

LANE EDUCATION SERVICE DISTRICT	BOARD MEETING
1200 Hwy 99 N	Tuesday, February 4, 2025
Eugene, Oregon 97402	Regular Meeting: 6:00 PM

**LANE ESD BOARD MEETING
AGENDA**
Tuesday, February 4, 2025

1. Work Session

The Board of Directors of Lane ESD will conduct a work session to discuss conducting a Board Self-Evaluation and the evaluation of the Superintendent.

Board of Directors

A. Board Self-Evaluation

The Board will discuss conducting a Board Self-Evaluation.

Board of Directors

OSBA Board-Self-Eval	16
OSBA Board Self Evaluation Tool	18
Wilde proposed revisions to LBL Board Self-Evaluation	42
LESD Board Self-Evaluation DRAFT -- revised Nov 1 2024	46

B. Evaluation of the Superintendent

The Board of Directors will discuss the process for the evaluation of the Superintendent. In previous years, the Board has implemented a version of a 360 evaluation to gather information on the performance of the superintendent by groups: Superintendents' Council, Community Partners, Agency Leadership, and Staff.

Superintendent Scurto has a hire date of 7/1/2017. A 360-evaluation has been conducted annually with the following groups surveyed each year:

- 2018: Board, Superintendents' Council, Superintendent Self-Evaluation
- 2019: Board, Superintendents' Council, Superintendent Self-Evaluation, Staff
- 2020: Board, Superintendents' Council, Superintendent Self-Evaluation, Staff, Community Partners
- 2021: Board, Superintendent Self-Evaluation, Community Partners
- 2022: Board, Superintendent Self-Evaluation, Staff

2023: Board, Superintendents' Council, Leadership, Superintendent Self-Evaluation

2024: Board, Superintendents' Council, Leadership, Superintendent Self-Evaluation

The Board will discuss collecting feedback for use in its evaluation of the Superintendent. Following the collecting of data, the Board will conduct an Executive Session to review the data and develop an Evaluation Summary.

Board of Directors

2020-ESD_SuperintendentEvaluation-FillableForm-7.7.20
(002)

49

2. Call Regular Meeting To Order

Board Chair

3. Reminder: Change in Public Meeting Requirements

Senate Bill 1502 requires public education governing boards of common or union high school districts, education service districts, community college districts, and public universities... to post video or audio recordings of each meeting to the district, college, or university website or social media site within seven days of the meeting. If a board's facilities lack broadband internet, then the board may post audio instead of video on its website or social media site. The bill exempts school districts of less than 50 students in resident average daily membership (ADM). The bill also exempts from these requirements any meeting or portion of a meeting that is conducted in executive session.

Similarly, OSBA has posted a public meetings [FAQ that includes information on SB 1502](#) and they will be putting out updates to their public meetings policies in February.

Additionally, HB 2805 (2023) requires all school board members to complete public meeting training once per term of office. OSBA will be hosting a webinar scheduled for February 6 from 5 to 6:30 pm that will be open to administrators, board members and board secretaries with information on both topics.

More information from the OSBA webpage:

House Bill 2805 (2023): This bill, effective January 1, 2024, introduced several changes that expanded the definition of a "meeting," clarifying procedures, and gave additional oversight to OGEC:

- **Expanded what counts as a meeting:** The definition of "convening" in ORS 192.610 was broadened to include more communications between public body members.
- **Formal Grievance Process:** HB 2805 established a mandatory grievance process for anyone who believes a governing body violated the PML. The process requires a person to file a written grievance with the public body within 30 days of the alleged violation. The public body must **respond in writing within 21 days** and must send a copy of both the grievance and written response to OGEC.
- **Expanded OGEC Oversight:** OGEC's authority to review and investigate complaints was expanded to cover **any provision** of ORS 192.610 to 192.690, not just executive sessions.
- **Mandatory Training:** Members of governing bodies with total expenditures of \$1 million or more are now required to attend training on the Public Meeting Law (PML) at least once per term of office.

Senate Bill 1502 (2024): This bill specifically requires governing bodies of certain educational institutions to publish video recordings of their public meetings:

- **Applies To:** School districts with ADM of more than 50 students, education service districts, and community colleges
- **Recording Requirements:** Public bodies at these institutions must make a video recording of all their meetings and post the recordings online within seven days. An audio recording is allowed if broadband internet access is unavailable.
- **Exceptions:** The law does not apply to executive session meetings.

How has the definition of a "meeting" changed? HB 2805 significantly changed the definition of "meeting" by broadening what constitutes "convening." Previously, the law focused on physical gatherings of public body members or the use of technology for contemporaneous communication. Now, the following are also considered forms of "convening" and could trigger the requirements of the PML:

- **Serial Electronic Written Communication:** A series of communications among members of a governing body, such as emails, texts, or social media messages, even if they are not communicating at the same time, can constitute a public meeting if it occurs among a quorum of the public body members.
- **Use of an intermediary:** Using a third party to relay information or facilitate communication among members of a governing body can also be considered a meeting if it occurs among a quorum of public body members.

When are communications among a quorum of public body members NOT considered a public meeting? Some types of communications among public body members are excluded from the definition of a "meeting." These are generally considered "non-substantive" and include:

- Purely factual or educational communications which don't involve deliberation or decision-making.
- Communications that are not related to any matter that could reasonably be foreseen to come before the governing body for deliberation or decision.
- Communications related to scheduling, leaves of absence, or other similar administrative matters.
- Attendance at professional conferences or on-site inspections, if the members do not engage in deliberations or decisions on matters that could reasonably be foreseen to come before the governing body.

Which groups/committees must follow the PML requirements? Oregon's Public Meetings Law applies to all governing bodies of a public body. A governing body is two or more members with the authority to make decisions for, or recommendations to, a public body on matters of policy or administration. There are two main categories of governing bodies: (1) decision-making bodies, which have the power to make binding decisions for a public body and act on its behalf; (2) advisory bodies, which provide recommendations to another governing body on policy or administration. The following are examples of bodies which are NOT subject to PML:

- **Fact-Gathering Bodies:** If a body's sole purpose is to gather factual information for a governing body and it lacks decision-making or recommendation authority, it is not subject to the PML. However, if it determines facts or looks at competing factual information to make a recommendation, it is a body subject to the PML.
- **Bodies Advising Individual Public Officials:** These are bodies appointed by a single public official to provide recommendations solely to that official. The PML does not apply if the official has authority to act on the recommendations without passing them on to another governing body.

What are the training requirements for public officials under the revised law? HB 2805 mandates training on Oregon's Public Meetings Law for all members of governing bodies that have total expenditures of \$1 million or more in a fiscal year. This training must be completed at least once during each term of office. Each public body member is responsible for maintaining a record of attendance at the required training. The training can be provided by OGEC or an organization approved by OGEC (OSBA has requested approval of its public meetings law training).

What are the penalties for violating the Public Meetings Law? OGEC has the authority to impose civil penalties on public officials for violations of the Public Meetings Law. According to ORS 244.350, the penalties can be up to:

- **\$1,000 per violation** for most violations of the public meetings law, depending on various factors such as the number of violations, whether there was intentional disregard for the law, and actions taken to prevent future violations.
- **No penalty:** If the governing body acted on the advice of its legal counsel, a penalty may not be imposed.

Superintendent Scurto, Board Chair

4. Welcome

Guests attending the meeting will be introduced.

Board Chair

5. Public Participation

This is an opportunity for the audience to address the Board on topics either on, or not on, the agenda. There will also be opportunities for the audience to comment on specific agenda items as the Board addresses them.

Comments Regarding Staff Members - Speakers may offer objective criticism of ESD operations and programs. The Board will not hear comments regarding any individual ESD staff member. The Board chair will direct the visitor to the procedures in Board policy KL - Public Complaints for Board consideration of a complaints involving a staff member. 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 staff member, his/her supervisor and the Board.

The Board requests that a public comment add information or a perspective that has not already been mentioned previously, and that the patron refrains from repeating a similar point. To make a comment or present a topic during public comment, if the opportunity is available on the Board agenda, please complete the Intent to Speak card and submit it to the Board secretary prior to the start of the meeting. An individual that has submitted an Intent to Speak card and has been invited to speak by the Board chair, will be allowed three minutes.

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

6. Agenda Review

Board Chair

7. Lane Education Service District Statement of Accountability: Land Acknowledgement

Lane ESD acknowledges that the lands we call Lane County - the lands that sustain our children, our future, and our collective well-being - are the traditional ancestral home of the Kalapuya, Siuslaw, Molalla, and other indigenous people who have lived in Lane County since time immemorial. Native children, families, and communities bear witness to a legacy of displacement and forced relocation. As an educational institutions we are accountable for addressing the current and former silencing, erasure and genocide of native people in Oregon and Turtle Island. We aim to join with indigenous people, honoring their resilience, courage, and self-determination in a purposeful pursuit of justice.

Today indigenous people -- alive, diverse, and vibrant -- live in and contribute to the culture of Lane County. We are all blessed by their presence.

- We commit to support our own, Lane ESD staff, and student learning about indigenous peoples of Oregon, the history, culture, current concerns, and the role of educational institutions in the genocide of Native/Indigenous people and tribes and in the possibilities for repair and justice. As an ESD we will support and encourage the implementation of Tribal History/Shared History curriculum with all our educational partners.
- The board also commits to building relationships that would help us understand the lived experiences of our native students' families and communities and how LESD impacts our students, in collaboration with the superintendent.
- The board will review and update the spoken Statement of Accountability Land Acknowledgement annually during our annual organizational meeting or when needed.

Members of the Board

Lane ESD Board of Directors Land Acknowledgement

8. Action Items

Board Chair

A. Consent Agenda

The Lane ESD Board of Directors has agreed to implement a consent agenda. All items in the consent agenda are adopted by a single motion unless a member of the Board or the Superintendent requests that such item be removed from the consent agenda and acted upon separately.

Generally, consent agenda items are matters which members of the Board agree are routine in nature and should be acted upon in one motion to conserve time and to enable the Board to focus on the other matters on the agenda.

Back-up materials for consent agenda items are included in the agenda packet as needed. Minutes of this meeting will reflect action on each item.

If any board member wishes to withdraw any consent group item, it will be moved to the appropriate section of the agenda.

BE IT RESOLVED that the Board of Directors of Lane ESD adopts the consent group as submitted and listed below.

1. Human Resource Report, dated February 1, 2025

Board Chair

HR Board Report - February 2025 84

B. Accept Financial Report

BE IT RESOLVED that the Board of Directors of Lane ESD accepts the Financial Report for December 2024.

Board Chair

December 2024 Financial Report 86

C. Policy Adoption(s)

The Board shall exercise its rule-making power by adopting policies consistent with the Oregon Revised Statutes, Oregon Administrative Rules or opinions of a court of competent authority, for its own governance and for the organization and operation of Lane ESD. The Board accepts the definition of policy set forth by the National School Boards Association:

School Board policies are statements which set forth the purposes and prescribe in general terms the organization and program of a school system. They create a framework within which the superintendent and his/her staff can discharge their assigned duties with positive direction. They tell what is wanted.

Such policies may be adopted, amended or repealed at any Board meeting provided that the proposed adoption, amendment or repeal shall have been proposed at a previous Board meeting and, once proposed, shall have

remained on the agenda of each succeeding meeting until approved or rejected and except that the Board may adopt, amend or repeal policies at any meeting of the Board in the event of an actual emergency, as determined at the sole discretion of the Board.

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

Superintendent Scurto

1. Rescind Policy Updates:

In January, the Board learned that House Bill 4160 (2024) changed the definition of student; changing a student who left school or graduated from high school "within 90 days" to "within one calendar year", and is in effect as of July 1, 2024 and is included in the recommended revisions.

In January, it was understood that local ESD Responsibility was to Adopt updated language in the required policy GBNA/JHFF - Suspected Sexual Conduct with Students and Reporting Requirements.

Policy(ies) Impacted by these Revisions were first read at the January 7, 2025 meeting of the Board of Directors:

GBNA/JHFF - Suspected Sexual Conduct with Students and Reporting Requirements, Required

JHFF/GBNA - Suspected Sexual Conduct with Students and Reporting Requirements, Required

Lane ESD has recently learned that on January 9th, 2025, a federal district court judge in Kentucky issued a decision invalidating the 2024 updates to the Title IX regulations. This ruling invalidates the rules that went into effect on August 1, 2024. Presumably, this means that the previous rules (effective in 2020) remain in effect.

OSBA released updated policies on these topics in the November 2024 update. Due to this court decision, OSBA recommends districts, ESDs, charter schools and community colleges do not update the following policies:

- AC: Nondiscrimination and Civil Rights
- GBN/JBA and JBA/GBN: Sexual Harassment

This means that previous versions of these policies remain in effect (unless action has already been taken to remove or update them). The

OSBA Policy Department will be issuing additional information regarding updates to these policies and administrative regulations.

One of the key provisions of the 2024 rules was the interpretation of "sex-based discrimination" to include gender identity and sexual orientation. This decision struck down this interpretation. However, Oregon law has prohibited discrimination based on sexual orientation and gender identity for several years (ORS 659.850).

BE IT RESOLVED that the Board of Directors of Lane ESD does not adopt policy updates for GBNA/JHFF - Suspected Sexual Conduct with Students and Reporting Requirements and JHFF/GBNA - Suspected Sexual Conduct with Students and Reporting Requirements, as first read on January 7, 2025.

BE IT FURTHER RESOLVED that the Board of Directors rescinds policy updates for the following:

- AC: Nondiscrimination and Civil Rights, , adopted January 7, 2025
- GBN/JBA *and* JBA/GBN: Sexual Harassment, adopted January 7, 2025

Board Chair

D. Declare February 2025 as Career Technical Education Appreciation Month

WHEREAS: February 1-28, 2025, has been designated Career and Technical Education Month[®] by the Association for Career and Technical Education; and

WHEREAS: career and technical education offers students the opportunity to gain the academic, technical and employability skills necessary for true career readiness

WHEREAS: students in career and technical education programs participate in authentic, meaningful experiences that improve the quality of their education and increase their engagement and achievement; and

WHEREAS: career and technical education provides students with career exploration opportunities earlier in their educational experience, which enables them to make informed and beneficial decisions about their academic coursework and pursue established programs of study and career pathways; and

WHEREAS: leaders from business and industry nationwide report increasing challenges related to addressing the skills gap and connecting qualified professionals with available careers in critical and growing CTE-related fields, including healthcare, energy, advanced manufacturing, cybersecurity and information technology; and

WHEREAS: career and technical education prepares students for these and other fulfilling careers by offering integrated programs of study that link secondary and postsecondary education and lead to the attainment of industry-recognized credentials; and

WHEREAS: career and technical education programs ensure that employers have access to a qualified and thriving workforce, ensuring America is a strong and competitive economy;

NOW THEREFORE, BE IT RESOLVED that the Board of Directors of Lane ESD do hereby proclaim February 1-28, 2025, as

Career and Technical Education Month

and urge all citizens to become familiar with the services and benefits offered by the career and technical education programs in this community and to support and participate in these programs to enhance their individual skills and productivity.

Board Chair

E. Declare February 2025 as Black History Month

This year's theme, "**African Americans and Labor: From Slave Ships to the White House**," honors the critical role labor has played in the Black American experience, from the agricultural work of enslaved Africans to the rise of Black Wall Street.

WHEREAS, in 1915, Dr. Carter Godwin Woodson, noted Black scholar and son of former slaves, founded the Association for the Study of African American Life and History and initiated Black History Week on February 12, 1926; and

WHEREAS, in 1976 President Gerald Ford made Black History Month a national observance; and the second week of February coincides with the birthdays of Abraham Lincoln and Frederick Douglass; and the event inspired schools and communities nationwide to organize local celebrations, establish history clubs, and host performances and lectures; and

WHEREAS, during Black History Month we celebrate the many achievements and contributions made by Black Americans to Oregon and the United States' economic, cultural, spiritual, and political development and honor the memory of the millions of enslaved Africans who died during the Transatlantic Slave Trade; and

WHEREAS, while the observance of Black History Month calls for our community's attention to the continued need to battle racism and to build a society that lives up to its democratic ideals; and

WHEREAS, all students need an opportunity to understand the common humanity underlying all people, to develop pride in their own cultural identity and heritage, and to respect the identity and heritage of others; and

NOW, THEREFORE, we, the members of the Board of Directors for the Lane Education Service District, hereby declare February 2025 to be: **Black History Month**

and we strongly encourage our staff and community to observe, recognize, and celebrate the culture, heritage and contributions of Black Americans to our country, our state, our cities, and our schools,

By resolution of the Board of Directors this 4th day of February 2025.

Board Chair

F. Cast Vote for OAESD Officer's Council Chair Elect

The Board of Directors of Lane ESD will cast its vote for OAESD Chair Elect.

General Description: The Officer Council consists of the officers of OAESD. These are the Chair, Chair-Elect, and Past Chair of the OAESD Board and President, President-Elect, and Past President of the OAESD Superintendents' Council. The term of office for the officers shall be one year in each role (three years total). Any officer may be elected to no more than two successive terms. The Chair-Elect and President-Elect succeed the Chair and President, respectively. Past practice has been for each ESD Board to have the opportunity to nominate a candidate for the position of Chair-Elect and for each member ESD superintendent to have the opportunity to nominate a candidate for President-Elect.

