected abuse of a child, and appropriate electronic communications with students. The district shall make available each school year the training described above to contractors, agents, volunteers, and parents and legal guardians of students attending district-operated schools, and will be made available separately from the training provided to district employees. The district shall provide each school year information on the prevention and identification of abuse, the obligations of district employees under Board policy to report abuse, and appropriate electronic communications with students to contractors, agents and volunteers. The district shall make available each school year training that is designed to prevent abuse to students attending district-operated schools.

The district shall provide to a district employee at the time of hire, or to a contractor, agent, or volunteer at the time of beginning service for the district, the following:

1. A description of conduct that may constitute abuse;
2. A description of the investigatory process and possible consequences if a report of suspected abuse is substantiated; and
3. A description of the prohibitions imposed on district employees, contractors, and agents when they attempt to obtain a new job, as provided under ORS 339.378. A district employee, contractor or agent will not assist another district employee, contractor or agent in obtaining a new job if the individual knows, or has reasonable or probable cause to believe the district employee, contractor or agent engaged in abuse, unless criteria found in ORS 339.378(2)(c) are applicable.

Nothing in this policy prevents the district from disclosing information required by law or providing the routine transmission of administrative and personnel files pursuant to law.

The district shall make available to students, district employees, contractors, agents, and volunteers a policy of appropriate electronic communications with students.

Any electronic communications with students by a contractor, agent or volunteer for the district will be appropriate and only when directed by district administration. When communicating with students electronically regarding school-related matters, contractors, agents or volunteers shall use district e-mail, using mailing lists and/or other internet messaging approved by the district to a group of students rather than individual students or as directed by district administration. Texting or electronically communicating with a student through contact information gained as a contractor, agent or volunteer for the district is prohibited.

The superintendent shall develop administrative regulations as are necessary to implement this policy and to comply with state law.

END OF POLICY

Legal Reference(s):

[ORS 339.370 - 339.400](#)
[ORS 418.257 - 418.259](#)

[ORS 419B.005 - 419B.050](#)

[OAR 581-022-2205](#)
[Senate Bill 155 \(2019\)](#)

Greene v. Camreta, 588 F.3d 1011 (9th Cir. 2009), vacated in part by, remanded by Camreta v. Greene, 131 S. Ct. 2020 (U.S. 2011); vacated in part, remanded by Greene v. Camreta 661 F.3d 1201 (9th Cir. 2011).
[Senate Bill 51 \(2021\)](#).

Cross Reference(s):

GBNAA/JHFF - Reporting Requirements for Suspected Sexual Conduct with Students
 GCAB - Personal Electronic Devices and Social Media - Staff
 JHFF/GBNAA - Reporting Requirements for Suspected Sexual Conduct with Students

Corrected 10/26/21

Hermiston School District 8R

Code: **IB**
Adopted: 7/10/17

Freedom of Expression

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

Freedom of Student Inquiry and Expression

1. Generally, students and student organizations are free to examine and discuss questions of interest to them and to express opinions publicly and privately within the school system, provided such examination and expression is fair and responsible and is not disruptive to other individuals or to the educational process. Students may support or oppose causes by orderly means which do not disrupt other individuals or the operation of the school.
2. In the classroom, students are free to examine views offered in any course of study, provided such examination is expressed in a responsible manner.

Freedom of Association

Students are free to organize associations to promote their common interests. Student organizations should be open to all students. Membership criteria may not exclude students on the basis of age, race, religion, color, national origin, disability, marital status, familial status, parental status, linguistic background, culture, socioeconomic status, capability, geographic location, sex, sexual orientation or gender identity. ~~sex or sexual orientation~~. Each student organization must have a staff adviser to counsel and, when necessary, supervise students in the organization. All student organizations must submit to the school a statement of purpose, criteria for membership, rules and procedures [and a current list of officers]. School administrators may establish reasonable rules and regulations governing the activity of student organizations.

Publications K-8, Displays and Productions

On occasion, materials such as leaflets, newsletters, cartoons and other items including displays and productions are prepared, produced and/or distributed by students as part of the educational process and free expression in an academic community. Materials may be reviewed by the administrator or may be ~~subject to administrative review~~, restricted or prohibited, ~~however~~, pursuant to legitimate educational concerns. Such concerns include:

1. The material is or may be defamatory;
2. The material is inappropriate based on the age, grade level and/or maturity of the audience;
3. The material is poorly written, inadequately researched, biased or prejudiced;
4. Whether there is an opportunity for a named individual or named individuals to make a response;

5. Whether specific individuals may be identified even though the material does not use or give names;
6. The material is or may be otherwise generally disruptive to the school environment. Such disruption may occur, e.g., ~~for example~~, if the material uses, advocates or condones the use of profane language or advocates or condones the commission of unlawful acts;
7. Students, parents and members of the public might reasonably perceive the materials to bear the sanction or approval of the district.

High School Student Journalists

Generally, high school student journalists have the right to exercise freedom of speech and of the press in school-sponsored media. "School-sponsored media" means materials that are prepared, substantially written, published or broadcast by student journalists; that are distributed or generally made available, either free of charge or for a fee, to members of the student body; and that are prepared under the direction of a student media adviser. School-sponsored media does not include media intended for distribution or transmission solely in the classrooms in which they are produced.

School-sponsored media prepared by student journalists are subject to reasonable time, place and manner restrictions, pursuant to state and federal law. School-sponsored media cannot contain material that:

1. Is libelous or slanderous;
2. Is obscene, pervasively indecent or vulgar;
3. Is factually inaccurate or does not meet journalistic standards established for school-sponsored media;
4. Constitutes an unwarranted invasion of privacy;
5. Violates federal or state law ~~or regulation~~; or
6. So incites students as to create a clear and present danger of:
 - a. The commission of unlawful acts on or off school premises;
 - b. The violation of district ~~or school~~ policies; or
 - c. The material and substantial disruption of the orderly operation of the school. A school official will base a forecast of material and substantial disruption on specific facts, including past experience in the school and current events influencing student behavior, and not on undifferentiated fear or apprehension.

Modifications or removal of items may be appealed in writing to the superintendent. The superintendent shall schedule a meeting within three school days of receiving the written appeal. Those present at the meeting shall include the individual(s) making the appeal, the individual(s) who made the decision to

modify or remove materials and the superintendent. At the superintendent's discretion, the district's legal counsel may also attend the meeting. The superintendent shall make ~~a his/her~~ decision within three school days of the meeting. The superintendent's decision shall be final and binding on all parties.

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)
[ORS 332.072](#)
[ORS 332.107](#)

[ORS 336.477](#)
[ORS 339.880](#)
[ORS 339.885](#)

[ORS 659.850](#)
[OAR 581-021-0050](#)
[OAR 581-021-0055](#)

Equal Access Act, 20 U.S.C. §§ 4071-4074 (2018).
Westside Cmty. Bd. of Educ. v. Mergens, 496 U.S. 226 (1990).
Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988).
U.S. CONST. amend. I; U.S. CONST. amend. XIV.
OR. CONST., art. I, § 8.
House Bill 3041 (2021).

Cross Reference(s):

IGDA - Student Organizations

Corrected 10/26/21

Hermiston School District 8R

Code: IGBHA
Adopted: 7/10/17
Code: IGBG

Alternative Education Programs**

The Board is dedicated to providing educational options for all students. It is recognized there will be students in the district whose needs and interests are best served by participation in an alternative education program.

“Alternative education program” means a school or separate class group designed to best serve students’ educational needs and interests and assist students in achieving the academic standards of the school district and the state.

A list of alternative education programs will be approved by the Board annually. The superintendent may provide for the involvement of staff, parents or guardians and the community in recommending alternative education programs for Board approval, and in the development of related Board policy and an administrative regulation. Annual evaluation of alternative education programs will be made in accordance with Oregon Revised Statute (ORS) 336.655 and Oregon Administrative Rule (OAR) 581-022-2505~~1350~~. The superintendent will develop administrative regulations as necessary to evaluate the district’s alternative education programs.~~implement this requirement.~~

Alternative education programs will consist of instruction or instruction combined with counseling. These programs may be public or private. A private~~Private~~ alternative education program~~programs~~ shall be registered with the Oregon Department of Education. Alternative education programs must meet all the requirements set forth in state law~~ORS 336.625, 336.631 and 336.637.~~ rules, and federal law, as applicable. A qualified district may contract with a qualified private alternative education to provide services to a qualified home-schooled child.

Students, after consultation with a~~upon~~ parent or guardian~~request~~, may be placed in an alternative education program if the district determines that the placement serves the student’s educational needs and interests, and assists the student in achieving district and state academic content standards. Such placement must have the approval of the student’s resident district and, as appropriate, the attending district. The district will also consider and propose alternative education programs for students prior to expulsion or leaving school as required by law.

The district shall pay the actual cost of an alternative education program~~cost~~ or an amount equal to 80 percent of the district’s estimated current year’s average per-student net operating expenditure, whichever is less. When contracting ~~The district will enter into a written contract with a district-approved~~ private alternative education program, the district’s contract will meet the requirements of law.~~programs.~~

END OF POLICY

Legal Reference(s):

[ORS 329.485](#)
[ORS 332.072](#)

[ORS 336.014](#)
[ORS 336.175](#)

[ORS 336.615 - 336.665](#)
[ORS 339.030](#)

Alternative Education Programs** – IGBHA

[ORS 339.250](#)

[OAR 581-021-0045](#)

[OAR 581-021-0065](#)

[OAR 581-021-0070](#)

[OAR 581-021-0071](#)

[OAR 581-022-2320](#)

[OAR 581-022-2505](#)

[OAR 581-023-0006](#)

[OAR 581-023-0008](#)

Cross Reference(s):

IGBHB - Establishment of Alternative Education Programs

IGBHC - Alternative Education Notification

JGEA - Alternative Education Programs Following Expulsion

Corrected 10/26/21

Hermiston School District 8R

Code: **IGBI**
Adopted: 8/03/04
Revised/Readopted: 7/10/17
Orig. Code: IGBI

Bilingual Education

Students whose primary language is ~~a language~~ other than English will be provided appropriate assistance until they are able to use English in a manner that allows effective, relevant participation in regular classroom instruction and other educational activities.

Parents who are not able to use English in a manner that allows effective, relevant participation in educational planning for their student will be provided with relevant written, verbal or signed communication in a language they can understand.

END OF POLICY

Legal Reference(s):

[ORS 336.079](#)

[OAR 581-021-0046](#)

[OAR 581-022-2310](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).
Every Student Succeeds Act of 2015, 20 U.S.C. §§ 6801-7014 (2018).

Corrected 10/26/21

Hermiston School District 8R

Code: IGDJ
Adopted: 6/10/19

Interscholastic Activities

The Board recognizes the integral role interscholastic activities play in the character development and general enhancement of the education of its students. Accordingly, administrators, coaches, student participants, and others associated with the district's high school activities programs and events shall conduct themselves in a manner that is consistent with the letter and spirit of policies, rules, and regulations of the district and of the Washington Interscholastic Activities Association (WIAA) and the fundamental values of sportsmanship. Each will be held accountable for their actions.

