



## School Board Regular Meeting Agenda

September 10, 2024, 5:30 PM

### Location:

Education Center, Board Room #314  
520 NW Wall Street  
Bend, OR 97703

1.	<b><u>Call to Order</u></b>	
	<b>Speaker(s):</b> Chair Marcus LeGrand	
2.	<b><u>Pledge of Allegiance</u></b>	
	<b>Speaker(s):</b> Chair Marcus LeGrand	
3.	<b><u>Review of Agenda</u></b>	<b>5</b>
	<b>Speaker(s):</b> Chair Marcus LeGrand	
	<b>Attachments:</b>	
9.10.24	Agenda - BORRADOR	5
4.	<b><u>District Recognitions</u></b>	
A.	Champion for Students Award	
	<b>Speaker(s):</b> Superintendent Cook	
B.	Welcoming Week Proclamation	7
	<b>Speaker(s):</b> Chair Marcus LeGrand	
	<b>Attachments:</b>	
	BLS Welcoming Week Proclamation 2024	7
	Proclamación de la Semana de Bienvenida 2024	8
5.	<b><u>Public Comment</u></b>	
	<b>Speaker(s):</b> Chair Marcus LeGrand	
	<b>Description:</b> This is the time provided for individuals to address the Board. Public Comment requests are accepted in advance via Google Form until 5:00 p.m. on the day of the meeting for both in-person and virtual comment. Individuals may also sign up for public comment on the day of the meeting on a space available basis in alignment with Governance Process 6 (GP-6). In-person sign up will be accepted at the boardroom door until 5:35 p.m. on the day of the meeting.	
6.	<b><u>Consent for Action</u></b>	
	<b>Speaker(s):</b> Chair Marcus LeGrand	
	<b>Description:</b> Items that are routine in nature are placed on the Consent Agenda. Any item placed on the Consent for Action may be removed at the request of any Board member prior to the time a vote is taken. All remaining items of the Consent for Action are then disposed of in a single motion.	
A.	Approval of Minutes	9
	<b>Description:</b> July 9, 2024, Regular Meeting; <i>Reference: ORS 192.650 and ORS 332.057</i>	
	<b>Attachments:</b>	
7.9.24	Minutes - DRAFT	9
B.	Approval of Personnel Recommendations	12
	<b>Description:</b> Administrative, Licensed, Classified, and Confidential Staff Recommended Hires, Resignations, and Retirements; <i>Reference: ORS 332.505</i>	
	<b>Attachments:</b>	

Certified Board Report 9.10.24	12
Classified Board Report 9.10.24	15
C. Approval of Board Policies	22
<b>Attachments:</b>	
Executive Summary: Board Policies for Adoption	22
AC-BP: Nondiscrimination - DRAFT - 9.10.24	23
CB-BP: Superintendent - DRAFT 9.10.24	25
GBN/JBA-BP: Sexual Harassment - DRAFT 9.10.24	26
GBNAB/JHFE-BP: Suspected Abuse of a Child Reporting Requirements - DRAFT 9.10.24	32
GBNAB/JHFE-BP: Suspected Abuse of a Child Reporting Requirements - REWRITE 9.10.24	35
D. Resolution 1977: Public Contracting Rules and Procedures Including Class Special Procurements and Exemptions	38
<b>Attachments:</b>	
Resolution 1977: Public Contracting Rules and Procedures Including Class Special Procurements and Exemptions	38
E. FY 24-25 Supplemental Budget	39
<b>Attachments:</b>	
Executive Summary: FY 2024-25 Budget Resolution 1976	39
Resolution 1976: 2024-25 Supplemental Budget	40
F. Superintendent Contract 2024-2027	41
<b>Attachments:</b>	
2024-27 Cook Contract - FINAL	41
7. <b><u>Consent for Information</u></b>	
<b>Speaker(s):</b> Superintendent Cook	
<b>Description:</b> Items that are routine in nature and for informational purposes only are placed on the Consent for Information.	
A. Approval of Administrative Policies and Regulations	51
<b>Attachments:</b>	
Executive Summary: Administrative Policies and Regulations for Adoption	51
DJ-AR: Public Contracting Rules and Procedures - DRAFT 9.10.24	55
DJC-AR: Purchasing Authority & Limits - DRAFT 9.10.24	70
EBBA-AP: Student Health Services - DRAFT 9.10.24	72
EBBA-AR: First Aid - DELETE 9.10.24	74
EBBB-AP: Injury or Illness Reports - DRAFT 9.10.24	75
EBC-AP: Emergency Plan and First Aid - draft 9.10.24	76
EBC/EBCA-AP: Emergency Procedures & Disaster Plans - DELETE 9.10.24	77
EBC/EBCA-AR: Communications Regarding Serious Incident - DELETE 9.10.24	78
EBCA-AP: Safety Threats - DRAFT 9.10.24	81
EBCB-AP: Emergency Procedure Drills and Instruction - DRAFT 9.10.24	82
EEACCA-AR: District Photo/Video Equipment Use - DRAFT 9.10.24	87
GBEB-AP: Communicable Diseases in Schools - DRAFT 9.10.24	90
GBEB-AR: Communicable Diseases in Schools - DRAFT 9.10.24	92
GBEB/JHCC-AR: Communicable Diseases - REWRITE 9.10.24	94
GBN/JBA-AR (1): Sexual Harassment Complaint Procedures - DRAFT 9.10.24	97
GBN/JBA-AR (2): Federal Law (Title IX) Sexual Harassment Complaint Procedure - DRAFT 9.10.24	100
GBNAB/JHFE-AR: Reporting of Suspected Child Abuse - DRAFT 9.10.24	106
GBNAB/JHFE-AR: Reporting of Suspected Child Abuse - REWRITE 9.10.2024	109
GCDA/GDDA-AP: Criminal Records Check and Fingerprinting - DRAFT 9.10.24	113
GCDA/GDDA-AP: Criminal Records Check/Fingerprinting - REWRITE 9.10.24	117
GCDA/GDDA-AR: Criminal Records Check/Fingerprinting - DELETE 9.10.24	
IGBAF-AP: Special Education - Individualized Education Program (IEP) - DRAFT 9.10.24	

IGBAF-AR: Special Education - Individualized Education Program (IEP) - DRAFT 9.10.24	123
IGBAF-AR: Special Ed - Individualized Ed. Program (IEP) - REWRITE 9.10.24	129
IGBAG-AP: Procedural Safeguards - DRAFT 9.10.24	135
JGAB-AP: Use of Restraint or Seclusion - DRAFT 9.10.24	138
JGAB-AP: Use of Restraint or Seclusion - REWRITE 9.10.2024	141
JGAB-AR - DRAFT JGAB-AR: Use of Restraint or Seclusion - DRAFT 9.10.24	144
JGAB-AR: Use of Restraint or Seclusion - REWRITE 9.10.24	146
JHC-AR: Student Health Services and Requirements - DELETE. 9.10.24	149
JHCA-AR: Physical Examination of Students - DELETE 9.10.24	150
JHCA/JHCB-AP: Immunization and School Sports Participation - DRAFT 9.10.24	151
JHCB-AR: Immunization of Students - DELETE 9.10.24	153
JHCC-AP: Communicable Diseases - DELETE 9.10.24	154
JHCCCF-AP: Pediculosis (Head Lice) - DRAFT 9.10.24	155
KBA-AR: Public Records - DRAFT 9.10.24	156
KBA-AR: Public Records - REWRITE 9.10.24	158
B. Report: Executive Limitation 4.8: Communications	162
<b>Attachments:</b>	
Report: Executive Limitation 4.8: Communications	162
C. Report: Executive Limitation 4.9: Safety	164
<b>Attachments:</b>	
Report: Executive Limitation 4.9: Safety	164
8. <b>Reports</b>	
A. Enrollment Update	166
<b>Speaker(s):</b> Dan Emerson, Chief Financial Officer	
<b>Attachments:</b>	
September Enrollment Report	166
B. Levy Update	169
<b>Speaker(s):</b> Scott Maben, Director of Communications	
<b>Attachments:</b>	
Executive Summary: Learning Levy Election Outcome Analysis	169
Presentation Learning Levy Election Outcome Analysis	170
Bend-La Pine Schools Levy Exit Survey	192
Presentación: Impuesto para el Aprendizaje: Análisis de las elecciones	203
9. <b>Action Items</b>	
A. Action following Executive Session	
10. <b>Administrative Policy and Regulation Report</b>	
A. Administrative Policies and Regulations in Review	225
<b>Speaker(s):</b> Superintendent Cook	
<b>Description:</b> List of District Policies and/or Regulations that are currently under review by the District. Public feedback regarding the policies in review is accepted beginning via Google Form.	
<b>Attachments:</b>	
Executive Summary: Administrative Policies and Regulations for Review	225
KI-AP: Public Solicitation in District Facilities - DRAFT 9.10.24	226
KI-AR: Advertising in District Facilities - DELETE 9.10.24	228
KJ-AP: Commercial Advertising - DRAFT 9.10.24	229
KJ-AR: Commercial Advertising - DRAFT 9.10.24	231
KJ-AR: Hiring Staff with Private Funds - DELETE 9.10.24	232
11. <b>Superintendent's Report</b>	
<b>Speaker(s):</b> Superintendent Cook	
12. <b>Director Comments</b>	
<b>Description:</b> An opportunity for board members to provide comments or reflections.	

13. **Adjourn**

**Description:** Meeting will be adjourned with next Regular School Board Meeting scheduled for October 8, 2024.



## Agenda para reunión regular de la Junta Escolar - BORRADOR

10 de septiembre del 2024, 5:30 PM

### Lugar:

Education Center, Sala de Juntas #314  
520 NW Wall Street  
Bend, OR 97703

1. **Apertura de la reunión**  
**Ponente:** Vicepresidente Marcus LeGrand
2. **Juramento a la bandera**  
**Ponente:** Vicepresidente Marcus LeGrand
3. **Revisión de la agenda**  
**Ponente:** Vicepresidente Marcus LeGrand
4. **Reconocimientos del distrito**
  - A. Premio de Campeón para Estudiantes  
**Ponente:** Superintendente Cook
  - B. Bienvenida a la Proclamación de la Semana  
**Ponente:** Vicepresidente Marcus LeGrand
5. **Comentarios públicos**  
**Ponente:** Vicepresidente Marcus LeGrand  
**Descripción:** Este es el tiempo designado para que las personas aborden a la junta. Las peticiones de comentarios públicos se aceptan por anticipado a través de Google Form hasta las 5:00 pm el día de la reunión para los comentarios virtuales y en persona. Las personas también pueden registrarse para comentarios públicos el día de la reunión en base al espacio disponible, de acuerdo con el Proceso de Gobernanza 6 (GP-6). El registro en persona se aceptará en la puerta de la sala de juntas hasta las 5:35 pm el día de la reunión.
6. **Consentimiento para la acción**  
**Ponente:** Vicepresidente Marcus LeGrand  
**Descripción:** Los temas de rutina por naturaleza se colocan en la agenda de consentimiento. Cualquier tema colocado en el consentimiento para la acción puede removerse a petición de cualquier miembro de la junta antes del momento de tomarse una votación. Todos los temas restantes del consentimiento para la acción después se remueven de una sola vez.
  - A. Aprobación de actas de la reunión  
**Descripción:** 9 de julio del 2024, reunión de regular; *Referencia: ORS 192.650 y ORS 332.057*
  - B. Aprobación de recomendaciones del personal  
**Descripción:** Contrataciones recomendadas, renunciaciones y jubilaciones del personal administrativo, con licencia, clasificado y confidencial; *Referencia: ORS 332.505*
  - C. Aprobación de políticas de la junta
  - D. Resolución 1977: Reglas y procedimientos de contratos públicos, incluyendo adquisiciones y excepciones especiales de clases.
  - E. Presupuesto suplementario para el año fiscal 24-25
7. **Consentimiento para información**  
**Ponente:** Superintendente Cook

**Descripción:** Los aspectos que son rutinarios por naturaleza y para propósitos informativos solamente se colocan en el consentimiento para información.

- A. Aprobación de políticas y regulaciones administrativas
- B. Reporte: Limitación ejecutiva 4.8: Comunicaciones
- C. Reporte: Limitación ejecutiva 4.9: Seguridad

8. **Reportes**

- A. Actualización sobre inscripciones  
**Ponente:** Dan Emerson, Director Financiero
- B. Actualización sobre el impuesto  
**Ponente:** Scott Maben, Director de Comunicaciones

9. **Propuestas de acción**

- A. Acción después de la sesión ejecutiva

10. **Reporte de políticas y regulaciones administrativas**

- A. Políticas y regulaciones administrativas en revisión  
**Ponente:** Superintendente Cook  
**Descripción:** Lista de políticas y/o regulaciones que actualmente están bajo revisión por el distrito. Los comentarios públicos sobre las políticas en revisión se aceptan a partir del \_\_\_\_\_ a través de Google Form.

11. **Reporte del Superintendente**

**Ponente:** Superintendente Cook

12. **Comentarios de miembros de la junta**

**Descripción:** Una oportunidad para que los miembros de la junta provean sus comentarios o reflexiones.

13. **Cierre de la reunión**

**Descripción:** La reunión se cerrará con la programación de la próxima reunión regular de la Junta Escolar para el 8 de octubre del 2024.



### Welcoming Week 2024 Proclamation

**WHEREAS**, our community, state and nation are stronger when we work together as a people in seeking the American dream through the shared values of hard work and equitable opportunity; and

**WHEREAS**, the diverse experiences and perspectives of our students and families are a vital part of our community, enriching and strengthening our schools, community, and collective future; and

**WHEREAS**, the success of Bend-La Pine Schools depends on making sure that all students and families feel welcome and experience a sense of belonging - including those who are underserved and/or marginalized; who are recent immigrants; who are black, indigenous, and people of color; who are experiencing poverty, houselessness, or foster/kinship care; who are LGBTQ+; who are experiencing disability; and who are linguistically diverse; and

**WHEREAS**, we honor the spirit of unity during Welcoming Week that is bringing neighbors together across Central Oregon to honor and elevate the voices of all;

**NOW, THEREFORE IT IS RESOLVED THAT** we, the Board of Directors for Bend-La Pine Schools, hereby proclaim September 13<sup>th</sup> through 22<sup>nd</sup>, 2024, Welcoming Week. We invite all students and families of Bend-La Pine Schools to join this movement of schools and communities nationwide, renewing our commitment to our core American values and taking action together to build strong and inclusive schools across our community that stand as a beacon of education and opportunity.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2024

Signed:

Attest:

\_\_\_\_\_

\_\_\_\_\_

Board Chair

Superintendent



## Proclamación de la Semana de Bienvenida 2024

**CONSIDERANDO QUE** nuestra comunidad, estado y nación son más fuertes cuando trabajamos juntos como pueblo en la búsqueda del sueño americano a través de los valores compartidos del trabajo duro y la igualdad de oportunidades;

**CONSIDERANDO QUE** las diversas experiencias y perspectivas de nuestros estudiantes y familias son una parte vital de nuestra comunidad, que enriquecen y fortalecen nuestras escuelas, comunidad y futuro colectivo; y

**CONSIDERANDO QUE** el éxito de Escuelas Bend-La Pine depende de asegurarnos de que todos los estudiantes y familias se sientan bienvenidos y experimenten un sentido de pertenencia, incluidos aquellos que están desatendidos y/o marginados; que son inmigrantes recientes; que son negros, indígenas y personas de color; que están experimentando pobreza, falta de vivienda o en cuidado de crianza/familiar; que son LGBTQ+; que están experimentando discapacidad; y que son lingüísticamente diversos; y

**CONSIDERANDO QUE** honramos el espíritu de unidad durante la Semana de Bienvenida que está uniendo a los vecinos de todo Oregón central para honrar y elevar las voces de todos;

**AHORA, POR LO TANTO, SE RESUELVE QUE** nosotros, la Junta Directiva de Escuelas de Bend-La Pine, por la presente proclamamos la Semana de Bienvenida del 13 al 22 de septiembre de 2024. Invitamos a todos los estudiantes y familias de Escuelas de Bend-La Pine a unirse a este movimiento de escuelas y comunidades de todo el país, renovando nuestro compromiso con nuestros valores estadounidenses fundamentales y tomando medidas juntos para construir escuelas sólidas e inclusivas en toda nuestra comunidad que sean un modelo de educación y oportunidad.

Adoptado este 10º día de septiembre de 2024

Firmó:

Certificó:

---

Presidente de la Junta Directiva

---

Superintendente



## School Board Regular Meeting Minutes

### Meeting Location:

Education Center, Board Room #314  
520 NW Wall Street  
Bend, OR 97703

**Meeting Date:** July 9, 2024

### Board Members

Kina Chadwick: Present  
Cameron Fischer: Present  
Marcus LeGrand: Present  
Carrie McPherson Douglass: Present  
Shirley Olson: Present  
Amy Tatom: Present

Director Cameron Fischer attended virtually.