There is one candidate for Chair-Elect:

Information: Jeff Crapper has been officially nominated for the OAESD Chair-Elect position. Please see his bio below for more information:

Name: Dr. Jeffrey Crapper

Email: jeffrey.crapper@wesd.org

Board Roles: Currently serves on the Board of Directors for Willamette Education Service District, Oregon School Board Association, Oregon HOSA, Oregon Career Technical Student Leadership Foundation, and Salem-Keizer NAACP.

OAESD Roles: Currently serving on the OAESD Legislative Committee

Current & Previous Occupation(s): CTE Program Associate/Teacher on Special Assignment (TOSA) for Salem-Keizer Public Schools. Prior to this position, Jeff was a TOSA for the Beaverton School District and previously taught Biology, Physics, Math, Engineering, Firefighting, English as a Second Language, Physical Education, Health and Health Sciences CTE courses for 21 years. He most recently taught at Beaverton Academy of Science and Engineering (BASE) in Beaverton, where he started their

medical assisting and pharmacy technology programs.

Educational Background: Bachelor of Science in Athletic Training, Exercise Science, and Health Education with a Minor in Psychology from Linfield College, a Master of Arts in Teaching from Oregon State University, a Master of Arts in Christian Ministry from George Fox University, and a Doctorate in Education from Liberty University.

Other Relevant Experience, Memberships, etc.: Dr. Crapper was recognized as the 2022 Distinguished Alumnus of the Year for Linfield University, 2021 Oregon ACTE Teacher of the Year, 2019 ACTE National Health Science Teacher of the Year and as the 2017 OSTA Oregon High School Science Teacher of the Year.

About Me: Additionally, he serves as a Firefighter and Advanced EMT for Dayton Fire District and serves as an educational consultant for Project Lead The Way (PLTW), which is a non-profit STEM organization.

BE IT RESOLVED that the Board of Directors of Lane ESD casts its vote for OAESD Officer's Council Chair Elect.

Board Chair

9. Discussion/Reports

A. Legislative Update

Superintendent Scurto will provide an update in legislative activities if there are any updates.

Superintendent Tony Scurto

B. Superintendent Report

Superintendent Tony Scurto

C. Work Session Report Out

The Board of Directors of Lane ESD will report on the work session conducted prior to the start of the regular meeting. The Board may come to consensus, or move to act, on how to proceed with the Board Self-Evaluation and the Superintendent Evaluation.

Board Chair

D. Policy Desk ReWrite

Lane ESD has engaged with OSBA to complete a desk rewrite of the Board Policy Manual. Leslie Fisher (OSBA) has provided the following policies/administrative rules for review:

- AC: Nondiscrimination and Civil Rights
- ACA: Americans with Disabilities Act
- ACA-AR(1): Americans with Disabilities Act
- ACA-AR(2): ADA Grievance Procedure
- ACB: Every Student Belongs All Students Belong
- ACB-AR: Bias Incident Complaint Procedure

The following policies/administrative rules are recommended for deletion:

- AD: Educational Philosophy
- ADA: Mission, Guiding Values, Priorities and Standards

Board Chair, Superintendent

AC	88
ACA	90
ACA-AR1	91
ACA-AR2	105
ACB	107
ACB-AR	109

10. Information from Administrative Staff

The directors of Human Resources and Title Programs, Special Education, Business Services, Technology and School Improvement will provide oral reports to the Board on matters of interest concerning his/her area of responsibility.

Administrative Staff

Special Education Board Report 2_4_25	112
---------------------------------------	-----

11. Board Member Reports and Comments/Agenda Planning

Lane ESD Board, Liaisons, Advisors

A. Agenda Planning

Board members are invited to send agenda items to be considered for the next board meeting. Please call or email to the Board Chair or Superintendent.

Board Chair

B. Board Member Reports

Board members are asked to submit their reports in writing to be attached to Boardbook. Reports can be sent to the Executive Assistant in advance of the meeting.

As Board Members prepare their reports, please consider the following questions:

1. What programs did I visit over the last month? What committees did I participate in?
2. What is the connection to the LESD services and programs to the component districts or community?
3. What significance or meaning does the activity have to the broader community?
4. What are the next steps or follow-up activities planned?

Sherry Duerst-Higgins

Linda Hamilton

Leslie Harris

Nora Kent

Sydney Kissinger

Vanessa Truett

Rose Wilde

Sue Wilson, Superintendents' Council Advisor

Erin Zygiatis, Community Advisor

Mike Anderson, Liaison, Creswell School District Board

Board, Advisors, Liaisons

12. Announcements/Correspondence

Board Chair

A. Acknowledgements and Recognition

Superintendent Tony Scurto

B. Kudos

Thank you to those who took the time to acknowledge co-workers/staff with kudos. Employees and Board members can submit a "kudo" any time during the month. To submit a kudo visit:
www.lesd.k12.or.us/forms/kudos.html

Administrators

C. Announcements

Board Chair

1. **Lane ESD Board Member Activities and Opportunities**
2. **Component District Board Meeting Dates**

13. Adjournment

- The next regular meeting is scheduled to be held Tuesday, March 4, 2025, at the Lane ESD Main Campus, 1200 Highway 99 N, Eugene.

School Board Self Evaluation

Why Evaluate?

The culture of an organization is set at the top, and it is no different for school and educational organizations. School boards must be strong, effective leaders to meet the challenges faced by public education today. School board members direct the affairs of the district by setting goals, developing policy, communicating and evaluating, all with a focus on the achievement and best interests of all students in the district. Self-assessment by the board provides valuable information, discussion and communication.

Self-evaluation by the board:

- Holds the board accountable to itself, the staff and the community.
- Allows for reflection by board members on their individual and collective behavior and performance.
- Fosters open communication.
- Improves decision making by enhancing a common understanding of philosophies and goals.
- Resolves differences of opinion and challenges assumptions.
- Provides insight into how and why decisions are reached.
- Allows new board members an opportunity to understand board processes.
- Identifies strengths and weaknesses of individual board member performance and that of the board as a whole.
- Holds the board accountable in its role as representative of the public.
- Provides a starting point for effective goal setting and long range planning.

Board self-evaluation provides more than just accountability and communication. It provides an opportunity for building the best possible leadership for the school system and community. Commitment to quality, excellence, continuous learning, and local control of the educational system is demonstrated when boards lead by example.

Oregon School Boards Association's *Board Self-Evaluation* document is designed to provide both a clear objective system for board evaluation and flexibility. Part 1 of the evaluation follows a set of performance standards focused on the roles, responsibilities and work of the

board. Part 2 focuses on the board's performance in supporting the achievement of district goals.

Part 1 and Part 2 mirror the first two parts of the OSBA superintendent evaluation document and are intended to be used together, the board first undergoing a self-evaluation and then performing the superintendent evaluation. The board evaluation, unlike the superintendent evaluation, does not include a Part 3: 360-degree evaluation. This is because board members are subject to recall and undergo an election every four years. That election serves as a de facto 360-degree evaluation. For boards that would like to survey the community regarding their performance, the questions in Part 1 and Part 2 of the board self-evaluation can be put to administrators, staff and community members and will serve well as a 360-degree evaluation.



BOARD SELF-EVALUATION

OREGON BOARD STANDARDS FOR GOVERNANCE



LEADERSHIP TO LIFT OUR PROMISE OF GRADUATION



Oregon School Boards Association

1201 Court St NE, Ste 400
Salem, OR 97301
503-588-2800 or 800-578-6722
Fax: 503-588-2813

www.osba.org
info@osba.org

rev 6/2017

INTRODUCTION

SCHOOL BOARD SELF-EVALUATION

WHY EVALUATE?

The culture of an organization is set at the top, and it is no different for school and educational organizations. School boards must be strong, effective leaders to meet the challenges faced by public education today. School board members direct the affairs of the district by setting goals, developing policy, communicating and evaluating, all with a focus on the achievement and best interests of all students in the district. Self-assessment by the board provides valuable information, discussion and communication.

SELF-EVALUATION BY THE BOARD:

- Holds the board accountable to itself, the staff and the community.
- Allows for reflection by board members on their individual and collective behavior and performance.
- Fosters open communication.
- Improves decision-making by enhancing a common understanding of philosophies and goals.
- Resolves differences of opinion and challenges assumptions.
- Provides insight into how and why decisions are reached.
- Allows new board members an opportunity to understand board processes.
- Identifies strengths and weaknesses of individual board member performance and that of the board as a whole.
- Holds the board accountable in its role as representative of the public.
- Provides a starting point for effective goal setting and long-range planning.

Board self-evaluation provides more than just accountability and communication. It provides an opportunity for building the best possible leadership for the school system and community. Commitment to quality, excellence, continuous learning and local control of the educational system is demonstrated when boards lead by example.

Oregon School Boards Association's Board Self-Evaluation document is designed to provide both a clear objective system for board evaluation and flexibility. Part 1 of the evaluation follows a set of performance standards focused on the roles, responsibilities and work of the board. Part 2 focuses on the board's performance in supporting the achievement of district goals.

Part 1 and Part 2 mirror the first two parts of the OSBA superintendent evaluation document and are intended to be used together, the board first undergoing a self-evaluation and then performing the superintendent evaluation. The board evaluation, unlike the superintendent evaluation, does not include a Part 3: 360-degree evaluation. This is because board members are subject to recall and undergo an election every four years. That election serves as a de facto 360-degree evaluation. For boards that would like to survey the community regarding their performance, the questions in Part 1 and Part 2 of the board self-evaluation can be put to administrators, staff and community members and will serve well as a 360-degree evaluation.

BOARD SELF-EVALUATION FORMS

PART 1: PERFORMANCE STANDARDS

Instructions

1. Attached are the forms to be completed by each board member rating each of the eleven performance standards. A separate page is provided for each performance standard. Each board member should rate all eleven of the performance standards.
2. Performance indicators are listed below each performance standard. These performance indicators suggest objective measures to consider; do not rate each performance indicator separately. Only rate the overall performance standard.
3. Your comments in support of your rating will be helpful during the board discussion of the results of the evaluation.
4. Each board member's forms should be returned to the consultant, board chair or designated board member for compilation. Your board may also have chosen to fill it out online for electronic compilation.
5. The board will meet to discuss the results and future steps to improve or build upon the prior year's results.

STANDARD 1

LEADERSHIP: MISSION, VISION AND GOALS

The board of education periodically reviews the district's vision and mission statements, and annually adopts board and district goals which support the district vision and mission.

Indicators:

- The board, along with the superintendent, has reviewed and re-adopted the written district vision and mission statements in a three-year cycle.
- Board members can clearly articulate the vision, mission and goals of the district.
- Annually the board, with the superintendent's input and collaboration, has reviewed, rewritten and adopted the board and district goals.
- The board has adopted objectives, activities and a calendar to monitor action plans on agreed-upon goals, including periodic superintendent updates as part of regular board meetings.
- The board has delegated to the superintendent the authority to administer and evaluate the adopted action plans.
- The board and superintendent have mutually agreed which goals and expected performance indicators will be included in the superintendent's formal evaluation.
- The superintendent's evaluation instrument for the current year has been developed and adopted by the board.

Board performance for this standard:

0 UNACCEPTABLE

No indicators for this standard have been attempted and/or completed. The board needs intense focus on this standard.

1 NEEDS IMPROVEMENT

Few indicators for this standard have been attempted but none/very few have been completed. The board needs heavy focus on this standard.

2 GOOD

At least half of the indicators for this standard have been attempted and several have been completed. The board needs moderate focus on this standard.

3 EXCELLENT

Most of the indicators for this standard have been completed. The board needs to maintain performance on this standard.

4 OUTSTANDING

All of the indicators for this standard have been completed. This is an area of model performance for the board.

Comments:

STANDARD 2

POLICY AND GOVERNANCE

The board establishes and follows local policies, procedures and good governing practices.

Indicators:

- The board has established, adopted and revised policies so that they are clear, up to date and in compliance with state and federal laws and rules.
- The board requests the superintendent's recommendation on all proposed policies.
- The board provides opportunities for public and staff review of proposed policies before they are given to the board for final action.
- A procedure is in place for established policies to be reviewed on a regular basis.
- The board follows its own policies regarding board operations.
- The board delegates all decisions regarding district operations, personnel management and procedures to the superintendent.
- The board sets annual goals and keeps those goals at the forefront of all board and district decisions throughout the year.

Board performance for this standard:

0 UNACCEPTABLE

No indicators for this standard have been attempted and/or completed. The board needs intense focus on this standard.

1 NEEDS IMPROVEMENT

Few indicators for this standard have been attempted but none/very few have been completed. The board needs heavy focus on this standard.

2 GOOD

At least half of the indicators for this standard have been attempted and several have been completed. The board needs moderate focus on this standard.

3 EXCELLENT

Most of the indicators for this standard have been completed. The board needs to maintain performance on this standard.

4 OUTSTANDING

All of the indicators for this standard have been completed. This is an area of model performance for the board.

Comments:

STANDARD 3

COMMUNITY RELATIONS

The board establishes and promotes effective two-way communication with parents, students, staff and community members.

Indicators:

- The board and individual board members demonstrate respect and cooperation in their relationships with the community and staff.
- The board works with the superintendent to seek and receive input from citizens on matters relating to the school district using an agreed-upon process.
- The board communicates with the community using forums, groups, the media and/or other vehicles following agreed-upon procedures.

Board performance for this standard:

0 UNACCEPTABLE

No indicators for this standard have been attempted and/or completed. The board needs intense focus on this standard.

1 NEEDS IMPROVEMENT

Few indicators for this standard have been attempted but none/very few have been completed. The board needs heavy focus on this standard.

2 GOOD

At least half of the indicators for this standard have been attempted and several have been completed. The board needs moderate focus on this standard.

3 EXCELLENT

Most of the indicators for this standard have been completed. The board needs to maintain performance on this standard.

4 OUTSTANDING

All of the indicators for this standard have been completed. This is an area of model performance for the board.

Comments:

STANDARD 4

CULTURAL RESPONSIVENESS AND EDUCATIONAL EQUITY

The board develops and promotes understanding and awareness of cultural diversity and ensures fair and equitable policies, practices and educational opportunities for all members of the educational community.

Indicators:

- Board outreach and community engagement activities accommodate cultural differences in values and communication.
- The board actively encourages and expects the superintendent to facilitate the participation of culturally diverse groups.
- The board has a process to review policies for cultural, racial and ethnic bias.
- Board members approach decision-making from multiple perspectives, asking questions regarding the impact of each decision on diverse cultures.
- District staff is representative of the community.

Board performance for this standard:

0 UNACCEPTABLE

No indicators for this standard have been attempted and/or completed. The board needs intense focus on this standard.

1 NEEDS IMPROVEMENT

Few indicators for this standard have been attempted but none/very few have been completed. The board needs heavy focus on this standard.

2 GOOD

At least half of the indicators for this standard have been attempted and several have been completed. The board needs moderate focus on this standard.

3 EXCELLENT

Most of the indicators for this standard have been completed. The board needs to maintain performance on this standard.

4 OUTSTANDING

All of the indicators for this standard have been completed. This is an area of model performance for the board.

Comments:

STANDARD 5

ACCOUNTABILITY AND PERFORMANCE MONITORING

The board constantly monitors progress towards district goals and compliance with written board policies using data as the basis for assessment.

Indicators:

- The board models a culture of high expectations throughout the district.
- The board's priority and focus are on curriculum, student achievement and student success.
- The board appropriates resources based on student achievement priorities.
- The board supports reward, consequence and recognition systems to encourage high levels of staff and student achievement.
- Student results are measured against expectations set by district standards.
- The board and all stakeholders clearly understand, and are held accountable for, their roles and responsibilities in creating and supporting a culture of high expectations throughout the system.
- The board uses data to identify discrepancies between current and desired outcomes.
- The board identifies and addresses priority needs based on data analysis.
- The board communicates to the public how policy decisions are linked to student achievement data.

Board performance for this standard:

0 UNACCEPTABLE

No indicators for this standard have been attempted and/or completed. The board needs intense focus on this standard.

1 NEEDS IMPROVEMENT

Few indicators for this standard have been attempted but none/very few have been completed. The board needs heavy focus on this standard.

2 GOOD

At least half of the indicators for this standard have been attempted and several have been completed. The board needs moderate focus on this standard.

3 EXCELLENT

Most of the indicators for this standard have been completed. The board needs to maintain performance on this standard.

4 OUTSTANDING

All of the indicators for this standard have been completed. This is an area of model performance for the board.

Comments:

STANDARD 6

BOARD OPERATIONS: MEETINGS

Board meetings are effective, efficient, orderly and respectful. The board members focus on the policy and governance roles of the board.

Indicators:

- The agenda is properly posted and developed according to board policy.
- Board members know how to add or change agenda items both before and during a meeting and do so in a clear, constructive manner that does not allow for surprises.
- The board agenda reflects the goals, policies and appropriate governance role of the board and is followed by the board.
- The board has procedures in place to allow for public input in a respectful manner.
- The chair runs an orderly meeting, with clear instructions and directions to the public as well as board members.
- The board discusses only those topics that the majority of board members wish to take up.
- Everyone in attendance can clearly hear board discussion.
- Board discussions are effective and result in clear decisions.
- Minutes properly record actions of the board and are maintained as required by the public records law.
- Board members respect the confidentiality of executive sessions.
- Board members do not surprise the administration or fellow board members at meetings.

Board performance for this standard:

- 0 **UNACCEPTABLE**
No indicators for this standard have been attempted and/or completed. The board needs intense focus on this standard.
- 1 **NEEDS IMPROVEMENT**
Few indicators for this standard have been attempted but none/very few have been completed. The board needs heavy focus on this standard.
- 2 **GOOD**
At least half of the indicators for this standard have been attempted and several have been completed. The board needs moderate focus on this standard.
- 3 **EXCELLENT**
Most of the indicators for this standard have been completed. The board needs to maintain performance on this standard.
- 4 **OUTSTANDING**
All of the indicators for this standard have been completed. This is an area of model performance for the board.