The district shall allow homeschooled students that reside in the district, students eligible to attend school and enrolled in a district- or ESD-provided General Education Development (GED) program that reside in the district, and students attending a public charter school that reside in the district to participate in available interscholastic activities when the requirements found in Oregon law are met.

Interscholastic activities when provided by the district will comply with Title IX and other nondiscrimination laws.

District employees, students, parents, alumni, and activity volunteers are prohibited from inducing or attempting to induce a student to attend a district school for interscholastic activity eligibility or participation. The principal, activities director, and coaches are each responsible for ensuring student participants meet all district and WIAA eligibility requirements. The principal is responsible for ensuring accurate certification regarding the eligibility of participating students and for verifying that athletic directors, coaches of sports, and activity advisors have all required certifications prior to assuming their duties. The principal shall ensure that a program is in place to effectively evaluate the performance of all coaches and activity advisors under their supervision.

Volunteers may be approved to assist with district activities with prior approval from the principal.

The principal shall investigate all allegations of district student ineligibility, staff recruitment violations or other student or staff conduct that may violate Board policies, administrative regulations, and/or WIAA rules and regulations. The principal shall notify the superintendent of conduct that violates the terms of this policy and report to the WIAA as required.

An employee determined to have violated rules and regulations of the WIAA may be subject to discipline, up to and including, dismissal. A student in violation of the WIAA rules and regulations will be subject to discipline, up to and including, dismissal from an interscholastic activity or program, suspension and/or expulsion from school. Volunteers in violation of the WIAA rules and regulations shall be subject to discipline, up to and including, removal from district programs and activities and such other sanctions as may be deemed appropriate by the district.

Employees, volunteers, or students in violation of WIAA rules and/or regulations may be required to remunerate the district in the event of fines assessed by WIAA as a result of their actions.

The superintendent will develop procedures, as necessary, to implement this policy, including a process to ensure that all district rules governing the conduct of students, staff, and volunteers engaged in district activities are regularly reviewed and updated.

END OF POLICY

Legal Reference(s):

[ORS 326.051](#)

[ORS 332.075\(1\)\(e\)](#)

[ORS 339.450 - 339.460](#)

[OAR 581-015-2255](#)

[OAR 581-021-0045 - 0049](#)

[OAR 581-026-0005](#)

[OAR 581-026-0700](#)

[OAR 581-026-0705](#)

[OAR 581-026-0710](#)

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

OREGON SCHOOL ACTIVITIES ASSOCIATION, OSAA HANDBOOK.

Montgomery v. Bd. of Educ., 188 Or. App. 63 (2003).

Corrected 10/26/21

Hermiston School District 8R

Code: IIA
Adopted: 8/03/04
Revised/Readopted: 7/10/17
Orig. Code: IIA

Instructional Resources/Instructional Materials (Version 1)

The Board is responsible for the selection of instructional materials. The Board delegates to district professional personnel the authority for the selection of instructional and media materials in accordance with the policy below.

Selection Objectives

When reviewing and selecting instructional materials, the objectives will be:

1. To select materials that will provide improvements in content, organization and teaching methods;
2. To ensure accurate and up-to-date content that includes new concepts, insights and facts;
3. To provide for sequential growth from level to level;
4. To provide a fair representation of the many religious, ethnic and cultural groups and their contributions to our American heritage;
5. To provide recognition of minority groups and women. There will be no discrimination or bias or prejudice toward sex, sexual orientation, gender identity, race, religion, national origin, marital status, disability or age.

The district will establish a process and timeline for regularly determining and considering whether the textbooks and other instructional materials are available through online resources that enable students with print disabilities to receive textbooks and instructional materials free of charge.

Textbooks and other instructional materials adopted by the Board shall be selected by the appropriate professional personnel in consultation with parents and citizens community members. The input of staff and students will be encouraged. Final decisions on purchase will rest with the superintendent or designee, subject to official adoption by the Board in the case of textbooks and other instructional materials.

Selection Criteria

All materials selected will be consistent with the following principles:

1. Materials that enrich and support the curriculum, taking into consideration the varied interests, abilities and maturity levels of the students served;
2. Materials that stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards;

3. A background of information which will enable students to make intelligent judgments in their daily lives;
4. Materials on opposing sides of controversial issues, so that young ~~citizens~~ people may develop, under guidance, the practice of analytical reading and thinking;
5. Materials representative of the many religious, ethnic and cultural groups, showing their contributions to our heritage.

The above principles will serve as a guide in the selection of instructional and media materials.

To be in compliance with the requirements of federal law, the Board directs the superintendent to distribute curriculum materials and instructional supplies to district schools in such a manner that ensures all schools receive equivalent materials.

Any resident or employee may challenge the appropriateness of the district’s instructional materials. The district will provide a procedure to process such challenges.

END OF POLICY

Legal Reference(s):

[ORS 336.035](#)
[ORS 336.840](#)
[ORS 337.120](#)
[ORS 337.141](#)
[ORS 337.150](#)
[ORS 337.260](#)

[ORS 337.511](#)
[ORS 339.155](#)

[OAR 581-011-0050 - 0117](#)
[OAR 581-021-0045](#)
[OAR 581-021-0046](#)

[OAR 581-022-2310](#)
[OAR 581-022-2340](#)
[OAR 581-022-2350](#)
[OAR 581-022-2355](#)

Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2018).
 House Bill 3041 (2021).

Cross Reference(s):

KH - Public Gifts to the Schools
 KL - Public Complaints

Corrected 10/26/21

Hermiston School District 8R

Code:
Adopted:

IIA

Instructional Resources/Instructional Materials

(Version 2)

The Board believes that proper care and judgment should be exercised in selecting basic instructional materials. While the Board retains the authority to approve district instructional materials adoptions, it authorizes the superintendent to develop and implement administrative regulations governing how selections are determined. Such procedures will provide for administrator, staff, parent, student and community involvement and employ suitable selection criteria to ensure that the recommended instructional materials will meet the needs of the program, students, teachers and community.

The district will review instructional materials in accordance with the State Board of Education adoption cycle. Each instructional program and basic instructional materials will be reviewed on a seven-year cycle and recommendations for appropriate instructional materials will be made.

Recommended instructional resources and materials will be free of racial, color, national origin, religious, disability, age, marital status, gender identity, sexual orientation or sexual bias. The instructional materials will contain appropriate readability levels, support the district's adopted curriculum content, provide ease of teacher use, be attractive and durable and be purchased at a reasonable cost.

The district will establish a process and timeline for regularly determining and considering whether the textbooks and other instructional materials are available through online resources that enable students with print disabilities to receive textbooks and instructional materials free of charge.

All basic instructional materials recommended for adoption need to be approved for use by the Board. Prior to Board approval, parents, ~~students~~ and interested district patrons will have the opportunity to review the recommended instructional materials and be encouraged to provide opinions about them and their use in the classrooms.

All supplementary materials and library ~~media~~ resources will be selected cooperatively by teachers, principals, librarians and sometimes with the assistance of students and parents. Recommended supplementary materials and library ~~media~~ resources will also be free of racial, color, national origin, religious, disability, age, marital status, gender identity, sexual orientation or sexual bias. The instructional materials will contain appropriate readability levels, support the district's adopted curriculum content, provide for ease of teacher use, be attractive and durable and be purchased at a reasonable cost.

To be in compliance with the requirements of federal law, the Board directs the superintendent to distribute curriculum materials and instructional supplies to district schools in such a manner that ensures all schools receive equivalent materials.

END OF POLICY

Legal Reference(s):

[ORS 336.035](#)

[ORS 336.840](#)

[ORS 337.120](#)

HR10/05/21 | LF

Instructional Resources/Instructional Materials – IIA

[ORS 337.141](#)
[ORS 337.150](#)
[ORS 337.260](#)
[ORS 337.511](#)
[ORS 339.155](#)

[OAR 581-011-0050 - 0117](#)
[OAR 581-021-0045](#)
[OAR 581-021-0046](#)
[OAR 581-022-2310](#)

[OAR 581-022-2340](#)
[OAR 581-022-2350](#)
[OAR 581-022-2355](#)

Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2018).
House Bill 3041 (2021).

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Hermiston School District 8R

Code: **IKF**
Adopted: 7/10/17
Revised/Readopted: 4/09/18; 10/08/18; 6/10/19;
10/14/19

Graduation Requirements**

The Board ~~establishes~~~~will establish~~ graduation requirements for ~~the~~ awarding of a high school diploma, a modified diploma, an extended diploma and an alternative certificate which meet or exceed state requirements.

A student may satisfy graduation requirements in less than four years. The district will award a diploma to a student fulfilling graduation requirements in less than four years if consent is given by the student's parent or guardian or by the student if the student is 18 years of age or older or emancipated.

If the district requires diploma requirements beyond the state requirements, the district shall grant a waiver for those requirements to any student who, at any time from grade 9 to 12, was:

1. A foster child¹;
2. Homeless;
3. A runaway;
4. A child in a military family covered by the Interstate Compact on Educational Opportunity for Military Children;
5. A child of a migrant worker; or
6. Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education Program.

For any student identified above, the district shall accept any credits earned by the student in another district or public charter school, applying those credits toward the state requirements for a diploma if the credits satisfied those requirements in that ~~other~~ district or public charter school.

~~(Moved from IKF-AR starts here)~~ Honors Diploma

The Hermiston High School Honors Diploma recognizes those high achieving students who strive to excel in their academic pursuits. Those recognized with the honors medallion at graduation will represent the highest performing students in the most challenging courses we offer. The honors diploma recognizes academic rigor, career preparation, skill building, and the performing arts. Hermiston High School believes it is through a balance of these ideals that produces the most diverse and equipped students.

¹ As defined in ORS 30.297.

Students earning a Hermiston High School (HHS) Diploma designated as “Honors” and an honors medallion need to meet the current HHS graduation requirements for a Standard Diploma of 24 credits and:

1. Attain 3 additional credits for a total of 27 credits;
2. Achieve a cumulative grade point average of 3.5;
3. Complete 7 credits from the advanced course list;

Designated Advanced courses currently include:

A.P. Biology	A.P. Physics	A.P. Music Theory
A.P. Calculus	A.P. Spanish Lang. Culture	U.S. History Advanced
A.P. Chemistry	A.P. Studio Art	A.P. Literature and Comp.
A.P. Comp. Science—Principles	ASB Leadership (1 cr.)	A.P. Language and Comp.
A.P. Government	Pre-Calculus (1 cr.)	Pre-A.P. Communications
Spanish 3		

4. Complete one of the following:
 - a. At least 1 program of study from the Careers list.
 - b. The Honors Performing Arts requirements.
 - c. Two additional advanced courses.

*Any course on the list taken with a pass/fail option will not count towards the honors diploma.

*For transfer students to receive an Honors designation they must:

1. Petition for honors diploma designation; and
2. Have their transcript evaluated by the HHS Leadership Team for approval.