#### 1. Call to Order

**Speaker(s):** Chair Marcus LeGrand

**Discussion:** The meeting was called to order by Chair Marcus LeGrand at 5:31 pm.

#### 2. Pledge of Allegiance

**Speaker(s):** Chair Marcus LeGrand

**Discussion:** The Pledge of Allegiance was led by Chair Marcus LeGrand.

#### 3. Review of Agenda

**Speaker(s):** Chair Marcus LeGrand

**Action(s):** I move to add an action item to appoint a Board representative to evaluate the merit pay for Dr. Cook based on his 2023-2024 evaluation. This motion, made by Amy Tatom and seconded by Shirley Olson, Carried.

**Voting Detail:** Kina Chadwick: Yea, Cameron Fischer: Yea, Marcus LeGrand: Yea, Carrie McPherson Douglass: Yea, Shirley Olson: Yea, Amy Tatom: Yea

**Voting Summary:** Yea: 6, Nay: 0

#### 4. Election of Board Officers for the 2024-2025 School Year

**Speaker(s):** Chair Marcus LeGrand

**Action(s):** I move to nominate Marcus LeGrand as the Board Chair. This motion, made by Amy Tatom and seconded by Shirley Olson, Carried.

**Voting Detail:** Kina Chadwick: Yea, Cameron Fischer: Yea, Marcus LeGrand: Abstain (With Conflict), Carrie McPherson Douglass: Yea, Shirley Olson: Yea, Amy Tatom: Yea

**Voting Summary:** Yea: 5, Nay: 0, Abstain (With Conflict): 1

I move to nominate Carrie McPherson Douglass as the Board Vice Chair. This motion, made by Amy Tatom and seconded by Cameron Fischer, Carried.

**Voting Detail:** Kina Chadwick: Yea, Cameron Fischer: Yea, Marcus LeGrand: Yea, Carrie McPherson Douglass:

Abstain (With Conflict), Shirley Olson: Yea, Amy Tatom: Yea

**Voting Summary:** Yea: 5, Nay: 0, Abstain (With Conflict): 1

5. **Consent for Action**

**Speaker(s):** Chair

**Description:** Items that are routine in nature are placed on the Consent Agenda. Any item placed on the Consent for Action may be removed at the request of any Board member prior to the time a vote is taken. All remaining items of the Consent for Action are then disposed of in a single motion.

**Action(s):** I move to accept the Consent for Action as presented. This motion, made by Shirley Olson and seconded by Amy Tatom, Carried.

**Voting Detail:** Kina Chadwick: Yea, Cameron Fischer: Yea, Marcus LeGrand: Yea, Carrie McPherson Douglass: Yea, Shirley Olson: Yea, Amy Tatom: Yea

**Voting Summary:** Yea: 6, Nay: 0

A. **Approval of Minutes**

**Description:** June 18, 2024, Regular Board Meeting; *Reference: ORS 192.650 and ORS 332.057*

**Attachments:** 6.18.24 Minutes - DRAFT

B. **Approval of Personnel Recommendations**

**Description:** Administrative, Licensed, Classified, and Confidential Staff Recommended Hires, Resignations, and Retirements; *Reference: ORS 332.505*

**Attachments:** Certified Board Report 7.9.24 and Classified Board Report 7.9.24

C. **Superintendent Cook 2023-2024 Annual Evaluation**

**Attachments:** Superintendent Cook Evaluation 2023-24 - Final

6. **Consent for Information**

**Speaker(s):** Superintendent Cook

**Description:** Items that are routine in nature and for informational purposes only are placed on the Consent for Information.

A. **Approval of Administrative Policies and Regulations**

**Attachments:** Executive Summary: Administrative Policies and Regulations for Adoption, IGDA-AR: Student Organizations - draft 6.2024, and IGDA-AR: Noncurriculum-Related Student Meetings at Secondary Schools - delete 6.2024

**Discussion:** Superintendent Cook noted that the district is adopting IGDA-AR: Student Organizations. The updates reflect current district practices as well as grammatical corrections. The district is also deleting IGDA-AR as the language has been incorporated into IGDA-AR.

7. **Action Items**

A. **Action following Executive Session**

**Speaker(s):** Chair

**Action(s):** I make a motion that the board uphold the district's decision at step 2 in KL-AR regarding the complaints that were discussed in executive session on May 14, 2024. This motion, made by Amy Tatom and seconded by Carrie McPherson Douglass, Carried.

**Voting Detail:** Kina Chadwick: Yea, Cameron Fischer: Yea, Marcus LeGrand: Yea, Carrie McPherson Douglass: Yea, Shirley Olson: Yea, Amy Tatom: Yea

**Voting Summary:** Yea: 6, Nay: 0

**Discussion:** Director Amy Tatom shared that during the review of the complaint, all of the Board's concerns regarding the process were addressed.

B. **Appoint Board Representative to Evaluate Superintendent Merit Pay**

**Action(s):** I move to appoint Carrie McPherson Douglass as the Board representative to evaluate the merit pay for Dr. Cook based on his 2023-2024 evaluation. This motion, made by Kina Chadwick and seconded by Shirley Olson, Carried.

**Voting Detail:** Kina Chadwick: Yea, Cameron Fischer: Yea, Marcus LeGrand: Yea, Carrie McPherson Douglass: Yea, Shirley Olson: Yea, Amy Tatom: Yea

**Voting Summary:** Yea: 6, Nay: 0

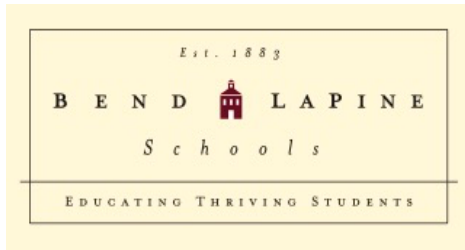
8. **Adjourn**

**Description:** Meeting will be adjourned with next Regular School Board Meeting scheduled for August 13, 2024.

**Discussion:** Chair Marcus LeGrand adjourned the meeting at 5:40 pm.

Recorded by: Janet Bojanowski, Board Clerk

DRAFT: Pending Board Approval



**HUMAN RESOURCES**

*Education Center*

*520 N.W. Wall Street  
Bend, Oregon 97703-2699  
(541) 355-1100  
Fax: (541) 355-1109*

DATE: September 4, 2024  
TO: Dr. Steven Cook, Superintendent  
Board of Directors for Bend-La Pine Schools

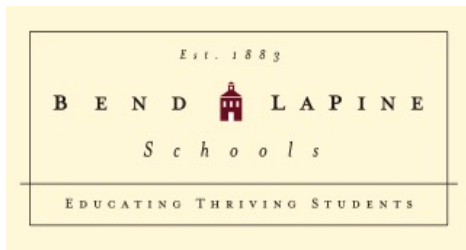
FROM: Steve Herron, Chief Human Resources Officer

RE: Administrative and Licensed Recommended Hires, Resignations, and Retirees

The Human Resource Department recommends approval of the following hires, resignations and retirees at the school board meeting on September 10, 2024. All Hires are subject to successful drug testing, background check, and Oregon licensure.

**CERTIFIED HIRES**

NAME	POSITION	LOCATION	STATUS	HIRE DATE
Aubin, Theodore	Social Studies Teacher	Pilot Butte MS	Reg PT to Reg FT	08/26/2024
Bailey, Madelyn	Primary Teacher	High Lakes Elementary	Regular Full Time	08/29/2024
Bollert, Tahnee	Elementary Counselor	High Lakes Elementary	Regular Full Time	08/26/2024
Brandon, Cailey	Learning Specialist	La Pine Elementary	Regular Full Time	08/26/2024
Bowker, Natalie	Student Success Clinician	High Desert MS	Regular Full Time	08/26/2024
Buchanan, Elizabeth	Advanced Math Teacher	Bend Senior High	Temp Part Time	08/26/2024
Carter, Adam	Elementary Classroom	Bear Creek Elementary	Reg PT to Reg FT	08/26/2024
Caverhill, Morgan	Learning Specialist	High Lakes Elementary	Regular Full Time	08/26/2024
Cheeny, Angela	Learning Specialist	Ensworth Elementary	Temporary Full Time	08/26/2024
Chozick, Rachel	Intermediate Teacher	Silver Rail Elementary	Temporary Full Time	08/28/2024
Collins, Emily	Student Services Coordinator	La Pine Elementary	Regular Full Time	08/26/2024
Crook, Austin	Math Teacher	Pacific Crest MS	Regular Full Time	08/26/2024
Garcia, Susan	Dual Language Teacher	Bear Creek Elementary	Regular Full Time	08/26/2024
Garrett, James	Science Teacher	Summit HS	Temp Part Time	08/26/2024
George, Hallary	Art Teacher	Ensworth Elementary	Temp Part Time	08/26/2024
Hadley, Brody	Lang Arts Teacher	Pilot Butte MS	Regular full Time	08/26/2024
Hadley, Heidi	PE/Health Teacher	La Pine MS	Temporary Full Time	08/26/2024
Haidet, Kylie	Learning Specialist	Cascade MS	Regular Full Time	08/26/2024
Haskell, Danielle	Intermediate Teacher	La Pine Elementary	Regular Full Time	08/26/2024
Hatfield, Amber	Learning Specialist	Silver Rail Elementary	Regular Full Time	08/26/2024
Houston, Kelly	Science Teacher	La Pine Middle School	Temporary Full time	08/26/2024
Hurst, Ann	Language Arts Teacher	La Pine Middle School	Regular Part Time	08/29/2024
Jura, Ahna	Primary Teacher	Ponderosa Elementary	Regular Full Time	08/26/2024
Kropp, Cheri	Language Specialist	Bear Creek Elementary	Temporary Full Time	08/26/2024
Layana, Kelsie	Language Arts Teacher	Summit HS	Temporary Full Time	08/26/2024
Leuze, Grace	Music Teacher	Lave Ridge Elementary	Temporary Full Time	08/26/2024
Likens, Gregory	PE/Health Teacher	La Pine MS	Temporary Full Time	08/26/2024
Mann, Penelope	Social Studies Teacher	Three Rivers Elementary	Regular Full Time	08/26/2024



**HUMAN RESOURCES**

*Education Center*

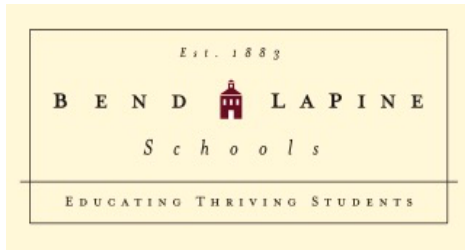
*520 N.W. Wall Street*

*Bend, Oregon 97703-2699*

*(541) 355-1100*

*Fax: (541) 355-1109*

Mazzucchi, Savannah	Learning Specialist	High Desert Middle School	Regular Full Time	08/26/2024
McAndrews, Andrea	PE Teacher	Ensworth Elementary	Regular Part Time	08/26/2024
McDermott, Molly	ELL/Language Specialist	Cascade MS	Temporary Full Time	08/26/2024
Meyer, Devin	Intermediate Teacher	Silver Rail Elementary	Regular Full Time	09/03/2024
Michel, Heather	Mathematics Teacher	Cascade MS	Temporary Part Time	08/26/2024
Mills, Brynn	Student Success Coordinator	Silver Rail Elementary	Regular Full Time	08/26/2024
Morgan, Robin	Counselor	Ponderosa Elementary	Regular Part Time	08/26/2024
Murphy, Alessandra	Intermediate Teacher	La Pine Elementary	Regular Full Time	08/26/2024
Nelson, Sarah	Humanities Teacher	REALMS MS	Regular Part Time	08/26/2024
Nobles, Molly	Intermediate Teacher	La Pine Elementary	Regular Full Time	08/26/2024
Ogren, Lacie	Speech and Language Pathologist	Student Services	Regular Full Time	08/26/2024
Olin, Gregory	Learning Specialist	North Star Elementary	Regular Full Time	08/26/2024
Pelletier, Jennifer	Learning Specialist	Rosland Elementary	Regular Full Time	08/26/2024
Perwak, Lindsay	Spanish Teacher	Mountain View HS	Temporary Full Time	08/26/2024
Porter, Christopher	CTE Business/Alternative Ed Teacher	La Pine HS	Temporary Full Time	08/26/2024
Purdy, Sean	Art/Spanish Teacher	Pilot Butte Middle School	Regular Part Time to Temporary Full Time	08/26/2024
Reynolds, Holly	Student Services Coach	Special Programs	Temporary Full Time	08/26/2024
Rojas, Amber	Student Success Coordinator	Rosland Elementary	Temporary Full Time	08/26/2024
Sarich, Holly	School Counselor	La Pine Elementary	Regular Full Time	08/26/2024
Seed, Brian	Choir Teacher	Summit HS	Temporary Part Time	08/26/2024
South, Mark	Spanish Teacher	Cascade MS	Temporary Full Time	08/26/2024
South, Thomas	Social Studies/Language Arts Teacher	Cascade MS	Temporary Part Time	08/26/2024
Stark, Lindsay	Intermediate Teacher	Silver Rail Elementary	Temporary Full Time	08/26/2024
Therrian, Misha	Primary Teacher	Highland Elementary	Regular Full Time	08/26/2024
Warren, Brittani	South County Float Sub	La Pine Elementary	Temporary Full Time	08/26/2024
Williams, Madeline	Drama Teacher	Bend HS	Regular Part Time	08/26/2024
Young, Kimberly	ELL/Language Specialist	Bear Creek	Regular Part Time	08/26/2024



**HUMAN RESOURCES**

*Education Center*

*520 N.W. Wall Street*

*Bend, Oregon 97703-2699*

*(541) 355-1100*

*Fax: (541) 355-1109*

**CERTIFIED RESIGNATIONS**

NAME	POSITION	LOCATION	HIRE/RESIGNED DATES
Alayan, Deborah	Learning Specialist	Pilot Butte Middle School	08/26/2019 – 06/30/2024
Angell, Frazier	Student Success Coord	La Pine Elementary	09/06/2022 – 06/30/2024
Anguilla, Deanna	Social Studies Teacher	Three Rivers Elementary	08/29/2022 – 06/30/2024
Bjorback, Lisa	Speech Language Path	Elk Meadow Elementary	08/29/2022 – 06/30/2024
Buckman, Deborah	Intermediate Teacher	Ensworth Elementary	08/31/2016 – 06/30/2024
Edwards, Christina	Counselor	Bend Tech/High Desert MS	08/28/2023 – 06/30/2024
DeFranco, Elizabeth	Counselor	Pilot Butte Middle School	08/29/2022 – 06/30/2024
Dixon, Heidi	Science Teacher	REALMS High School	08/27/2018 – 06/30/2024
Fitzpatrick, Katie	Student Success Coord	Bear Creek Elementary	08/29/2022 – 06/30/2024
May, Kimberly	Language Arts Teacher	Pilot Butte Middle School	08/28/2023 - 06/30/2024
Parks, Amy	Student Success Coordinator	High Lakes Elementary	08/29/2019 – 06/30/2024
South, Thomas	Language Arts/Social Studies Teacher	Cascade Middle School	08/26/2024 – 09/02/2024
Williams, David	Athletic Director	Caldera High School	09/05/1995 - 08/02/2024

**CERTIFIED RETIRE/REHIRE**

NAME	POSITION	LOCATION	REHIRE/END DATES
Bedsworth, Brady	Lang Arts Teacher	Summit HS	10/01/2024 – 06/30/2025

**ADMINISTRATIVE HIRES**

NAME	POSITION	LOCATION	STATUS	HIRE DATE
Foster, Dennis	Assistant Principal	Pilot Butte MS	Regular Full Time	07/09/2024
Freeman, Monica	Assistant Principal	REALMS MS/HS	Temporary Full Time	08/19/2024
Harding, Ryan	Dean of Students	Sky View MS	Regular Full Time	07/15/2024
Tat, Lynne	Assistant Principal	North Star Elementary	Regular Full Time	07/01/2024

**ADMINISTRATIVE RESIGNATIONS**

NAME	POSITION	LOCATION	HIRE/RESIGNED DATES

**ADMINISTRATIVE RETIRE/REHIRE**

NAME	POSITION	LOCATION	REHIRE/END DATES



**HUMAN RESOURCES**

*Education Center*

*520 N.W. Wall Street  
 Bend, Oregon 97703-2699  
 (541) 355-1100  
 Fax (541) 355-1109*

September 3, 2024

**TO:** Steve Cook, Superintendent  
 Bend-La Pine School Board of Directors

**FROM:** Steve Herron, Chief Human Resources Officer  
 Ryan Kelling, Executive Director of Human Resources

**RE:** Classified Recommended Hires, Classified & Confidential Resignations, and Classified Retirements

The Human Resources Department recommends approval of the following hires, resignations, and retirements at the School Board meeting on September 10, 2024.