Comments:

STANDARD 7

BOARD OPERATIONS: BOARD MEMBER COMMUNICATIONS

Board members are all kept equally fully informed on matters of board business, and communicate with each other in a respectful and lawful manner.

Indicators:

- Board members all receive the same information from the district office on matters of board business.
- Board members share information appropriately through the chair between meetings and do not surprise each other in public.
- Board members communicate with each other in a respectful manner.
- Board members respect the right of the public to observe discussion of board and district business by board members.
- All deliberation and discussion between board members is held at properly posted public meetings.

Board performance for this standard:

0 UNACCEPTABLE

No indicators for this standard have been attempted and/or completed. The board needs intense focus on this standard.

1 NEEDS IMPROVEMENT

Few indicators for this standard have been attempted but none/very few have been completed. The board needs heavy focus on this standard.

2 GOOD

At least half of the indicators for this standard have been attempted and several have been completed. The board needs moderate focus on this standard.

3 EXCELLENT

Most of the indicators for this standard have been completed. The board needs to maintain performance on this standard.

4 OUTSTANDING

All of the indicators for this standard have been completed. This is an area of model performance for the board.

Comments:

STANDARD 8

BOARD OPERATIONS: BOARD-STAFF RELATIONS

Board members are respectful of staff members in all communications and follow board-staff communication policy and procedures.

Indicators:

- The board recognizes and protects the chain of command.
- The board works with the superintendent to provide a process, and the board follows that process, to receive input from the staff in decision-making on significant issues where staff input is appropriate.
- Board members treat staff members in a respectful manner at all times.

Board performance for this standard:

0 UNACCEPTABLE

No indicators for this standard have been attempted and/or completed. The board needs intense focus on this standard.

1 NEEDS IMPROVEMENT

Few indicators for this standard have been attempted but none/very few have been completed. The board needs heavy focus on this standard.

2 GOOD

At least half of the indicators for this standard have been attempted and several have been completed. The board needs moderate focus on this standard.

3 EXCELLENT

Most of the indicators for this standard have been completed. The board needs to maintain performance on this standard.

4 OUTSTANDING

All of the indicators for this standard have been completed. This is an area of model performance for the board.

Comments:

STANDARD 9

BOARD OPERATIONS: BOARD-SUPERINTENDENT RELATIONS

The board and superintendent have an established operating agreement, treat each other honestly and respectfully and communicate openly in a professional manner.

Indicators:

- The board supports the school administration before critical groups and individuals in the community.
- The board reserves statements critical of the superintendent's actions, and evaluation of the superintendent, for executive sessions.
- Board members fully inform the superintendent of situations arising in the district that impact the district.
- Board members do not interfere in district operations, and fully delegate, and respect the delegations of, operational decisions to the superintendent and administration.
- Board members do not avoid difficult decisions when requested or required to take a position.

Board performance for this standard:

0 UNACCEPTABLE

No indicators for this standard have been attempted and/or completed. The board needs intense focus on this standard.

1 NEEDS IMPROVEMENT

Few indicators for this standard have been attempted but none/very few have been completed. The board needs heavy focus on this standard.

2 GOOD

At least half of the indicators for this standard have been attempted and several have been completed. The board needs moderate focus on this standard.

3 EXCELLENT

Most of the indicators for this standard have been completed. The board needs to maintain performance on this standard.

4 OUTSTANDING

All of the indicators for this standard have been completed. This is an area of model performance for the board.

Comments:

STANDARD 10

VALUES, ETHICS AND RESPONSIBILITY FOR SELF

The board, collectively and individually, takes full responsibility for board activity and behavior, the work it chooses to do and how it chooses to do the work.

Indicators:

- The board polices its own members when they step outside of board policy and agreements.
- The board leads the district with clear goals, policies and expectations and does not expect others to interpret the board's intent.
- Board members do not participate in discussion or deliberation of those topics which may result in a decision that might bring them personal benefit or avoidance of a detriment.
- Board deliberations and actions are limited to board work, not staff work.
- Board members exercise their authority only as a whole board at properly posted meetings.

Board performance for this standard:

0 UNACCEPTABLE

No indicators for this standard have been attempted and/or completed. The board needs intense focus on this standard.

1 NEEDS IMPROVEMENT

Few indicators for this standard have been attempted but none/very few have been completed. The board needs heavy focus on this standard.

2 GOOD

At least half of the indicators for this standard have been attempted and several have been completed. The board needs moderate focus on this standard.

3 EXCELLENT

Most of the indicators for this standard have been completed. The board needs to maintain performance on this standard.

4 OUTSTANDING

All of the indicators for this standard have been completed. This is an area of model performance for the board.

Comments:

STANDARD 11

BOARD SYSTEMATIC IMPROVEMENT

The board participates in annual training and professional development, and at least annually participates as a team with the superintendent in a team-building retreat focused on assessment and goals.

Indicators:

- Each board member participates in training and professional development available through OSBA conferences, conventions, workshops or online.
- The board annually evaluates its performance in fulfilling the board's duties and responsibilities, and its ability to work as a team.
- **The board and superintendent meet in a retreat environment to review:**
 - Progress made on, and revision of, action plans to accomplish the district's vision/philosophy/goals.
 - The strengths and improvements needed in the district.
 - Any compelling problem(s) or emerging issue(s).
 - Trends, opportunities and anticipated challenges in the school district.
 - Board leadership and educational philosophy and performance.
 - Board/superintendent operational agreements and evaluation documents.

Board performance for this standard:

0 UNACCEPTABLE

No indicators for this standard have been attempted and/or completed. The board needs intense focus on this standard.

1 NEEDS IMPROVEMENT

Few indicators for this standard have been attempted but none/very few have been completed. The board needs heavy focus on this standard.

2 GOOD

At least half of the indicators for this standard have been attempted and several have been completed. The board needs moderate focus on this standard.

3 EXCELLENT

Most of the indicators for this standard have been completed. The board needs to maintain performance on this standard.

4 OUTSTANDING

All of the indicators for this standard have been completed. This is an area of model performance for the board.

Comments:

BOARD SELF-EVALUATION FORMS

PART 2: GOALS

The board of directors has primary responsibility for setting district goals, providing the supports needed to meet the goals and monitoring the progress towards achieving them.

Instructions

1. Attached are forms to be completed by each board member rating the board's performance in meeting the goals agreed to by the board at the beginning of the year. Each goal statement needs to be inserted into a separate form before the forms are distributed.
2. Each board member should rate the performance level for each goal.
3. The board will meet to discuss the results.

GOAL STATEMENT 1:

THE BOARD'S PERFORMANCE RATING:

(circle one rating only for each goal)

0 UNACCEPTABLE

No indicators for this standard have been attempted and/or completed. The board needs intense focus on this standard.

1 NEEDS IMPROVEMENT

Few indicators for this standard have been attempted but none/very few have been completed. The board needs heavy focus on this standard.

2 GOOD

At least half of the indicators for this standard have been attempted and several have been completed. The board needs moderate focus on this standard.

3 EXCELLENT

Most of the indicators for this standard have been completed. The board needs to maintain performance on this standard.

4 OUTSTANDING

All of the indicators for this standard have been completed. This is an area of model performance for the board.

Comments:

GOAL STATEMENT 2:

THE BOARD'S PERFORMANCE RATING:

(circle one rating only for each goal)

0 UNACCEPTABLE

No indicators for this standard have been attempted and/or completed. The board needs intense focus on this standard.

1 NEEDS IMPROVEMENT

Few indicators for this standard have been attempted but none/very few have been completed. The board needs heavy focus on this standard.

2 GOOD

At least half of the indicators for this standard have been attempted and several have been completed. The board needs moderate focus on this standard.

3 EXCELLENT

Most of the indicators for this standard have been completed. The board needs to maintain performance on this standard.

4 OUTSTANDING

All of the indicators for this standard have been completed. This is an area of model performance for the board.

Comments:

GOAL STATEMENT 3:

THE BOARD'S PERFORMANCE RATING:

(circle one rating only for each goal)

0 UNACCEPTABLE

No indicators for this standard have been attempted and/or completed. The board needs intense focus on this standard.

1 NEEDS IMPROVEMENT

Few indicators for this standard have been attempted but none/very few have been completed. The board needs heavy focus on this standard.

2 GOOD

At least half of the indicators for this standard have been attempted and several have been completed. The board needs moderate focus on this standard.

3 EXCELLENT

Most of the indicators for this standard have been completed. The board needs to maintain performance on this standard.

4 OUTSTANDING

All of the indicators for this standard have been completed. This is an area of model performance for the board.

Comments:

GOAL STATEMENT 4:

THE BOARD'S PERFORMANCE RATING:

(circle one rating only for each goal)

0 UNACCEPTABLE

No indicators for this standard have been attempted and/or completed. The board needs intense focus on this standard.

1 NEEDS IMPROVEMENT

Few indicators for this standard have been attempted but none/very few have been completed. The board needs heavy focus on this standard.

2 GOOD

At least half of the indicators for this standard have been attempted and several have been completed. The board needs moderate focus on this standard.

3 EXCELLENT

Most of the indicators for this standard have been completed. The board needs to maintain performance on this standard.

4 OUTSTANDING

All of the indicators for this standard have been completed. This is an area of model performance for the board.

Comments:

GOAL STATEMENT 5:

THE BOARD'S PERFORMANCE RATING:

(circle one rating only for each goal)

0 UNACCEPTABLE

No indicators for this standard have been attempted and/or completed. The board needs intense focus on this standard.

1 NEEDS IMPROVEMENT

Few indicators for this standard have been attempted but none/very few have been completed. The board needs heavy focus on this standard.

2 GOOD

At least half of the indicators for this standard have been attempted and several have been completed. The board needs moderate focus on this standard.

3 EXCELLENT

Most of the indicators for this standard have been completed. The board needs to maintain performance on this standard.

4 OUTSTANDING

All of the indicators for this standard have been completed. This is an area of model performance for the board.

Comments:

Page intentionally left blank

Page intentionally left blank

CONTACT

OREGON SCHOOL BOARDS ASSOCIATION

1201 Court Street NE, Suite 400 | Salem, OR 97301

503-588-2800 | 1-800-578-OSBA

FAX 503-588-2813

OSBA.ORG



Board Self-Evaluation Measures

Revised June 2022

Self-Evaluation occurs as per the Annual Performance Review Three Year Plan and per policy BK - Evaluation of Board Operational Procedures, which is ~~annually every other year~~.

Section 1: Individual Director Indicators

Indicator: Each Board Director will [review policies](#) in Section A/B - Board Governance and Operation and Section C - General Administration (Superintendent) yearly.

Purpose: To have a refreshed working knowledge of policies most overseen/carried out by the Board.

Measured by: Met/Not met

Indicator: Each Board Director will review yearly the [Oregon Revised Statute in Chapter 334: Education Service Districts](#), specifically:

334.100 Organization of board; meetings; quorum; compensation

334.125 Status of board; powers and duties; rules

334.175 Core services; local service plan

334.177 Expenditure of percentage amounts received on services

334.219 Report on performance and finances; distribution and accessibility of report

334.225 Superintendent; duties; compensation

334.285 Apportionment of taxes; split between elementary and secondary school purposes

334.293 Direct ad valorem tax required to pay bonds

334.370 Emergency aid fund

Purpose: To have a refreshed working knowledge of specific areas requiring Board oversight and action as set forth in ORS 334: Education Service Districts.

Measured by: Met/Not met

Indicator: Each Board Director will serve on at least one Superintendent Work Group, ESD Committee, OSBA committee, OAESD Committee or other relevant committee during the year.

Purpose: To provide variety and inclusivity to leadership and direction of the agency.

Measured by: Met/Not met

Artifact: Superintendent Work Group Member list and Committee Lists (e.g. Labor Management Team)

Indicator: Each Board Director shall complete Recognizing and Responding to Child Neglect and Abuse in Oregon.

Purpose: To provide the Board Directors with the information necessary to complete their duties as a mandatory report of child abuse in Oregon.

Measured by: Met/Not met

Artifact: board member training records.

Section 2: Board Indicators

Indicator: Yearly, the Board will meet in work session to review the [LESD Strategic Plan](#) and update, as necessary, the Mission, Vision, Values, Goals, and Board Objectives.

Purpose: To ensure Board goals align with priorities and needs of the agency, component districts, OSBA, and ODE priorities.

Measured by: Met/Not met

Artifact: LESDStrategic Plan

Indicator: The Board will work in association with the Superintendent, Assistant Superintendent, Cabinet, and as a Governing Body to fulfill Board Goals as set in the Yearly LESD Strategic Plan Tasks. Board Goals for 2024-2025 discussed August 6, 2024 include:

- 1) Update the Lane ESD Policy Manual
- 2) Advocate for LESD legislative priorities in the 2025 legislative session with local Lane delegation.
- 3) Update LESD Strategic Plan
- 4) Prepare for Superintendent search if needed.

Purpose: To participate in shared governance related to the Policy Manual, LESDStrategic Plan. To advocate for student needs through LESD and component districts.■

Measured By: Met/Partially Met/Not Met

Artifact: Monthly target milestones met as reported in monthly Strategic Plan Reports as part of the regular Board meeting agenda items.

Indicator: Yearly, the Board will meet in work session to review and update, as necessary, Board developed guidelines related to:

Typical Roles/Responsibilities of the Board and Superintendent
Role of the Board Chair

Board andSuperintendent Working Agreements

Purpose: To foster good working and communication between Board members and the Superintendent and to clarify roles and responsibilities.

Measured by: Met/Not Met

Artifact: Work session minutes. ~~Updated guidelines and roles in the Board Handbook.~~

Indicator: Yearly, by March 15, the Board will evaluate the Superintendent or indicate if their contract will or will not be renewed as part of the rolling three year contract.

Purpose: Statutory responsibility of the Board.

Measured by: Met/Not Met

Artifact: Board meeting minutes from ~~date of contract adoption or renewal. February or March each year.~~

Indicator: The Board will review and revise LESD policies as they are brought forward for consideration/recommendation of the Superintendent and through OSBA Policy Updates.

Purpose: To keep policies up to date with current practice, law, and regulations.

Measured by: Met/Partially Met/Not Met

Artifact: Policy tracking documents kept by the Board Secretary that record Policy review and updates and by Policies posted on the LBL ESD website.

Indicator: Board shall adopt goals related to the strategic plan and superintendent/district goals annually.

Purpose: To unify board behind a specific set of goals that support the work of the agency staff.

Measured by: Met/Not Met

Artifact: Work session and board minutes from goal setting meeting.

Indicator: Board shall review and update the Statement of Accountability: Land Acknowledgement statement and workplan annually.

“Lane ESD Board of Directors Land Acknowledgement

Lane ESD acknowledges that the lands we call Lane County - the lands that sustain our children, our future, and our collective well-being - are the traditional ancestral home of the Kalapuya, Siuslaw, Molalla, and other indigenous people who have lived in Lane County since time immemorial. Native children, families, and communities bear witness to a legacy of displacement and forced relocation. As an educational institution we are accountable for addressing the current and former silencing, erasure, and genocide of native people in Oregon and Turtle Island. We aim to join with indigenous people, honoring their resilience, courage, and self-determination in a purposeful pursuit of justice.

Today indigenous people -- alive, diverse, and vibrant -- live in and contribute to the culture of Lane County. We are all blessed by their presence.

1. We commit to support our own, Lane ESD staff, and student learning about indigenous peoples of Oregon, the history, culture, current concerns, and the role of educational institutions in the genocide of Native/Indigenous people and tribes and in the possibilities for repair and justice. As an ESD we will support and encourage the implementation of Tribal History/Shared History curriculum with all our educational partners.

2. The board also commits to building relationships that would help us understand the lived experiences of our native students' families and communities and how LESD impacts our students, in collaboration with the superintendent.
3. The board will review and update the spoken Statement of Accountability Land Acknowledgement annually during our annual organizational meeting or when needed.”

Purpose: To promote positive relationships between Tribes, tribal members, and nonaffiliated Native Americans and Lane ESD by increasing board member knowledge of and connection to Oregon Tribes and other Native Americans.

Measured by: Met/Not Met

Artifacts: Board meeting minutes from date of review or update; Board Member reports and training records relating to learning about the indigenous peoples of Oregon, Board Meeting minutes from presentations or meetings related to education about or relationships with Oregon Tribes, their members, or other Native American students, families, and community members.

DRAFT Lane ESD Board Self-Evaluation Measures¹

Revised November 1, 2024

Self-Evaluation occurs as per the Annual Performance Review Three Year Plan and per policy BK - Evaluation of Board Operational Procedures, which is annually.

Section 1: Individual Director Indicators

Indicator: Each Board Director will [review policies](#) in Section A/B - Board Governance and Operation and Section C - General Administration (Superintendent) yearly.

Purpose: To have a refreshed working knowledge of policies most overseen/carried out by the Board.

Measured by: Met/Not met

Indicator: Each Board Director will review yearly the [Oregon Revised Statute in Chapter 334: Education Service Districts](#), specifically:

334.100 Organization of board; meetings; quorum; compensation

334.125 Status of board; powers and duties; rules

334.175 Core services; local service plan

334.177 Expenditure of percentage amounts received on services

334.219 Report on performance and finances; distribution and accessibility of report

334.225 Superintendent; duties; compensation

334.285 Apportionment of taxes; split between elementary and secondary school purposes

334.293 Direct ad valorem tax required to pay bonds

334.370 Emergency aid fund

Purpose: To have a refreshed working knowledge of specific areas requiring Board oversight and action as set forth in ORS 334: Education Service Districts.