Standard Diploma

The district may award a diploma to a student who does not satisfy these requirements if the student has exceeded the academic content standards for or displays proficiency in mathematics or English, as demonstrated on Oregon state assessments².

The Standard Diploma basic credit requirements, a total of 24 credits, are outlined below:

1. ~~English~~-Language Arts (LA) - 4 Credits (shall include the equivalent of one unit in written composition);

²~~These graduation requirements apply to students who receive a high school diploma on or after July 1, 2010.~~

2. Social Arts and Science (SAS) - 3 Credits (including history, civics³, geography and economics (including personal finance));
3. Mathematics (MA) - 3 Credits (math requirement shall include one unit at Algebra 1 and two units that are at a level higher than Algebra I);
4. Science (SC) - 3 Credits;
5. Wellness, i.e., health education and physical education (WE) - 2 Credits;
6. Fine/Applied Arts (AL) and Career Technical Education (CTE) - 3 Credits (units shall be earned in any one or a combination);
7. Career Portfolio (CP) - .5 Credits;
8. Electives (ZL) - 5.5 Credits.

In addition to credit requirements outlined in Oregon Administrative Rule (OAR) 581-022-2000, a student must⁴:

~~1. Demonstrate proficiency in the Essential Skills of reading, writing, and applying mathematics in a variety of settings;~~

1. Develop an education plan and build an education profile;
2. Demonstrate extended application through a collection of evidence; and
3. Participate in career-related learning experiences.

Modified Diploma

A modified diploma will be awarded **only** to students who have demonstrated the inability to meet the full set of academic standards adopted by the State Board of Education for a diploma while receiving reasonable modifications and accommodations. **A To be eligible for a modified diploma may only be awarded to a student who meets** ~~must complete~~ the eligibility criteria below and other criteria, if applicable, ~~following 24 credits outlined below while in OAR 581-022-2010(3): grades 9-12.~~

1. ~~English~~ Language Arts (LA) - 3 Credits;
2. Social Arts and Science (SAS) - 2 Credits (which may include history, civics, geography, and economics (including personal finance));
3. Mathematics (MA) - 2 Credits;
4. Science (SC) - 2 Credits;

³ Civics becomes a half-credit requirement beginning on January 1, 2026 (Senate Bill 513, 2021).

⁴ The proficiency in Essential Skills requirement has been waived and is not a condition of receiving a high school diploma during the 2021-2022, 2022-2023 or 2023-2024 school year (Senate Bill 744, 2021).

5. Wellness, i.e., health education and physical education (WE) - 2 Credits;
6. Fine/Applied Arts (AL) and Career Technical Education (CTE) - 1 Credits (units may be earned in any one or a combination);
7. Career Portfolio (CP) - .5 Credit;
8. Elective (ZL) - 11.5 Credits.

Students may earn additional credits to earn a modified diploma pursuant to OAR 581-022-2010.

In addition to credit requirements as outlined in OAR 581-022-2010, a student must:

1. Develop an education plan and build an education profile; and
2. Demonstrate extended application through a collection of evidence.

~~A student must also demonstrate proficiency in the Essential Skills with reasonable modifications and accommodations.~~

Students entering the modified diploma option would be placed there, if appropriate, by their counselor after a thorough review of each student and each set of circumstances which includes a documented history of an inability to maintain grade level achievement due to significant learning and instructional barriers, or a documented history of a medical condition that creates a barrier to achievement. This review shall also include the input of the student, parental consent, teachers, case managers, and administrators. Students may move to the modified diploma track at any time deemed appropriate by their counselor, with consent of their parents(s)/guardian(s), as long as they meet one of the entrance criteria listed above.

Districts may make modifications to the assessment for students who seek a modified diploma when the following conditions are met:

1. For a student on an individualized education program (IEP) or Section 504 plan, any modifications to work samples must be consistent with the requirements established in the IEP or 504 plan. Modifications include practices and procedures that compromise the intent of the assessment through a change in learning expectations, construct, or content that is to be measured, grade level standard, or measured outcome of the assessment. This means that IEP or 504 school teams responsible for approving modifications for a student's assessment may adjust the administration of the assessment and/or the assessment's achievement standard;
2. For a student not on an IEP or 504 plan, any modifications to work samples must have been provided to the student during their/his/her instruction in the content area to be assessed, and in the year in which the student is being assessed, and modifications must be approved by the school team that is responsible for monitoring the student's progress toward the modified diploma.

Students not on an IEP or a Section 504 Plan may not receive a modified Smarter Balanced assessment.

A student's school team shall decide that a student should work toward a modified diploma no earlier than the end of grade six and no later than two years before the student's anticipated exit from high school. A student's school team may decide to revise a modified diploma decision.

A student's school team may decide that a student who was not previously working towards a modified diploma should work towards one when the student is less than two years from anticipated exit from high school if the documented history has changed.

Beginning in grade five or beginning after a documented history to qualify for a modified diploma, the district shall annually provide to the parents or guardians of the student, information about the availability and requirements of a modified diploma.

Extended Diploma

An extended diploma will be awarded **only** to students who have demonstrated the inability to meet the full set of academic content standards adopted by the State Board of Education for a diploma while receiving modifications and accommodations. To be eligible for an extended diploma, a student must:

1. While in grade nine through completion of high school, complete 12 credits, which may not include more than six credits in a self-contained special education classroom and will include:
 - a. Two credits in mathematics;
 - b. Two credits in language arts of English;
 - c. Two credits in science;
 - d. Three credits in history, geography, economics or civics;
 - e. One credit in health;
 - f. One credit in physical education; and
 - g. One credit in the arts or a world language.
2. Have a documented history of:
 - a. An inability to maintain grade level achievement due to significant learning and instructional barriers;
 - b. A medical condition that creates a barrier to achievement; or
 - c. A change in the student's ability to participate in grade level activities as a result of a serious illness or injury that occurred after grade eight.

Beginning in grade five or beginning after a documented history to qualify for an extended diploma, the district shall annually provide to the parents or guardians of the student, information about the availability and requirements of an extended diploma.

Alternative Certificate

The alternative certificate is available to students on a non-diploma track. These students are unable to complete the requirements for a high school diploma even with appropriate accommodations and support services. The following procedures will be followed:

1. Students with an IEP will have specific, written goals that outline the requirements for satisfactorily completing the certificate of accomplishment.
2. IEP students will adhere to the same attendance and behavior requirements as general education students unless otherwise stated in the IEP.
3. The IEP team will determine if the student has satisfactorily completed the PEP/IEP goals.

Beginning in grade five or beginning after a documented history to qualify for an alternative certificate, the district shall annually provide to the parents or guardians of the student, information about the availability and requirements of an alternative certificate.

Hermiston High School GED Option

Students who complete the general education development (GED) through the HHS GED Option Program may be included in the regular graduation ceremony. Students participating in the GED Option Program have been screened to assure that they meet GED qualifications requirements and that the GED is the most appropriate option for them to complete their high school education. ~~(Moved from IKF-AR ends here)~~

Other District Responsibilities

The district will ensure that students have onsite access to the appropriate resources to achieve a diploma, a modified diploma, an extended diploma, or an alternative certificate at each high school. The district will provide [age-appropriate and developmentally appropriate] literacy instruction to all students until graduation.

Essential Skills

~~The district will allow English Language Learner (ELL) students to demonstrate proficiency in all required Essential Skills in the student's language of origin.~~

~~The district will develop procedures to provide assessment options as described in the *Test Administration Manual*, in the ELL student's language of origin for those ELL students who meet the criteria above, and will develop procedures to ensure that locally scored assessment options administered in an ELL student's language of origin are scored by a qualified rater.~~

The district may not deny a student the opportunity to pursue a diploma with more stringent requirements than a modified diploma or an extended diploma for the sole reason the student has the documented history listed under the above modified diploma or extended diploma requirements ~~in the accompanying administrative regulation IKF-AR — Graduation Requirements.~~

The district may award a modified diploma or an extended diploma to a student only upon the written consent of a student who is emancipated or who has reached the age of 18 at the time the modified or extended diploma is awarded, or the student's parent or guardian. The district shall receive the written consent during the school year in which the modified diploma or the extended diploma is awarded.

A student shall have the opportunity to satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in the later of 4 ~~either four~~ years after starting the ninth grade, or until the student reaches the age of 21, if the student is entitled to a public education until the age of 21 under state or federal law.

A student may satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in less than four years but not less than three years. ~~To~~ ~~In order to~~ satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in less than four years, the student's parent or guardian or a student who is emancipated or has reached the age of 18 must provide written

consent which clearly states the parent, guardian or student is waiving the fourth year and/or years until the student reaches the age of 21. A copy of the consent will be forwarded to the district superintendent who will annually report to the Superintendent of Public Instruction the number of such consents.

~~Beginning in grade five or after a documented history to qualify for a modified diploma, an extended diploma, or an alternative certificate has been established, the district will annually provide to the parents or guardians of the student, information about the availability and requirements of a modified diploma, an extended diploma, and an alternative certificate.~~

A student who qualifies to receive or receives a modified diploma, an extended diploma, or an alternative certificate shall have the option of participating in a high school graduation ceremony with the student's class.

A student who receives a modified diploma, an extended diploma, or an alternative certificate shall have access to instructional hours, hours of transition services and hours of other services that are designed to meet the unique needs of the student and when added together provide a total number of hours of instruction and ~~or~~ services that equals at least the total number of instructional hours that ~~are~~ required to be provided to students who are attending a public high school.

The district will award to students with disabilities a document certifying successful completion of program requirements. No document issued to students with disabilities educated in full or in part in a special education program shall indicate that the document is issued by such a program. When a student who has an IEP completes high school, the district will give the student an individualized summary of performance.

Eligible students with disabilities are entitled to a free appropriate public education ~~Free Appropriate Public Education~~ (FAPE) until the age of 21, even if they have earned a modified diploma, an extended diploma, an alternative certificate or completion of a General Education Development document. The continuance of services for students with disabilities for a modified diploma, ~~an~~ extended diploma or ~~an~~ alternative certificate is contingent on the IEP team determining the student's continued eligibility and special education services are needed.

Students and their parents will be notified of graduation and diploma requirements.

The district may not deny a diploma to a student who has opted-out of ~~the~~ statewide assessments if the student is able to satisfy all other requirements for the diploma. Students may opt-out of the Smarter Balanced or alternate Oregon Extended Assessment by completing the Oregon Department of Education's Opt-out Form⁵ and submitting the form to the district. ~~Students who opt-out will need to meet the Essential Skills graduation requirement using another approved assessment option.~~

The district will issue a high school diploma pursuant to Oregon law (ORS 332.114), to a veteran if the veteran resides within the boundaries of the district or is an Oregon resident and attended a high school of the district, or to a deceased veteran, upon request from a representative of the veteran, if the deceased veteran resided within the boundaries of the district at the time of death or was an Oregon resident at the time of death and attended a high school of the district.