***Classified Hiring***

<b>Name</b>	<b>Position/Posting No.</b>	<b>Location</b>	<b>Temp/Regular Position</b>	<b>Hire Date</b>
Alexander, Jaden	EA I - Instruction	Silver Rail	Temp 6.0 hrs / day	08/30/24
Anderson, Ashley	EA I - Instruction	La Pine Elementary	Temp 6.5 hrs / day	08/27/24
Arteaga, Maria	Custodial Crew I	Buckingham	Reg 8.0 hrs / day	08/19/24
Baer, Courtney	Media Tech Assistant	Bend High	Reg 8.0 hrs / day	08/26/24
Baker, John	EA III - Inclusion	Caldera	Reg 7.0 hrs / day	08/27/24
Bangert, Gabriella	School to Career Program Mgr / EA I - Instruction	Bend Tech	Reg 7.0 hrs / day	08/27/24
Baraybar, Robin	Media Manager I	Bear Creek	Reg 7.0 hrs / day	08/26/24
Bautista, Laura	Attendance Secretary II	Caldera	Reg 8.0 hrs / day	08/19/24
Bellotti, Nicki	Counseling Secretary II	Summit	Reg 8.0 hrs / day	08/12/24
Benson-Hibbs, Olivia	EA III - Inclusion	Realms High	Reg 7.0 hrs / day	08/27/24
Besser, Ron	EA III - Inclusion	High Desert	Reg 7.0 hrs / day	08/27/24
Bianchi, Nicole	EA I - Instruction	High Lakes	Temp 5.0 hrs / day	08/27/24
Bolling, Sarah	DEI Community Specialist I - FAN	DEI	Reg 6.4 hrs / day	08/27/24
Brook, Melinda	Nutrition Tech II	Bend High	Reg 6.75 hrs / day	09/03/24
Brooks, Karlee	Bus Driver	Transportation	Reg 4.0 hrs / day	09/02/24
Chavez, Francisca	EA I – Bilingual Instruction	Bear Creek	Temp 3.95 hrs / day	08/27/24



**HUMAN RESOURCES**

*Education Center*

*520 N.W. Wall Street  
 Bend, Oregon 97703-2699  
 (541) 355-1100  
 Fax (541) 355-1109*

Clinefelter, Jackie	Kitchen Manager	La Pine Middle	Reg 7.5 hrs / day	08/29/24
Cross-Brockman, Casey	EA III - Inclusion	RE Jewell	Reg 6.5 hrs / day	08/27/24
Cupit, Susan	EA I - Instruction	High Lakes	Temp 4.0 hrs / day	09/04/24
Delgado Hernandez, Omar	EA III - Inclusion	High Desert	Reg 7.0 hrs / day	08/27/24
Dewolf, Gina	EA I - Instruction	Ponderosa	Reg 6.0 hrs / day	08/27/24
Donheiser, Carl	EA III - Inclusion	North Star	Reg 6.5 hrs / day	08/29/24
Donofrio, Aimee	EA III - Inclusion	RE Jewell	Reg 6.5 hrs / day	08/27/24
Erdahl, Inga	EA I - Instruction	WE Miller	Reg 3.93 hrs / day	09/04/24
Evans, Jessie	EA III - Inclusion	RE Jewell	Reg 6.5 hrs / day	08/27/24
Felt, Leah	Reception Secretary II	Mountain View	Reg 7.0 hrs / day	08/19/24
Fletcher, Amy	Custodial Crew I	La Pine High	Reg 8.0 hrs / day	08/19/24
Fristedt, Paul	Bus Driver	Transportation	Reg 4.0 hrs / day	09/02/24
Funk, Jaime	Office Manager II	High Lakes	Reg 8.0 hrs / day	08/05/24
Gruending, Cynthia	EA II – Behavior Support	Elk Meadow	Reg 4.0 hrs / day	08/27/24
Guarista Thompson, Fernanda	EA I – Bilingual Instruction	Bear Creek	Reg 3.95 hrs / day	08/27/24
Guenther, Tracy	Bus Driver	La Pine Transportation	Reg 4.0 hrs / day	09/02/24
Haddock, Shawna	EA III - Inclusion	Rosland	Reg 6.5 hrs / day	08/27/24
Hatfield, Tami	Attendance Secretary II	Summit	Reg 4.0 hrs / day	08/19/24
Hayes, Kacey	Media Manager II	La Pine Middle	Reg 7.0 hrs / day	08/26/24
Herron, Akemi	EA III - Inclusion	La Pine Elementary	Reg 6.5 hrs / day	08/27/24
Hernandez, Arianna	EA I – Instruction	RE Jewell	Reg 3.95 hrs / day	08/27/24
Hill, Kimberly	EA I - Instruction	Highland	Reg 3.85 hrs / day	08/29/24
Hoye, Bella	EA I - Instruction	La Pine Elementary	Temp 6.5 hrs / day	08/30/24
Jansen, Hester	EA III - Inclusion	Lava Ridge	Reg 6.5 hrs / day	08/27/24



**HUMAN RESOURCES**

*Education Center*

*520 N.W. Wall Street  
 Bend, Oregon 97703-2699  
 (541) 355-1100  
 Fax (541) 355-1109*

Johansen, Jennifer	DEI Specialist I - FAN	DEI	Reg 6.4 hrs / day	09/03/24
Juarez, Dalia	DEI Operations Coordinator	DEI	Reg 8.0 hrs / day	08/27/24
Julia-Suriano, Stephanie	EA III - Inclusion	Elk Meadow	Reg 6.5 hrs / day	08/27/24
Kalotay, Jeanie	EA I - Instruction	Lava Ridge	Reg 6.5 hrs / day	08/27/24
Kates, Mary	EA III - Inclusion	Juniper	Reg 6.5 hrs / day	08/27/24
Kampen, Jade	EA I – Online Student Success / Student to Career Manager	Realms High	Reg 7.0 hrs / day	08/26/24
Kelley, Jennifer	EA III - Inclusion	Ponderosa	Reg 6.5 hrs / day	08/27/24
Klaus, Joshua	Translator/Interpreter	DEI	Reg 4.0 hrs / day	08/27/24
Lamb, Riley	EA III - Inclusion	Bend High	Reg 7.0 hrs / day	08/27/24
Lamberson, Carolyn	Office Manager II	Cascade	Reg 8.0 hrs / day	08/05/24
Larmel, Carrie	EA III - Inclusion	Lava Ridge	Reg 6.5 hrs / day	08/27/24
Larmel, Jeff	EA III - Inclusion	Lava Ridge	Reg 6.5 hrs / day	08/27/24
Leedom, Megan	EA I - Instruction	La Pine Elementary	Temp 3.95 hrs / day	08/27/24
Lempke, Dustin	Bus Driver	Transportation	Reg 4.0 hrs / day	08/21/24
Liebermeister, Florian	Bus Driver	Transportation	Reg 4.0 hrs / day	09/02/24
Lodahl, Emma	EA III - Inclusion	North Star	Reg 6.5 hrs / day	08/27/24
Loheit, Lupe	DEI Specialist I – Liaison	DEI	Reg 5.0 hrs / day	08/26/24
Ludwig, Emily	EA III - Inclusion	La Pine Elementary	Reg 6.5 hrs / day	08/27/24
Maestas, Kindra	IT Analyst	IT	Reg 8.0 hrs / day	08/05/24
Michalski, Amy	Accounting Technician	Summit	Reg 8.0 hrs / day	09/04/24
Miller, Connie	EA I - Instruction	La Pine Elementary	Temp 6.5 hrs / day	08/27/24
Mixell, Brianna	EA I - Instruction	RE Jewell	Reg 3.95 hrs / day	08/27/24
Moriarty, Jenna	EA III - Inclusion	Cascade	Reg 7.0 hrs / day	08/27/24
Nye, Jamie	EA III - Inclusion	Silver Rail	Reg 6.5 hrs / day	08/27/24



**HUMAN RESOURCES**

*Education Center*

*520 N.W. Wall Street  
Bend, Oregon 97703-2699  
(541) 355-1100  
Fax (541) 355-1109*

Otanez, Andres	Campus Safety and Security Monitor	High Desert	Reg 8.0 hrs / day	08/27/24
Palacios, Victor	Assistant Custodian II	Pilot Butte	Reg 8.0 hrs / day	07/17/24
Panzarella, Lisa	Media Manager	Silver Rail	Reg 7.0 hrs / day	08/26/24
Perkins, Joni	Attendance Secretary II	Mountain View	Reg 7.0 hrs / day	08/26/24
Perrando, Brenna	EA III - Inclusion	La Pine Elementary	Reg 6.5 hrs / day	08/27/24
Peterson, Belen	Records Clerk	Student Services	Reg 8.0 hrs / day	08/26/24
Phillips, Jennifer	EA I - Instruction	Bear Creek	Reg 7.5 hrs / day	08/27/24
Pixton, Sarajane	Office Secretary II	Elk Meadow	Reg 4.0 hrs / day	08/12/24
Polanco, Cassandra	EA III - Inclusion	Elk Meadow	Reg 6.5 hrs / day	08/27/24
Powell, Kina	Office Manager II	Lava Ridge	Reg 8.0 hrs / day	08/05/24
Quade, Theresa	School to Career Program Mgr	Bend High	Reg 8.0 hrs / day	08/26/24
Rife, Bruce	Assistant Custodian II	Three Rivers	Reg 8.0 hrs / day	07/16/24
Roberts, Jamie	Consulting Registered Nurse	Student Services	Temp 4.8 hrs / day	08/26/24
Robinson, Jennifer	EA III - Inclusion	Buckingham	Reg 6.5 hrs / day	08/27/24
Ryder, Eugenia	EA I – Bilingual Instruction	Bear Creek	Reg 6.0 hrs / day	08/27/24
Sanchez, Alisha	EA III - Inclusion	Elk Meadow	Reg 6.5 hrs / day	08/27/24
Sathre, Olivia	EA – Child Development	Bend High	Reg 6.17 hrs / day	08/27/24
Scatena, Jason	EA – Student Success	Three Rivers	Reg 6.5 hrs / day	09/05/24
Schotborgh, Andy	Journeyman Plumber	Maintenance	Reg 8.0 hrs / day	08/22/24
Schnepf, Jenna	EA I – Instruction	Highland	Reg 3.85 hrs / day	08/27/24
Scott, Raechel	EA III – Inclusion	High Desert	Reg 7.0 hrs / day	08/27/24
Simmons, Mark	Bus Driver	La Pine Transportation	Reg 4.0 hrs / day	09/02/24
Stone, Alexandra	EA III – Inclusion	High Lakes	Reg 6.5 hrs / day	08/27/24
Theotokatos, Sophia	Custodial Crew I	Bear Creek	Reg 8.0 hrs / day	08/19/24



**HUMAN RESOURCES**

*Education Center*

*520 N.W. Wall Street  
 Bend, Oregon 97703-2699  
 (541) 355-1100  
 Fax (541) 355-1109*

Tirrill, Brandon	EA II – Student Success	La Pine High	Reg 7.25 hrs / day	08/27/24
Vago, Maria Laura	Bus Driver	Transportation	Reg 4.85 hrs / day	09/02/24
Warner, Holly	EA III - Inclusion	Transition Co-Op	Reg 7.0 hrs / day	08/27/24
Welsh, William	Distribution Delivery Driver	Warehouse	Reg 7.5 hrs / day	08/26/24
West, Natasha	EA III - Inclusion	Transition Co-Op	Reg 7.0 hrs / day	08/27/24
Winters, Dana	EA III - Inclusion	La Pine Elementary	Reg 6.5 hrs / day	08/27/24
Wittenburg, Daniel	Assistant Custodian II	Mountain View	Reg 8.0 hrs / day	07/17/24
Woods, Robert	Custodial Crew I	Lava Ridge	Reg 8.0 hrs / day	08/07/24

**Classified Resignations**

<b>Name</b>	<b>Position</b>	<b>Location</b>	<b>Resign Date</b>
Burger, Heather	EA I – Alternative Ed	Caldera	09/06/23 – 06/30/24
Burkert, Erin	EA III - Inclusion	Ensworth	03/21/22 – 06/19/24
Byrd, Carolyn	Custodial Crew I	La Pine High	03/30/20 – 06/28/24
Cleveland, Jason	Bus Driver	La Pine Transportation	04/14/23 – 08/28/24
Coyle, Kaylie	EA III - Inclusion	Caldera	10/30/23 – 06/30/24
Doughty, Alissa	Nutrition Server I	High Desert	05/20/24 – 06/30/24
Emerson, Andy	EA III - Inclusion	Sky View	01/04/23 – 06/30/24
Fastelin, Carrington	FAN Advocate	Pine Ridge	01/30/24 – 06/30/24
Finney, Sarah	Consulting Registered Nurse	Student Services	10/19/15 – 06/30/24
Gudgel, Steven	SPED Bus Driver	Transportation	09/04/12 – 08/31/24
Holweg, Faith	Nutrition Server I	La Pine Elementary	06/07/24 – 07/20/24
Hughes, Claudia	EA II – Student Success	High Desert	08/30/22 – 06/30/24
Humphrey, Zack	Distribution Delivery Driver	Warehouse	09/20/21 – 08/26/24
Ickes, Sonia	Media Manager	Juniper	10/07/21 – 08/31/24
Ives, Jolynn	EA I - Instruction	Rosland	10/10/16 – 06/30/24
Jennings, Alexandra	EA III - Inclusion	North Star	08/29/23 – 06/30/24
Linch, Terry	Bus Driver	La Pine Transportation	05/01/24 – 06/30/24
Mandish, Naomi	Nutrition Server I	Pacific Crest	10/17/19 – 06/30/24



**HUMAN RESOURCES**

*Education Center*

*520 N.W. Wall Street  
Bend, Oregon 97703-2699  
(541) 355-1100  
Fax (541) 355-1109*

Maser, Damion	IT Client Services Technician	IT	09/18/23 – 08/16/24
McKevitt, Jennifer	EA III – Inclusion	High Desert	09/01/15 – 06/18/24
Micheletti, Amy	Counseling Secretary II	Summit	08/14/17 – 06/25/24
Miller, Marissa	Nutrition Server I	Ponderosa	09/26/23 – 06/30/24
Milstead, Brenda	Nutrition Server I	Summit	10/19/21 – 08/28/24
Moot, Tyler	Nutrition Specialist III	Bend High	08/29/23 – 09/07/24
Morgan, Corrina	Bus Driver	La Pine Transportation	01/05/22 – 08/30/24
Morrow, Francisco	EA II – Student Success	North Star	09/26/23 – 06/30/24
Mueller, Jackie	Energy and Sustainability Specialist	Support Services	07/29/22 – 06/30/24
O’Keefe, John	Bus Driver	Transportation	11/01/19 – 06/30/24
Perez, Laurie	EA III – Inclusion	North Star	11/17/22 – 06/30/24
Rausch, Breeanna	Nutrition Specialist III	Bend High	06/14/22 – 08/27/24
Shuster, Caroline	Office Manager II	Cascade	12/17/20 – 06/28/24
Slusher, Lisa	EA – Child Development	Bend High	09/20/22 – 06/18/24
Tosello, Chelsea	EA III - Inclusion	BTA	09/15/23 – 06/30/24
Warren, Brittani	EA II – Student Success	La Pine Elementary	08/28/23 – 06/30/24
Wick, Kimberly	Nutrition Server I	Realms	11/10/22 – 06/30/24

**Classified Retirements**

<b>Name</b>	<b>Position</b>	<b>Location</b>	<b>Retire Date</b>
Boone, Michele	Accounting Tech	Summit	08/06/12 – 08/08/24
Carey, Glen	Head Custodian CIII	WE Miller	10/08/09 – 08/31/24
Reimann, Barbara	Bus Monitor	Transportation	01/22/13 – 06/30/24
Scherbinske, Gordon	Custodial Crew I	Lava Ridge	07/26/18 – 09/16/24

**Classified Retire-Rehires**

<b>Name</b>	<b>Position</b>	<b>Location</b>	<b>Rehire Date</b>
Butz, Debbie	SPED Bus Driver	Transportation	09/02/24 – 06/30/25
Holmer, Doug	SPED Bus Driver	Transportation	09/02/24 – 06/30/25
Laing, Kim	Records Clerk	Student Services	08/26/24 – 06/30/25
Oestrich-Tanner, Cynthia	Nutrition Tech II	Bend High	08/27/24 – 06/30/25



**HUMAN RESOURCES**

*Education Center*

*520 N.W. Wall Street*

*Bend, Oregon 97703-2699*

*(541) 355-1100*

*Fax (541) 355-1109*

**Classified Dismissals**

Name	Position	Location	Term Date

**Confidential Hiring**

Name	Position/Posting No.	Location	Temp/Regular Position	Hire Date
Brinlee, Lisa	Payroll Specialist II	Business Office	Reg 8.0 hrs / day	07/08/24
Helvie, Jennifer	Payroll Specialist II	Business Office	Reg 8.0 hrs / day	08/12/24

**Confidential Resignations**

Name	Position	Location	Resign Date



**REPORT:** Board Polices for Adoption – September 10, 2024

**PRESENTED BY:** Steve Cook, Superintendent

**EXECUTIVE SUMMARY:**

Bend-La Pine Schools has a multi-part, policy and regulation review process. The district shares policies and regulations that are currently in review at regularly scheduled school board meetings and then following the meeting allows time for, and considers, public feedback related to the proposed changes. The district also has several student, staff, and community groups that review policies and provide feedback. The Oregon School Boards Association (OSBA) releases a Policy Update several times a year with changes to policies and regulations as a result of changes in legislation. The district reviews the required and recommended changes before adopting any changes. Public feedback is not solicited on these policies as the updates align with requirements set forth in laws and regulations.

The following board policies will be adopted as presented. A brief summary of the proposed changes are listed below and a redline version of each follows this executive summary.