Measured by: Met/Not met

Indicator: Each Board Director will serve on at least one Superintendent Work Group, ESD Committee, OSBA committee, OAESD Committee or other relevant committee or work group during the year.

Purpose: To provide variety and inclusivity to leadership and direction of the agency.

Measured by: Met/Not met

Artifact: Superintendent Work Group Member list and Committee Lists (e.g. Labor Management Team)

Indicator: Each Board Director shall complete Recognizing and Responding to Child Neglect and Abuse in Oregon.

Purpose: To provide the Board Directors with the information necessary to complete their duties as a mandatory reporter of child abuse in Oregon.

Measured by: Met/Not met

Artifact: board member training records.

¹ Based on Linn Benton Lincoln ESD Self Evaluation Rev. June 2022

Section 2: Board Indicators

Indicator: Yearly, the Board will meet in work session to review the [LESD Strategic Plan](#) and update, as necessary, the Mission, Vision, Values, Goals, and Board Objectives.

Purpose: To ensure Board goals align with priorities and needs of the agency, component districts, OSBA, and ODE priorities.

Measured by: Met/Not met

Artifact: LESDStrategic Plan

Indicator: The Board will work in association with the Superintendent, Deputy Superintendent, Cabinet, and as a Governing Body to fulfill Board Goals as set in the Yearly LESD Strategic Plan Tasks.

Purpose: To participate in shared governance related to the LESDStrategic Plan.

Measured By: Met/Partially Met/Not Met

Artifact: Monthly target milestones met as reported in monthly Strategic Plan Reports as part of the regular Board meeting agenda items.

Indicator: Yearly, the Board will meet in work session to review and update, as necessary, Board developed guidelines related to:

- Typical Roles/Responsibilities of the Board and Superintendent
- Role of the Board Chair
- Board Member Ethics
- Board andSuperintendent Working Agreements

Purpose: To foster good working and communication between Board members and the Superintendent and to clarify roles and responsibilities.

Measured by: Met/Not Met

Artifact: Work session minutes.

Indicator: Yearly, by December 31, or at date agreed upon by board and superintendent, the Board will evaluate the Superintendent or indicate if their contract will or will not be renewed as part of the rolling three year contract.

Purpose: Statutory responsibility of the Board.

Measured by: Met/Not Met

Artifact: Board meeting minutes from date of contract adoption or renewal..

Indicator: Board shall adopt goals related to the strategic plan and superintendent/district goals annually.

Purpose: To unify board behind a specific set of goals that support the work of the agency staff.

Measured by: Met/Not Met

Artifact: Work session and board minutes from goal setting meeting.

Indicator: Board shall review and update the Statement of Accountability: Land Acknowledgement statement and workplan annually.

“Lane ESD Board of Directors Land Acknowledgement

Lane ESD acknowledges that the lands we call Lane County - the lands that sustain our children, our future, and our collective well-being - are the traditional ancestral home of the Kalapuya, Siuslaw, Molalla, and other indigenous people who have lived in Lane County since time immemorial. Native children, families, and communities bear witness to a legacy of displacement and forced relocation. As an educational institution we are accountable for addressing the current and former silencing, erasure, and genocide of native people in Oregon and Turtle Island. We aim to join with indigenous people, honoring their resilience, courage, and self-determination in a purposeful pursuit of justice.

Today indigenous people -- alive, diverse, and vibrant -- live in and contribute to the culture of Lane County. We are all blessed by their presence.

1. We commit to support our own, Lane ESD staff, and student learning about indigenous peoples of Oregon, the history, culture, current concerns, and the role of educational institutions in the genocide of Native/Indigenous people and tribes and in the possibilities for repair and justice. As an ESD we will support and encourage the implementation of Tribal History/Shared History curriculum with all our educational partners.
2. The board also commits to building relationships that would help us understand the lived experiences of our native students' families and communities and how LESD impacts our students, in collaboration with the superintendent.
3. The board will review and update the spoken Statement of Accountability Land Acknowledgement annually during our annual organizational meeting or when needed.”

Purpose: To promote positive relationships between Tribes, tribal members, and nonaffiliated Native Americans and Lane ESD by increasing the knowledge of and connection to Oregon Tribes and other Native Americans.

Measured by: Met/Not Met

Artifacts: Board meeting minutes from date of review or update; Board Member reports and training records relating to learning about the indigenous people of Oregon, Board Meeting minutes from presentations or meetings related to education about or relationships with Oregon Tribes, their members, or other Native American students, families, and community members.



OSA

ESD

SUPERINTENDENT

EVALUATION

WORKBOOK

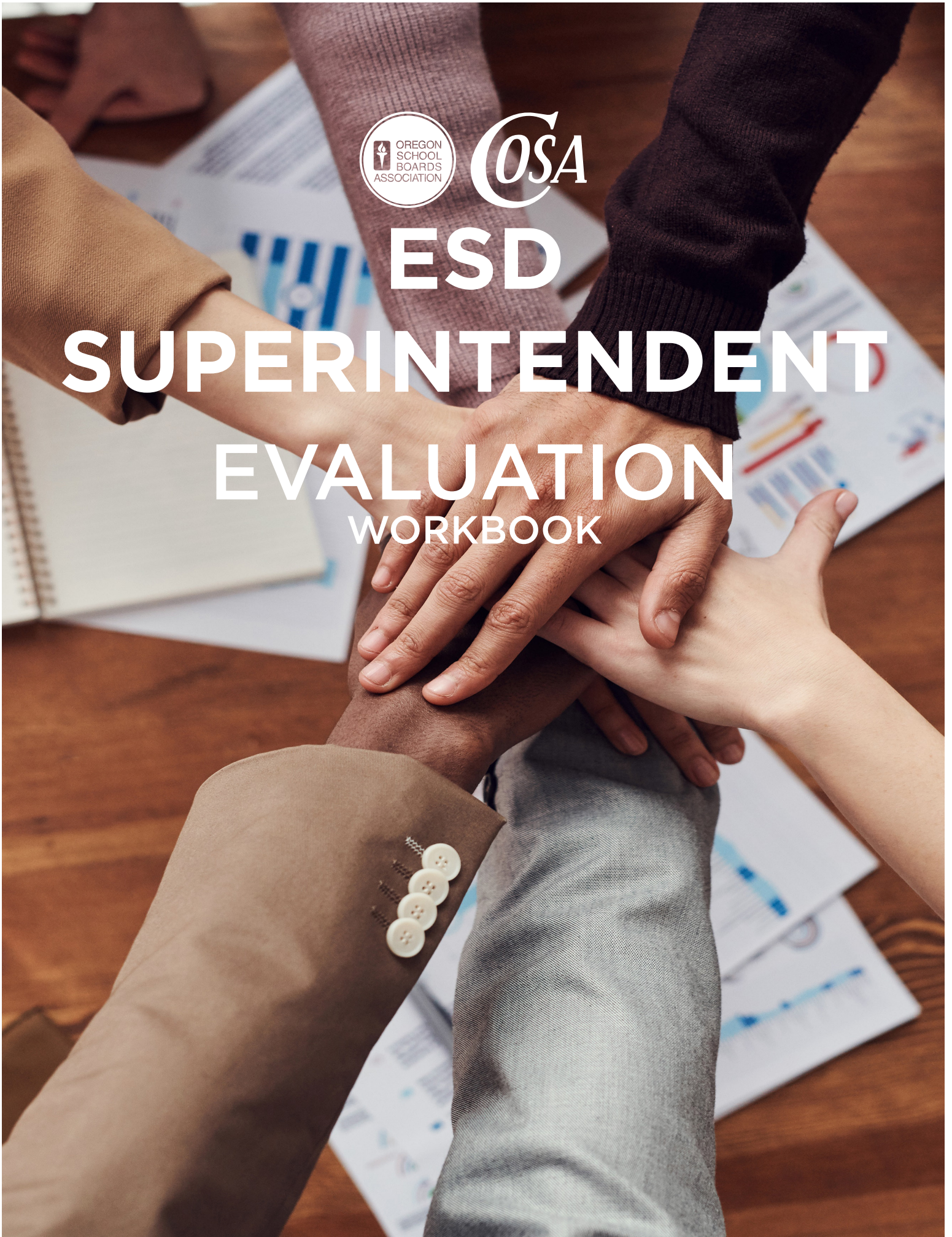


TABLE OF CONTENTS

4	Superintendent Evaluation Overview
6	Superintendent Evaluation at a Glance
8	Timeline and Action
10	Pertinent Oregon Revised Statutes
11	Sample Board Policy
12	Post-Evaluation Tasks
14	Appendix A - Part 1: Performance Standards and Summary Ratings
23	Appendix B - Part 2: Goals and Summary Ratings
24	Goal-Setting Worksheet
25	Appendix C - Part 3: Artifacts of Evidence/Self-Evaluation
33	Appendix D - Part 4: Targeted Feedback Survey
35	Appendix E - Part 5: Sample Evaluation Summary



**OREGON SCHOOL
BOARDS ASSOCIATION**

1201 Court St NE, Ste 400 | Salem, OR 97301
503-588-2800 or 800-578-6722
www.osba.org | info@osba.org



**COALITION OF OREGON
SCHOOL ADMINISTRATORS**

707 13th St SE, Suite 100 | Salem, OR 97301
503-581-3141
www.cosa.k12.or.us

rev 6/2020

June 1, 2020

Dear Oregon ESD Boards and Superintendents,

The research is clear — a healthy and productive relationship between an ESD board and its superintendent is essential to the sustained success of any school district or ESD. Simply put, when superintendents and school boards work effectively together, especially over the long term, their schools and students do better.

The role of the superintendent is critical — and together with support provided by the ESD board through constructive direction, guidance and evaluation of the superintendent, sets the foundation and ensures success. The evaluation of the superintendent is the responsibility of the board. This OSBA and COSA endorsed process is intended to guide the evaluation process between the board and their superintendent with a collaborative approach that is designed to continuously improve not only the performance of the superintendent, but also the system they lead. The evaluation of the superintendent, if done well, should provide useful feedback to the superintendent, as well as clear accountability for the superintendent and the school board.

In the 2019-20 school year, OSBA and COSA partnered to produce this co-endorsed superintendent evaluation process. The purpose of this endeavor was to bring clarity and consistency to school boards' performance expectations of superintendents and to provide guidance to boards and superintendents for an effective evaluation process based on evidence-based practices and continuous improvement. The process for developing this handbook included many opportunities for superintendents and school board members to provide input.

The responsibility for evaluating the superintendent resides with the board; however, this process should be done in a collaborative manner. ESD boards may choose to work with a consultant to assist them in this process. This process should be an iterative cycle that helps guide and focus the key work in Oregon ESDs and supports the continuous improvement of Oregon ESD superintendents.

Sincerely,



Jim Green, OSBA Executive Director



Craig Hawkins, COSA Executive Director

SUPERINTENDENT EVALUATION OVERVIEW

Selecting the superintendent and evaluating their performance is one of the board's most important responsibilities.

This workbook is designed to help boards and superintendents navigate the evaluation process together and it is intended to be collaborative and keep the board's role at the forefront.

A HIGH-QUALITY SUPERINTENDENT EVALUATION:

- develops good board/superintendent relationships
- clarifies roles
- identifies superintendent professional development opportunities
- provides a mechanism for public accountability
- provides input and feedback to the superintendent to guide continuous improvement

PERFORMANCE EVALUATIONS ARE MOST EFFECTIVE WHEN THEY ARE DESIGNED AND USED FOR:

- strengthening the board/superintendent relationship
 - reviewing past performance
 - communicating future expectations and goals
 - determining future professional development for the superintendent
 - making ongoing employment decisions (contract extension and compensation)
-

FIVE-PART EVALUATION TOOL

OSBA and COSA have developed a five-part tool for evaluating superintendents.

- **PART 1 SUPERINTENDENT PERFORMANCE STANDARDS. (Appendix A)**
These are based on the Professional Standards for Educational Leaders (PSEL, 2015) and District Level National Educational Leadership Preparation Standards (NELP, 2018) and augmented by standards jointly developed by the Coalition of Oregon School Administrators (COSA) and the Oregon School Boards Association (OSBA).
- **PART 2 SUPERINTENDENT GOALS. (Appendix B)**
This section evaluates progress toward the superintendent's goals established by the board and superintendent at the beginning of the evaluation cycle.
- **PART 3 EVIDENCE OF PERFORMANCE. (Appendix C)**
This consists of the superintendent's self-evaluation and their regular reporting to the board on progress toward standards and goals. This area may be supported by artifacts or documents specifically in those areas where the board may lack direct knowledge.

- **PART 4 FEEDBACK ON PERFORMANCE. (OPTIONAL, Appendix D)**
This consists of a targeted feedback survey (TFS)¹ of the superintendent's performance by selected staff and members of the community that have frequent, consistent interactions with the superintendent.
- **PART 5 EVALUATION SUMMARY. (Appendix E)**
This is the summary of the evaluation the board writes to share its unified message with the superintendent and the public.

ESD board members typically complete ratings in Parts 1 and 2 individually and should consider information gathered in Parts 3 and 4 (if used) in these ratings. The individual board member ratings are then compiled and summarized into one comprehensive evaluation. Part 5 is a written report given by the board for discussion with the superintendent and placed in the superintendent's personnel file. A summary of the evaluation is shared with the public at the conclusion of the formal evaluation cycle. It is important that the board speak with one voice that represents the consensus of the board.

HOW CAN WE EVALUATE OBJECTIVELY AND FAIRLY?

Objective and fair evaluations take into consideration policy, the superintendent's employment contract, standards, goals, articles of evidence and targeted feedback surveys. At the beginning of each evaluation cycle, the board should review the superintendent's contract and its own policy regarding superintendent evaluation. With that information, the board then determines the criteria, process and timeline so there are no surprises when the formal evaluation occurs. To be fair and objective, boards should only introduce additional criteria during the year in extenuating circumstances and should follow policy CBG for guidance on doing so. **It is the board's responsibility to ensure that policy and contractual timelines are met.**

DOCUMENTATION

The processes outlined in this workbook are more than a checklist. They require the objective consideration of evidence demonstrating the degree to which each standard has been met. This evidence can be through direct interaction and observation of the superintendent's performance or may be obtained through the superintendent's self-evaluation and/or information gained through a targeted feedback survey. Documentation may be provided by the superintendent orally, as written lists, or as specific documents. Some boards and superintendents may select an artifacts of evidence approach¹.


EVALUATION CONFERENCES AND CHECK-INS

Face-to-face conversations between the board and superintendent during the evaluation cycle are essential to an effective process. Regular reports to the board by the superintendent and check-in meetings should occur at least quarterly throughout the year. This provides the superintendent and board an opportunity to be updated on the superintendent's progress toward meeting the goals and performance standards, and to provide feedback on any concerns the board might have. This also allows the superintendent an opportunity to seek further guidance and support from the board, or provide further clarification about the progress needed to meet the targets, and make mid-year corrections on the path to achieving goals and standards. The final evaluation conference is where the board and superintendent meet to discuss the superintendent's performance and an evaluation report is presented.

¹Described later in this workbook

SUPERINTENDENT EVALUATION AT A GLANCE

Time to start thinking about next year!



JUNE THROUGH AUGUST | PRE-EVALUATION

In collaboration with the superintendent, adopt all standards, goals and evaluation procedures. This includes adopting materials for Parts 1 and 2, and adopting a schedule for Parts 3 and 4 (if used).

AUGUST THROUGH MAY* | CHECK-IN MEETINGS

Check-in meetings occur at least quarterly. These check-ins give the superintendent the opportunity to provide information related to goals and standards, and for the board to ask questions about progress and provide additional guidance and support. This also includes a final check-in in which the superintendent can present their self-evaluation. These meetings are generally conducted in executive session. This correlates to Part 3.

MARCH THROUGH MAY* | GATHER INFORMATION

The superintendent's self-evaluation is presented to the board. Board members rate the superintendent on Parts 1 and 2 individually, and then compile ratings and comments into a summary document. If a targeted feedback survey is used, the survey would be conducted in this phase.

JUNE* | EVALUATION RESULTS

By the date specified in the superintendent's contract, the board meets with the superintendent to review the evaluation results. This meeting is conducted in executive session unless the superintendent requests the meeting be conducted in public. Generally, the board crafts a short narrative statement about the evaluation to be shared at a regular board meeting. This correlates to Part 4.

JUNE* | EVALUATION CONCLUSION

The board adopts the short narrative summary in open session. This corresponds to Part 5.

*Review the superintendent's contract and district policy for any applicable deadlines.

PERFORMANCE RATINGS

PART 1 (In Appendix A) includes eight standards with descriptors. Board members should not rate descriptors but, rather, consider them as a whole in determining the overall rating for that performance standard.

The scoring guide for each standard uses the following four categories:

4 = ACCOMPLISHED | 3 = EFFECTIVE | 2 = DEVELOPING | 1 = INEFFECTIVE

Read each standard's descriptions carefully while considering your rating and select the score that most closely matches your judgment and the evidence provided of the superintendent's work in this area.