⁵ Oregon Department of Education page for: [30-day notice and opt-out form](#)

The act of ~~district shall establish conduct and discipline consequences for~~ student-initiated test impropriety is prohibited. A student that participates in an act of student-initiated test impropriety will be subject to discipline. “Student-initiated test impropriety” means student conduct that is inconsistent with the *Test Administration Manual* or accompanying guidance; or results in a score that is invalid.

END OF POLICY

Legal Reference(s):

[ORS 329.007](#)
[ORS 329.045](#)
[ORS 329.451](#)
[ORS 329.479](#)
[ORS 332.107](#)
[ORS 332.114](#)
[ORS 339.115](#)

[ORS 339.505](#)
[ORS 343.295](#)

[OAR 581-021-0009](#)
[OAR 581-022-2000](#)
[OAR 581-022-2005](#)
[OAR 581-022-2010](#)

[OAR 581-022-2015](#)
[OAR 581-022-2020](#)
[OAR 581-022-2025](#)
[OAR 581-022-2030](#)
[OAR 581-022-2115](#)
[OAR 581-022-2120](#)
[OAR 581-022-2505](#)

Test Administration Manual, published by the OREGON DEPARTMENT OF EDUCATION.
House Bill 2056 (2021).
Senate Bill 744 (2021).

Corrected 10/26/21

Hermiston School District 8R

Code: **IKFB**
Adopted: 8/03/04
Readopted: 7/10/17; 1/11/21
Orig. Code: IKFB

Graduation Exercises

The Board believes that completion of the requirements for a diploma, a modified diploma, an extended diploma or an alternative certificate from public schools is an achievement that improves the community as well as the individual. The Board wishes to recognize this achievement in a publicly, celebrated graduation exercise.

Accordingly, appropriate graduation programs may be planned by the school on the date selected by the Board.

The school's valedictorian(s), salutatorian(s) or others, at the discretion of the principal or designee, may be permitted to speak as part of the district's planned graduation program. All speeches will be reviewed and approved in advance by the building principal or designee.

All students in good standing¹ who have successfully completed the requirements for a high school diploma, or qualifies to receive or receives a modified diploma, an extended diploma or an alternative certificate, including a student participating in a district-sponsored alternative education program and a student with disabilities receiving a document certifying successful completion of program requirements, shall have the option to participate in graduation exercises.

A student shall be allowed to wear a dress uniform issued to the student by a branch of the U.S. Armed Forces if the student:

1. Qualifies to receive a high school diploma, a modified diploma, an extended diploma or an alternative certificate; and
2. Has completed basic training for, and is an active member of, a branch of the U.S. Armed Forces.

Graduating students will be allowed to wear Native American ~~[or other]~~ items of cultural significance^{2}.³ ~~in accordance with consistently enforced rules established by the principal or designee.~~
END OF POLICY

¹ A student may be denied participation in graduation exercises for conduct that violates board policy, administrative regulation and/or code of conduct provisions.

² {HB 2052 (2021) requires that districts allow students to wear Native American items of cultural significance to graduation and other school events. Districts can choose to allow students to wear items of significance to other cultures.} "Native American items of cultural significance" means items or objects that are traditionally associated with Native American or that have religious or cultural significance to a Native American.

³ The district may prohibit an item or object that: a) is likely to cause a substantial disruption of, or material interference with the graduation ceremony, or b) replaces a cap or gown customarily worn at a graduation ceremony.

Legal Reference(s):

[ORS 329.451](#)
[ORS 332.107](#)
[ORS 339.505](#)
[ORS 343.295](#)

[OAR 581-021-0050](#)
[OAR 581-021-0055](#)
[OAR 581-021-0060](#)
[OAR 581-022-2000](#)
[OAR 581-022-2010](#)

[OAR 581-022-2015](#)
[OAR 581-022-2020](#)
[OAR 581-022-2505](#)

31 OR. ATTY. GEN. OP. 428 (1964)

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).

Kay v. David Douglas Sch. Dist. No. 40, 1987); cert. den., 484 U.S. 1032 (1988).

Doe v. Madison Sch. Dist. No. 321, 177 F.3d 789 (9th Cir. 1999).

Lee v. Weisman, 505 U.S. 577 (1992).

Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988).

Corrected 10/26/21

Hermiston School District 8R

Code: IL
Adopted: 6/13/16
Revised/Readopted: 7/10/17
Orig. Code: IL

Assessment Program**

The district's assessment program shall be designed for the purpose of determining district and school program improvement and individual student needs including the requirements of the Oregon Administrative Rules. Each year the district shall determine each student's progress toward achieving federal, state and local achievement requirements.

Assessments shall be used to measure the academic content standards and ~~Essential Skills and~~ to identify students who meet or exceed the performance standards ~~and Essential Skills~~ adopted by the State Board of Education.

Accordingly, the district shall maintain the following assessment program:

1. Criterion-reference assessments, including performance-based assessments, content-based assessments and other valid methods as may be required by state and federal requirements;
- ~~2. Assessment of Essential Skills;~~
- ~~3.2.~~ Individual diagnostic and ability evaluations in all grades when students have been referred and parental permission obtained;
- ~~4.3.~~ Assessments by individual teachers;
- ~~5.4.~~ Other **Optional** schoolwide and grade levelwide assessments, ~~as recommended by the superintendent and as approved by the Board.~~

It is the intent of the Board that progress be measured in a manner that clearly enables the student and parents to know whether the student is making progress toward meeting or exceeding academic content standards, ~~and Essential Skills~~. District, school and individual results shall be reported to the Board, parents and the community, as prescribed by law.

The district shall make additional services or alternative educational or public school options available to any student who has not met or has exceeded all of the state-required academic content standards. Additionally, students in schools receiving Title I moneys that have been identified by the Oregon Department of Education (ODE), will be provided supplemental services and public school options as required by law.

The district shall not discriminate in the methods, practices and materials used for assessment, evaluating and counseling students on the basis of race, color, national origin, religion, sex, sexual orientation, **gender identity**, age, disability or marital status. Discrimination complaints shall be processed in accordance with established procedures.

Staff will receive in-service education in the use of designated assessments and interpretation of assessment results.

A parent on behalf of their student or an adult student may annually opt-out of taking a statewide summative assessment by completing ~~the Smarter Balanced~~ and submitting ODE’s opt-out form¹ ~~or alternate Oregon Extended Assessments in English language arts and mathematics as provided in state law. The district shall provide the required notice and necessary forms~~ to the school student. The district shall provide supervised study time for students who are excused from participating in the assessment. A student may be excused from the Oregon Statewide Assessment Program for disability or religious reasons. Parents and adult students will be provided the required notices² and access to forms by the district that include a time frame in which statewide assessments will take place, and an adult student’s or parent’s right to request an exemption from taking the statewide summative assessments.

The act of ~~district shall establish conduct and discipline consequences for~~ student-initiated test impropriety is prohibited. A student that participates in an act of student-initiated test impropriety will be subject to discipline. “Student-initiated test impropriety” means student conduct that is inconsistent with the *Test Administration Manual* or accompanying guidance; or results in a score that is invalid.

The superintendent shall ensure a periodic review and evaluation of the district’s assessment program is conducted.

END OF POLICY

Legal Reference(s):

[ORS 40.245](#)
[ORS 326.565](#)
[ORS 326.575](#)
[ORS 329.479](#)
[ORS 329.485](#)
[ORS 336.187](#)
[ORS 659.850](#)

[OAR 581-021-0009](#)
[OAR 581-021-0030](#)
[OAR 581-022-2030](#)
[OAR 581-022-2060](#)
[OAR 581-022-2100](#)
[OAR 581-022-2110](#)
[OAR 581-022-2115](#)

[OAR 581-022-2250](#)
[OAR 581-022-2270](#)
[OAR 581-022-2310](#)
House Bill 3041 (2021)
Senate Bill 602 (2021)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2021).
Protection of Pupil Rights, 20 U.S.C. § 1232h (2018); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2021).
Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2018).
Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2018).

Corrected 10/26/21

¹ Oregon Department of Education page for: [30-day notice and opt-out form](#)

² Districts are required to provide notice twice each year: once at the beginning of the year; and second time at least 30 days prior to the administration of the test. ~~The 30-day notice must first be provided during the 2015-2016 school year. The beginning-of-the-year notice must first be provided during the 2016-2017 school year.~~

Hermiston School District 8R

Code: JB
Adopted: 7/02/09
Revised/Readopted: 7/24/17; 1/11/21
Orig. Code: JB

Equal Educational Opportunity

Every student of the district will be given equal educational opportunities regardless of age, sex, sexual orientation, gender identity¹, race², religion, color, national origin, disability, marital status, familial status, parental status, linguistic background, culture, socioeconomic status, capability or geographic location, ~~or marital status.~~

No student will be excluded from participating in, denied the benefits of, or subjected to discrimination under any educational program or activity conducted by the district or denied access to facilities in the district.

A student or parent may also access and use the district's general complaint procedure through Board policy KL - Public Complaints.

All reports, complaints or information will be investigated.

The district will communicate the availability of policy and available complaint procedures to students and their parents through available district communication systems, handbooks, and will be published to the district website and made available at the district office during regular business hours.

A student of the district may not be subjected to retaliation by the district for the reason that the student has in good faith reported information that the student believes is evidence of a violation of a state or federal law, rule or regulation.

END OF POLICY

Legal Reference(s):

ORS 174.100	ORS 659.852	ORS 659A.406
ORS 192.630	ORS 659A.001	OAR 581-021-0045
ORS 326.051	ORS 659A.003	OAR 581-021-0046
ORS 329.025	ORS 659A.006	OAR 581-022-2310
ORS 332.107	ORS 659A.103 - 659A.145	OAR 839-003-0000
ORS 336.086	ORS 659A.400	
ORS 659.850	ORS 659A.403	

¹ ~~“Sexual orientation” means an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behaviors differs from that traditionally associated with the individual’s sex at birth.~~

² 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)).

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019).
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 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).
Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12333 (2018).
House Bill 2935 (2021).
House Bill 3041 (2021).

Cross Reference(s):

AC - Nondiscrimination
ACA - Americans with Disabilities Act

Corrected 10/26/21

Hermiston School District 8R

Code: JECB
Adopted: 9/14/15
Revised/Readopted: 7/24/17; 6/10/19
Orig. Code: JECB

Admission of Nonresident Students

The district may enroll nonresident students as follows:

1. Interdistrict Transfer Agreement. By written consent of the affected school boards, ~~the~~. The student becomes a “resident student/pupil” of the attending district thereby allowing the attending district to receive State School Fund moneys;
2. Tuition Paying Student. By admitting nonresident student with tuition, whereby neither affected districts are eligible for State School Fund moneys;
3. Court Placement/placement. If a juvenile court determines it is in the student’s best interest, a student placed in a substitute care program outside the district will continue to be considered a resident student and allowed to attend the school the student attended prior to placement. The public agency placing the student in a substitute care program will be responsible for the transportation of the student, if public agency funds are available.