Policy / Regulation Title	Reason for Update
<b>AC-BP: Nondiscrimination</b>	<p>Updates reflect requirements found in HB2281 (2023) to designate a civil rights coordinator.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>CB-BP: Superintendent</b>	<p>Policy has been renamed from an administrative policy to a board policy. Updates include grammatical corrections in alignment with SB 283 (2023).</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>GBN/JBA-BP: Sexual Harassment</b>	<p>Updates align with requirements in HB 2280 and reflect current district processes.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>GBNAB/JHFE-BP: Suspected Abuse of a Child Reporting Requirements</b>	<p>Updates align with requirements in SB 231 and Department of Human Services (DHS) current processes. The policy has been rewritten to align formatting with that of OSBA sample policy.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>



Bend-La Pine Schools is committed to ensuring the right of every student and employee to a safe, positive, and productive learning and working environment, and it is the policy of the Board to comply fully with the requirements of Title VI, Title VII, Title IX, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act and all accompanying regulations as well as applicable state law. To that end, the district prohibits and will not tolerate discrimination and harassment on any basis protected by law, including but not limited to, an individual’s perceived or actual race, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, gender identity, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans’ status of any other persons with whom the individual associates.

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

The Board directs the superintendent to designate the district’s civil rights coordinator and make contact information available to staff, students, and parents/guardians.

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

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

END OF ADMINISTRATIVE POLICY

REVIEWED: 12/12/16, 6/4/18, 10/16/19, 9/20/22, 9/10/24  
APPROVED: 6/8/18, 10/28/19, 10/11/22

POLICY / REGULATION CROSS REFERENCE

LEGAL REFERENCE

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

[ORS 659A.006](#)  
[ORS 659A.009](#)  
[ORS 659A.029](#)  
[ORS 659A.030](#)  
[ORS 659A.040](#)  
[ORS 659A.103 - 659A.145](#)  
[ORS 659A.230 - 659A.233](#)  
[ORS 659A.236](#)  
[ORS 659A.309](#)  
[ORS 659A.321](#)

[ORS 659A.409](#)  
[OAR 581-002-0001 – 002-0005](#)  
[OAR 581-021-0045](#)  
[OAR 581-021-0046](#)  
[OAR 581-021-0047](#)  
[OAR 581-022-2310](#)  
[OAR 581-022-2370](#)  
[OAR 839-003](#)

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).  
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-633 (2018); 29 C.F.R Part 1626 (2019).  
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12112 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

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

draft 9.2024



The superintendent<sup>1</sup> is the district's chief executive officer. ~~and has,~~ Under the Board's direction, the superintendent exercises general supervision of all district schools, personnel, and departments. The superintendent is responsible for managing leading the schools in accordance with the Board's policies and is accountable to the Board for that management. The Board may not direct the superintendent to take any action that conflicts with a local, state, or federal law<sup>2</sup> that applies to school districts.

The superintendent may delegate to other district school personnel any powers and duties imposed upon the superintendent by Board policies or by vote of the Board. Delegation of power or duty, however, will not relieve the superintendent of responsibility for action taken under such delegation.

END OF BOARD POLICY

REVIEWED: 4/30/09, 9/10/24  
APPROVED: 4/30/09

**POLICY / REGULATION CROSS REFERENCE**  
CBG

**LEGAL REFERENCE**  
[ORS 332.505](#)  
[ORS 332.515](#)

[OAR 581-022-2405](#)

[OAR 584-005-0005\(51\)](#)

<sup>1</sup> The term "superintendent" includes an interim superintendent.

<sup>2</sup> "Local, state or federal law" means a local, state or federal directive having the force of law, including an ordinance, a city or county resolution, a statute, a court decision, an administrative rule or regulation, an order issued in compliance with ORS Chapter 183, an executive order or any other directive, declaration or statement that is issued in compliance with the law as having the force of law and that is issued by a local government as defined in ORS 174.116, the state government as defined in ORS 174.111 or the federal government.



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

Bend-La Pine Schools processes complaints or reports of sexual harassment under Oregon Revised Statute (ORS) 342.700 et. al. and federal Title IX laws found in Title 34 C.F.R. Part 106. Individual complaints may require both of these procedures, and may involve additional complaint procedures.

### General Procedures

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

### OREGON DEFINITION & PROCEDURES

#### Oregon Definition

Sexual harassment of students, staff members or third parties<sup>2</sup> shall include:

1. A demand or request for sexual favors in exchange for benefits;
2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:
  - a. Interferes with a student's educational activity or program;
  - b. Interferes with a school or district staff member's ability to perform their job; or
  - c. Creates an intimidating, offensive, or hostile environment.
3. Assault when sexual contact occurs without ~~the students, staff members or third party's consent<sup>3</sup> because the student, staff member of third party is under the influence of drugs or alcohol, is unconscious or is pressured through physical force, coercion or explicit or implied threats as defined in OAR 581-021-0038(1)(b).~~

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

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

<sup>1</sup> Complaint procedures that may also be involved include: AC-BP: Nondiscrimination / GBEA-BP: Workplace Harassment / JFCF-BP: Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence and Domestic Violence / GBNA/JHFF-BP: Suspected Sexual Conduct with Students and Reporting Requirements

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

<sup>3</sup> "without consent" means an act performed: (a) without the knowing, voluntary and clear agreement by all parties to participate in the specific act; or (b) when a person who is a party to the act is incapacitated by drugs or alcohol; unconscious; or pressured through physical force, coercion, or explicit

## OREGON PROCEDURES

Reports and complaints of sexual harassment should be made to the district's [Civil Rights Coordinator and Title IX Coordinator](#):

~~Chief Human Resources Officer~~

[Civil Rights Coordinator and Title IX Coordinator](#)

520 NW Wall Street

Bend, OR 97703

541-355-1100

[titleix.coordinator@bend.k12.or.us](mailto:titleix.coordinator@bend.k12.or.us)

The [Civil Rights Coordinator and Title IX Coordinator](#) is responsible for accepting and managing complaints of sexual harassment. Persons wishing to report should contact them using the above information. See [GBN/JBA-AR\(1\) - Sexual Harassment Complaint Procedure](#) ~~will assist the district official with processing a sex discrimination complaint, including the evaluation of a request for confidentiality on the part of the alleged victim(s). Please see the following notice attached as required by ORS 342.704(4).~~

### Response

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

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

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

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

### Investigation

The district official receiving the complaint shall conduct, or cause to have conducted by an appropriate impartial investigator, a prompt, thorough, and equitable investigation. An investigation is a detailed inquiry into the factual allegations of a report of harassment, based on interviews with the complainant, witnesses, and the person who is the subject of the report; and review of relevant documents and/or recordings. The district official receiving the complaint shall notify the person who initiated the complaint, and, if applicable, the student's parent/guardians, when the investigation has been initiated.

All reports and complaints about behavior that may violate this policy shall be investigated. Complaints shall be investigated in no more than 60 calendar days. If the complexity of the complaint necessitates a longer period of time for investigation, the investigator shall inform the complainant that more time is needed and give an estimate of time needed to fully investigate. The investigator shall provide the parties to the complaint with an update on the status of the investigation if one of the parties requests an update. District personnel shall cooperate with an investigation and respond truthfully, promptly, and fully. Failure to do so may result in disciplinary action, including but not limited to termination. Investigators must also protect any collective bargaining agreement rights of the respondent. If a respondent or the complaint is a student with a disability, the investigator must follow the procedural safeguards in the IDEA as well as the requirements of Section 504 of the Rehabilitation Act of 1973 when processing the complaint.

The investigator may also order reasonable temporary relief to protect the respective interests of the alleged victim and/or respondent prior to the time of any final decisions by the investigator. Temporary relief should be designed to prevent any continuing harassment, to correct the discriminatory effects of harassment, to promote a non-hostile work environment, and to prevent any person involved in the complaint from receiving inappropriate consequences related to the complaint prior to a final determination being made. This temporary shall be made on a case-by-case basis, will be based on available facts, and will not disproportionately impact the complainant. At the request of a party to the complaint, the investigator will also provide the party with information regarding local sources of counseling, advocacy and support.

The district may take, but is not limited to, the following procedures and remedial action to address and stop sexual harassment: discipline of staff and students engaging in sexual harassment; removal of third parties engaged in sexual harassment; additional supervision in activities; additional controls for district electronic systems; trainings and education for staff and students; and increased notifications regarding district procedures and resources.

When a student or staff member is harassed by a third party, the district will consider the following: removing that third party's ability to contract or volunteer with the district, or be present on district property; if the third party works for an entity that contracts with the district, communicating with the third party's employer; if the third party is a student of another district or school, communicate information related to the incident to the other district or school; limiting attendance at district events; and providing for additional supervision, including law enforcement if necessary, at district events.

### **No Retaliation**

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

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

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

### **Notice**

When a student, staff member, or third party, or if applicable, the student or third party's parent/guardian who may have been affected by this policy files a complaint or otherwise reports behavior that may violate the policy, the district shall provide written notification to the following:

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

The written notification will adhere to confidentiality laws and must include:

1. Name and contact information for all person designated by the district to receive complaints;
2. The rights of the person that the notification is going to;
3. Information about the internal complaint processes available through the school or district that the student, student's parent/guardian, staff member, person or person's parent/guardian who filed the complaint may pursue, including the person designated for the school or district for receiving complaints and any timelines.
4. Notice that civil and criminal remedies that are not provided by the school or district may be available to the person through the legal system and that those remedies may be subject to statutes of limitation;
5. Information about services available to the student or staff member through the school or district, including any counseling services, nursing services or peer advising;
6. Information about the privacy rights of the person and legally recognized exceptions to those rights for internal complaint processes and services available through the school or district;
7. Information about, and contact information for, services and resources that are available to the person, including but not limited to:
  - a. For the reporting person, state and community-based resources for persons who have experienced sexual harassment; or
  - b. For the reported persons, information about and contact information for state and community-based mental health services.

8. Notice that students who report about possible prohibited conduct and students who participate in an investigation under this policy may not be disciplined for violations of the district's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered as a result of a prohibited conduct report or investigation unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct; and
9. Prohibition of retaliation.

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

The notice must:

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

## **FEDERAL DEFINITION & PROCEDURES**

### **Federal Definition**

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

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

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

### **Federal Procedures**

The district will adopt and publish grievance procedures that provide for the prompt and equitable resolution of the student and employee complaints alleging any action that would be prohibited by this policy.

See GBN/JBA-AR(2): Federal Law (Title IX) Sexual Harassment Complaint Procedure.

### **Reporting**

Any person may report sexual harassment. This report may be made in person, by mail, by telephone, or by electronic mail, or by

---

<sup>4</sup> "Education program or activity" includes locations, events, or circumstances over which the recipient exercised substantial control over both the respondent and the context in which the sexual harassment occurs." (Title 34 C.F.R. § 106.44(a))

any other means that results in the Title IX Coordinator receiving the person's verbal or written report. The report can be made at any time.

**The Chief Human Resources Officer is designated as the Title IX Coordinator.** The Title IX Coordinator will coordinate the district's efforts to comply with its responsibilities related to this policy. The district will display the contact information for the Title IX Coordinator on the district website and in other materials.

### **Response**

The district will promptly respond to information, allegations or reports of sexual harassment when there is actual knowledge of such harassment, even if a formal complaint has not been filed.<sup>5</sup> The district shall treat complainants and respondents equitably by providing supportive measures<sup>6</sup> to the complainant and by following a grievance procedure<sup>7</sup> prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes, with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint. If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place.<sup>8</sup> The district must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. A non-student employee may also be placed on non-disciplinary administrative leave pending the grievance process.

### **Notice**

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

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

Inquiries about the application to Title IX and its requirements may be referred to the Title IX Coordinator.

### **No Retaliation**

Neither the district or any person may retaliate<sup>9</sup> against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. The district must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family

---

<sup>5</sup> (Title 34 C.F.R. §106.44(a)) Response cannot be deliberately indifferent. A recipient is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

<sup>6</sup> (Title 34 C.F.R. § 106.44(a)) Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment.<sup>6</sup> The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures. (Title 34 C.F.R. § 99.30(a))

<sup>7</sup> This grievance procedure must meet the requirements of Title 34 C.F.R. § 106.45 (included in accompanying administrative regulation, see GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure).

<sup>8</sup> The district may still have obligations under Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the American with Disabilities Act (ADA). (Title 34 C.F.R. § 106.44(c))

<sup>9</sup> Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

Educational Rights and Privacy Act (FERPA), as required by law, or to carry out the proceedings herein. Complaints of retaliation may be filed using these procedures.

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

**Publication**

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

END OF BOARD POLICY

---

REVIEWED: 4/14/09, 9/22/09, 11/13/12, 9/20/22, 9/10/24  
APPROVED: 4/28/09, 10/13/09, 12/11/12, 10/11/22

**POLICY / REGULATION CROSS REFERENCE**

**LEGAL REFERENCE**

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

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

[ORS 659A.030](#)  
[OAR 581-021-0038](#)  
[OAR 584-020-0040](#)  
[OAR 584-020-004](#)

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

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

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

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



Any district employee who has reasonable cause to believe that **any child** with whom the employee has come into contact has suffered abuse<sup>1</sup> shall immediately make a report to the Oregon Department of Human Services (DHS) through the centralized child abuse reporting system<sup>2</sup> or to a law enforcement agency within the county where the person making the report is located at the time of contact. Any district employee who has reasonable cause to believe that **any person**<sup>3</sup> with whom the employee is in contact has abused a child shall immediately report in the same manner described above.

The report must contain, if known, the names and addresses of the child and the parents/guardians of the child or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, including any evidence of previous abuse, the explanation given for the suspected abuse, any other information that the person making the report believes might be helpful in establishing the possible cause of the abuse and the identity of a possible perpetrator.

Abuse of a child by district employees, contractors<sup>4</sup>, agents<sup>5</sup>, volunteers<sup>6</sup>, or students is prohibited and will not be tolerated. All district employees, contractors, agents, volunteers and students are subject to this policy and the accompanying administrative regulations.

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

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

If the Superintendent is the alleged perpetrator the report shall be submitted to the Board Chair. If an individual board member is the alleged perpetrator the report shall be submitted to the Board Chair. If the Board Chair is the alleged perpetrator the report shall be submitted to the Board Vice Chair.

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

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

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

<sup>2</sup> How to report abuse or neglect: [Oregon DHS](#). Call 855-503-SAFE (7233)

<sup>3</sup> "Person" could include adult, student, or other child.

<sup>4</sup> "Contractor" means a person providing services to the district under contract in a manner that requires the person to have direct, unsupervised contact with students.

<sup>5</sup> "Agent" means a person acting as an agent for the district in a manner that requires the person to have direct, unsupervised contact with students.

<sup>6</sup> "Volunteer" means a person acting as a volunteer for the district in a manner that requires the person to have direct, unsupervised contact with students.

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

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

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

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

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

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

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

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

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

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

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

END OF BOARD POLICY

---

REVIEWED: 10/10/05, 11/07/05, 4/14/09, 5/14/13, 4/2020, 9/20/22, 9/10/24  
APPROVED: 12/13/05, 4/29/09, 5/28/13, 5/2021, 10/11/22

**POLICY / REGULATION CROSS REFERENCE**

**LEGAL REFERENCE**

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

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

[OAR 581-022-2205](#)

Greene v. Camreta, 588 F.3d 1011 (9th Cir. 2009), vacated in part by, remanded by Camreta v. Greene, 131 S. Ct. 2020 (U.S. 2011); vacated in part, remanded by Greene v. Camreta 661 F.3d 1201 (9<sup>th</sup> Cir. 2011).

draft 9.2024

## BEND-LA PINE SCHOOLS

Administrative School District No. 1  
Deschutes County, Oregon

### BOARD POLICY

Name: Suspected Abuse of a Child  
Reporting Requirements

Section: Students

Code: GBNAB/JHFE-BP

Abuse of a child by district employees, contractors, agents, volunteers, or students is prohibited and will not be tolerated. All district employees, contractors, agents, volunteers and students are subject to this policy and the accompanying administrative regulation, GBNAB/JHFE-AR: Reporting of Suspected Child Abuse.

- Contractor means a person providing services to the district under contract in a manner that requires the person to have direct, unsupervised contact with students.
- Agent means a person acting as an agent for the district in a manner that requires the person to have direct, unsupervised contact with students.
- Volunteer means a person acting as a volunteer for the district in a manner that requires the person to have direct, unsupervised contact with students.

Any district employee who has reasonable cause to believe that **any child** with whom the employee has come into contact has suffered abuse, including neglect as defined in Oregon Revised Statute (ORS) 419B.005, shall orally report or cause an oral report immediately by telephone or otherwise to the local office of the Oregon Department of Human Services (DHS) or its designee or to the law enforcement agency within the county where the person making the report is located at the time of contact pursuant to ORS 419B.010.

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

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

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

If the Superintendent is the alleged perpetrator the report shall be submitted to the Board Chair. If an individual board member is the alleged perpetrator the report shall be submitted to the Board Chair. If the Board Chair is the alleged perpetrator the report shall be submitted to the Board Vice Chair.

The district will post the names and contact information of the designees for each school building, in the respective school, designated to receive reports of suspected abuse and the procedures in GBNAB/JHFE-AR: Reporting of Suspected Abuse of a Child the designee will follow upon receipt of a

report, the contact information for local law enforcement and the local DHS office or its designee, and a statement that this duty to report suspected abuse is in addition to the requirements of reporting to a designated licensed administrator.