PART 2 (In Appendix B) includes any goals that were set for the superintendent during the evaluation cycle. The superintendent's goals should be rated with the same scale. It is highly recommended that the superintendent provides a self-evaluation on their performance in the standards, goals and any other criteria determined for the evaluation cycle. This self-evaluation and any accompanying evidence provided in Part 3 shall be provided to the board prior to conducting their evaluation of the superintendent's performance.

WRITTEN COMMENTS

Written comments from individual members of the board help clarify ratings on standards and goals; however, they are not intended as direct feedback to the superintendent. They may contribute to the board's one-voice message to the superintendent that can help clarify the evaluation feedback.

The written comments may be prepared by a board member or consultant working on behalf of the board. This provides the board with the opportunity to deliver specific constructive criticism and/or accolades and provides the superintendent with useful information for continuous performance improvement. Again, the board should speak with one voice in making written comments on the final evaluation report and summary to the superintendent and the community.

PUBLIC MEETINGS LAW

A governing body such as a school board, ESD board or community college board may hold an executive session to evaluate the job performance of its chief executive officer, so long as the person being reviewed does not request an open session (ORS 192.660(2)(i)). However, the executive session for evaluation does not allow the board to discuss the superintendent's salary, conduct a general evaluation of a district goal or give directives to personnel about district goals (ORS 192.660(8)). The governing body must give advance notice of the performance evaluation to allow the person whose performance will be evaluated to choose whether to conduct the evaluation in open session or executive session.

The Attorney General's Public Records and Meetings Manual states that disclosure of the performance evaluation for the chief executive officer generally is not an unreasonable invasion of privacy, and therefore disclosable to the public even though the actual evaluation was held in executive session. This disclosure is in contrast to the disclosure of a record of discipline about a public officer, which is conditionally exempt from disclosure. OSBA and COSA recommend that a narrative summary of the performance evaluation be presented to the public after the evaluation is complete.

TIMELINE AND ACTION

1. PRE-EVALUATION (July, August or as soon as a new superintendent begins employment)

Before the new evaluation cycle begins, and prior to the completion of the district's budget, the board should review any statutes, recent legislation, policies and the superintendent's contract for any specific criteria regarding evaluation that must be followed by the board. Following that review, the board and superintendent should mutually establish the evaluation timeline, process, and criteria (goals and expectations, and standards). The board and superintendent should meet to develop a clear set of goals for the superintendent that are related to the goals for the organization for the coming year. OSBA and COSA jointly recommend the performance standards provided in this document which are based on national standards for district leaders. In some cycles it is prudent for the board to emphasize and prioritize certain standards based on previous evaluations, the tenure of the superintendent or the strategic priorities of the district.

2. CHECK-IN MEETINGS (September, December, and March or quarterly, based upon when a new superintendent begins employment)

The board and the superintendent meet to discuss the superintendent's progress toward meeting the formally-adopted goals, to talk about any specific concerns related to the superintendent's performance, and to offer support to the superintendent. It is recommended that the superintendent, in the January board meeting, provides the self-evaluation (Part 3) for board members to consider when they each complete Parts 1 and 2 of the process.

3. GATHER INFORMATION (By the date specified in contract)

Compiling results from individual board members can be confusing if there are conflicting perspectives; therefore, it is best done by discussion among all board members sitting together in executive session. Some boards work with a consultant to assist in the evaluation process including facilitating the TFS and compiling individual board member ratings into one unified rating. Since the superintendent works for the board (as a whole, not its individual members), it is critical that board members recognize the importance of coming to a consensus and speaking with one voice in the evaluation. The evaluation should result in areas for celebration, in steps for professional development for the superintendent, and in a plan for informing the community about the results of the evaluation and status of the district's goals.

4. EVALUATION RESULTS (June or by date specified in contract)

OSBA and COSA recommend that a narrative summary of the performance evaluation be presented to the public after the evaluation is complete. Before the beginning of the next evaluation year, the board and superintendent should meet to begin the next cycle of goal setting and evaluation, which allows the superintendent time to plan for the ensuing year. The goals should be formally adopted by the board and made public to keep the district and community informed.

5. EVALUATION CONCLUSION

There may be renewal provisions related to evaluation in the superintendent's contract, so boards should review the contract for any additional requirements. If you have questions regarding the terms and renewal provisions in the superintendent's contract or are considering nonrenewal, we recommend that you consult with legal counsel. The superintendent evaluation process provides the board with an opportunity to share the school district's progress with the community. A short summary of the board's evaluation of the superintendent should be prepared based on the data and evidence gathered in the evaluation process.

HOW WILL AN INDIVIDUAL FILLING THE DUAL ROLES OF SUPERINTENDENT AND PRINCIPAL BE EVALUATED?

"An individual filling the dual roles of principal and superintendent is a superintendent who has some principal duties, and therefore need only be evaluated as a superintendent. Since the superintendent role supersedes the principal role and superintendents are not included under the evaluation requirements for SB 290, it is up to local school boards to determine how these individuals are evaluated." ([ODE Teacher and Administrator Evaluation and Support Systems Frequently Asked Questions](#), Revised August 2018, Question #8.)

PERTINENT OREGON REVISED STATUTES (ORS) AND OREGON ADMINISTRATIVE RULES (OAR)

ORS 192.660 Executive sessions permitted on certain matters; procedures; news media representatives' attendance; limits.

- (1) ORS 192.610 to 192.690 do not prevent the governing body of a public body from holding executive session during a regular, special or emergency meeting, after the presiding officer has identified the authorization under ORS 192.610 to 192.690 for holding the executive session.
- (2) The governing body of a public body may hold an executive session: ...
 - (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...
- (8) A governing body may not use an executive session for purposes of evaluating a chief executive officer or other officer, employee or staff member to conduct a general evaluation of an agency goal, objective or operation or any directive to personnel concerning agency goals, objectives, operations or programs.

OAR 199-040-0020 Permitted Topics for Executive Session

- (3) Compensation, including salaries and benefits, must not be discussed or negotiated during an executive session under ORS 192.660(2)(a), (b) or (i).

OREGON SCHOOL BOARDS ASSOCIATION SELECTED SAMPLE POLICY CBG

Adopted:

EVALUATION OF THE SUPERINTENDENT

The board will formally evaluate the superintendent's job performance at least once each year. The evaluation will be based on the administrative job description, any applicable standards of performance, board policy and progress in attaining any goals for the year established by the superintendent and/or the board.

Additional criteria for the evaluation, if any, will be developed at a public board meeting prior to conducting the evaluation. The superintendent will be notified of the additional criteria prior to the evaluation.

The board's discussion and conferences with and about the superintendent and their performance will be conducted in an executive session, unless the superintendent requests a session open to the public. Such an executive session will not include a general evaluation of any district goal, objective or operation. Results of the evaluation will be written and placed in the superintendent's personnel file.

At the board's discretion, it may notify the superintendent in writing of specific areas to be remedied, and the superintendent may be given an opportunity to correct the problem(s). Where the board provided written notice pursuant to the prior sentence, if the board determines the superintendent's performance remains unsatisfactory, the board may dismiss or non-renew the superintendent pursuant to board policy, the superintendent's employment contract and state law and rules. In those situations where the superintendent's employment contract includes an evaluation, dismissal or non-renewal provision, it shall take precedence over this policy.

END OF POLICY

LEGAL REFERENCE(S):

ORS 192.660(2), (8)

ORS 332.107

ORS 332.505

ORS 342.513

ORS 342.815

OAR 581-022-2405

Hanson v. Culver Sch. Dist. (FDAB 1975).

(There are no OSBA-recommended Administrative Regulations (ARs) associated with this policy. If your district has an AR for this policy, we recommend you delete it.)

POST-EVALUATION TASKS

As soon as one evaluation cycle is complete, a new one begins. It is important that the momentum from the previous cycle be maintained and that a new cycle with standards, goals and expectations begins immediately.

Based on the outcomes of the previous year's goals, as well as current and future district initiatives, the superintendent should draft goals for the next evaluation period, which the board should consider, discuss, potentially amend, and then formally adopt. This must be done in open session. These goals should be measurable and should reflect the superintendent's role in the overall vision and/or goals of the ESD.

The board should ensure that the standards, process, components and timeline that the board adopts are consistent with evaluation language in the superintendent's contract. This should be done prior to adopting the process and tool for the new cycle.

The board should also adopt the standards to measure the superintendent's performance, the timeline of the new evaluation cycle and determine whether a targeted feedback survey will be conducted as part of the evaluation cycle.

A critical element of the evaluation cycle is scheduling designated evaluative check-ins between the board and superintendent, which may take place in executive session if they meet legal criteria. This allows the conversation to occur candidly. These are more than just updates at board meetings; these check-ins are meant to focus specifically on the superintendent's performance throughout the year, reflecting progress on goals, performance against standards and any specific concerns the board may have.

An overall performance evaluation should never be a surprise to a superintendent or the board; evaluative check-ins throughout the year allow the superintendent to understand the board's perspective on the superintendent's performance, make any course corrections necessary, and ask for support where needed. We recommend that these check-ins occur quarterly and be embedded in the evaluation timeline adopted by the board.

APPENDICES

APPENDIX A

PART 1

EVALUATION COMPONENT PERFORMANCE STANDARDS

INSTRUCTIONS

1. Following are descriptors of each of the eight performance standards. Each board member should rate all eight of the performance standards. Performance indicators are listed below each performance standard. These performance indicators suggest objective measures to consider. Do not rate each performance indicator separately; only rate the overall performance standard.
2. Your comments in support of your rating will be helpful during the board discussion for preparation of a summary evaluation form.
3. The board will meet in executive session to discuss the results and prepare a final summary evaluation form representing the consensus of the board.
4. The superintendent will be presented with the final summary report from the full board, not the individual evaluation forms. It is important that the board speak with one voice in evaluating the superintendent.

SUPERINTENDENT EVALUATION STANDARDS AND DESCRIPTORS

KEY:

4 = ACCOMPLISHED PERFORMANCE

Performance in this area is routinely outstanding and acts as a model for others.

3 = EFFECTIVE PERFORMANCE

Performance in this area consistently meets the standard.

2 = DEVELOPING

Performance occasionally meets the standard but is not yet consistent.

1 = INEFFECTIVE

Performance currently does not meet the standard.

Rate each of the following superintendent standards based on national standards (NELP). If you have no basis for a rating, please mark "NA" for not applicable. Support your ratings with comments for each section.

STANDARD 1

VISIONARY ESD LEADERSHIP

DESCRIPTORS

- Leads a collaborative process with the board to design (or reaffirm) the ESD mission and vision that reflects a core set of values and priorities.
- Leads the diverse stakeholder involvement in the development (or revision) of the ESD's local service plan based upon the ESD's mission, purpose, and vision.
- Implements the ESD's local service plan and communicates its progress.

RATING



COMMENTS

STANDARD 2

ETHICS AND PROFESSIONAL NORMS

DESCRIPTORS

- Ensures ethical decisions and cultivates professional norms and culture including equity, fairness, integrity, transparency, trust, collaboration and perseverance.
- Makes ethical and legal recommendations to the board.
- Models ethical behavior in their own conduct and cultivates ethical behavior in others.

RATING



COMMENTS

STANDARD 3

INCLUSIVE ESD CULTURE

DESCRIPTORS

- Develops and maintains a supportive, equitable, culturally responsive and inclusive culture.
- Evaluates, cultivates and advocates for equitable access to safe and nurturing schools, and the opportunities and resources necessary to support the success and well-being of each student.
- Ensures equitable, inclusive and culturally responsive instructional and behavioral support practices among teachers, administrators and staff that are employees of the ESD.

RATING



COMMENTS

STANDARD 4

CULTURALLY RESPONSIVE INSTRUCTIONAL LEADERSHIP AND IMPROVEMENT

DESCRIPTORS

- Evaluates, designs, fosters and implements coherent systems of curriculum instruction, supports, assessment and instructional leadership that are provided by the ESD.
- Implements coordinated systems of support, including coaching and professional development for staff.
- Manages an appropriate system of assessments, data collection and analysis that supports instructional improvements, equity, student learning and well-being, and instructional leadership.
- Ensures services throughout the ESD utilize culturally responsive practices and all staff are trained.

RATING



COMMENTS

STANDARD 5

COMMUNICATION AND COMMUNITY RELATIONS

DESCRIPTORS

- Develops and implements effective and collaborative systems that engage multiple and diverse stakeholder groups.
- Engages and effectively communicates with diverse families, community partners and other constituencies to strengthen services to districts.
- Cultivates relationships and partnerships with members of the business, civic and local government in support of their advocacy for district, school and community needs.
- Advocates for educational needs at the county, regional and/or state level.

RATING



COMMENTS

STANDARD 6

EFFECTIVE ORGANIZATIONAL MANAGEMENT

DESCRIPTORS

- Implements equitable strategies, processes and systems to recruit, hire, develop and retain high-performing personnel who demonstrate a shared commitment to student success.
- Establishes productive relationships with associations while managing labor relations and contracts effectively.
- Creates and maintains organizational structures that maximize the ESD's capacity to positively impact student learning.
- Creates a comprehensive system of professional development for all staff to continuously improve and increase their leadership capacity.

RATING



COMMENTS

STANDARD 7

EFFECTIVE FINANCIAL MANAGEMENT

DESCRIPTORS

- Develops a proposed budget in accordance with board priorities and ESD direction.
- Manages the equitable implementation of ESD resources aligned with the budget adopted by the board.
- Communicates the budget priorities and ensures regular updates on implementation of the budget.

RATING



COMMENTS

STANDARD 8

POLICY, GOVERNANCE AND ADVOCACY

DESCRIPTORS

- Develops relationships, leads collaborative decision-making and governance, and represents and advocates for ESD needs in local, county and state policy conversations.
- Cultivates a respectful and responsive relationship with the ESD board of education focused on achieving the shared mission and vision of the ESD.
- Implements, maintains and communicates ESD, state and national policy, laws, rules and regulations to staff, board and other appropriate stakeholders.

RATING 

COMMENTS

APPENDIX B

PART 2

EVALUATION COMPONENT GOALS

INSTRUCTIONS

In addition to the performance standards, boards and superintendents may wish to develop one to three specific superintendent goals to be used in the evaluation process. These goals should be based on the superintendent's previous evaluation and/or the ESD's current strategic initiatives or goals. Ideally, these goals should be developed collaboratively. The superintendent's goals should reflect his/her role in achieving the overall goals of the district but are not the same as the overall ESD goals.

1. Each board member should rate the superintendent's performance in meeting their evaluative goals agreed to by the superintendent and the board at the beginning of the evaluation process.
2. Your comments in support of your rating will be helpful during the board discussion for preparation of a summary evaluation report.
3. The board will meet in executive session to discuss the results and prepare a final summary evaluation report representing the consensus of the board.
4. The superintendent will be presented with the final summary report from the full board, not the individual evaluations. **It is important that the board speaks with one voice in evaluating the superintendent.**

SAMPLE GOAL STATEMENT 1:

PERFORMANCE INDICATORS:

(Insert indicators of success here)

- 1.1
- 1.2
- 1.3
- 1.4
- 1.5

SUMMARY RATING — GOAL 1: *(check one)* 4 3 2 1 N/A

COMMENTS:

APPENDIX C

PART 3

EVALUATION COMPONENT ARTIFACTS OF EVIDENCE/SELF-EVALUATION

The superintendent may be asked to provide additional information to support the board in their evaluation of the performance standards/evaluation goals. In an ideal board-superintendent relationship the board may have very little direct knowledge of the superintendent’s day-to-day operations. Artifacts of evidence are intended to give the board objective information concerning specific performance standards/evaluation goals. The following table is intended to give some possible examples for each standard; this is not intended to be an exhaustive list. These artifacts may be collaboratively identified at the beginning of the evaluation cycle by the board and superintendent. Artifacts of evidence may also be used in the informal check-in process throughout the performance cycle.

STANDARD 1: VISIONARY ESD LEADERSHIP

DESCRIPTORS	ARTIFACTS
<ul style="list-style-type: none">• Leads a collaborative process with the board to design (or reaffirm) the ESD mission and vision that reflects a core set of values and priorities.• Leads the diverse stakeholder involvement in the development (or revision) of the ESD’s local service plan based upon the ESD’s mission and vision.• Implements the ESD’s local service plan and communicates its progress.	<ul style="list-style-type: none">• Evidence of how you have constructed and enacted an equity vision and mission across the ESD and community:<ul style="list-style-type: none">· Newspaper, website, photo, or other media· Actions communicating clear and coherent vision: newsletter, professional development, etc.· Meetings or presentations to collaborate and implement vision, mission, goals and plans• Models learning through attending professional development opportunities and applying knowledge (transparency)• Presentation of at least one plan (local service plan, annual report)• Resources are clearly aligned with the vision and strategic initiatives:<ul style="list-style-type: none">· Budget examples of how funds support the vision/strategic initiatives· Staffing patterns that reflect where there is an identified need· Data support goals that are aligned to student learning and growth• Personalized SMART goals focused on short- and long-term plans and outcomes

STANDARD 2: ETHICS AND PROFESSIONAL NORMS

DESCRIPTORS

- Ensures ethical decisions and cultivates professional norms and culture including equity, fairness, integrity, transparency, trust, collaboration and perseverance.
- Makes ethical and legal recommendations to the board.
- Models ethical behavior in their own conduct and cultivates ethical behavior in others.