The Board shall deny regular school admission to nonresident students who are under expulsion from another district for a weapons policy violation. The Board may, based on district criteria, deny regular school admission to nonresident students who are under expulsion from another district for reasons other than a weapons policy violation.

Consent for Admission of a Nonresident Student by Interdistrict Transfer or Consent for Admission of a Tuition Paying Student

Annually, by May 1, the Board shall establish the number of student transfer requests into the district, and out of the district, to which consent will be given for the upcoming school year.

The Board may not consider nor ask for any information from the student about race, religion, sex, sexual orientation, gender identity, ethnicity, national origin/origins, disability, health, whether a student has an individualized education program (IEP) or the terms of that IEP, identified as talented and gifted, income level, residence, proficiency in English, athletic ability, or academic records. The Board may not request or require the student to participate in an interview, tour any of the schools or facilities, or otherwise meet with any representatives of the school or district prior to the district deciding whether to give consent.

The Board may only ask for the student’s name, contact information, date of birth, grade level, whether the student may be given priority on consent for admission (see the following paragraph for priorities), information about which schools the student prefers to attend, and whether the student is currently expelled ~~or under expulsion determination~~.

If the number of students seeking consent exceeds the number of spaces, the Board will use an equitable lottery selection process. The process may give priority to students who have siblings currently enrolled in

the district; ~~to students~~ who previously received consent for admission because of, ~~but have~~ a change in legal residence; or ~~to students~~ who attended a public charter school located in the same district in which the student seeks to attend, for three consecutive years, completed the highest grade offered by the public charter school, and did not enroll and attend school in another district following completion of that highest grade in the public charter school.

The Board may revise the maximum number of students to whom consent will be given at a time other than the annual date established by the Board if there are no pending applications for consent.

If the Board decides not to give consent to a student the Board must provide a written explanation to the student.

The district may require minimum standards of behavior and/or attendance once the student has been accepted. The minimum standards must be the same for all students that are given consent. The district is not allowed to establish minimum standards for academics as a criteria for the student to remain in the district. Students whose consent is revoked for violation of set attendance and/or behavior standards will not be allowed to apply for consent to return to this district in the same or the following school year.

The Board may determine the length of time the consent is given. Any limitations in length of time must be applied consistently among all students to whom consent is given.

The district is not required to provide transportation outside the boundaries of the district. The student will be allowed to use existing bus routes and transportation services of the district. Transportation will be provided if required by federal law.

The attending district is responsible for a free appropriate public education for those students on an IEP.

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)
[ORS 327.006](#)
[ORS 329.485](#)
[ORS 335.090](#)

[ORS 339.115 - 339.133](#)
[ORS 339.141](#)
[ORS 339.250](#)
[ORS 343.221](#)

[ORS 433.267](#)
[OAR 581-021-0019](#)

Intradistrict Transfer Students

With the superintendent's approval, the district may grant the request of a resident student to attend another district ~~high~~-school, provided the receiving school agrees to that request.

Students who attend a district school identified as persistently dangerous, or who are victims of a violent criminal offense occurring in or on the grounds of the school the student attends, may transfer to a safe public school in the district, including transfer to a public charter school in the district.

The superintendent will develop administrative regulations, as necessary, to implement this policy.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 339.133](#)

[OAR 581-021-0045](#)

Every Student Succeeds Act of 2015, 20 U.S.C. § 7912.

Hermiston School District 8R

Code: JFC
Adopted: 4/14/14
Revised/Readopted: 7/24/17
Orig. Code: JFC

Student Conduct**

The Board expects student conduct to contribute to a productive learning climate. Students shall comply with the district's written rules, pursue the prescribed course of study, submit to the lawful authority of district staff and conduct themselves in an orderly manner at school during the school day or during district-sponsored activities.

Careful attention shall be given to procedures and methods whereby fairness and consistency without bias in discipline shall be assured each student. The objectives of disciplining any student must be to help the student develop a positive attitude toward self-discipline, realize the responsibility of one's actions and to maintain a productive learning environment. All staff members have responsibility for consistency in establishing and maintaining an appropriate behavioral atmosphere.

A student handbook, code of conduct or other document shall be developed by district administration and will be made available and distributed to parents, students and employees, outlining student conduct expectations and possible disciplinary actions, including consequences for disorderly conduct, ~~as required by the Elementary and Secondary Education Act (ESEA).~~ In addition, each school in the district shall publish a student/parent handbook detailing additional rules specific to that school.

Students in violation of Board policy, administrative regulation and/or code of conduct provisions will be subject to discipline up to and including expulsion. Students are subject to discipline for conduct while traveling to and from school, at the bus stop, at school-sponsored events, while at other schools in the district and while off campus, whenever such conduct causes a substantial and material disruption of the educational environment or the invasion of rights of others. Students may be denied participation in extracurricular activities. Titles and/or privileges available to or granted to students may also be denied and/or revoked (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). A referral to law enforcement may also be made.

Students are prohibited from making knowingly false statements or knowingly submitting false information in bad faith as part of a complaint or report, or associated with an investigation into misconduct.¹

The district will annually record and report expulsion data for conduct violations as required by the Oregon Department of Education.

END OF POLICY

¹ The district is prohibited from retaliating against any student "for the reason that the student has in good faith reported information that the student believes is evidence of a violation of a state or federal law, rule or regulation." ORS 659.852.

Legal Reference(s):

[ORS 339.240](#)

[ORS 659.850](#)

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

[ORS 339.250](#)

Nondiscrimination on the Bases of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020). *Tinker v. Des Moines Sch. Dist.*, 393 U.S. 503 (1969).

Hazelwood Sch. District v. Kuhlmeier, 484 U.S. 260 (1988).

Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986).

Shorb v. Grotting and Powers Sch. Dist., Case No. 00CV-0255 (Coos County Circuit Ct.) (2000).

Ferguson v. Phoenix Talent Sch. Dist. #4, 172 Or. App. 389 (2001).

Morse v. Frederick, 551 U.S. 393, 127 S. Ct. 2618 (2007).

C.R. v. Eugene S.D. 4J, No. 12-1042, U.S. District Court of OR (2013).

Corrected 10/26/21

Hermiston School District 8R

Code: JFCF
Adopted: 1/11/16
Revised/Readopted: 7/24/17; 6/10/19
Orig. Code: JFCF

{Hazing,} Harassment, Intimidation, Bullying, {Menacing,} Cyberbullying, Teen Dating Violence, or Domestic Violence – Student**

The Board, in its commitment to providing a safe, positive, and productive learning environment for all students, will consult with parents/guardians, employees, volunteers, students, administrators, and community representatives in developing this policy in compliance with applicable Oregon law.

{Hazing,} {h}Harassment, intimidation, or bullying, {menacing,} and acts of cyberbullying by students, staff, or third parties toward students is strictly prohibited in the district. Teen dating violence is unacceptable behavior and prohibited. Each student has the right to a safe learning environment.

Retaliation against any person who is a victim of, who reports, is thought to have reported, or files a complaint about an act of {hazing,} harassment, intimidation or bullying, {menacing,} an act of cyberbullying, or teen dating violence, or otherwise participates in an investigation or inquiry is strictly prohibited. A person who engages in retaliatory behavior will be subject to consequences and appropriate remedial action. False charges shall also be regarded as a serious offense and will result in consequences and appropriate remedial action.

Students whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial action which may include discipline, up to and including expulsion.

Staff whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial action which may include discipline, up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or the Board.

Students, staff, or third parties may also be referred to law enforcement officials.

The principal and the superintendent are responsible for ensuring that this policy is implemented.

Definitions

“District” includes district facilities, district premises, and nondistrict property if the student is at any district-sponsored, district-approved, or district-related activity or function, such as field trips or athletic events where students are under the jurisdiction of the district.

“Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at interdistrict and intradistrict athletic competitions or other school events.

{Hazing,} Harassment, Intimidation, Bullying, {Menacing,} Cyberbullying, Teen Dating Violence, or Domestic Violence – Student** – JFCF

["Hazing" includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored activity or grade level attainment.] (i.e., personal servitude, sexual stimulation/sexual assault, forced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a student);] [requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article; or assignment of pranks to be performed or other such activities intended to degrade or humiliate.] It is not a defense against hazing that the student subjected to hazing consented to or appeared to consent to the hazing.]

"Harassment, intimidation or bullying" means any act that substantially interferes with a student's educational benefits, opportunities or performance, that takes place on or immediately adjacent to district grounds, at any district-sponsored activity, on district-provided transportation, or at any official district bus stop, that may be based on, but not limited to, the protected class status of a person, and having the effect of:

1. Physically harming a student or damaging a student's property;
2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property; or
3. Creating a hostile educational environment including interfering with the psychological well-being of the student.

"Protected class" means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, gender identity¹, national origin, marital status, familial status, source of income, or disability.

"Teen dating violence" means:

1. A pattern of behavior in which a person uses or threatens to use physical, mental, or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or
2. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

"Domestic violence" means abuse ~~by one or more of the following acts~~ between family and/or household members, as those terms are described in ORS 107.705.²:

- ~~1. Attempting to cause or intentionally, knowingly, or recklessly causing bodily injury;~~
- ~~2. Intentionally, knowingly or recklessly placing another in fear of imminent bodily injury;~~

¹ "Sexual orientation" means an individual's actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual's gender identity, appearance, expression or behaviors differs from that traditionally associated with the individual's sex at birth.

² "Family or household members" as defined in ORS 107.705.

3.—Causing another to engage in involuntary sexual relations by force or threat of force.

“Cyberbullying” is the use of any electronic communication device to harass, intimidate, or bully.

“Retaliation” means any acts of, including but not limited to, [hazing,]harassment, intimidation or bullying, [menacing,] or cyberbullying toward the victim, a person in response to an actual or apparent reporting of, or participation in the investigation of, [hazing,] harassment, intimidation or bullying, [menacing,] teen dating violence, acts of cyberbullying, or retaliation.

[“Menacing” includes, any act intended to place a district employee, student, or third party in fear of imminent serious physical injury.]

Reporting

The site administrator will take reports and conduct a prompt investigation of any reported acts ~~report~~ of [hazing,] ~~any act of~~ harassment, intimidation or bullying, [menacing,] cyberbullying, or teen dating violence. Any employee who has knowledge of conduct in violation of this policy shall immediately report concerns to the site administrator who has overall responsibility for all investigations.

Any employee who has knowledge of incidents of teen dating violence that took place on district property, at a district-sponsored activity, or in a vehicle used for district-provided transportation shall immediately report the incident to the site administrator. Failure of an employee to report ~~any~~ an act of [hazing,] harassment, intimidation or bullying, [menacing,] cyberbullying, or ~~teen dating violence, or an act of cyberbullying~~ to the site administrator may be subject to remedial action, up to and including dismissal. Remedial action may not be based solely on an anonymous report.