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

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

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

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

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

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

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

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

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

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

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

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

## END OF POLICY

---

Legal Reference(s):

ORS 339.370 – 339.400  
ORS 418.257 – 418.259

ORS 419B.005 – 419B.050

OAR 581-022-2205

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

Reviewed: 10/10/05, 11/07/05, 4/14/09, 5/14/13,  
4/2020, 9/20/2022

Approved: 12/13/05, 4/29/09, 5/28/13, 5/2021  
10/11/2022



Administrative School District No. 1

Resolution No. 1977: Public Contracting Rules and Procedures Including Class Special Procurements and Exemptions

WHEREAS, Bend-La Pine School District No. 1 (“District”) is an Oregon school district which is subject to Oregon’s public contracting laws; and

WHEREAS, the District’s Board of Directors (the “Board”), serves as the District’s Local Contract Review Board (“LCRB”); and

WHEREAS, ORS 279A.065(5) provides that a local contracting agency may adopt its own rules of procedure for public contracting that:

- (A) Specifically, state that the model rules adopted by the Attorney General do not apply to the contracting agency; and
- (B) Prescribe the rules of procedure that the contracting agency will use for public contracts, which may include portions of the model rules adopted by the Attorney General; and

WHEREAS, the Board, with required notice, did on February 14, 2023, adopt with Resolution No. 1943 public contracting rules and procurement guidelines including certain exemptions and class special procurements described in administrative regulation DJ-AR; now therefore

BE IT HEREBY RESOLVED, that the Board of Directors appoints the Superintendent, Chief Operations Officer, Chief Financial Officer, Finance Director, or Procurement and Contract Manager to determine whether or not a particular contract or purchase is exempt by virtue of meeting criteria in the adopted public contracting rules and procurement guidelines.

BE IT FURTHER RESOLVED, that the Board of Directors appoints the Superintendent, Superintendent’s designee, or the Chief Financial Officer to approve contracts and purchases (including real estate) on behalf of the District unless otherwise restricted by law or in the Board’s Executive Limitations.

Moved by \_\_\_\_\_

Second by \_\_\_\_\_

Yes votes \_\_\_\_\_ No votes \_\_\_\_\_

Dated this 10<sup>th</sup> day of September 2024.

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Vice Chair

\_\_\_\_\_  
Board Secretary



**ACTION ITEM:** FY2024-25 Budget Resolution 1976

**PRESENTED BY:** Leah Bibeau, Finance Director

**EXECUTIVE SUMMARY:**

During a review of our FY2024-25 Debt service appropriations, it was determined that a principal payment amount of \$1,580,000 was omitted from our budget document. The increase in debt service appropriations is covered by recognizing additional revenue in beginning fund balance, investment earnings, and prior and current year property tax collections.

There is no change to the tax we are imposing for debt service from the amount approved by the Board via resolution 1974 on June 18, 2024.

Oregon Budget Law allows the Board to make changes to Budget, within certain limits, without republishing the budget and holding a hearing.

**RECOMMENDED MOTION:**

Approve Resolution 1976, recognizing revenue and increasing debt service appropriations by \$1,580,000 in the FY2024-25 Bend La Pine Schools Budget as presented.

**BEND-LA PINE SCHOOLS  
 ADMINISTRATIVE SCHOOL DISTRICT NO. 1  
 DESCHUTES COUNTY, OREGON  
 2024-25 SUPPLEMENTAL BUDGET  
 RESOLUTION NO. 1976**

**BE IT RESOLVED,** the Board of Directors of Administrative School District No. 1, Deschutes County, hereby increases the 2024-25 Debt Service Fund budget in the amount of \$1,580,000

**BE IT FURTHER RESOLVED,** the Board of Directors of Administrative School District No. 1, Deschutes County, hereby directs that for the fiscal year beginning July 1, 2024 that the adopted appropriations are hereby increased by the amounts shown below for the purposes indicated within the funds listed:

DEBT SERVICE

Resources:

9770 Beginning Fund Balance	\$	500,000
1111 Current Year Taxes	\$	295,000
1112 Prior Year Taxes	\$	335,000
1510 Interest on Investments		450,000
Total Resources	<u>\$</u>	<u>1,580,000</u>

Requirements:

5100 Debt Service	\$	1,580,000
Total Requirements	<u>\$</u>	<u>1,580,000</u>

Notes: This budget appropriation increase is necessary to meet debt service payments. The district is using higher than anticipated beginning fund balance, increase in estimated property tax collections and investment earnings as a resource.

Moved by \_\_\_\_\_ Seconded by \_\_\_\_\_

YES votes \_\_\_\_\_ NO votes \_\_\_\_\_

**ADOPTED** this 10th day of September, 2024

ATTEST:

\_\_\_\_\_  
 Board Secretary

\_\_\_\_\_  
 Chair  
 \_\_\_\_\_  
 Director



## SUPERINTENDENT EMPLOYMENT CONTRACT

*between*

Dr. Steven Cook

*and*

The Bend-La Pine Schools Board of Directors

Deschutes County, Oregon

### Introduction

It is hereby agreed by and between the Board of Directors of Bend-La Pine Schools, located in Bend, Oregon (hereinafter called the District or Board), and Dr. Steven Cook (hereinafter called the Superintendent) that the District in accordance with its action as found in the minutes of the meeting held on the 10th day of September, 2024 has and does hereby employ Dr. Steven Cook as Superintendent for the term of this Contract.

The Superintendent hereby accepts employment with the District upon the terms and conditions of this nine (9) page Employment Contract as follows:

#### 1. Term

This Agreement shall be for a period of three (3) years commencing on July 1, 2024, and ending on June 30, 2027. If the Board does not intend to extend this contact beyond June 30, 2027, it shall notify the Superintendent in writing by June 30, 2026. If the Board intends to extend it, it shall notify the Superintendent in writing by the same

date. Failure to provide said notice shall result in an automatic extension of this contract by one year, producing a new contract term expiring on June 30, 2028.

If this contract is extended through June 30, 2028, the board shall, no later than June 30, 2027:

1. Notify the Superintendent of its intent to amend the existing contract or enter into a new contract;
2. Notify the Superintendent it does not intend to amend the existing contract or enter into a new contract, in which case the contract shall automatically expire on June 30, 2028; or
3. Take no action in which case this contract will automatically expire on its extended term date of June 30, 2028, and this term provision satisfies any notice required by ORS 342.513 to the extent applicable.

This contract is only for the term provided above and may only be extended as provided above; it shall not be renewed by any statutory automatic renewal provision including ORS 342.513, the provisions of which are expressly waived by the Superintendent.

Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the District or Superintendent to terminate this Agreement at any time subject only to the provisions herein relating to termination.

## 2. Duties

The Superintendent shall be the Chief Executive Officer of the District. As such, the Superintendent shall have the responsibility for formulation, adoption, and execution of District policy in compliance with the Executive Limitations, existing District Policy, Education Code, and State and Federal Law, and to further work toward Board Ends. The Superintendent agrees to diligently and faithfully perform the duties of the position pursuant to, and in compliance with, the laws of the State of Oregon and in conformance with the rules and policies of the District and the directions of the Board.

The Superintendent shall be responsible for all personnel matters, including the recommendation for hire, assignment, direction, evaluation, transfer, discipline, and recommendation for dismissal, of all staff subject to applicable Collective Bargaining Agreements, Board policies, and Oregon law, and shall organize, reorganize, and arrange

the administrative and supervisory staff as best serves the District. The Superintendent shall employ all personnel subject to the approval of the Board.

The Superintendent shall attend each meeting of the Board, except when excused by the Board Chair. Additionally, the Superintendent shall implement policies, regulation, rules, and procedures deemed necessary for the efficient and effective functioning of the District and in general shall perform all duties incident to the office of Superintendent and other such duties as may be specified and/or delegated by the Board.

The Superintendent hereby agrees to devote his full time, skill, labor and attention to District employment during the term of this Contract, however, the Superintendent may undertake a reasonable amount of consultative work, speaking engagements, writing, lecturing or other similar professional duties and obligations with the approval of the Board Chair.

On behalf of the Board the Superintendent is authorized to accept the resignation of classified employees and any licensed employees, and waive the sixty (60) day notice provision, pursuant to ORS 342.553, required of licensed employees.

### 3. Compensation

#### A. Salary

Annual salary for the term of this contract will be as follows:

- For the 2024/2025 school year, \$250,950.00 together with fifty percent (50%) of the performance incentive, if any, earned in the 2023/2024 school year.
- For the 2025/2026 school year, the annual salary for the 2024-25 school year together with fifty percent (50%) of the performance incentive, if any, earned in the 2024/2025 school year.
- For the 2026/2027 school year, the annual salary for the 2025-26 school year together with fifty percent (50%) of the performance incentive, if any, earned in the 2025/2026 school year.
- If the contract is extended through the 2027/2028 school year, for the 2027/2028 school year, the annual salary for 2026/27 school year together with fifty percent (50%) of the performance incentive, if any, earned in the 2026-27 school year.

The salary shall be paid in twelve (12) monthly installments in accordance with Board policies governing administrative staff. The Superintendent may elect to take a portion of salary in deferred compensation in conformance with any such plan in which the District is participating.

B. Merit Pay

In addition to the base salary, the Superintendent can earn up to a ten (10) percent bonus of the Superintendent's base salary. No later than September 1<sup>st</sup> of each contract year, the Superintendent and Board will establish mutually agreed upon metrics to be used to measure the Superintendent's performance towards attainment of the merit pay.

C. In-State Expense Stipend

The Superintendent shall receive a \$1,200 per month stipend as part of his compensation for the purpose of paying for all in-state expenses incurred as a result of his employment with the District. Such expenses include in-state mileage, meals, technology that includes cell phone, tablet, data plan and apps expenses. The stipend does not compensate for in-state lodging which will be reimbursed in accordance with District policy and procedure.

D. Expense Reimbursement

The District shall reimburse the Superintendent for reasonable out-of-state expenses incurred by the Superintendent in the performance of his duties under this Contract.

#### 4. Benefits

A. PERS Pick-up

The District shall pay the 6% employee contribution on behalf of the Superintendent to the Public Employee Retirement System.

B. Health Insurance

The District shall pay a monthly amount toward the Superintendent's health insurance premium that is the same as the cap paid toward the health insurance premium for all District administrators as set forth in the Employment

Memorandum between the Board and Administrators and Supervisors. The health insurance package provided shall be the same as that currently in effect for all District administrators.

C. Tax Sheltered Annuity

During the 2024-25 school year, the District shall contribute on behalf of the Superintendent 9% of the Superintendent's annual salary for 2024-25 to a tax-sheltered annuity (403(b)) plan or similar plan offered by the District. In each remaining year of this contract, the District shall contribute 10% of the Superintendent's annual salary to said plan. The superintendent's annual salary is as set forth in the Compensation section 3-A, above.

5. Professional Growth

The District encourages the continuing professional growth of the Superintendent through participation, by the Superintendent, in:

- the operations, programs, and other activities conducted or sponsored by local, state, and national school administrator and school associations;
- seminars and coursework offered by public or private educational institutions; and
- informational meetings with other persons whose particular skills or backgrounds would serve to improve the capacity of the Superintendent to perform his professional responsibilities for the District.

The District shall permit a reasonable amount of release time, as approved by the Board, for the Superintendent to attend to such matters, shall pay necessary and reasonable costs for registration and meeting expenses, tuition, travel and subsistence expenses within the Superintendent's budget category limitations.

The Board shall pay the Superintendent's COSA dues which include membership in OASE (Oregon Association of School Executives) and AASA (American Association of School Administrators) dues.

The Board may pay for additional dues as may be requested by the Superintendent and approved by the Board.

The superintendent agrees to a professional mentoring program in areas identified by the Board to be paid for directly by the District.

Upon board approval, the District shall pay reasonable expenses beyond what is covered by the monthly stipend (as articulated in Benefits) for conferences, meetings, workshops and courses that will enhance the Superintendent's abilities to work towards Board established goals.

## 6. Evaluation

Annually, and not later than September 1<sup>st</sup> of each contract year, the Board shall, in consultation with the Superintendent, establish goals and strategic initiatives for the school year. The goals and strategic initiatives shall be established in writing and be among the criteria for evaluation of the Superintendent.

To support Board oversight and the District's continuous improvement, reports on the Board Ends, progress toward these ends through strategic initiatives, data on progress from identified measures, and compliance with aligned Executive Limitations shall be presented to the Board on an ongoing basis in public session.

To support the Superintendent's continuous improvement, the Board Chair will meet with the Superintendent on a quarterly basis to provide observations, feedback, and recommendations on the work shared in these reports. The Board as a whole will meet with the Superintendent at least twice per fiscal year in Executive Session, at mid-year and end-of-year, for the purpose of evaluation of the Superintendent and for observations, feedback, and recommendations for performance improvement in alignment with the articulated goals and strategic initiatives. The Board reserves the right in its discretion to conduct informal reviews every eight (8) weeks to assess progress if needed.

The written evaluation of the Superintendent will become a permanent part of the Superintendent's personnel file. The date and time of the evaluation meeting shall be agreed to by the Board and the Superintendent sufficiently in advance of the meeting to permit adequate preparation.

## 7. Maintenance of License

The Superintendent shall furnish throughout the life of this Contract a valid and appropriate license as defined in ORS 342.140 to act as Superintendent in the State of Oregon. Should the Superintendent fail to maintain a license in good standing, the Board may unilaterally terminate this Contract.

## 8. Work Year

The Superintendent shall schedule 261 contract days per year. This includes 228 workdays, twenty-three (23) paid days of vacation, and ten (10) paid holidays (New Year's Day, Memorial Day, Juneteenth, Independence Day, Labor Day, Veteran's Day, Thanksgiving Day, Martin Luther King Day, Christmas Eve Day, Christmas Day).

### A. Vacation Time

Vacation is accrued at eight (8) hours a day. All vacation will be allocated on July 1, or each contract year. If the Superintendent fails to complete his contract for the year, vacation will be pro-rated. Annually, the Superintendent shall take at least fifteen (15) days of vacation leave and the remaining unused vacation leave may accumulate from year to year up to a total of thirty (30) days of vacation leave. In the alternative, should the Superintendent not be able to use all vacations days allowed, the Superintendent may be paid annually an additional amount at a per diem rate for a maximum of five (5) unused vacation days. For purposes of this contract, the rate of pay when calculated on a per diem basis shall be 1/238th of the annual salary set forth above.

### B. Sick Leave and Sick Time

The Superintendent shall accrue sick leave in accordance with ORS 332.507 and sick time in accordance with ORS 653.601-653.661 and district policy to the extent the District is required to grant employees sick time while employed by the District.

### C. Other Leaves

The Superintendent shall be allowed other leave in accordance with District's Employment Memorandum with Bend-La Pine Administrators and Supervisors and as provided for by state and federal law.

## 9. Termination Of Employment Contract

### Termination by Mutual Agreement

The Employment Contract may be terminated at any time and under any provisions mutually agreed upon by both parties. The Superintendent and the District understand

that it is the expressed desire of both, if at all possible, to do so no later than September 1 of the year to be the final year of employment.

#### Termination at the Request of the Superintendent

In the event the Superintendent intends to act to terminate this Employment Contract prior to its termination date, he or she shall give the District at least ninety (90) days written notice of such intention.

#### Termination without Specific Cause

The Board may terminate the Superintendent's employment at any time without cause, and without the Superintendent's concurrence. However, if the Superintendent is terminated without cause during the term of this Contract, the District shall pay to the Superintendent an amount equal to what the Superintendent would have earned as salary and benefits under this employment contract (as identified in Compensation and Benefits above) during the twelve (12) month period following termination.

In the event the Board exercises this option, the Superintendent agrees to and shall provide services to the District, as requested by the District, in the role of consultant to facilitate the transition to a new Superintendent. At the discretion of, and as directed by, the Board, such services shall include, but not be limited to, providing information and advice regarding ongoing projects, processes and obligations. In the event the Board choose to terminate without cause, the payment of the twelve (12) month salary and benefits amount indicated above shall be the only obligation to the Superintendent.

#### Termination for Cause

The District may terminate this Contract upon the occurrence of either of the following events:

- Superintendent's material breach of this Employment Contract or failure to perform employment obligations in accordance with the terms and conditions of this Contract, or
- Superintendent's commission of a felony, misdemeanor or any other act, which a reasonable person would consider materially damaging to the reputation of the District.

Prior to such termination for cause, the Superintendent shall receive written notice of the reason(s) for the proposed action and will be allowed an opportunity for a Board executive session hearing to respond to the reasons either orally or in writing.

Notice of the District's consideration of discharge for cause shall be given in writing. Such notice shall include a statement of the reasons constituting cause and shall be given not less than ten (10) days prior to the date that the Superintendent shall be entitled to appear before the Board as hereinafter provided. The Superintendent shall be entitled to a hearing before the Board to discuss such causes. The Superintendent may choose to be accompanied by legal counsel at such a meeting at the Superintendent's sole cost and expense. Such a meeting may be conducted in executive session as provided by Oregon law.

Superintendent shall be provided a written decision describing the results of the meeting.