ARTIFACTS

- Agendas and/or minutes from meetings (e.g., community planning, key communicators/advisory meetings, administrative, curriculum team, leadership team, etc.) that demonstrate transparency and equitable practices
- Evidence of ability to confront conflict and build consensus
- Record of solicitation of feedback (collaboration and transparency) and evidence of reflective practice and adaptation
- Reflective journals and evidence of adaptive behavior
- Equity and inclusion plan
- Agendas and/or minutes from meetings that demonstrate collaboration with external partners

STANDARD 3: INCLUSIVE ESD CULTURE

DESCRIPTORS

- Develops and maintains a supportive, equitable, culturally responsive and inclusive ESD culture.
- Evaluates, cultivates and advocates for equitable access to safe and nurturing schools, and the opportunities and resources necessary to support the success and well-being of each student.
- Ensures equitable, inclusive and culturally responsive instructional and behavioral support practices among teachers, administrators and staff employed by the ESD.

ARTIFACTS

- Diversity training/awareness plan; evidence of an equity lens and implementation of the plan
- Sections in employee handbooks that demonstrate an inclusive culture
- External reviews and audits (e.g., budget, nutrition, transportation, safety, OCR, etc.)
- Evidence that component district needs are addressed equitably
- Response to staff or district concerns/issues (documentation)
- State plans and reports (annual report to ODE)
- Uses data from a variety of sources to inform planning and management of resources
- Evidence of staff use of equitable instructional practices such as culturally responsive pedagogy and strategies for staff employed by the ESD

STANDARD 4: CULTURALLY RESPONSIVE INSTRUCTIONAL LEADERSHIP AND IMPROVEMENT

DESCRIPTORS

ARTIFACTS

- Evaluates, designs, fosters and implements coherent systems of curriculum instruction, supports, assessment and instructional leadership for staff employed by the ESD.
- Implements coordinated systems of support, including coaching and professional development for staff.
- Manages an appropriate system of assessments and data collection, and analysis that supports improvements, equity, student learning and well-being, and instructional leadership.
- Ensures instruction provided by the ESD utilizes culturally responsive practices and all staff are trained.

- Agendas and/or minutes (e.g., community planning, key communicators/advisory meetings, administrative team, curriculum team, leadership team, etc.)
- Local Service Plan
- Documentation of coaching and evaluation of administrative staff
- Instruction related professional development/growth plans (for instructional staff employed by the ESD)
- Models learning through attendance and application of knowledge from professional development opportunities (documentation)
- Evidence of annual review of ESD's mission statement and alignment to practice
- Program evaluations that address areas of interest or concern (e.g., outreach, equity, behavioral supports, technology supports, special education supports, etc.)
- Student learning data from components districts from a variety of sources (SBAC, benchmark/interim assessments, etc.) to monitor progress and achievement
- Uses data from a variety of sources to inform planning and management of resources

STANDARD 5: COMMUNICATION AND COMMUNITY RELATIONS

DESCRIPTORS

- Develops and implements effective and collaborative systems that engage multiple and diverse stakeholder groups.
- Engages and effectively communicates with diverse community partners and other constituencies to strengthen services to districts.
- Cultivates relationships and partnerships with members of the business, civic and local government in support of their advocacy for district, school and community needs.
- Goes beyond the local community to advocate for education at the county, regional and/or state level.

ARTIFACTS

- Accounts of ESD accomplishments and communications in various forms of public media (including website, newsletters, podcasts, public engagement documents, etc.)
- Administrative “calendar” – critical dates calendar (due dates, etc.) and board presentation cycle/annual reports
- Agendas and/or minutes (e.g., community planning, key communicators/advisory meetings, administrative team, curriculum team, collaborative group, stakeholder groups, leadership team, etc.)
- Formal or informal community partnership agreements and plans to support collaborative efforts to achieve ESD goals/priorities
- Memberships and participation with community organizations
- Participation in state, regional and national initiatives (documentation)
- Presentations to stakeholders (including civic groups, staff, component districts, community groups, etc.)
- Response to public and/or district concerns/issues (documentation)
- Visits to/communication with component districts
- An internal or external communication plan
- Schedules of staff meetings, administrative council meetings, etc.

STANDARD 6: EFFECTIVE ORGANIZATIONAL MANAGEMENT

DESCRIPTORS

- Implements equitable strategies, processes and systems to recruit, hire, develop and retain high-performing personnel who demonstrate a shared commitment to student success.
- Establishes productive relationships with associations while managing labor relations and contract effectively.
- Creates and maintains organizational structures that maximize the district's capacity to positively impact student learning.
- Creates a comprehensive system of professional development for all staff to continuously improve and increase their leadership capacity.

ARTIFACTS

- Staff recruitment and retention plan
- Union collaboration (minutes, negotiations, grievances, etc.)
- Uses data from a variety of sources to inform labor trends, negotiations and bargaining
- Hiring process (guidelines, procedures, schedules, plan for retention and recruitment, mentoring, focus on diversity, etc.)
- Staff attendance and retention rates
- Development plans for improving the capacity of leadership at all levels
- Documentation of coaching for instruction, curriculum, assessment and inclusion
- Meaningful engagement of staff to improve cultural competency and equitable practice (documentation)
- Staff evaluations are complete and include evidence of coaching and evaluation of administrative leaders

STANDARD 7: EFFECTIVE FINANCIAL MANAGEMENT

DESCRIPTORS

- Develops a proposed budget in accordance with board priorities and ESD direction.
- Manages the equitable implementation of ESD resources aligned with the budget adopted by the board.
- Communicates the budget priorities and ensures regular updates on implementation of the budget.

ARTIFACTS

- ESD budget reflects priorities and expectations
- Economic vision that includes participation with component districts/stakeholders
- External reviews and audits (e.g., budget, child nutrition, transportation, safety, etc.)
- Financial plan: end-of-year budget status report, three- to five-year plan, long-range plan, etc.
- Grants received/applied for that are aligned with goals of the ESD, plans for sustainability
- Program evaluations that address areas of interest or concern (e.g., outreach, equity, behavioral supports, technology supports, special education, bullying/harassment, character education, etc.)
- Construction project(s) management, including timelines, budgets and implementation techniques
- Policies/procedures for management of funds and other resources to make progress or achieve ESD goals

STANDARD 8: POLICY, GOVERNANCE AND ADVOCACY

DESCRIPTORS

- Develops relationships, leads collaborative decision-making and governance, and represents and advocates for ESD needs in local, county and state policy conversations.
- Cultivates a respectful and responsive relationship with the ESD board focused on achieving the shared mission and vision of the ESD.
- Implements, maintains and communicates ESD, state and national policy, laws, rules and regulations to staff, board and other appropriate stakeholders.

ARTIFACTS

- Administrative team meeting agendas
- Board and administrative goals
- Board meeting agendas
- Timeliness of board packets
- Board policy and administrative regulation enforcement that is reflective of the vision with supporting materials
- Collaborative partners (documentation)
- Local Service Plan
- External reviews and audits (e.g., budget, policy, child nutrition, transportation, safety, etc.)
- Onboarding plan for board members to understand roles and responsibilities
- Meaningful interpretive reports of district achievement data delivered in accessible language
- Notes from state officials
- Participation in state, regional, national initiatives (documentation)
- State plans and reports
- Participation in state off-the-record meetings, legislative priority meetings, Education Leadership Coalition meetings, etc.

APPENDIX D

PART 4

EVALUATION COMPONENT TARGETED FEEDBACK SURVEY

The targeted feedback survey (TFS) is an optional component meant to give the superintendent and board additional feedback about the performance of the superintendent. The process asks a “targeted” group of stakeholders for feedback via a survey, with questions tied to superintendent performance standards and goals. The board and superintendent should develop an agreed upon list of individuals that will receive the survey. An independent party should conduct the TFS and summarize the results of the survey to report back to the board.

Suggested participants in the TFS may include ESD administrators, component district administrators, union leaders, confidential staff, and community leaders. Multiple participants reflect the collective wisdom of groups who work closely with the superintendent. The feedback survey provides a variety of stakeholders an opportunity to share their understanding of how the top education leader for their ESD is performing. It is highly recommended that participants have regular interaction with the superintendent in order to give helpful feedback via the survey.

STEPS FOR CONDUCTING A TARGETED FEEDBACK SURVEY

- **STEP 1**

It is required that the superintendent and board work with an independent consultant to administer the feedback survey. The consultant will provide the summarized results to the board. Questions will reflect the standards in this document and the superintendent’s goals. If you purchase this service, OSBA will work with the board to administer the survey, collect the data and provide the information to the board for consideration in their evaluation of the superintendent.

- **PART 2**

The questions will be aligned to the standards in this workbook and will reflect the expected experience of each group being surveyed. For example, component district leaders will have a different kind of communication with and access to the superintendent than ESD staff will; it is critical that survey questions be appropriately tailored to each group. The board should mitigate barriers to accessibility for the survey, particularly with respect to language and access to technology.

- **STEP 3**

Select the participants to respond to the TFS. The participants should represent an appropriate range of constituent groups that have regular interactions with the superintendent. Responses from participants should be anonymous. The number of participants should be manageable in terms of compiling the results.

- **STEP 4**

The OSBA consultant will distribute the feedback survey electronically with an introductory section explaining the purpose of the survey and assurance that the individual survey results are completely confidential. Approximately two to three weeks should be provided for survey responses to be completed. Frequent reminders may need to be sent to the survey group about completion of the survey.

- **STEP 5**

The OSBA consultant will review the survey results with the board in executive session, highlighting areas of strength identified in the survey and noting any areas for targeted focus and/or improvement.

- **STEP 6**

The board should utilize the survey results as one source of data when evaluating the superintendent. This information should be considered along with the superintendent's self-evaluation, artifacts of evidence and board members direct experience and observation of the superintendent's performance.

APPENDIX E

PART 5

SAMPLE EVALUATION SUMMARY

Below is a sample summary of a board's evaluation of its superintendent.

The board of directors of the (name) Education Service District has completed the annual evaluation of Superintendent (name) for (year). All (number) board members have served on the board for at least one full year and have been able to observe and be a part of the successes achieved this year.

The evaluation focused on 1) eight professional standards and 2) superintendent goals.

Regarding the eight professional standards, we determined that Superintendent (name)'s performance was exemplary in the areas of visionary leadership, communications and community relations, and effective management. In the areas of policy and governance, curriculum planning and development and labor relations, the board felt his/her performance was strong. Instructional leadership, resource management and ethical leadership all received a rating of average.

The board determined that Superintendent (name) has done an outstanding job of attaining the goal set by the board and superintendent in August of last year to update and align the elementary language arts and reading curriculum. His/her success at achieving the goal of improving staff morale and retaining professional staff was rated good. Success in meeting the third goal, raising high school math competency and performance on tests, was also rated good.

[The board and superintendent chose to distribute a targeted feedback survey to members of the staff and component district leaders for feedback on his/her performance. The results of this survey were one source of data in the consideration of the performance of the superintendent. We have received the results of that feedback, which reflects that staff morale has improved and that significant curriculum results have been achieved at the elementary level. He/she also shared with us his/her desire to further improve staff morale and focus on bringing the community together in support of the ESD.]

We will be working with Superintendent (name) over the next several weeks to develop goals for the superintendent aligned with our ESD goals and look forward to working together to continue the success of our ESD.



**OREGON SCHOOL
BOARDS ASSOCIATION**

1201 Court St NE, Ste 400 | Salem, OR 97301
503-588-2800 or 800-578-6722
www.osba.org | info@osba.org



**COALITION OF OREGON
SCHOOL ADMINISTRATORS**

707 13th St SE, Suite 100 | Salem, OR 97301
503-581-3141
www.cosa.k12.or.us

HUMAN RESOURCES REPORT TO LANE ESD BOARD

January 31, 2025

CLASSIFIED STAFF (Information)

	Employee Name	Position	Effective Date	Notes
<i>Appointments</i>	Paola Massingham	Program Assistant, School Improvement	2/6/2025	Recall
	Christopher Curtis	Instructional Assistant, Life Skills	1/21/2025	Rehire
<i>Leaves of Absence</i>				
<i>Discontinuation of Employment</i>	Jennifer Mendenhall	Program Assistant, School Improvement	1/14/2025	Resigned
	McKinley Smith	Instructional Assistant, Life Skills	1/10/2025	Resigned/Changed position
	Jaya Patil	Instructional Assistant, Life Skills	1/13/2025	Resinged
<i>Change of Status</i>				

LICENSED STAFF (Action)

	Employee Name	Position	Effective Date	Notes
<i>Appointments</i>	Meyana Dummer	Teacher, Life Skills (Transitions) (Temporary)	1/6/2205	Limited Duration Rehire
<i>Leaves of Absence</i>				
<i>Discontinuation of Employment</i>				
<i>Change of Status</i>				

PROFESSIONAL STAFF (Information)

	Employee Name	Position	Effective Date	Notes
<i>Appointments</i>	Mary "Casey" Reid	Behavioral Health Pathway Specialist (Temporary 6/3	2/24/2025	Limited Duration
<i>Leaves of Absence</i>				
<i>Discontinuation of Employment</i>				
<i>Change of Status</i>				

MANAGEMENT STAFF (Action)

	Employee Name	Position	Effective Date	Notes
<i>Appointments</i>				

<i>Leaves of Absence</i>				
<i>Discontinuation of Employment</i>				
<i>Change of Status</i>				

VACANCY NOTICES (Information)

Posting #	Position	Closing Date	Notes
966	Speech Language Pathologist	2/3/2025	In process
992	Sign Language Interpreter	2/3/2025	In process
1006	Instructional Assistant, At-Large	Open pool	In process
1053	Teacher, Life Skills (Middle School)	2/3/2025	In process
1059	Instructional Assistant, Life Skills	Open pool	In process
1061	Teacher, Life Skills (Transitions)	Open pool	In process
1066	Instructional Assistant, Life Skills	Open pool	In process
1071	Instructional Assistant, Life Skills	Open pool	In Process
1072	Instructional Assistant, Life Skills	Open pool	In Process
1085	Behavioral Health Pathway Specialist (Temporary 6/30/2026)	Open pool	Filled
1087	Senior Accounting Specialist	1/31/2025	In Process
1095	Teacher, Life Skills (Transitions) (Temporary)	12/30/2024	Filled
1096	Instructional Assistant, Life Skills	1/13/2025	In Process
1097	Program Assistant, School Improvement	2/3/2025	Filled
1098	Instructional Assistant, Life Skills	Open pool	Filled



LANE EDUCATION SERVICE DISTRICT

1200 Highway 99 North
Eugene, OR 97402

541.461.8200
541.461.8298 [Fax]

www.lesd.k12.or.us

EQUITY COMMITMENT LEADERSHIP COLLABORATION INTEGRITY

Prepared for: Lane ESD Board of Directors
Prepared by: Olivia Meyers Buch, Executive Director of Business Services
Meeting Date: February 4, 2025

December 2024 Financial Report (Unaudited)

The Financial Report for the General Fund for the period ending December 31, 2024 follows this report. Year-to-date operating revenues through December 31, 2024 total \$18,670,206 or 64.9% of total budgeted operating revenues as compared to \$18,015,567 or 64.1% through December 31, 2023. As usual, state school fund formula revenue (state school fund - general support and property taxes) constitute the majority of funds received. Total projected resources of \$29,108,379 is \$353,517 more than budgeted.

Year-to-date operating expenditures through December 31, 2024 total \$9,585,029 or 37.5% of total budgeted operating expenditures as compared to \$9,098,868 or 37.1% through December 31, 2023. Total projected operating expenditures of \$25,340,548 is \$220,102 less than budgeted. Total projected transfers and transits of \$3,445,416 is \$301,571 less than budgeted.

Projected resources and requirements through December 31, 2024 result in an ending fund balance of \$3,032,394, with \$998,926 assigned (reserved) for districts. The remaining ending fund balance of \$2,033,468 is unassigned and represents 7.0% of projected operating revenues. The projected ending fund balance reflects an increase, or operating surplus, of \$322,415.

Please contact me with questions or if you would like any additional information.