Any student who has knowledge of conduct in violation of this policy or feels they have been ~~subjected to~~ an act of [hazing,] harassment, intimidation ~~harassed, intimidated~~ or bullying, [menacing,] or cyberbullying or feel they have ~~bullied~~, been a victim of teen dating violence ~~or acts of being cyberbullied~~ in violation of this policy, is encouraged to immediately report ~~their~~ concerns to the site administrator who has overall responsibility for all investigations. Any volunteer who has knowledge of conduct in violation of this policy is encouraged to immediately report ~~their~~ concerns to the site administrator.

A report ~~made by~~ ~~from~~ a student or volunteer may be made anonymously. A student or volunteer may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate district official.

Reports against the principal shall be filed with the superintendent. Reports against the superintendent shall be filed with the Board chair.

The person who makes the report shall be notified when the investigation has been completed and, as appropriate, the findings of the investigation and any remedial action that has been taken. The person who made the report may request that the superintendent review the actions taken in the initial investigation, in accordance with district complaint procedures.

Notification to Parents or Guardians

The site administrator shall notify the parents or guardians of a student who was subject to an act of harassment, intimidation, bullying or cyberbullying, and the parents or guardians of a student who may have conducted an act of harassment, intimidation, bullying or cyberbullying.

The notification must occur with involvement and consideration of the needs and concerns of the student who was the subject to an act of harassment, intimidation, bullying or cyberbullying. The notification is not required if the site administrator reasonably believes notification could endanger the student who was subjected to an act of harassment, intimidation, bullying or cyberbullying or if all of the following occur:

4.3. The student who was subjected to an act of harassment, intimidation, bullying, or cyberbullying requests that notification not be provided to the student's parents or guardians.

5.4. The site administrator determines that notification is not in the best interest of the student who was subjected to an act of harassment, intimidation, bullying, or cyberbullying; and

6.5. The site administrator informs the student that federal law may require the student's parents and guardians to have access to the student's education record, including any requests of nondisclosure (from item 1 above).

If the ~~employee position title~~ site administrator determines the notification is not in the best interest of the student, they must inform the student of that determination prior to providing notification.

When notification is provided, the notification must occur:

7.6. Within a reasonable period of time; or

8.7. Promptly, for acts that caused physical harm to the student.

Training and Education

The district shall incorporate into existing training programs for students, information related to the prevention of, and the appropriate response to, acts of harassment, intimidation or bullying, and acts of cyberbullying and this policy.

The district shall incorporate age-appropriate education about teen dating violence and domestic violence into new or existing training programs for students in ~~grades~~ grade 7 through 12.

The district shall incorporate into existing training programs for staff, information related to the prevention of, and the appropriate response to, acts of harassment, intimidation or bullying, teen dating violence, domestic violence, and acts of cyberbullying and this policy.

Notice

The superintendent shall be responsible for ensuring annual notice of this policy is provided in a student or staff handbook, school and district website, and school and district office. Complaint procedures, as established by the district, shall be followed.

Domestic violence posters provided by the Oregon Department of Education (ODE) shall be posted in clearly visible locations on school campuses in accordance with rules adopted by ODE.

END OF POLICY

Legal Reference(s):

[\[ORS 163.190\]](#)
[\[ORS 163.197\]](#)
[ORS 107.705](#)
[ORS 166.065](#)
[ORS 166.155 - 166.165](#)
[ORS 174.100](#)

[ORS 332.072](#)
[ORS 332.107](#)
[ORS 339.240](#)
[ORS 339.250](#)
[ORS 339.351 - 339.368](#)
[OAR 581-021-0045](#)

[OAR 581-021-0046](#)
[OAR 581-021-0055](#)
[OAR 581-022-2310](#)
[OAR 581-022-2370](#)
House Bill 2631 (2021)
House Bill 3041 (2021)

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

Cross Reference(s):

GBN/JBA - Sexual Harassment
JBA/GBN - Sexual Harassment
JFCM - Threats of Violence

Corrected 10/26/21

Hermiston School District 8R

Code: JFCJ
Adopted: 4/14/14
Revised/Readopted: 7/24/17; 10/14/19
Orig. Code: JFCJ

Weapons in ~~the~~ Schools**

Students shall not bring, possess, conceal or use a weapon on or at any property under the jurisdiction ~~or~~ ~~replica of the a weapon, on~~ district, any ~~property, or at~~ activities under the jurisdiction of the district or any ~~at~~ interscholastic activities administered by a voluntary organization.

In accordance with the federal Gun-Free School Zone Act, possession or discharge of a firearm in a school zone is prohibited. A “school zone,” as defined by federal law, means in or on school grounds or within 1,000 feet of school grounds.

The superintendent may authorize persons to possess weapons for courses, programs and activities approved by the district and conducted on district property ~~[including, but not limited to, hunter safety courses, weapons-related vocational courses or weapons-related sports].~~ The district will post a notice at any site or premise off district grounds that at the time is being used exclusively for a school program or activity. The notice shall identify the district as the sponsor, the activity as a school function and that the possession of firearms or dangerous weapons in or on the site or premises is prohibited under Oregon Revised Statute (ORS) 166.370.

For purposes of this policy, and as defined by state and federal law, ~~“a weapon”~~ includes:

1. A “dangerous weapon” means any weapon, device, instrument, material or substance, which under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury;
2. A “deadly weapon” means any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;
3. A “firearm” means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, frame or receiver of any such weapon, any firearm ~~muffler or~~ silencer or any destructive device;
4. A “destructive device” ~~includes but is not limited to~~ ~~means~~ any explosive, incendiary or poison gas component or any combination of parts either designed or intended for use in converting any device into any destructive device or from which a destructive device may be readily assembled. A destructive device does not include any device which is designed primarily or redesigned primarily for use as a signaling, pyrotechnic, line-throwing, safety or similar device.

Weapons may also include, but are not limited to, knives, metal knuckles, straight razors, noxious or irritating gases, poisons, unlawful drugs or other items fashioned with the intent to use, sell, harm, threaten or harass students, staff members, parents and ~~community members.~~ ~~patrons.~~

Replicas of weapons, fireworks are also prohibited by Board policy. Exceptions to the district's replicas prohibition may be granted only with prior principal approval for certain curriculum or school-related activities.

Prohibited weapons, replicas of weapons, fireworks are subject to seizure or forfeiture.

Exceptions to the district's replicas prohibition may be granted only with prior building principal approval for certain curriculum or school-related activities.

In accordance with Oregon law, any district employee who has reasonable cause to believe a student or other person, while in a school, is or ~~has~~, within the previous 120 days ~~has, unlawfully~~ been in possession of a firearm or destructive device, as defined by this policy, shall immediately report such violation to an administrator or designee or law enforcement. ~~[Any district employee who has reasonable cause to believe that a person, while in a school, is or has been in possession of a firearm or destructive device more than 120 days previously, may report to law enforcement.]~~ Employees who report directly to law enforcement shall also immediately inform an administrator.

Administrators shall promptly notify the appropriate law enforcement agency of staff reports received and at any other time there is reasonable cause to believe violations for firearms or destructive devices have occurred or that a student has been expelled for bringing, possessing, concealing or using a dangerous or deadly weapon, firearm or destructive device. Parents will be notified of all conduct by their student that violates this policy.

A person making a report as described above who has reasonable grounds for making the report is immune from liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making or content of the report. The identity of a person participating in a good faith report as described above may not be disclosed except when allowed by law.

Employees shall promptly report all other conduct prohibited by this policy to an administrator.

Students ~~determined~~~~found~~ to have brought, possessed, concealed or used a firearm, as defined in policy, in violation of ~~this~~~~the~~ policy or state law shall be expelled from school for a period of not less than one year. All other violations of the policy will result in discipline ~~up to~~ and ~~may include~~~~including~~ expulsion and/or referral to law enforcement, as appropriate. The superintendent may, on a case-by-case basis, modify this expulsion requirement. The superintendent may propose alternative programs of instruction or instruction combined with counseling that are appropriate and accessible to the student, and shall provide such information in writing to the student and the parent in accordance with law¹. Appropriate disciplinary and/or legal action will be taken against students or others who assist in activity prohibited by this policy.

Special education students shall be disciplined in accordance with federal law and Board policy JGDA – ~~JGEA~~ – Discipline of Students with Disabilities and accompanying ~~its~~ administrative regulation.

~~Weapons under the control of law enforcement personnel are permitted. The superintendent may authorize other persons to possess weapons for courses, programs and activities approved by the district and conducted on district property including, but not limited to, hunter safety courses, weapons-related vocational courses or weapons-related sports.~~

¹ At least once every six months or at any time the information changes because of the availability of new programs.

~~In accordance with the federal Gun-Free School Zone Act, possession or discharge of a firearm in a school zone is prohibited. A “school zone,” as defined by federal law, means in or on school grounds or within 1,000 feet of school grounds.~~

“Gun-Free School Zone” signs may be posted in cooperation with city and/or county officials as appropriate. Violations, unless otherwise ~~excepted~~~~accepted~~ by law or this policy, shall be reported to the appropriate law enforcement agency.

The superintendent will annually report the name of each school and the number of students from each listed schools expelled for bringing, possessing, concealing or using a firearm to the Oregon Department of Education.

END OF POLICY

Legal Reference(s):

[ORS 161.015](#)
[ORS 166.210 - 166.370](#)
[ORS 166.382](#)
[ORS 332.107](#)
[ORS 339.115](#)

[ORS 339.240](#)
[ORS 339.250](#)
[ORS 339.315](#)

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

[OAR 581-053-0010\(5\)](#)
[OAR 581-053-0230\(9\)\(k\)](#)
[OAR 581-053-0330\(1\)\(r\)](#)
[OAR 581-053-0430\(17\)](#)
[OAR 581-053-0531\(16\)](#)

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2018).
Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2018).
Youth Handgun Safety Act, 18 U.S.C. §§ 922(x), 924(a)(6) (2018).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101, 7111-7121 (2018).
Oregon Senate Bill 554 (2021).

Cross Reference(s):

JFCM - Threats of Violence
JGDA/JGEA - Discipline of Students with Disabilities

Corrected 10/26/21

Hermiston School District 8R

Code: JHFE/GBNAB
Adopted: 12/10/12
Revised/Readopted: 7/24/17; 2/10/20
Orig. Code: JHFE

Reporting of Suspected Abuse of a Child

Any district employee who has reasonable cause to believe that **any child** with whom the employee has come in contact has suffered abuse¹ shall orally report or cause an oral report immediately by telephone or otherwise to the local office of the Oregon Department of Human Services (DHS) or its designee or to the law enforcement agency within the county where the person making the report is located at the time of the contact pursuant to Oregon Revised Statute (ORS) 419B.010. Any district employee who has reasonable cause to believe that **any person² adult or student** with whom the employee is in contact has abused a child shall immediately report or cause a report to be made in the same manner to DHS or its designee or to the law enforcement agency within the county where the person making the report is located at the time of the contact pursuant to ORS ~~419B~~419.010. If known, the report shall contain the names and addresses of the child and the parents of the child or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, including any evidence of previous abuse, the explanation given for the suspected abuse, any other information that the person making the report believes might be helpful in establishing the possible cause of the abuse and the identity of a possible perpetrator.