## 10. Criticism and Complaints

In conformance with District policy, the Board, individually and collectively, will refer to the Superintendent for study and recommendation all significant criticism, complaints, and suggestions called to its attention concerning District operations. For 2023-24, the Board and Superintendent will develop together provisions for a Board-Superintendent Operating Protocol. At least annually thereafter, they will review and as needed agree upon revision(s) that the Board and Superintendent feel will contribute to further improvements in their communications and relationships.

## 11. Severability

If this Contract or any portion thereof, is held by the courts to be illegal or in conflict with any law or regulation of the State of Oregon, the validity of the remaining portions shall not be affected and the rights and obligations of the parties shall be construed and enforced as if the Contract did not contain the particular illegal term or provision.

## 12. Indemnification

To the extent required by ORS 30.285, the District shall defend, hold harmless, and indemnify the Superintendent from all demands, claims, suits, actions and legal proceedings brought against the Superintendent in his individual capacity or his official capacity as agent and employee of District, provided the incident arose while the

Superintendent was acting within the scope of his employment and does not involve criminal matters. In no case will individual Board members be personally responsible to indemnify the Superintendent against such demands, claims, suits, actions and legal proceedings.

### 13. Entire Agreement

This Contract contains the entire agreement of the parties. Except as fully set forth herein, there are no other enforceable representations, agreements, or understandings, oral or written, between the parties relating to the subject of this Employment Contract.

The District, pursuant to the authority of its Board of Directors, by its action of September 10, 2024, has caused two originals of this Employment Contract to be signed in the name of the District by the Chair of the School Board, and the Superintendent has signed on his behalf.

DISTRICT:

SUPERINTENDENT:

---

Marcus LeGrand  
Board Chair, Bend-La Pine Schools

---

Dr. Steven Cook  
Superintendent, Bend-La Pine Schools



**REPORT:** Administrative Policies and Regulations for Adoption – September 10, 2024

**PRESENTED BY:** Steve Cook, Superintendent

**EXECUTIVE SUMMARY:**

Bend-La Pine Schools has a multi-part, policy and regulation review process. The district shares policies and regulations that are currently in review at regularly scheduled school board meetings and then following the meeting allows time for, and considers, public feedback related to the proposed changes. The district also has several student, staff, and community groups that review policies and provide feedback. The Oregon School Boards Association (OSBA) releases a Policy Update several times a year with changes to policies and regulations as a result of changes in legislation. The district reviews the required and recommended changes before adopting any changes. Public feedback is not solicited on these policies as the updates align with requirements set forth in laws and regulations.

The following administrative policies and regulations will be adopted as presented. A brief summary of the proposed changes are listed below and a redline version of each follows this executive summary.

Policy / Regulation Title	Reason for Update
<b>DJ-AR: Public Contracting Rules and Procedures</b>	Updated to align with DJC-AR.  <i>No public feedback solicited as the updates align with current district practices.</i>
<b>DJC-AR: Purchasing Authority &amp; Limits</b>	Updates include grammatical corrections to align with new District leadership roles and district practices.  <i>No public feedback solicited as the updates align with current district practices.</i>
<b>EBBA-AP: Student Health Services</b>	This is a new administrative policy. The State Board of Education adopted revisions to OAR 581-022-2220. As a result of the changes, several policies have been revised.  <i>Changes are a result of OSBA Policy Update dated April 2024.</i>
<b>EBBA-AR: First Aid</b>	The State Board of Education adopted revisions to OAR 581-022-2220. As a result of the changes, several policies have been revised. This regulation is being recommended for deletion as the content has been revised according to the OAR and reorganized into new administrative policy EBC-AP.  <i>Changes are a result of OSBA Policy Update dated April 2024.</i>
<b>EBBB-AP: Injury or Illness Reports</b>	The State Board of Education adopted revisions to OAR 581-022-2220. As a result of the changes, several policies have been revised.  <i>Changes are a result of OSBA Policy Update dated April 2024.</i>

<b>EBC-AP: Emergency Plan and First Aid</b>	<p>This is a new administrative policy. As a result of House Bill 3584 (2023), several policies have been revised/reorganized to include recoding and/or reassigned content to a different policy or section.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>EBC/EBCA-AP: Emergency Procedures &amp; Disaster Plans</b>	<p>As a result of House Bill 3584 passed in 2023, several policies have been revised/reorganized to include recoding and/or reassigned content to a different policy or section. This policy is being recommended for deletion as the language has been incorporated into EBC-AP, EBCA-AP, and EBCB-AP.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>EBC/EBCA-AR: Communications Regarding Serious Incident</b>	<p>As a result of House Bill 3584 passed in 2023, several policies have been revised/reorganized to include recoding and/or reassigned content to a different policy or section. The regulation is being recommended for deletion as the language has been incorporated into EBC-AP, EBCA-AP, and EBCB-AP.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>EBCA-AP: Safety Threats</b>	<p>This is a new administrative policy. House Bill 3584 passed in 2023 requires districts to adopt policy language about using electronic communication to notify parents, guardians, and employees within 24 hours of a safety threat action that was not a drill.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>EBCB-AP: Emergency Procedure Drills and Instruction</b>	<p>As a result of House Bill 3584 passed in 2023, several policies have been revised/reorganized to include recoding and/or reassigned content to a different policy or section. Renamed from an Administrative Regulation to an Administrative Policy. Updates also include alignment with current district practices.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>EEACCA-AR: District Photo/Video Equipment Use</b>	<p>The updated language aligns with language in the current MOU/IGA. Additional updates include aligning position titles with current district structure.</p> <p><i>No public feedback solicited as the updates align with required language found in district MOU/IGA with the City of Bend and Deschutes County Sheriff's Office.</i></p>
<b>GBEB-AP: Communicable Diseases in Schools</b>	<p>The State Board of Education adopted revisions to OAR 581-022-2220. As a result of the changes, several policies have been revised.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>GBEB-AR: Communicable Diseases in Schools</b>	<p>The State Board of Education adopted revisions to OAR 581-022-2220. As a result of the changes, several policies have</p>

	<p>been revised. The regulation has been rewritten to align formatting with OSBA sample policy.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>GBN/JBA-AR(1): Sexual Harassment Complaint Procedures</b>	<p>Updates align with requirements in HB 2280 and reflect current district processes.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>GBN/JBA-AR(2): Federal Law (Title IX) Sexual Harassment Complaint Procedure</b>	<p>Regulation was reviewed to ensure it reflects current district processes. No changes were made.</p> <p><i>Review was a result of OSBA Policy Update dated April 2024.</i></p>
<b>GBNAB/JHFE-AR: Reporting of Suspected Child Abuse</b>	<p>Updates align with requirements in SB 231 and Department of Human Services (DHS) current processes. The policy has been rewritten to align formatting with OSBA sample policy.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>GCDA/GDDA-AP: Criminal Records Check and Fingerprinting</b>	<p>Updated to align with newly revised rules regarding fingerprint collection and appeal process. The updated language eliminates the need for an administrative regulation. The policy was rewritten to align formatting with the OSBA sample policy.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>GCDA/GDDA-AR: Criminal Records Check/Fingerprinting</b>	<p>This regulation is being recommended for deletion as the language has been incorporated into GCDA/GDDA-AP.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>IGBAF-AP: Special Education – Individualized Education Program (IEP)</b>	<p>Updates include references to new laws and alignment with district processes.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>IGBAF-AR: Special Education – Individualized Education Program (IEP)</b>	<p>Updates align with the requirements in SB 756 (2023). The regulation has been rewritten to align formatting with OSBA sample policy.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>IGBAG-AP: Procedural Safeguards</b>	<p>Renamed from an Administrative Regulation to an Administrative Policy. Updates align with the passage of SB 756 (2023).</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>JGAB-AP: Use of Restraint or Seclusion</b>	<p>Updates align with the requirements in SB 1024 (2023). The policy has been rewritten to align formatting with OSBA sample policy.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>JGAB-AR: Use of Restraint or Seclusion</b>	<p>Updates align with the requirements in SB 1024 (2023). The regulation has been rewritten to align formatting with OSBA sample policy.</p>

	<i>Changes are a result of OSBA Policy Update dated April 2024.</i>
<b>JHC-AR: Student Health Services and Requirements</b>	<p>The State Board of Education adopted revisions to OAR 581-022-2220. As a result of the changes, several policies have been revised. The regulation is being recommended for deletion in lieu of new administrative policy EBBA-AP.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>JHCA-AR: Physical Examination of Students</b>	<p>The State Board of Education adopted revisions to OAR 581-022-2220. As a result of the changes, several policies have been revised. This regulation is being recommended for deletion in lieu of new administrative policy JHCA/JHCB-AP.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>JHCA/JHCB-AP: Immunization and School Sports Participation</b>	<p>This is a new administrative policy. The State Board of Education adopted revisions to OAR 581-022-2220. As a result of the changes, several policies have been revised.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>JHCB-AR: Immunization of Students</b>	<p>The State Board of Education adopted revisions to OAR 581-022-2220. As a result of the changes, several policies have been revised. This regulation is being recommended for deletion in lieu of new administrative policy JHCA/JHCB-AP.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>JHCC-AP: Communicable Diseases – Students</b>	<p>Policy is being recommended for deletion as the requirement for this policy was found in OAR 581-022-2220, which has since been revised and the requirement removed in lieu of a new requirement for a Communicable Disease Plan.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>JHCCF-AP: Pediculosis (Head Lice)</b>	<p>This is a new administrative policy. The State Board of Education adopted revisions to OAR 581-022-2220. As a result of the changes, several policies have been revised.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>
<b>KBA-AR: Public Records</b>	<p>Updates include grammatical corrections to align with current district practices. The policy has been rewritten to align formatting with the OSBA sample policy.</p> <p><i>Changes are a result of OSBA Policy Update dated April 2024.</i></p>

**ADMINISTRATIVE REGULATIONS**

**BEND - LA PINE SCHOOL DISTRICT NO 1  
ADMINISTRATIVE REGULATIONS**

**CODE: DJ-AR  
PUBLIC CONTRACTING RULES AND PROCEDURES**

**DATED: 9/10/2024 ~~2/14/2023~~**

draft 9.2024

**Pursuant to ORS 279A.065(5) the Bend-La Pine Public School District (“District”) adopts the Attorney General’s Model Public Contract Rules with the exceptions listed below and contained herein is a list of Special Class Exemptions from these rules as allowed by ORS 279B.085 and procedures for the acquisition and disposition of surplus property.**

## **PUBLIC CONTRACTING RULES AND PROCEDURES**

### **A. Delegation.**

(1) Except as otherwise provided in these rules, the powers and duties of the Local Contract Review Board (“LCRB”) under the Public Contracting Code must be exercised and performed by the Board of Directors.

(2) Pursuant to ORS 332.075(3), the Board delegates to the Superintendent the authority to enter into and approve payment on contracts for products, materials, capital outlay, equipment, and services if the contract is within appropriations made by the Board pursuant to ORS 294.456. The Superintendent shall seek Board approval for any items as outlined in Executive Limitations.

(3) References in the Oregon Model Rules to the “Chief Procurement Officer” shall be deemed to refer to the Superintendent. For the purposes of the District’s public contracting rules, “Superintendent” shall mean the District Superintendent of Schools or the Superintendent’s designee.

### **B. Personal Services.**

(1) **Definitions.** “Personal Services” shall be defined to include those services that require specialized technical, creative, professional or communication skills or talents, unique and specialized knowledge, or the exercise of discretionary judgment, and for which the quality of the service depends on attributes that are unique to the service provider. Such services shall include, but are not limited to: architects; engineers; photogrammetrists; transportation planners; surveyors; attorneys, accountants, auditors and other licensed professionals; computer programmers; artists; designers; performers; and consultants. The Superintendent shall have the authority to determine whether any additional service not specifically mentioned in this paragraph is a “personal service” under this definition. “Personal Services Contract” shall mean a contract for the provision of Personal Services.

(2) **Contracts for Personal Services.** Except as required by ORS Chap. 279C, Personal Services Contracts shall be awarded in accordance with the source selection procedures set forth in Division 47 of the Model Rules. Notwithstanding the foregoing:

- (a) OAR 137-047-0250 shall not apply to Personal Services Contracts unless otherwise required by applicable law;
- (b) Contracts for architectural, engineering, photogrammetric mapping, transportation planning or land surveying or related services shall be awarded in accordance with the source selection procedures set forth in Division 48 of the Model Rules; and
- (c) Contracts for architectural, engineering, photogrammetric mapping, transportation planning or land surveying or related services, all as defined by ORS 279C.100, may be awarded pursuant to ORS 279C.115 or 279C.120, when applicable.

**C. Special Procurements and Exemptions.**

(1) The LCRB may exempt from competitive bidding certain contracts or classes of contracts for the procurement of goods and services according to the procedures described in ORS 279B.085. In accordance with OAR 137-047-0285(2), the District shall give public notice of the District's approval of a special procurement for goods and services in the same manner as public notice of competitive sealed bids under ORS 279B.055(4) and OAR 137-047-0300. The public notice shall describe the goods or services or class of goods or services to be acquired through the special procurement the District shall give affected persons at least seven (7) days from the date of the notice of approval of the special procurement to protest the special procurement.

(2) The LCRB may exempt certain contracts or classes of contracts for public improvements from competitive bidding according to the procedures described in ORS 279C.335. When exempting a public improvement from competitive bidding, the LCRB may authorize the contract to be awarded using a Request for Proposal process for public improvements, according to the processes described in OAR 137-049-0640 through 137-049-0690.

**D. Small Procurements (under \$25,000 ~~10,000~~).**

(1) Public contracts under \$25,000 ~~10,000~~ are not subject to competitive bidding requirements. The Superintendent shall make a reasonable effort to obtain competitive quotes in order to ensure the best value for the District.

(2) The District may amend a public contract awarded as a small procurement beyond the \$25,000 ~~10,000~~ limit in accordance with OAR 137-047-0800, provided the cumulative amendments do not increase the total contract price to a sum that is greater than one hundred twenty-five percent (125%) of the original contract price.

**E. Intermediate Procurements (between \$25,000 ~~10,000~~ and \$150,000).**

(1) A contract for procurement of goods and services estimated to cost between \$25,000 ~~10,000~~ and \$150,000, or a contract for a public improvement that is estimated to cost between \$25,000 ~~10,000~~ and \$100,000, may be awarded according to the processes for intermediate procurements described in ORS 279B.070.

(2) The District may amend a public contract awarded as an intermediate procurement beyond the stated limitations in accordance with OAR 137-047-0800, provided the cumulative amendments shall not increase the total contract price to a sum that is greater than one-hundred twenty-five percent (125%) of the original contract price.

(3) The District requires documentation demonstrating the effort to obtain three quotes for Intermediate Procurements between the dollar value of \$25,000 ~~10,000~~ and \$100,000 that may be reviewed by the Procurement Manager or designee. Procurements over \$100,000 up to \$150,000 must be approved by the Superintendent.

**F. Methods for Awarding Contracts Using Request for Proposal Process.**

In making an award using the request for proposal process in ORS 279B.060, the District may use any evaluation method determined to be most appropriate for the selection process, including, but not limited to, the processes described in ORS 279B.060(6)(b). The evaluation process(es) to be used shall be stated

in the Request for Proposals. OAR 137-047-02640 through 137-047-02631 shall apply to evaluation of proposals.

**G. Emergency Contracts.**

(1) “Emergency” shall be defined as follows: “Circumstances that (a) could not have reasonably been foreseen; (b) create a substantial risk of loss, damage, or interruption of services or a substantial threat to property, public health, welfare or safety; and (c) require prompt execution of a contract to remedy the condition.”

(2) The Board Chair or the Superintendent shall have authority to determine when emergency conditions exist sufficient to warrant an emergency contract. The nature of the emergency and the method used for the selection of the contractor shall be documented.

(3) Emergency contracts may be awarded as follows:

- (a) Goods and Services. Emergency contracts for procurement of goods and services may be awarded pursuant to ORS 279B.080 and section B, “Delegation,” of these Rules.
- (b) Public Improvements. The District hereby adopts OAR 137-049-0150 as its contracting rules for awarding a public improvement contract under emergency conditions, pursuant to ORS 279B.080.

**H. Appeals of Prequalification Decisions and Debarment Decisions.**

(1) Review of the District’s prequalification and debarment decisions shall be as set forth in ORS 279B.425. The following additional procedures shall apply to hearings on such decisions by the LCRB:

- (a) Notices shall be submitted in writing to the Superintendent. Appeals filed after the filing period stated in ORS 279B.425 shall not be heard.
- (b) Upon opening of the hearing, District staff shall explain the District’s decision being appealed and the justification therefor. The appellant shall then be heard. Time for the appellant’s testimony shall be established by the Board Chair. The appellant may submit any testimony or evidence relevant to the decision or the appeal. Any party requesting time to testify in support of the appeal shall then be heard, subject to time limits established by the Board Chair.
- (c) Once all testimony and evidence in support of the appeal is heard, any party requesting time to testify in support of the District’s decision shall be provided time to be heard, subject to time limits established by the Board Chair. Any party testifying in opposition to the appeal may submit any testimony or evidence relevant to the decision or the appeal. Once all testimony in opposition to the appeal has been heard, the appellant may request time to provide rebuttal testimony. At the conclusion of the rebuttal testimony, if any, the Board Chair shall close the hearing.
- (d) When issued in writing according to the requirements of ORS 279B.425, the LCRB’s decision and order shall be final.