Lane Education Service District
General Fund Financial Report (Unaudited)
For the Period Ending December 31, 2024

	Fiscal Year 2023-24					Fiscal Year 2024-25					
	Final Budget	Actuals thru 12/31/23	% of Budget	Actuals thru 6/30/24	% of Budget	Final Budget	Actuals thru 12/31/24	% of Budget	Projected thru 6/30/25	% of Budget	Budget Variance
RESOURCES											
State School Fund Formula Revenue											
State School Fund - General Support	\$ 15,532,800	\$ 9,438,857	60.8%	\$ 15,996,395	103.0%	\$ 16,240,313	\$ 9,592,681	59.1%	\$ 16,448,355	101.3%	\$ 208,042
Property Taxes Levied by District	8,688,000	8,103,974	93.3%	8,611,369	99.1%	9,038,376	8,381,672	92.7%	9,039,869	100.0%	1,493
Other Local Revenues	66,200	27,480	41.5%	87,771	132.6%	86,659	14,163	16.3%	72,000	83.1%	(14,659)
Services Provided to Districts	2,550,400	(1,670)	-0.1%	1,256,511	49.3% ⁽¹⁾	2,209,514	4,172	0.2%	2,146,454	97.1%	(63,060)
Fees Charged to Grants	670,000	48,085	7.2%	812,985	121.3%	600,000	313,582	52.3%	750,000	125.0%	150,000
Other Revenues	577,700	398,841	69.0%	765,427	132.5%	580,000	363,936	62.7%	651,701	112.4%	71,701
Total Operating Revenues	\$ 28,085,100	\$ 18,015,567	64.1%	\$ 27,530,458	98.0%	\$ 28,754,862	\$ 18,670,206	64.9%	\$ 29,108,379	101.2%	\$ 353,517
Beginning Fund Balance (District Reserves)	921,200	1,165,894	126.6%	1,165,894	126.6%	1,103,757	1,286,636	116.6%	1,286,636	116.6%	182,879
Beginning Fund Balance	2,050,000	2,080,746	101.5%	2,080,746	101.5%	1,514,860	1,423,343	94.0%	1,423,343	94.0%	(91,517)
TOTAL RESOURCES	\$ 31,056,300	\$ 21,262,207	68.5%	\$ 30,777,098	99.1%	\$ 31,373,479	\$ 21,380,185	68.1%	\$ 31,818,358	101.4%	\$ 444,879
REQUIREMENTS											
Salaries	\$ 10,981,145	\$ 4,410,470	40.2%	\$ 10,973,743	99.9%	\$ 11,436,471	\$ 4,413,125	38.6%	\$ 11,379,289	99.5%	\$ (57,182)
Associated Payroll Costs	7,372,689	2,603,534	35.3%	6,470,402	87.8% ⁽²⁾	7,495,703	2,576,841	34.4%	7,345,789	98.0%	(149,914)
Purchased Services	5,490,697	1,508,660	27.5%	5,713,478	104.1%	5,695,892	2,011,900	35.3%	5,695,892	100.0%	-
Supplies and Materials	446,550	373,927	83.7%	599,614	134.3%	662,884	320,477	48.3%	649,878	98.0%	(13,006)
Other Objects	230,100	202,276	87.9%	263,685	114.6%	269,700	262,686	97.4%	269,700	100.0%	-
Total Operating Expenditures	\$ 24,521,181	\$ 9,098,868	37.1%	\$ 24,020,922	98.0%	\$ 25,560,650	\$ 9,585,029	37.5%	\$ 25,340,548	99.1%	\$ (220,102)
Transfers											
Interfund Transfers	459,000	429,000	93.5%	448,198	97.6%	449,000	429,000	95.5%	449,000	100.0%	-
Transits to Districts	4,110,163	465,673	11.3%	3,597,999	87.5%	3,297,987	-	0.0%	2,996,416	90.9%	(301,571)
Other Uses of Funds											
Planned Reserve (District Reserves)	965,956	-	0.0%	-	0.0%	464,161	-	0.0%	-	0.0%	(464,161)
Planned Reserve	400,000	-	0.0%	-	0.0%	801,681	-	0.0%	-	0.0%	(801,681)
Reserved for Next Year	600,000	-	0.0%	-	0.0%	800,000	-	0.0%	-	0.0%	(800,000)
TOTAL REQUIREMENTS	\$ 31,056,300	\$ 9,993,541	32.2%	\$ 28,067,119	90.4%	\$ 31,373,479	\$ 10,014,029	31.9%	\$ 28,785,964	91.8%	\$ (2,587,515)
ENDING FUND BALANCE	-	\$ 11,268,666		\$ 2,709,979		-	\$ 11,366,156		\$ 3,032,394		
Assigned for Districts				\$ 1,286,636					\$ 998,926		
Unassigned Fund Balance				\$ 1,423,343	5.2% *				\$ 2,033,468	7.0% *	
<i>* Percent of Operating Revenues</i>				\$ 2,709,979					\$ 3,032,394		

(1) Variance is due to actual services ordered by districts being less than anticipated.

(2) Variance is due to savings as a result of implementing a new opt out incentive that has resulted in lower health insurance premium costs.

Lane Education Service District

Code: AC
Adopted: 7/12/00
Revised/Readopted: 10/23/01; 8/27/02; 2/22/05;
1/22/08; 10/26/10; 12/06/17;
12/03/19; 12/07/21
Orig. Code(s): AC

Nondiscrimination and Civil Rights

The ESD does not discriminate on any basis listed below and prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual’s perceived or actual race¹, color, religion, sex², sexual orientation, gender identity, national or ethnic origin, mental or physical disability, pregnancy, familial status, economic status, veterans’ status, marital status or age, or because of the perceived or actual race, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, mental or physical disability, pregnancy, familial status, economic status, veterans’ status, marital status or age of any other persons with whom the individual associates.

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

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

The superintendent shall appoint individuals at the ESD to contact on issues concerning the Americans with Disabilities Act and the Americans with Disabilities Act Amendments Act (ADA), Section 504 of the Rehabilitation Act, Title VI, Title VII, Title IX and other civil rights or discrimination issues, and notify students, parents, and staff with their names, office addresses, and phone numbers. The ESD 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 ESD administrative office and available on the home page of the ESD website. Complaint procedures are published in administrative regulation AC-AR(1) – Discrimination or Civil Rights Complaint Procedure.

The ESD 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,

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 34 CFR § 106.10 provides “discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.”

threatening or interfering with an individual for exercising the rights guaranteed under state and federal law.

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)
[ORS 192.630](#)
[ORS 326.051\(1\)\(e\)](#)
[ORS 659.805](#)
[ORS 659.815](#)
[ORS 659.850 – 659.860](#)
[ORS 659.865](#)
[ORS 659.870](#)
[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 581-021-0046](#)
[OAR 581-021-0047](#)
[OAR 581-022-2310](#)
[OAR 581-022-2370](#)
[OAR 581-024-0210](#)
[OAR 581-075-0001 - 075-0005](#)
[OAR 581-075-0901](#)
[OAR 839-003](#)

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).
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).
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 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2024).
Americans with Disabilities Act/Americans with Disabilities Act Amendments Act, 42 U.S.C. §§ 12101-12112 (2012); 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).
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).

Lane Education Service District

Code: ACA
Adopted: 6/22/93
Readopted: 10/23/01; 11/16/10
Orig. Code(s): ACA

Americans with Disabilities Act

(Is the ESD interested in adding AR(s)? See samples that follow.)

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

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

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

END OF POLICY

Legal Reference(s):

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

Lane Education Service District

Code: ACA-AR(1)

Revised/Reviewed:

Americans with Disabilities Act

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

Compliance Officer

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

Self Evaluation

2. A self-evaluation study¹ shall be completed by the ESD to include:
 - a. An evaluation of all current Board policies and practices to ensure compliance with the requirements of the ADA;
 - b. A description of areas examined and identification of any barriers to accessibility and usability by qualified individuals with disabilities;
 - c. An opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities to participate in the self-evaluation study by submitting comments;
 - d. A plan(s) for the removal of any identified barrier and/or modification of Board policies and practices necessary to ensure ADA compliance;
 - e. A description of any modification made.

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

Transition Plan

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

3. A transition plan¹ shall be developed by the ESD to address any structural changes required to achieve employment practices, services, programs and activities accessibility to include:
 - a. An opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities to participate in the development of the transition plan by submitting comments;
 - b. An identification of physical obstacles in facilities that limit accessibility to individuals with disabilities;
 - c. A description in detail of the methods that will be used in removing barriers and making facilities accessible and/or steps and schedule necessary to complete the identified changes;
 - d. An identification of the official responsible for implementation of the plan;
 - e. An identification of steps that will be taken during each year of the transition period if longer than one year.

Services, Programs, Activities Accessibility

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

Job Descriptions

5. Job descriptions shall be maintained and provided in oral, written and/or videotaped form, reviewed and revised annually as needed to include:
 - a. All essential job functions. Essential job functions are those job duties that include, but are not limited to, the following:
 - (1) The function is essential because the reason the position exists is to perform that function;

P

- (2) The function is essential because of the limited number of employees available among whom the performance of that job function can be distributed;
 - (3) The function is so specialized that the incumbent is hired for their expertise or ability to perform the particular function.
- b. Physical, mental and emotional skills for each position as appropriate, and only to the extent such skills are in fact required and in practice;
 - c. Vocational and/or educational preparation requirements;
 - d. Attendance standards;
 - e. A statement that new job descriptions supersede prior descriptions for the position. All past and present job descriptions that do not reflect current requirements of the position are rescinded;
 - f. A statement on job descriptions, "I have read this job description and agree with its contents.";
 - g. A provision for current employee signature and the date the job description was signed.

O

Job Posting

6. Job postings shall be reviewed to ensure:

- a. All postings contain appropriate notice of the ESD’s responsibilities under the ADA. For example:

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

OR²

“Reasonable accommodations for the application and interview process will be provided upon request and as required in accordance with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA). Individuals with disabilities may contact [name] at [phone] for additional information or assistance. Speech/Hearing impaired persons may contact the ESD for assistance through the Oregon Telecommunication Relay Service at 1-800-735-2900 or 711.”

- b. All postings eliminate any discriminatory references;
- c. All job advertisements provide, in addition to a telephone number to which applicants may apply for additional information, an address and/or TDD (telecommunications device for the deaf) or Oregon Telecommunication Relay Service phone number for the hearing impaired.

E

Job Application Forms

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

D

- a. Notice of the ESD’s responsibilities under the ADA (see job posting notice);

² [Choose one of the options provided above or below.]

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

Reasonable Accommodations - General

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

Reasonable Accommodations - Requests

- 9. A qualified individual with a disability should request a reasonable accommodation when they know there is a workplace barrier that is preventing them, due to a disability, from effectively competing for a position, performing a job or gaining equal access to a benefit of employment. Reasonable accommodation requests will be guided by the following provisions:
 - a. To request a reasonable accommodation, an individual may use “plain English” and need not mention the ADA or use the phrase “reasonable accommodation”;

- b. A request for a reasonable accommodation may be made on behalf of an individual with a disability by a family member, friend, health care professional or other representative;
- c. Requests will not be required to be in writing;
- d. When the disability and/or the need for an accommodation is not obvious, the ESD may request reasonable documentation from a health care or rehabilitation professional. The documentation requested shall be related to the particular disability for which an accommodation is requested. In requesting documentation, the ESD will specify what types of information it is seeking regarding the disability, its functional limitations and the need for reasonable accommodation. The ESD recognizes it may not request an individual's complete medical record;
- e. Documentation shall not be requested when both the disability and the need for the accommodation are obvious or the individual has already provided the ESD with sufficient information to substantiate that they have an ADA disability and needs the reasonable accommodation requested;
- f. The ESD may send an individual to a health care professional of the ESD's choosing, at the ESD's expense, for the purpose of documenting a disability and/or the need for accommodation, only if the individual has provided insufficient information from their treating provider to substantiate that the disability exists or an accommodation is needed.

Job Interview Procedures

- 10. Job interview procedures shall be reviewed to ensure:
 - a. Physical and/or other barriers in the interview setting have been eliminated. The availability of accessible locations and accessible formats, such as a reader, Braille, audio recordings, written materials, sign language and interpreters for individuals with vision and hearing impairments and personal assistance for individuals with manual impairments have been considered as appropriate;
 - b. Questions relating to the health of the applicant, the applicant's disabilities and work-related injuries and benefits have been eliminated;
 - c. Applicant's previous work history will be ascertained without reference to the applicant's disability. The specifics of prior job functions and the applicant's ability to perform those specific functions may be discussed;
 - d. Requirements that an applicant describe or demonstrate how they would perform any or all job functions are required for all applicants in that job category. A particular applicant may be asked to describe or demonstrate how they would perform the job only when the ESD reasonably believes the applicant will not be able to perform a job function because of a known disability. The applicant's disability would be "known" either because it is obvious or because the applicant has voluntarily disclosed that they have a hidden disability;
 - e. Questions related to the applicant's need to leave work to receive treatment or how often leave may be necessary as a result of a disability have been eliminated. Regular work hours, leave policies and attendance requirements may be explained and applicant asked if they will be able to meet those requirements. The ESD may ask about an applicant's prior attendance record (for example, how many days the applicant was absent from their last job). The ESD may also ask questions designed to detect whether an applicant abused their leave (for example, "How many Mondays or Fridays were you absent last year on leave other than approved vacation leave?") At the pre-offer stage, the ESD may not ask how many days an applicant was sick;
 - f. Questions relating to applicant's current illegal use of drugs are not likely to elicit information about an applicant's lawful drug use, unless the ESD administers a test for illegal use of drugs

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

Reference Check Procedures

- 11. Reference check procedures shall be reviewed to ensure:
 - a. Reference checks will be conducted on all applicants in a job category who meet the job requirements and are selected for interviews. Careful and complete notes will be taken and maintained. ESD officials conducting reference checks:
 - (1) Before making a conditional offer of employment, may not ask previous employers or other sources about an applicant's:
 - (a) Disability;
 - (b) Illness;
 - (c) Workers' compensation history;

(d) Other questions that the ESD itself may not ask of the applicant.

P

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

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

Job Offers

R

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

- a. Job offers will be made to the most qualified applicant who with or without a reasonable accommodation can perform the essential functions of the job. The ESD will adhere to the following job offer procedures:
 - (1) After a conditional offer of employment is extended, the ESD may inquire as to whether the successful applicant will need a reasonable accommodation related to anything connected with the job (i.e., job performance or access to benefits/privileges of the job, etc.). If the ESD makes such an inquiry, it will consistently seek similar information from all other successful applicants in the same job category;
 - (2) The successful applicant will be informed of medical examination and/or medical history requirements after an offer of employment has been made and before the applicant begins their employment duties. All entering employees in the same job category will be subjected to such medical examination and/or medical history requirements. An individual's workers' compensation history will be included in all such medical history inquiries;
 - (3) The successful applicant will be informed that the job offer may be contingent upon disability-related questions, medical examination and/or medical history inquiries;
 - (4) A completed medical history form and release for medical records with the successful applicant's signature and date may be required;
 - (5) Information obtained from medical examinations and/or medical history inquiries may be used for such purposes as:
 - (a) The verification of employment history;
 - (b) To screen out applicants with a history of fraudulent workers' compensation claims;
 - (c) To provide information to state officials as required by state laws regulating workers' compensation and "second injury" funds;
 - (d) To screen out individuals who would pose a direct threat to the health and safety of self or others in the workplace which could not be reduced to an acceptable level or eliminated by a reasonable accommodation.
 - (6) Reasonable accommodations will be provided if the medical examination or medical history inquiry discloses the successful applicant is a qualified individual with a disability as defined by the ADA. Reasonable accommodations will be provided by the ESD if such accommodation would enable the individual with a disability to perform the essential functions of the job or otherwise meet eligibility requirements. The reasonable

accommodation will be established by the ESD. In determining the appropriate reasonable accommodation the ESD will:

P

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

R

(7) Reasonable accommodations considered may include:

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

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

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

D

P

- (9) The successful applicant who has been offered employment contingent on medical examination results and/or medical history inquiries will be rejected if the medical condition poses a direct threat to the health or safety of others in the workplace. The ESD shall consider whether the risk can be eliminated or reduced by a reasonable accommodation by considering the following:
 - (a) The nature and severity of the potential harm to applicant or others in the workplace;
 - (b) The likelihood that the potential harm will occur;
 - (c) Specific risk is identified and documented;
 - (d) Risk is current and not speculative or remote;
 - (e) Assessment of risk is based on objective medical or factual evidence;
 - (f) Medical condition is a direct threat.
- (10) Should an offer of employment be withdrawn because of medical examination or medical history inquiry results, the exclusionary criteria must be job related and consistent with business necessity;
- (11) Documentation will also include any determination that no reasonable accommodation was available that would enable the individual to perform the essential job functions or that accommodation would impose an undue hardship on the ESD;
- (12) Medical information will be kept confidential:
 - (a) Medical information must not be maintained in personnel file;
 - (b) Medical information will be released only to those with “need to know” and/or “need to reach in emergency situations” (i.e., immediate supervisors, etc.);
 - (c) Medical information records will be maintained a minimum of one year.

Public Notice, Communications

13. Notice of the ESD’s compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act 2008 (ADA) shall be displayed at each ESD facility and provided, as necessary, in appropriate accessible formats to applicants, participants, beneficiaries, professional organizations and other interested persons to include:
 - a. Pertinent provisions, duties and requirements of the ADA and its applicability to the ESD’s employment practices, services, programs and activities, including the duty to reasonably accommodate upon request and with advance notice. In its effort to provide communications with individuals with disabilities that are as effective as communications with others, the ESD will also provide the following:
 - (1) Individual to contact for services or questions, including office location and phone number;
 - (2) Notice of Equal Employment Opportunity Commission (EEOC) requirements displayed in conspicuous places for all job applicants and employees;
 - (3) Signage displayed at all inaccessible entrances to each of the ESD’s facilities directing users to accessible entrances or to location at which information can be obtained about accessible facilities;
 - (4) Signage displayed at all accessible entrances to the ESD’s facilities. The international symbol for accessibility shall be used;

- (5) Appropriate auxiliary aids and services that may include:
- (a) Qualified interpreters, note takers, computer-aided transcription services, written materials, telephone handset amplifiers, assistive listening systems, telephones compatible with hearing aids, telecommunications devices for deaf persons (TDD), videotext displays and/or exchange of written notes for individuals with hearing impairments;
 - (b) TDD, computer terminals and/or communications boards for individuals with speech impairments;
 - (c) Qualified readers, taped texts, audio recordings, Braille materials, large print materials and assistance in locating items for individuals with vision impairments;
 - (d) Telephone accessibility to enable individuals to seek immediate assistance from police, fire, ambulance and other emergency services;
 - (e) Other equally effective communications devices, services and actions.
- (6) Consultation with the individual with a disability to determine the most appropriate auxiliary aid or service. Priority will be given to the auxiliary aid or service that results in the most integrated setting to encourage interaction among all users, including those with disabilities. Primary consideration will be given to the expressed request of the individual with a disability. The ESD may select an alternative auxiliary aid or service should it determine that another equally effective means of communication is available or that the means chosen by the individual with a disability would result in a fundamental alteration in the services, programs or activities or in undue financial and administrative burden to the ESD;
- (7) Training to employees as needed on the acceptance and handling of telephone relay services for individuals with disabilities;
- (8) Information to employees through different means, including computers, bulletin boards, mailboxes, posters and public address systems. The ESD will ensure that employees with disabilities have access to information that is provided to other similarly situated employees without disabilities, regardless of whether they need such information to perform their jobs.