Abuse of a child by district employees, contractors³, agents⁴, volunteers⁵, or students **is prohibited and** will not be tolerated. All district employees, contractors, agents, volunteers and students are subject to this policy and the accompanying administrative regulation.

Any district employee who has reasonable cause to believe that another district employee, contractor, agent, volunteer or student has engaged in abuse, or that a student has been subjected to abuse by another district employee, contractor, agent, volunteer or student shall immediately report such to the Oregon Department of Human Services (DHS) or its designee or the local law enforcement agency pursuant to ORS 419B.015, and to the designated licensed administrator.

The district will designate a licensed administrator and an alternate licensed administrator, in the event that the designated licensed administrator is the suspected abuser, for each school building to receive reports of suspected abuse of a child by district employees, contractors, agents, volunteers or students.

¹ Includes the neglect of a child; abuse is defined in ORS 419B.005.

² "Person" could include adult, student or other child.

³ "Contractor" means a person providing services to the district under a contract in a manner that requires the person to have direct, unsupervised contact with students.

⁴ "Agent" means a person acting as an agent for the district in a manner that requires the person to have direct, unsupervised contact with students.

⁵ "Volunteer" means a person acting as a volunteer for the district in a manner that requires the person to have direct, unsupervised contact with students.

If the superintendent is the alleged perpetrator the report shall be submitted to the Assistant Superintendent who shall also report to the Board chair.

The district will post the ~~names~~name and contact information of the designees for each school building, in the respective school, designated to receive reports of suspected abuse and the procedures in JHFE/GBNAB-AR(1) - Reporting of Suspected Abuse of a Child the designee will follow upon receipt of a report, the contact information for local law enforcement and the local DHS office or its designee, and a statement that ~~this~~the duty to report suspected~~suspect~~ abuse is in addition to the requirements of reporting to a designated licensed administrator.

When a designee receives a report of suspected abuse, the designee will follow procedure established by the district and set forth in administrative regulation JHFE/GBNAB-AR(1) - Reporting of Suspected Abuse of a Child. All such reports of suspected abuse will be reported to a law enforcement agency or DHS, or its designee, for investigation, and the agency will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged abuser.

When there is reasonable cause to support ~~a~~the report, a district employee suspected of abuse shall be placed on paid administrative leave pending an investigation and the district will take necessary actions to ensure the student's safety. When there is reasonable cause to support ~~a~~the report, a district contractor, agent or volunteer suspected of abuse shall be removed from providing services to the district and the district will take necessary actions to ensure the student's safety.

The district will notify the person, as allowed by state and federal law, who was subjected to the suspected abuse about any actions taken by the district as a result of the report.

A substantiated report of abuse by an employee shall be documented in the employee's personnel file. A substantiated report of abuse by a student shall be documented in the student's education record.

The initiation of a report in good faith, pursuant to this policy, may not adversely affect any terms or conditions of employment or the work environment of the person initiating the report or who may have been subjected to abuse. If a student initiates a report of suspected abuse of a child by a district employee, contractor, agent, volunteer or student, in good faith, the student will not be disciplined by the district or any district employee, contractor, agent or volunteer. Intentionally making a false report of abuse of a child is a Class A violation.

The district shall provide ~~information and~~ training each school year to district employees on the prevention and identification of abuse, the obligations of district employees under ORS 339.388 and ORS 419B.005 - 419B.050 and as directed by Board policy to report suspected abuse of a child, and appropriate electronic communications with students. The district shall make available each school year the training described above to contractors, agents, volunteers, and parents and legal guardians of students attending district-operated schools, and will be made available separately from the training provided to district employees. The district shall provide each school year information on the prevention and identification of abuse, the obligations of district employees under Board policy to report abuse, and appropriate electronic communications with students to contractors, agents and volunteers. The district shall make available each school year training that is designed to prevent abuse to students attending district-operated schools.

The district shall provide to a district employee at the time of hire, or to a contractor, agent, or volunteer at the time of beginning service for the district, the following:

1. A description of conduct that may constitute abuse;
2. A description of the investigatory process and possible consequences if a report of suspected abuse is substantiated; and
3. A description of the prohibitions imposed on district employees, contractors, and agents when they attempt to obtain a new job, as provided under ORS 339.378. A district employee, contractor or agent will not assist another district employee, contractor or agent in obtaining a new job if the individual knows, or has reasonable or probable cause to believe the district employee, contractor or agent engaged in abuse, unless criteria found in ORS 339.378(2)(c) are applicable.

Nothing in this policy prevents the district from disclosing information required by law or providing the routine transmission of administrative and personnel files pursuant to law.

The district shall make available to students, district employees, contractors, agents, and volunteers a policy of appropriate electronic communications with students.

Any electronic communications with students by a contractor, agent or volunteer for the district will be appropriate and only when directed by district administration. When communicating with students electronically regarding school-related matters, contractors, agents or volunteers shall use district e-mail, using mailing lists and/or other internet messaging approved by the district to a group of students rather than individual students or as directed by district administration. Texting or electronically communicating with a student through contact information gained as a contractor, agent or volunteer for the district is prohibited.

The superintendent shall develop administrative regulations as are necessary to implement this policy and to comply with state law.

END OF POLICY

Legal Reference(s):

[ORS 339.370 - 339.400](#)
[ORS 418.257 - 418.259](#)

[ORS 419B.005 - 419B.050](#)

[OAR 581-022-2205](#)
[Senate Bill 155 \(2019\)](#)

Greene v. Camreta, 588 F.3d 1011 (9th Cir. 2009), vacated in part by, remanded by Camreta v. Greene, 131 S. Ct. 2020 (U.S. 2011); vacated in part, remanded by Greene v. Camreta 661 F.3d 1201 (9th Cir. 2011).
[Senate Bill 51 \(2021\)](#).

Cross Reference(s):

GBNAA/JHFF - Reporting Requirements for Suspected Sexual Conduct with Students
GCAB - Personal Electronic Devices and Social Media - Staff
JHFF/GBNAA - Reporting Requirements for Suspected Sexual Conduct with Students

Corrected 10/26/21

Hermiston School District 8R

Code: JHFF/GBNAA
Adopted: 11/12/13
Revised/Readopted: 7/24/17; 10/08/18; 2/10/20
Orig. Code(s): JHFF

Reporting Requirements for Suspected Sexual Conduct with Students

Sexual conduct by district employees, contractors¹, agents², and volunteers³ is prohibited and will not be tolerated. All district employees, contractors, agents, and volunteers are subject to this policy. Students are also subject to this policy if they are acting as an employee, contractor, agent or volunteer.

⁴“Sexual conduct,” means verbal or physical conduct or verbal, written or electronic communications by a school employee, a contractor, an agent or a volunteer that involve a student and that are sexual advances or requests for sexual favors directed toward the student, or of a sexual nature that are directed toward the student or that have the effect of unreasonably interfering with a student’s educational performance, or of creating an intimidating or, hostile or offensive educational environment. “Sexual conduct” does not include touching or other physical contact that is necessitated by the nature of the school employee’s job duties or by the services required to be provided by the contractor, agent or volunteer, and for which there is no sexual intent; verbal, written or electronic communications that are provided as part of an education program that meets state educational standards or a policy approved by the Board; or conduct or communications described in the definition of sexual conduct herein if the school employee, contractor, agent or volunteer is also a student and the conduct or communications arise out of a consensual relationship between students, do not create an intimidating or hostile educational environment and are not prohibited by law, any policies of the district or any applicable employment agreements.-

“Student” means any person who is in any grade from prekindergarten through grade 12 or 21 years of age or younger and receiving educational or related services from the district that is not a post-secondary institution of education, or who was previously known as a student by the person engaging in sexual conduct and who left school or graduated from high school within 90 days prior to the sexual conduct.

The district will post in each school building the names and contact information of the employees designated for the respective school buildings to receive reports of suspected sexual conduct and the procedures the designee will follow upon receipt of the report.

¹ “Contractor” means a person providing services to the district under a contract in a manner that requires the person to have direct, unsupervised contact with students.

² “Agent” means a person acting as an agent for the district in a manner that requires the person to have direct, unsupervised contact with students.

³ “Volunteer” means a person acting as a volunteer for the district in a manner that requires the person to have direct, unsupervised contact with students.

⁴ This definition of “sexual conduct” affects all conduct that occurs before, on or after June 23, 2021, for purposes of reports that are made, investigations that are initiated, or a collective bargaining agreement, an employment contract, an agreement for resignation or termination, a severance agreement or any similar contract or agreement entered into, on or after June 23, 2021.

Any district employee who has reasonable cause to believe that a student has been subjected to sexual conduct by another district employee, contractor, agent or volunteer, or that another district employee, contractor, agent or volunteer has engaged in sexual conduct with a student shall immediately report such suspected sexual conduct to the designated licensed administrator or the alternate designated licensed administrator, in the event the designated administrator is the suspected perpetrator, for their school building. If the conduct also constitutes child abuse, the employee must make mandatory reports in accordance with Board policy JHFE/GBNAB – Suspected Abuse of a Child Reporting Requirements.

If the superintendent is the alleged perpetrator the report shall be submitted to the Assistant Superintendent who shall report the suspected sexual conduct to the Board chair.

If an employee fails to report suspected sexual conduct or fails to maintain confidentiality of records, the employee will be disciplined up to and including dismissal.

When ~~at~~ the designated licensed administrator receives a report of suspected sexual conduct by a district employee, contractor, agent or volunteer, the administrator will follow procedures established by the district and set forth in the district's administrative regulation JHFF/GBNAA-AR - Suspected Sexual Conduct Report Procedures and Form. All such reports will be reported to the Oregon Department of Education (ODE) or Teacher Standards and Practices Commission (TSPC) in accordance with such administrative regulation. ~~as appropriate, for investigation.~~ The agency receiving a report will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged perpetrator.

When there is reasonable cause to support the report, a district employee suspected of sexual conduct shall be placed on paid administrative leave pending an investigation and the district will take necessary actions to ensure the student's safety.

When there is reasonable cause to support the report, a district contractor, agent or volunteer suspected of sexual conduct shall be removed from providing services to the district and the district will take necessary actions to ensure the student's safety.

~~The district will post in each school building the names and contact information of the employees designated for the school building to receive reports of suspected sexual conduct and the procedures the designee will follow upon receipt of the report.~~

The district will notify, as allowed by state and federal law, the person who was subjected to the suspected sexual conduct about any actions taken by the district as a result of the report.

A district employee, contractor or agent will not assist another district employee, contractor or agent in obtaining a new job if the individual knows, or has reasonable cause to believe the district employee, contractor or agent engaged in sexual conduct. Nothing in this policy prevents the district from disclosing information required by law or providing the routine transmission of administrative and personnel files pursuant to law.