**I. Electronic Advertising.**

Pursuant to ORS 279B.055 and 279C.360, electronic advertisement of public contracts in lieu of publication in a newspaper of general circulation in the area where the contract is to be performed, is authorized when it is likely to be cost-effective to do so. The Superintendent shall have the authority to determine when electronic publication is appropriate, and consistent with the District's public contracting policies. Notwithstanding the foregoing, publication of public improvement contracts, with an estimated cost in excess of \$125,000, shall also be made in at least one trade newspaper of general statewide circulation.

draft 9.2024

## CLASS SPECIAL PROCUREMENTS AND EXEMPTIONS

### I. Class Special Procurements:

- A. The District may award a public contract under a Class Special Procurement pursuant to the requirements of ORS 279B.085. Such procurements allow the District to enter into one or more contracts over time without following the requirements of competitive sealed bidding, competitive sealed proposals, or small or intermediate procurements. The Superintendent may request a resolution from the LCRB exempting a particular contract or class of contracts from competitive bidding if the contract or contracts are not otherwise exempted under these rules.
- B. The LCRB declares the following as class special procurements. Unless otherwise specified in a particular special procurement rule, such contracts may be awarded in any manner that the Chief Procurement Officer deems appropriate for the District's needs, including by direct appointment or otherwise. Except as otherwise provided, the Chief Procurement Officer shall make a record of the method of award.
1. **Advertising Contracts, Purchase of.** The Chief Procurement Officer, acting on behalf of the District, may purchase media advertising, regardless of dollar value, without competitive bidding.
  2. **Advertising Contracts, Sale of.** The Chief Procurement Officer, acting on behalf of the District, may authorize the sale of advertising in district publications and for district activities, regardless of dollar value, without competitive bidding.
  3. **Equipment Repair and Overhaul.** The Chief Procurement Officer, acting on behalf of the District, may enter into a Public Contract for equipment repair or overhaul without competitive bidding, subject to the following conditions:
    - (a) **Conditions.**
      - (A) Service or parts required are unknown and the cost cannot be determined without extensive preliminary dismantling or testing; or
      - (B) Service or parts required are for sophisticated equipment for which specially trained personnel are required and such personnel are available from only one source; and
      - (C) The District purchases within the limits and pursuant to the methods in (3)(b) of this Rule.
    - (b) **Process and Criteria.** The Chief Procurement Officer will use competitive methods wherever possible to achieve best value and must document in the Procurement File the reasons why a competitive process was deemed to be impractical. If the anticipated purchase is \$10,000 or more but less than \$150,000 competitive quotes must be obtained and retained in the Procurement File pursuant to the rules governing Intermediate Procurements. See also Public Contracting Rules and Procedures, E. Intermediate Procurements, (3).
  4. **Purchase of Used Personal Property.** The District may directly purchase used personal property and equipment if such property is suitable for the District's needs and can be purchased for a lower cost than substantially similar new property. For the purpose of this

rule, the cost of used property shall be based upon the life-cycle cost of the property over the period for which the property will be used by the District. "Used personal property or equipment" means the property or equipment which has been placed in its intended use by a previous owner or user for a period of time recognized in the relevant trade or industry as qualifying the personal property or equipment as "used," at the time of purchase. "Used personal property or equipment" generally does not include property or equipment if the District was the previous user, whether under a lease, as part of a demonstration, trial or pilot project, or similar arrangement.

5. **Software and Hardware Maintenance, Licenses, Subscriptions, and Upgrades.** The Superintendent may directly enter into a Contract or renew existing Contracts for information technology and telecommunications hardware or software maintenance, licenses, subscriptions, and upgrades without competitive solicitation where the maintenance, upgrades, subscriptions, and licenses are either available from only one source or, if available from more than one provider, are obtained from the District's current provider in order to utilize the pre-existing knowledge of the vendor regarding the specifics of the District's hardware or software system. The Superintendent shall document in the Procurement File the facts that justify either that maintenance, licenses, subscriptions, and upgrades were available from only one source or, if from more than one source, from the current vendor.
6. **Copyrighted and Creative Works.** The District may purchase without competitive bidding and regardless of dollar amount, copyrighted materials or creative works where there is only one known supplier available for such goods, or one or more supplier(s) to provide all materials consistently and efficiently to the District without a competitive process. This includes, but is not limited to, new books, periodicals, curriculum materials, reference materials, instructional software applications and related digital resources, assessment, assessment materials and reports, audio and visual media, and non-mass marketed software from a particular publisher or its designated distributor. Examples of creative works include, but are not limited to: artwork, music, uncopyrighted writings and similar works. Authorized staff may purchase Copyrighted and Creative works directly or indirectly from the best supplier to meet the needs of the District without a competitive process.
7. **Requirements Contracts. (Blanket Purchase Orders, Price Agreements).** The Chief Procurement Officer, acting on behalf of the District, may establish requirements contracts for the purposes of minimizing paper work, achieving continuity of products, securing a source of supply, reducing inventory, combining District requirements for volume discounts, standardization among District departments and reducing lead time for ordering. Requirements contracts may be utilized in accordance with the following:
  - (A) The contract must have originally been let by competitive procurement procedures;
  - (B) District departments may purchase the goods or services from the awarded contractor without first undertaking additional competitive procurement procedures; and
  - (C) The term of any District requirements contract, including renewals, will not exceed the term stated in the Solicitation.
  - (D) Under the authority of ORS 279A.025 and 279B.085, the district may use the requirements contracts entered into by another Oregon public agency when:
    - (1) The original contract met the requirements of public contracting code; and
    - (2) The original contract allows other public agency usage of the contract; and

- (3) The original public contracting agency concurs and this is documented by a written interagency agreement between the district and the agency

**8. Brand Names or Products, “or Equal,” Single Seller and Sole Source.** The District may enter into a public contract for the procurement of Brand Name “or Equal” Products subject to the requirements of this rule.

**(A) Specifications.** Solicitation specifications for public contracts must not expressly or implicitly require any product of any particular manufacturer or seller except as expressly authorized in Subsections (i) and (ii) of this Rule.

**(i) “Or Equal” Specification.** The District may specify a particular brand name, make or product suffixed by “or equal”, “or approved equal”, “or equivalent”, “or approved equivalent”, or similar language if there is no other practical method of specification.

**(ii) Specifying a Particular Make or Product.** The District may specify a brand name, make, or product without an “or equal” or equivalent suffix if there is no other practical method of specification, after documenting the procurement file with the following information:

**(I)** A brief description of the solicitation(s) to be covered including volume of contemplated future purchases;

**(II)** The brand name, mark, or product to be specified; and

**(III)** The reasons for seeking this procurement method, which must include at least one of the following findings in the procurement file:

**(aa)** It is unlikely that Specification of the brand name, mark or product will encourage favoritism in the award of the public contracts or substantially diminish competition; or

**(bb)** Specification of the brand name, mark or product would result in substantial cost savings to the District; or

**(cc)** Efficient utilization of existing equipment or supplies requires the acquisition of compatible equipment or supplies.

**(B) Public Notice.** The District will make reasonable effort to notify all known suppliers of the specified product and invite such suppliers to submit competitive bids or proposals; or document the procurement file with findings of current market research to support the determination that the product is available from only one seller. This Requirement is satisfied by electronically posting a notice as provided in Rule 47-0330 for a reasonable period of time or by documenting direct contact with such suppliers in the Procurement file.

**(C) Purchasing From Sole Source, Single Seller.** The District may purchase a particular product or service available from only one source if the District meets the Requirements a Sole-Source Procurement pursuant to ORS 279B.275. Prior to purchase, the District must document its findings of current market research to support the determination that the product or service is available from only one seller or source and place this information in the procurement file. The District’s findings must also include:

**(i)** A brief description of the contract or contracts to be covered including volume of contemplated future purchases;

**(ii)** Description of the product or service to be purchased; and

**(iii)** The reasons the District is seeking this procurement method, which must include at least the following:

**(I)** Efficient utilization of existing Goods or Services requires the acquisition of compatible Goods or Services; or

- (II) The Goods or Services required for the exchange of software or data with other public or private agencies are available from only one source ; or
- (III) The particular product is for use in a pilot or an experimental project.
- (IV) Other Findings that support the conclusion that the Goods or Services are available from only one source.

**(D) Single Manufacturer, Multiple Sellers.** The District may specify a product or service available from only one manufacturer, but available through multiple sellers, if the Requirements of the following are met:

- (i) If the total purchase is \$10,000 or more but does not exceed \$150,000 competitive quotes must be obtained and retained in the Procurement File pursuant to the rules governing Intermediate Procurements;
- (ii) If the purchase exceeds \$100,000, the procurement shall be approved by the Chief Procurement Officer.
- (ii) (iii) If the purchase exceeds \$150,000, the acquisition shall be made through competitive procurement unless a contract-specific special procurement is authorized by the LCRB.

**(E) Single Manufacturer, Multiple Purchases.** If the District intends to make several purchases of the product of a particular manufacturer or seller for a period not to exceed ten (10) years, the District must so state in the Solicitation file and the Solicitation Document, if any. Such documentation and public notice constitute sufficient notice as to subsequent purchases. If the total purchase amount is estimated to exceed \$150,000, this must be stated in the advertisement for Bids or Proposals.

**(F) Competitive Solicitations.** If the District competitively solicits, it must comply with the Rules for that method of Solicitation pursuant to ORS 279B.055 through 279B.075.

**(G) Public Notice.** If the Sole Source Contract amount is greater than \$150,000, the District shall give public notice of the Superintendent's determination that the Goods or Services or class of Goods or Services are available from only one source. The District shall publish such notice in a manner similar to public notice of Competitive Sealed Bids under ORS 279B.055(4). The public notice shall describe the Goods or Services to be acquired by a sole-source Procurement, identify the prospective Contractor, and include the date, time, and place that protests are due. The District shall give affected Persons at least seven Days from the date of the notice of the determination that the Goods or Services are available from only one source to protest the sole-source determination.

**9. Purchases under Federal Contracts.** When the price of goods and services has been established by a contract of the federal government pursuant to a federal contract award, the District may purchase the goods and services in accordance with the federal contract without subsequent competitive bidding. In exercising its authority under this exemption, the District shall document its authority to purchase under the federal contract and document the cost savings to be gained for the District from the anticipated purchases under the federal contract. The District shall not contract pursuant to this rule in the absence of a cost savings to the District by using this method.

**10. Hazardous Material Removal and Cleanup.** The District may directly acquire services to remove or clean up hazardous material or oil from any vendor when ordered to do so by the

Oregon Department of Environmental Quality pursuant to its authority under ORS Chapter 466. In doing so, the following conditions apply:

- (A) To the extent reasonable under the circumstances, the District will encourage competition by attempting to obtain informal price quotations or proposals from potential suppliers of goods and services.
- (B) The District department responsible for managing or coordinating the clean-up shall submit to the Chief Procurement Officer:
  - (i) A written description of the circumstances that require the clean-up;
  - (ii) A copy of the DEQ order for the clean-up; and
  - (iii) A request for contract authorization;
- (C) The District department responsible for managing or coordinating the clean-up shall record whether there was time for competition, and, if so, the measures taken to encourage competition, the amount of the price quotations obtained, if any, and the reason for selecting the contractor to whom award is made; and
- (D) The timeline for cleanup does not permit use of intermediate procurement procedures.

**11. Purchases Under Contracts Solicited by Procurement Organizations of Which the District Is a Member.** The District may purchase Goods and/or Services under a Contract or Procurement solicited by a Procurement Organization of which it is a member. Such Procurement must otherwise comply with the requirements for permissive, joint, or interstate Cooperative Procurements, as applicable, pursuant to ORS 279A.200-225.

**12. Insurance and Employee Benefit.** The District may purchase liability, property damage, workers' compensation, and other insurance and insurance services Contracts, and employee benefits, without Competitive Procurement and regardless of dollar amount, by selecting either a vendor directly or by appointing an agent of record. "Employee benefits" includes, but is not limited to, "employee benefit plans" as defined in ORS 243.105(1), flexible benefit plans as defined in ORS 243.221, insurance or other benefit based on life, supplemental medical, supplemental dental, optical, accidental death or disability insurance plans, long-term care insurance, health care coverage to retired officers, employees, spouses, and children, employee assistance plans, and expense reimbursement plans.

**13. Disposal of Abandoned, Seized or Non-owned Property.** Contracts or arrangements for the sale or other disposal of abandoned, seized or other personal property not owned by the District at the time the District obtains possession are not subject to competitive procurement procedures. The Chief Procurement Officer may select any method of disposal including, but not limited to, donation to a charitable organization.

**14. Disposal of Surplus Property.** Surplus property shall be disposed of in accordance with the procedures outlined below.

**15. Temporary Extensions or Renewals.** The District may enter into contracts for a single period of one year or less, for the temporary extension or renewal of an expiring and non-renewable, or recently expired, contract, other than a contract for public improvements, without competitive bidding.

- 16. Temporary Use of District Property.** The District may negotiate and enter into a license, permit or other contract for the temporary use of District-owned property without using a competitive selection process if:
- (A) The contract results from an unsolicited proposal to the District based on the unique attributes of the property or the unique needs of the proposer;
  - (B) The proposed use of the property is consistent with the District's use of the property and the public interest; and
  - (C) The District reserves the right to terminate the contract without penalty, in the event that the District determines that the contract is no longer consistent with the District's present or planned use of the property or the public interest.
- 17. Sponsorship Agreements.** Sponsorship agreements, under which the District receives a gift, donation or consideration in exchange for official recognition of the person making the donation or payment may be awarded by any method deemed appropriate by the District, including without limitation, by direct appointment, private negotiation, from a qualified pool, or using a competitive process.
- 18. Concession Agreements.** The District may enter into contracts which grant a franchise or concession to a private entity or individual to promote or sell, for its own business purposes, specified types of goods or services from District property and under which the concessionaire or promoter makes payments to the District based, at least in part, on the concessionaire's revenues from sales or the value of such promotion to the sponsor's business, whether on or off the District property. A concession agreement does not include an agreement which represents a rental, lease, license, permit or other arrangement for the use of public property. Concession agreements may be awarded by any method deemed appropriate by the Chief Procurement Officer including without limitation, by direct appointment, private negotiation, from a qualified pool, or using a competitive process.
- 19. Fuel.** The District may purchase fuel including propane, gasoline or diesel, lubricants, and asphalt as needed, without competitive bidding.
- 20. Transportation.** The District may use 3<sup>rd</sup> party transportation services such as for bussing students to and from sports activities or other approved events without competitive bidding.
- 21. Banking.** The District will allow use of one or more banking institutions to support the District's banking needs. Selection is based on local and/or regional established branches that can support the multiple needs of the District. The District shall select those banking institutions to meet the needs of the District without a competitive process.
- 22. Audit.** The District may directly appoint an Audit firm to support the needs of the District audit requirements. Where multiple firms have the capability to perform District audit services, the District shall seek 3 quotes and determine which firm best meets the needs of the District.
- 23. Purchase of Products for Resale to Students, Staff and the Public.** The District may purchase personal property for resale to students, staff and the public without Competitive Procurement and regardless of dollar amount.

- 24. Donated Materials or Services.** The District may directly negotiate a Contract with a Person to perform Services or provide Goods or Services regardless of dollar amount, if:
- (a) The Person has agreed to donate all or a significant portion of the materials or Services necessary to perform the Work; and
  - (b) The Person enters into a license or agreement with the District whereby the Person agrees to comply with the Public Contract requirements applicable to the particular Project and any requirements that the District deems necessary or beneficial to protect the District.
- 25. Contracts for Price-Regulated Items.** The Superintendent may contract for the direct purchase of Goods or Services where the rate or price for the Goods or Services being purchased is established by federal, state, or local regulatory authority without competitive solicitation.
- 26. Service Monopoly.** The Superintendent may enter into Contracts for Work by a utility or other entity that has been granted a monopoly for Services for a specific geographic area or provision of a type of Service and by agreement the utility or entity is either entitled to or is required to perform the required Work.
- 27. Investment Contracts.** The Superintendent may contract for the investment of District funds or the borrowing of funds by the District when such investment or borrowing is contracted pursuant to statute, rule, or constitution. The Superintendent shall use competitive methods where possible to achieve the best value for the District.
- 28. Rating Agency Contracts.** The District may purchase the Services of Moody's I Investors Service, Standard & Poor's, or similar rating agencies.
- 29. Hotel, Catering, and Space Rental Contracts.**
- (a) The Superintendent may rent a room or meeting facility in a hotel, event space, or other venue for District purposes without competitive procurement.
  - (b) The Superintendent may hire a caterer without competitive procurement where use of a particular caterer or catering service is a condition of rental of a facility.
- 30. Specialized Assistive Equipment for Students.** The superintendent may directly procure specialized assistive equipment for students, including without limitation positioning equipment for orthopedically impaired students and assistive technology for blind/vision impaired, deaf/hard of hearing, and deaf/blind students, and augmentative and alternative communication equipment for students who require such assistance.
- 31. Service, Repair, or Maintenance Services for Products under Warranty.** The superintendent may directly procure service, repair, or maintenance services from a manufacturer, dealer, or authorized service provider for a product or a system subject to a warranty when the terms of the warranty require use of a particular maintenance service provider or providers, or when the manufacturer or approved provider must diagnose a problem because the system or part is proprietary.