New Construction/Alterations

14. All facilities designed, constructed or altered after January 26, 1992 shall be readily accessible and usable by individuals with disabilities. The ESD will ensure:
- a. Alterations to existing facilities will take place in a manner that results in the altered portion of the facility being readily accessible to persons with disabilities. Alterations must not decrease accessibility;
 - b. Alterations deemed necessary to the path of travel in existing facilities requiring extensive restructuring or burdensome expense will be made in a timely fashion. Priority will be given to the following (in order):
 - (1) Entrances and routes to the altered area;
 - (2) One accessible restroom;
 - (3) Accessible drinking fountains;
 - (4) Additional, accessible parking.

- P
- c. Appropriate requirements of either the Uniform Federal Accessibility Standards (UFAS) or Americans with Disabilities Act Accessibility Guidelines (ADAAG) will be met, including accessibility requirements related to work areas, parking, signs, entrances, water fountains, storage and shelves, telephones, assembly areas, bathrooms, detectable warnings, carpet and carpet tile, curb ramps and visual alarms.

Posthires/Current Employees

15. All posthire and current employee Board policies and practices shall be reviewed to ensure:
- a. Medical examinations and/or medical history inquiries required by the ESD will be job related and consistent with business necessity. This will not prohibit the ESD from requiring proof of illness to substantiate a request for sick leave. Medical examinations and/or medical history inquiries may be administered when:
 - (1) An employee is having difficulty performing their job effectively. The medical examination may be necessary to determine if the employee can perform essential job functions with or without a reasonable accommodation;
 - (2) An employee becomes disabled. An employee injured on or off the job, who becomes ill or otherwise suffers any other condition that meets the requirements of a disability as defined by the ADA is protected by the Act if they can perform the essential functions of the job with or without a reasonable accommodation. Such an examination or inquiry may also be required when the employee wishes to return to work after an illness or injury. The ESD will:
 - (a) Determine if the employee meets the ADA definition of an individual with a disability if a reasonable accommodation has been requested;
 - (b) Determine if the employee can perform the essential functions of the job currently held (or held before the injury or illness), with or without reasonable accommodation, and without posing a direct threat to the health or safety of others which could not be reduced or eliminated by a reasonable accommodation;
 - (c) Identify an effective accommodation that would enable the employee to perform the essential job functions in the current (previous) job or in a vacant job for which the person is qualified with or without a reasonable accommodation.
 - (3) An employee requests a reasonable accommodation on the basis of disability;
 - (4) Administered as part of a voluntary employee “wellness” and health screening program.
 - b. Procedures for reporting and investigating employee on-the-job injury or illness will be implemented. The ESD will:
 - (1) Require employees complete workers’ compensation form;
 - (2) Investigate, as necessary, documenting circumstances that led to injury and review all employee work-related injury or illness on a case-by-case basis.
 - c. Procedures for communicating with health care providers regarding employees off-work due to any injury or illness will be implemented. The ESD, as necessary, and at its discretion will:
 - (1) Provide health care provider with detailed description of regular job activities, physical movement, duration of physical exertions and job description;

P

- (2) Write detailed questions for the health care provider to answer that may assist in determining any reasonable accommodation that may be necessary;
 - (3) Ask for employee written release authorizing ESD representative to consult with the employee's own health care provider.
- d. Procedures for employees not able to perform essential job functions completely after illness or injury will be implemented. The ESD will:
- (1) Determine whether temporary light duty assignment is possible. In accordance with the ADA, the ESD is not required to create a "light duty" position unless the "heavy duty" tasks an injured employee can no longer perform are marginal job functions which may be reallocated to co-workers as part of a reasonable accommodation;
 - (2) Determine whether job can be restructured, shifting or trading duties with other workers. Job restructuring as a reasonable accommodation may involve reallocating or redistributing the marginal functions of the job, altering when and/or how an essential or marginal function is performed. Marginal functions of a job that cannot be performed by an individual with a disability may be exchanged for marginal job functions performed by one or more other employees. The ESD is not required to reallocate essential functions of a job as a reasonable accommodation. The ESD may switch the marginal functions of two or more employees in order to restructure a job as a reasonable accommodation;
 - (3) Determine whether a modified or part-time work schedule may be selected as a reasonable accommodation unless modifications would cause an undue hardship. A modified schedule may involve adjusting arrival or departure times, providing periodic breaks, altering the time when certain functions are performed, allowing the employee to use accrued paid leave or providing additional unpaid leave. If modifying an employee's work schedule poses an undue hardship, the ESD shall consider reassignment to a vacant position that would enable the employee to work the hours requested. Requests for modified or part-time work schedules for an employee covered under both the ADA and Oregon Family Leave Act (OFLA) or Family Medical Leave Act (FMLA) will be considered separately. The ESD will determine the employee's rights under each statute to determine the appropriate actions to take;
 - (4) Determine whether reassignment to a vacant position is possible. "Vacant" means that the position is available after the employee asks for a reasonable accommodation or that the ESD knows that it will become available within a reasonable amount of time. Reassignment is the reasonable accommodation of last resort and required only after it has been determined that there are no effective accommodations that will enable the employee to perform the essential functions of their current position or all other reasonable accommodations would impose undue hardship.
 - (a) The employee must be qualified for the position — satisfy the requisite skill, experience, education and other job-related requirements of the position — but need not be the best qualified person to fill the position.
 - (b) The employee must be able to perform the essential functions of the position with or without a reasonable accommodation.
 - (c) The ESD is not required to bump an employee from a job in order to create a vacancy, nor does it have to create a new position.

P

- (5) Gather information from employee, health care provider(s), consultants, etc. as to needed modifications in policies, facilities, equipment, special aids and services that may be provided as a reasonable accommodation;
 - (6) Document all ESD efforts to provide reasonable accommodations.
- e. Qualified individuals with a disability not fully recovered from injury will not be returned to work when:
- (1) The employee cannot perform the essential functions of the job they hold or desires with or without a reasonable accommodation;
 - (2) The return of the employee to work would pose a significant risk of substantial harm to self or others in the workplace and that could not be reduced to an acceptable level with a reasonable accommodation;
 - (3) The return of the employee to a light duty position involves a totally different job from the job that the employee performed before the injury. A vacant light duty position already available for which an injured employee is qualified may be a reasonable accommodation;
 - (4) It is demonstrated that the accommodation will cause an undue hardship or result in excessive financial and administrative burden as defined by the ADA, and as evidenced by the ESD.
- f. Unpaid leaves will be provided to qualified individuals with a disability when a reasonable accommodation cannot be made in the employee's current job. The ESD will comply with all workers' compensation reinstatement rights to available and suitable employment;
- g. Leave of absence or attendance policies will not discriminate against qualified individuals with disabilities. (Uniformly applied leave policies are not subject to challenge because they have a more severe effect on individuals due to their disability. "No leave" policies, such as those forbidding leave during the first six months of employment are also not subject to challenge because they may have a more severe impact upon individuals with disabilities. An employer with a "no-leave" policy, however, may have to consider providing leave as a reasonable accommodation unless doing so would impose an undue hardship on its operation.) The ESD will not provide additional paid leave, but accommodations may include leave flexibility and unpaid leave;
- h. Drug and alcohol policies will meet the requirements of the ADA. Policies will state:
- (1) Illegal use of drugs and the use of alcohol at the workplace is prohibited by all employees;
 - (2) Employees will be required to behave in conformance with the requirements of the Drug-Free Workplace Act of 1988;
 - (3) Employees who engage in the illegal use of drugs or alcohol will be held to the same qualification standards for employment or job performance and behavior to which all other employees are held, even if unsatisfactory performance or behavior is related to employee's drug use or alcoholism;
 - (4) Employees taking drugs under the supervision of licensed health care professionals will be protected by the provisions of the ADA;
 - (5) Employees who are no longer illegally using drugs and who have been either rehabilitated successfully or are in the process of completing a rehabilitation program will be protected by the provisions of the ADA (i.e., in-patient or out-patient programs, employee assistance programs, professionally recognized self-help programs, such as

Narcotics Anonymous, or other programs that provide professional assistance and counseling for individuals).

P

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

P

O

S

E

D

Lane Education Service District

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

ADA Grievance Procedure

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

- Step 1 Any complaint shall be presented in writing to the compliance officer within 180 days from date of alleged discrimination. It must include the following:
- a. Name and address of the individual or the representative filing the complaint;
 - b. Description of the alleged discriminatory action in sufficient detail to inform the ESD of the nature and date of the alleged violation;
 - c. Signature by the complainant or by someone authorized to do so on their behalf;
 - d. Identification (by name, if possible) of the alleged victims of the discrimination for any complaint filed on behalf of classes or third parties.
- Step 2 The compliance officer shall thoroughly investigate the complaint, notify the person who has been accused of discriminating, permit a response to the allegation and arrange a meeting to discuss the complaint with all concerned parties within 10 working days after receipt of the written complaint, if deemed necessary. The compliance officer shall give a written answer to the complainant within 15 working days after receipt of the written complaint.
- Step 3 If the complainant is not satisfied with the answer of the compliance officer, they may submit a written appeal to the superintendent or designee indicating with particularity the nature of disagreement with the answer and reason underlying such disagreement. Such appeal must be filed within 10 working days after receipt of the compliance officer's answer. The superintendent or designee shall arrange a meeting with the complainant and other affected parties, if requested by the complainant, at a mutually agreeable time to discuss the appeal.
- The superintendent or designee shall give a written answer to the complainant's appeal within 10 working days.
- Step 4 If the complainant is not satisfied with the answer, an appeal to the Board may be filed within 10 working days after receipt of the Step 3 answer. The Board shall, within 20 working days, conduct a hearing at which the complainant shall be given an opportunity to present the complaint. The Board shall give a written answer to the complainant within 10 working days following completion of the hearing.
- Step 5 If the complainant is not satisfied with the decision of the Board, a complaint may be filed with the Coordination and Review Section, Civil Rights Division, U.S. Department of Justice (student complaints) or the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries (employment complaints).

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

**P
R
O
P
O
S
E
D**

Lane Education Service District

Code: ACB
Adopted: 12/01/20

Every Student Belongs ~~All Students Belong~~

[Insert the ESD's statement on equity if applicable.]

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 flag, 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^[1], symbols of neo-Nazi ideology or the battle flag of the Confederacy.

The ESD prohibits the use or display of any symbols of hate^{2} on ESD grounds³ or in any ESD or school sponsored an education program⁴, service, school or activity that is funded in whole or in part by

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

² {Prior to adopting the symbols of hate prohibition, or adding other symbols to the list, we recommend that the ESD document why the ESD 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.}

³ “ESD grounds” means any property under the control of the ESD.

⁴ “Education program” includes any program, service, school or activity sponsored by the ESD.

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 ESD will use non-disciplinary remedial action whenever appropriate.

The ESD prohibits retaliation against an individual^{5} 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 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 ESD facilities pursuant to a lease or license.

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

END OF POLICY

Legal Reference(s):

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

[ORS 659.852](#)

[OAR 581-002-0005](#)

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

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

⁵ {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.}

Lane Education Service District

Code: ACB-AR
Adopted: 12/01/20

Bias Incident Complaint Procedure

The term “bias incident” is defined in policy. Persons impacted by a bias incident shall be defined broadly to include individuals at whom an incident was directed as well as students in the larger school community likely to be impacted by the incident.

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

Step 1^{2}: When a staff member learns of a potential bias incident or display of a symbol of hate, the staff member will prioritize the safety and well-being of all persons impacted and promptly report the incident to the program administrator.

Step 2: The administrator or designee shall acknowledge receipt of the complaint, reduce the complaint to writing, and investigate any complaint of a bias incident. Responding staff will recognize the experience of all persons impacted, acknowledge the impact, commit to taking immediate action, and commit to preventing prevent further harm against those persons impacted from taking place. Educational components and redirectionRedirection procedures, if any, will include: {³}

- AddressEducational components that address the history and impact of bias and hate;
- AdvanceProcedural components to ensure the safety and, healing, and agency of those impacted by bias and hate;
- Promote accountabilityAccountability and transformation for people who cause harm; and
- Promote transformationTransformation of the conditions that perpetuated the harm.

The administrator or designee must consider whether the behavior implicates other ESD policies or civil rights laws, and if so, respond accordingly⁴.

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

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

² {These specific steps and procedures are not required. The procedures must include all of the requirements listed in HB 2697 § 1(3)(e) (2021) and OAR 581-022-2312((4)(e). If making changes, we recommend working closely with legal counsel.}

³ {Additional guidance from ODE can be found [here](#).}

⁴ The nature of the behavior or act must determine the process used to respond; what rights and protections are available to the person(s) impacted by the behavior or act; and an individual’s right to appeal to the Oregon Department of Education or the U.S. Department of Education.

All persons impacted by the act will be provided with information⁵ relating to the investigation and the outcome of the investigation, including. ~~At a minimum, the information provided must include:~~

- Notice that ~~an~~ investigation has been initiated;
- Notice when an ~~investigation~~ investigation has been completed;
- The findings of the investigation and the final determination based on those findings; ~~and~~
- Actions taken to remedy a person's ~~with the person or persons who committed the harassing behavior to remedy the behavior and prevent reoccurrence; and when the actions relate directly to a person impacted by the event.~~
- When applicable, the legal citation of any law prohibiting disclosure of any information described above, and an explanation of how that law applies to the current situation.

~~If any of the above information cannot be shared, a citation to the law prohibiting release and an explanation of how that law applies to the current situation will be provided.~~

Step 3: If complainant or a respondent wishes to appeal the decision of the administrator or designee, the complainant or respondent may submit a written appeal to the superintendent or designee within ~~ten~~ 10 school days after receipt of the administrator or designee's response to the complaint.

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

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

Step 4: If the complainant or respondent is not satisfied with the decision of the superintendent or designee a written appeal may be filed with the Board within five school days of receipt of the superintendent or designee's response to Step 3. The Board may decide to hear or deny the request for appeal at a Board meeting. The Board may use an executive session if the subject matter qualifies under Oregon law. If the Board decides to hear the appeal, the Board may meet with the concerned parties and their representative at the next regular or special Board meeting. The Board's decision will be final and will address each allegation in the complaint and contain reasons for the Board's decision. A copy of the Board's final decision shall be sent to the complainant in writing within [10]20 days of this meeting.

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

Complaints can be filed with or communicated directly to the administrator or designee, in which case Step 1 will be skipped. Complaints against the administrator can be directed to the superintendent or designee and will begin at Step 3. Complaints against the superintendent or a Board member(s) can be

⁵ For additional information regarding required notices, see OAR 581-022-2312(4)(e)(E).

directed to the Board and will begin at Step 4. If complaints begin later than Step 1, the individuals reviewing the complaint will ensure that all requirements are met.

The complainant, if a person who resides in the ESD, or a parent or guardian of a student who attends school in the ESD or a student, is not satisfied after exhausting local complaint procedures, the ESD fails to render a written decision within 30 days of submission of the complaint at any step or fails to resolve the complaint within 90 days of the initial filing of the complaint, may appeal⁶ the ESD's final decision to the Deputy Superintendent of Public Instruction under ~~Oregon Administrative Rules (OAR) 581-002-0001 - 581-002-0023~~. Oregon Administrative Rule (OAR) 581-075-0001 - 581-075-0045 (the rules are amended by OAR 581-075-0901 until April 30, 2025).

Complaints may also be filed directly with the U.S. Department of Education Office for Civil Rights.⁷

ESD administration will develop and implement instructional materials to ensure that all school employees, and staff and students are made aware of the policy, this administrative regulation procedure and related practices. The materials will include reporting procedures, educational processes, and possible consequences.

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

⁶ An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

⁷ Complaints must meet criteria as established by law. For more information, visit <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>

Appropriate Slot Cost Development:

Our team is currently analyzing the costs associated with our life skills programming and we are working with leadership to create the 2025-26 slot cost to be shared with district superintendents during the February Lane County Superintendents Meeting.

RIS Reporting:

207 reported in Biennium 23-25

644 reported for Biennium 25-27

We are writing new IGAs with districts to transfer IDEA funds for the reported students served within current district provided services.

January 6th Professional Development

SpEd Leadership listened to staff feedback regarding professional learning opportunities and changed the format for the Winter PD session on January 6th. We worked with our consultants and SLPs to develop differentiated PD sessions for all staff to attend in classroom cohorts. Mary White, one of our Neurodivergent SLPs and Kristin Gault, Teacher for the Blind and parent to Autistic and visually impaired children co-presented to the whole staff on the use of Person First vs. Identity First Language. We also hosted a co-delivered session with LCEA to review and clarify sections of the CBA.

The feedback we received from staff was excellent and we look forward to continuing to differentiate PD opportunities as we build a robust PD calendar to roll out to our districts in the 25-26 school year.

Curriculum Review:

SpEd leadership has begun the process of reviewing the current purchased curriculum and will be pulling a team together to dive deeper into the implementation of a common shared curriculum for the 2025-26 school year across our life skills programs. By having a research-based common curriculum, that we can monitor for the fidelity of implementation, we will be better able to support staff in instructional professional learning and will be able to evaluate the improved outcomes for students.