The initiation of a report in good faith about suspected sexual conduct may not adversely affect any terms or conditions of employment or the work environment of the person who initiated the report or who may have been subject to sexual conduct. If a student initiates a report of suspected sexual conduct by a district employee, contractor, agent or volunteer in good faith, the student will not be disciplined by the district or any district employee, contractor, agent or volunteer.

The district will provide to employees at the time of hire, or to a contractor, agent or volunteer at the time of beginning service for the district, the following:

1. A description of conduct that may constitute sexual conduct;
2. A description of the investigatory process and possible consequences if a report of suspected sexual conduct is substantiated; and
3. A description of the prohibitions imposed on district employees, contractors and agents when they attempt to obtain a new job, pursuant to ORS 339.378(2).

All district employees are subject to Board policy GCAB - Personal Electronic Devices and Social Media - Staff regarding appropriate electronic communications with students.

Any electronic communications with students by a contractor, agent or volunteer for the district will be appropriate and only when directed by district administration. When communicating with students electronically regarding school-related matters, contractors, agents or volunteers shall use district e-mail using mailing lists and/or other internet messaging approved by the district to a group of students rather than individual students or as directed by district administration. Texting or electronically communicating with a student through contact information gained as a contractor, agent or volunteer for the district is prohibited.

The superintendent shall develop administrative regulations to implement this policy and to comply with state law.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 339.370 - 339.400](#)

[ORS 419B.005 - 419B.045](#)

Every Student Succeeds Act, 20 U.S.C. § 7926 (2018).

House Bill 2136 (2021).

Senate Bill 51 (2021).

Cross Reference(s):

GBNAA/JHFF - Reporting Requirements for Suspected Sexual Conduct with Students

GCAB - Personal Electronic Devices and Social Media - Staff

JHFE - Reporting of Suspected Abuse of a Child

Corrected 10/26/21

Board Members

Mon Jan 10, 2022

6:30pm - 8pm Board Regular Meeting

Calendar: Board Members
Created by: Briana Cortaberria

Tue Jan 11, 2022

8am - 8:30am KOHU Odds & Ends Show

Where: KOHU
Calendar: Board Members
Created by: Briana Cortaberria
Who: Tricia Mooney, kohunews@gmail.com

3pm - 4:30pm Girls Bowling vs Kennewick

Where: Desert Lanes Family Fun Center, 1545 N 1st St, Hermiston, OR 97838, USA
Calendar: Board Members
Created by: Briana Cortaberria

6pm - 7pm Boundary Presentation - SES PTO

Where: Sunset Elementary School, 300 E Catherine Ave, Hermiston, OR 97838, USA
Calendar: Board Members
Created by: Briana Cortaberria

7pm - 8:30pm Girls Wrestling vs Chiawana

Where: HHS Gym
Calendar: Board Members
Created by: Briana Cortaberria

Wed Jan 12, 2022

8am - 9am Board Meeting Debrief

Where: DO Supt's CR
Calendar: Board Members
Created by: Briana Cortaberria

2pm - 3pm LVES Site Visit Placeholder

Calendar: Board Members
Created by: Briana Cortaberria

6pm - 7pm Bond Oversight Committee Meeting

Where: HSD District Office
Calendar: Board Members
Created by: Briana Cortaberria

Thu Jan 13, 2022

6pm - 7pm Boundary Presentation - WP PTO

Where: West Park Elementary School, 555 SW 7th St, Hermiston, OR 97838, USA
Calendar: Board Members
Created by: Briana Cortaberria

6pm - 8pm Boys & Girls Wrestling vs Walla Walla & Kamiakin

Where: HHS Gym
Calendar: Board Members
Created by: Briana Cortaberria

Fri Jan 14, 2022

5:45pm - 9pm Boys & Girls Basketball vs Walla Walla

Where: HHS Gym
Calendar: Board Members
Created by: Briana Cortaberria

Thu Jan 20, 2022

7am - 8am HAT/HSD Meeting

Where: DO Boardroom
Calendar: Board Members
Created by: Briana Cortaberria

Board Members

Fri Jan 21, 2022

7am - 8am Listening & Learning Session Placeholder

Calendar: Board Members
Created by: Briana Cortaberria

Mon Jan 24, 2022

6:30pm - 8pm Board Special Meeting

Where: DO Boardroom
Calendar: Board Members
Created by: Briana Cortaberria

Wed Jan 26, 2022

8:30am - 9:30am Finance Committee Meeting

Where: Superintendent's Conference Room
Calendar: Board Members
Created by: Briana Cortaberria

Mon Jan 31, 2022

6pm - 8pm Listening & Learning Placeholder

Where: DO Boardroom
Calendar: Board Members
Created by: Briana Cortaberria

Sat Feb 5, 2022

All day HEF Crabfeed

Sat Feb 5, 2022
Calendar: Board Members
Created by: Briana Cortaberria

Wed Feb 9, 2022

8am - 9am Board Agenda Review

Where: DO Supt's CR
Calendar: Board Members
Created by: Briana Cortaberria

Sat Feb 12, 2022

7pm - 9pm HHS Beauty & the Beast Performance

Where: HHS Auditorium
Calendar: Board Members
Created by: Briana Cortaberria

Sun Feb 13, 2022

2pm - 4pm HHS Beauty & the Beast Performance

Where: HHS Auditorium
Calendar: Board Members
Created by: Briana Cortaberria

Mon Feb 14, 2022

6:30pm - 8pm Board Regular Meeting

Calendar: Board Members
Created by: Briana Cortaberria

Tue Feb 15, 2022

8am - 8:30am KOHU Odds & Ends Show

Where: KOHU
Calendar: Board Members
Created by: Briana Cortaberria
Who: Tricia Mooney, kohunews@gmail.com

Board Members

Wed Feb 16, 2022

■ **8am - 9am Board Meeting Debrief**

Where: DO Supt's CR
Calendar: Board Members
Created by: Briana Cortaberria

Thu Feb 17, 2022

■ **7am - 8am HAT/HSD Meeting**

Where: DO Boardroom
Calendar: Board Members
Created by: Briana Cortaberria

Fri Feb 18, 2022

■ **7pm - 9pm HHS Beauty & the Beast Performance**

Where: HHS Auditorium
Calendar: Board Members
Created by: Briana Cortaberria

Sat Feb 19, 2022

■ **7pm - 9pm HHS Beauty & the Beast Performance**

Where: HHS Auditorium
Calendar: Board Members
Created by: Briana Cortaberria

Wed Feb 23, 2022

■ **8:30am - 9:30am Finance Committee Meeting**

Where: Superintendent's Conference Room
Calendar: Board Members
Created by: Briana Cortaberria

Mon Feb 28, 2022

■ **6:30pm - 8pm Board Special Meeting**

Where: DO Boardroom
Calendar: Board Members
Created by: Briana Cortaberria

Sun	Mon	Tue	Wed	Thu	Fri	Sat
2	3	4	5 ● 8:30am - Finance Committee ● 2pm - Board Agenda Review @	6	7	8 1pm - Basketball vs Ellensburg
9	10 ● 6:30pm - Board Regular	11 ● 8am - KOHU Odds & Ends 3pm - Girls Bowling vs 6pm - Boundary Presentation - 7pm - Girls Wrestling vs	12 ● 8am - Board Meeting Debrief 2pm - LVES Site Visit 6pm - Bond Oversight	13 6pm - Boundary Presentation - 6pm - Boys & Girls Wrestling vs	14 5:45pm - Boys & Girls Basketball	15
16	17	18	19	20 ● 7am - HAT/HSD Meeting @ DO	21 7am - Listening & Learning	22
23	24 ● 6:30pm - Board Special	25	26 ● 8:30am - Finance Committee	27	28	29
30	31 ● 6pm - Listening & Learning	1	2	3	4	5 HEF CrabFeed

Sun	Mon	Tue	Wed	Thu	Fri	Sat
30	31 ● 6pm - Listening & Learning	1	2	3	4	5 HEF Crabfeed
6	7	8	9 ● 8am - Board Agenda Review @	10	11	12 ● 7pm - HHS Beauty & the
13 ● 2pm - HHS Beauty & the	14 ● 6:30pm - Board Regular	15 ● 8am - KOHU Odds & Ends	16 ● 8am - Board Meeting Debrief	17 ● 7am - HAT/HSD Meeting @ DO	18 ● 7pm - HHS Beauty & the Beast	19 ● 7pm - HHS Beauty & the
20	21	22	23 ● 8:30am - Finance Committee	24	25	26
27	28 ● 6:30pm - Board Special	1	2 ● 6pm - Distinguished Citizens	3	4	5

Sun	Mon	Tue	Wed	Thu	Fri	Sat
27	28	1	2	3	4	5
	6:30pm - Board Special		6pm - Distinguished Citizens			
6	7	8	9	10	11	12
		8am - KOHU Odds & Ends	8am - Board Agenda Review @ 8am - Board Meeting Debrief			
13	14	15	16	17	18	19
6:30pm - Board Regular				7am - HAT/HSD Meeting @ DO		
20	21	22	23	24	25	26
			8:30am - Finance Committee			
27	28	29	30	31	1	2
	6:30pm - Board Special					

**BOARD OF EDUCATION
UMATILLA COUNTY SCHOOL DISTRICT #8R, HERMISTON
HERMISTON, OREGON**

January 10, 2022

9.0 EXECUTIVE SESSION

The board of education will now meet in executive session pursuant to the following Oregon Revised Statute(s):

	Statutory Citation	Subject	Media Permitted?
	ORS 192.660(2)(a)	To consider the employment of a public officer, employee, staff member or individual agent.	Yes
	ORS 192.660(2)(b)	To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.	Yes
	ORS 192.660(2)(d)	To conduct deliberations with persons designated by the governing body to carry on labor negotiations.	No
	ORS 192.660(2)(e)	To conduct deliberations with persons designated by the governing body to negotiate real property transactions.	Yes
	ORS 192.660(2)(f)	To consider information or records that are exempt by law from public inspection.	Yes
	ORS 192.660(2)(h)	To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed.	No
X	ORS 192.660(2)(i)	To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing.	Yes
	ORS 192.660(2)(k)	To consider matters relating to school safety or a plan that responds to safety threats made toward a school.	Yes
	ORS 332.061(1)	To conduct a hearing to expel minor students or to examine confidential medical records	No

The Hermiston School District Board of Education will now meet in executive session pursuant to ORS **(per above)**. Representatives of the news media and designated staff shall be allowed to attend the executive session. All other members of the audience are asked to leave the room. Representatives of the news media are specifically directed not to report on or otherwise disclose any of the deliberations or anything said about these subjects during the executive session, except to state the general subject of the session as previously announced. No decision may be made in executive session, except for a student expulsion. At the end of the executive session, the board will return to open session and welcome the audience back into the room.

Attorney General's Public Records and Meetings Manual, p. K-9.

Board Policy BDC-AR: Executive Sessions – News Media
<http://policy.osba.org/hermiston/AB/BDC%20R%20G1.PDF>