## **II. Exemptions:**

- A. The District may award a public improvement contract under an exemption to competitive procurement pursuant to the requirements of ORS 279C.335. Such procurements allow the District to enter into one or more contracts over time without following the requirements of competitive sealed bidding, competitive sealed proposals, or small or intermediate procurements.
- B. The LCRB declares the following public improvement contracts to be exempt from competitive bidding. Unless otherwise specified in a particular exemption rule, such contracts may be awarded in any manner that the Chief Procurement Officer deems appropriate for the District's needs, including by direct appointment or otherwise. Except as otherwise provided, the Chief Procurement Officer shall make a record of the method of award.
  - 1. Use of Existing Contractors.** When a public improvement is in need of minor alteration, repair or maintenance at or near the site of work being performed by another District contractor, the District may hire that contractor to perform the work, provided:
    - (A) The contractor was hired through a selection process permitted by the District's public contracting rules;
    - (B) The Chief Procurement Officer first obtains a price quotation for the additional work from the contractor that is competitive and reasonable; and
    - (C) The original contract is amended to reflect the new work and is approved by the Chief Procurement Officer before work begins.

### **C. Waiver of Bid Security Requirements.**

#### **Public Improvement Contracts Under \$100,000**

- (1) **Authorization.** The Local Contract Review Board hereby grants approval of this rule pursuant to ORS 279C.375 and 279C.390. The Chief Procurement Officer, acting on behalf of the District, may, at his discretion, waive bid security requirements if the amount of the public improvement contract is less than \$100,000. Although bid security may be waived for contracts under \$100,000, the District may impose a bid or quote security requirement for projects under \$100,000 when deemed to be in the best interest of the District.
- (2) **Findings of Fact/Conclusion of Compliance with the Law.** This rule allows the superintendent to waive bid security requirements for certain public improvement contracts pursuant to ORS 279C. Since this waiver is provided for in statute, findings are not required.

### **D. Waiver of Performance Bond and Payment Security Requirements.**

#### **Public Improvement Contracts Under \$100,000**

- (1) **Authorization.** The Local Contract Review Board hereby grants approval of this rule pursuant to ORS 279C.375 and 279C.390. The Chief Procurement Officer, acting on behalf of the District, may, at his discretion, waive performance and/or payment security requirements if the amount of the public improvement contract is less than \$100,000. Although bid security may be waived for contracts under \$100,000, the District may impose a performance and/or payment security requirement for projects under \$100,000 when deemed to be in the best interest of the District.

- (2) **Findings of Fact/Conclusion of Compliance with the Law.** This rule allows the superintendent, acting on behalf of the District, to waive performance and/or payment security requirements for certain public improvement contracts pursuant to ORS 279C. Since this waiver is provided for in statute, finds are not required.

draft 9.2024

## **SURPLUS PROPERTY**

### **Sale of Used Personal Property.**

1. The Superintendent may sell used personal property without obtaining Competitive Bids or Quotes if a liquidation sale would bring in greater revenue to the District than would be gained through Bids. As used in this section, "surplus personal property" is property or equipment that has been determined to no longer be useful to the District. It may be property or equipment that the District has used for some time and that is fully used up or obsolete. It may be property or equipment that is the natural excess or leftover from a Project, such as cable, wire, carpet, etc., that has been cut or partially used in some manner so that it cannot be returned to the supplier for a refund.
2. For sales of surplus property valued at more than \$25,000 per item or lot, the Superintendent must attempt to obtain at least three Competitive Quotes. The Superintendent will keep a Written record of the source and number of Quotes received. If three Quotes are not available, a Written record must be made of the attempt to obtain three Quotes.
3. The Superintendent may sell used personal property regardless of price via an electronic auction or sales service including, without limitation, eBay, Craigslist, or other similar Internet-based auctions or marketplaces. If the service does not otherwise provide for a competitive sales process, the Superintendent will establish a minimum Bid, a time period for acceptance of Bids, and will not sell the property unless the Superintendent receives a minimum of three Bids. The sale will be Awarded to the highest Responsible Bidder submitting a Responsive Bid, except that the Superintendent may accept a lower Bid if transportation or other costs associated with collection or delivery of the property would offset the higher Bid amount.
4. The Superintendent may sell, sell at a discount, or donate used personal property to another school district, to another Public Body, or to a nonprofit corporation that provides educational, social, or other important services to the District, District students, or families of District students.
5. If the Superintendent determines that the used personal property has no market value, or that the market value is so low that the staff time or cost involved in selling the property is likely to exceed the value of the used personal property, the Superintendent may dispose of the property as the Superintendent determines is in the best interest of the District



**Purchasing Process**

1. The intent of the purchasing process is to purchase competitively without prejudice and to seek maximum value.
2. Purchasers should use a district purchasing card whenever the card is accepted by the vendor and no credit card fees are assessed when paying with a purchasing card.
3. When a district purchasing card is not accepted by a vendor, the purchaser will generate a purchase order (PO) from the district accounting system. A PO must be signed prior to sending to a vendor and may only be signed by authorized staff within the assigned signing authority limits.
4. All purchases, on behalf of the district, should follow the rules as outlined in DJ-AR: Public Contracting Rules and Procedures and as outlined in the district's Accounting Handbook.

**Purchasing Authority & Limits**

1. The determination of purchasing authority and purchasing limits for each position in the district will be made by the Superintendent or Superintendent's designee. Any exceptions to purchasing card limits must be approved by the Finance Director or designee.
2. Granted authority limit will apply to all district purchases with the exception of travel and employee reimbursements.
3. All travel expenditures and employee expense reimbursements must be approved by the employee's site administrator, supervisor, or grant administrator, whichever applies.
4. The following groups have the authority to purchase goods or services up to the listed limit:

Group	Limit
District Staff, as needed	\$500
Culinary, Coaches	\$1,500
Office Managers, Accounting Techs, Catering, Maintenance, Student Services	\$3,000
Foreman, Fleet Services & Custodial Supervisors	\$5,000
School Principals, Department Office/Operations Managers & Buyers	\$25,000
Non-Operations Executive Directors School Principals	\$50,000 <del>25,000</del>
Operations Executive Directors, Chief Operations Officer, Chief Human Resources Officer Assistant Directors & Department Supervisors	\$100,000
Superintendents, Chief Operations & Financial Officer & Finance Director	No limit, except per executive limitations
Board of Directors	No limit
As delegated by the Chief Financial Officer (CFO)	Per CFO delegation not to exceed \$100,000

5. All agreements and/or contracts for rent or lease of facilities to be used in school operations, paid or unpaid, will be approved by the Chief ~~Operations and~~ Financial Officer or designee. All agreements related to real estate with monetary consideration will be signed by the Superintendent or Chief Financial Officer. Agreements related to real estate without monetary consideration will be signed by the Superintendent, Chief Financial Officer, or Chief Operations Officer.
6. The authority to sign contracts will reside with administrators and supervisors, up to their respective limits as listed above.
7. All Federal grant purchases shall be in accordance with 2CFR200.318-2CFR200.327 and ORS 279B, and must follow federal purchasing guidelines and Oregon Procurement Statute. Any Federal grant purchases under \$10,000 can be awarded using the micro purchase procurement method in accordance with 2CFR200.320(a)(1). Purchases must be spread equitably to the maximum extent possible and must be documented.
8. All Federal grant purchases greater than \$10,000 must be approved by the Grant Accountant prior to submitting to the Procurement and Contract Manager for approval, utilizing the District's Intermediate Procurement form.

9. All purchases, including contracts with a total cost exceeding \$25,000 ~~10,000~~ require review by the Procurement and Contract Manager prior to finalizing.
10. All purchases will be made in accordance with the Attorney General Model Rules and rules and guidelines outlined in DJ-AR: Public Contracting Rules and Guidelines. Following is a summary of the current rules:
  - a. The purchaser will obtain three quotes for purchases exceeding \$25,000 ~~10,000~~ and use the district's Intermediate Procurement form to list the three quotes and attach written documentation when available.
  - b. All purchases exceeding \$100,000 will be made with the oversight of the Procurement and Contract Manager and will be reviewed by the Finance Director.
  - c. Any exceptions to these rules must first be reviewed by the Procurement and Contract Manager and approved by the Chief ~~Operations and~~ Financial Officer or designee.
11. This administrative regulation is intended to work in conjunction with parameters contained in other administrative regulations.

END OF ADMINISTRATIVE REGULATION

---

REVIEWED: 11/26/07, 5/12/08, 9/23/13, 1/21/14, 6/15/16, 1/10/23, 9/10/24  
APPROVED: 11/26/07, 5/12/08, 9/30/12, 1/21/14, 6/17/16, 2/14/23

draft 9.2024



Although the district's primary responsibility is to educate students, the students' health and general welfare is also an important Board responsibility. The Board believes school programs should be conducted in a manner that protects and enhances student and employee health and is consistent with good health practices. A health services plan shall be developed, implemented, and updated annually. The plan shall describe a health services program for all students at each facility that is owned or leased where students are present for regular programming.

The district shall maintain a written prevention-oriented health services plan for all students. The health services plan will<sup>1</sup>:

1. Explain available health care space that is appropriately supervised and adequately equipped for providing health care and administering medication or first aid;
2. Refer to available communicable disease prevention and management plan that includes school-level protocols<sup>2</sup>;
3. Outline a district-to-school communication plan<sup>3</sup>;
4. Provide information about health screenings, including immunizations and TB certificate requirements;
5. Describe how services for all students, including those who are medically complex, medically fragile or nursing dependent, and those who have approved 504 plans, individual education program plans, and individualized health care plans or special health care needs are managed<sup>4</sup>;
6. Integrate school health services with school health education programs and coordinate with health and social service agencies, public and private;
7. Describe how hearing, vision and dental screenings are managed and/or verified for required students<sup>5</sup>;
8. Include a process to assess and determine a student's health services needs, including availability of a nurse to assess student nursing needs upon, during, and following enrollment with one or more new medical diagnose(s) impacting a student's access to education, and implement a student's individual health plan prior to attending school<sup>6</sup>;
9. Comply with OR-OSHA Bloodborne Pathogens Standards for all persons who are assigned to job tasks which may put them at risk for exposure to body fluids<sup>7</sup>;
10. Refer to adopted policy and procedures for medications in accordance with Oregon law<sup>8</sup>;
11. Include guidelines for the management of students who are medically complex, medically fragile, or nursing dependent as defined by ORS 336.201, including students with life-threatening food allergies and adrenal insufficiency while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in before-school or after-school care programs on school-owned property, and in transit to or from school or school-sponsored activities<sup>9</sup>.
12. Each school shall have, at a minimum, at least one staff member with a current first aid/CPR/AED card for every 60 students enrolled, as set by ORS 339.345, and 342.664 and who are trained annually on the district and building emergency plans. Emergency planning will include the presence of at least one staff member with a current first aid/CPR/AED card for every 60 students for school-sponsored activities where students are present.

Any nurse(s) employed by the district and providing services to students on behalf of the district shall be licensed in Oregon to practice as a registered nurse or nurse practitioner or be a licensed practical nurse (LPN) in alignment with LPN supervision requirements of OAR 851-045-0050 – 0060.

---

<sup>1</sup> For exact language and complete requirement, see OAR 581-022-2220(1).

<sup>2</sup> For specific protocol content requirements, see OAR 581-022-2220(1)(b).

<sup>3</sup> For requirements of this plan see OAR 581-022-2220(1)(c).

<sup>4</sup> For more information regarding these requirements see ORS 336.201 and 339.869, OARs 581-021-0037, 581-015-2040, 581-015-2045, 851-045-0040 – 0060, and 851-047-0010 – 0030.

<sup>5</sup> For vision screening or eye examination or dental screening information see ORS 336.211 and 336.213.

<sup>6</sup> For definitions for this policy see ORS 336.201.

<sup>7</sup> OAR 437-002-0360 lists various health and safety regulations that apply in the employment setting.

<sup>8</sup> Medication laws can be found in ORS 339.866 – 339.874 and OAR 581-021-0037; relevant Board policy includes JHCD/JHCDA - Medications.

<sup>9</sup> For guideline requirements see OAR 581-022-2220(1)(k).

A nurse employed by the district shall follow all applicable requirements of ORS Chapter 678 and OAR Chapter 851. This includes, but is not limited to, delegation in accordance with OAR 851-047, which includes performing a nursing assessment of a student prior to delegation, providing adequate supervision during the delegation, and evaluating the skills, ability and willingness of the delegee.<sup>10</sup>

The district provides a menstrual product dispenser with a variety of products in every student bathroom<sup>11</sup> which meets the requirements of law.

**END OF ADMINISTRATIVE POLICY**

---

REVIEWED: 9/10/24

APPROVED:

**POLICY / REGULATION CROSS REFERENCE**

**LEGAL REFERENCE**

<a href="#">ORS 329.025</a>	<a href="#">ORS 336.211-336.214</a>	<a href="#">OAR 581-021-0590</a>
<a href="#">ORS 332.107</a>	<a href="#">OAR 581-021-0017</a>	<a href="#">OAR 581-022-2050</a>
<a href="#">ORS 336.201</a>	<a href="#">OAR 581-021-0031</a>	<a href="#">OAR 581-022-2220</a>
<a href="#">ORS 336.204</a>	<a href="#">OAR 581-021-0587</a>	<a href="#">OAR 581-022-2515</a>

Every Student Succeeds Act, 20 U.S.C. § 7928 (2018).

Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2018).

---

<sup>10</sup> For additional delegation requirements see OAR [851-047-0030](#).

<sup>11</sup> “Student bathroom” means a bathroom that is accessible by students, including a gender-neutral bathroom, a bathroom designated for females, and a bathroom designated for males. (OAR 581-021-0587)

In cases of sudden illness or injury to a student or staff member, school staff or health care provider as appropriate will give first aid. Further medical attention to students is the parent/guardians' responsibility, or someone the parents or guardians designate in case of emergency.

Each building administrator is charged with providing for the immediate care of ill or injured persons within their area of responsibility.

Staff members shall report self-administered first aid treatment to an immediate supervisor. In each school and district facility, procedures for handling health emergencies will be established and made known to the staff. Each school, district facility and school vehicle will be equipped with appropriate first-aid supplies and equipment.

All employees are expected to know where first-aid supplies and equipment are kept in their work areas. In compliance with Oregon Administrative Rules, each school shall have, at a minimum, at least one staff member with a current first aid card for every 60 students enrolled or an emergency response team per building. Such team shall consist of no less than six persons who hold current first-aid/CPR cards and who are trained annually in the district and building emergency plans. Names of designated employees will be posted.

---

**Legal Reference(s):**

ORS 30.800	OAR 437-002-0377	OAR 581-053-0003(37)
OAR 437-002-0120 to -0139	OAR 581-022-0705	OAR 581-053-0220(3)(B)(iii)
OAR 437-002-0161	OAR 581-022-0420	OAR 581-053-0320(5)(B)
OAR 437-002-0360		

**District Reference(s):**

EBBC-AR: Life Sustaining Emergency Care  
GBE-AR: Staff Health & Safety  
GBEB-AP: Communicable Diseases (Staff)  
GBEB/JHCC-AR: Communicable Diseases (Students & Staff)



All injuries or / illnesses<sup>1</sup>, sustained by an employee while in the actual performance of the duty of the employee, occurring on district premises, in district vehicles, at a district-sponsored activity or involving staff members who may be elsewhere on district business will be reported immediately to a supervisor. All accidents involving employees, students, visiting member-of-the public or district property will be reported immediately to a supervisor.

A written report will be submitted within 24 hours to the Superintendent or designee. Reports will cover property damage as well as personal injury.

In the event of a work-related<sup>2</sup> illness or injury to an employee resulting in in-patient overnight hospitalization, loss of an eye, amputation, or avulsion<sup>3</sup> for medical treatment other than first-aid, the Superintendent or designee shall report the incident to the Oregon Occupational Safety and Health Division (OR-OSHA). This report will be made within 24 hours after notification to the district of an illness or injury. Fatalities or catastrophes<sup>4</sup> shall be reported<sup>5</sup> to OSHA within eight hours.

All injuries or / illnesses sustained by an employee, while in the actual performance of the duty of the employee, or by a student, or by a visiting member of the public and accidents involving district property, employees, students or visiting public, will be promptly investigated. As a result of the investigation any corrective measures needed will be acted upon.

The Superintendent or designee will maintain records and reports on serious injuries, / illnesses, and including accidents involving district property, or employees, students, or visiting members of the public. These records will include prevention measures taken, reporting information, periodic statistical reports on the number and types of injuries, illnesses, and accidents occurring in the district, and monthly and annual analyses of accident data. Monthly records will be maintained. An analysis of the data and trends will be made at least annually. Such reports will be submitted to the superintendent or designee.

END OF ADMINISTRATIVE POLICY

REVIEWED: 3/19/18, 9/10/24

APPROVED: 3/19/18

POLICY / REGULATION CROSS REFERENCE

LEGAL REFERENCE

[ORS 339.309](#)

[OAR 437-001-0700](#)

[OAR 437-002-0360](#)

[OAR 437-001-0015](#)

[OAR 437-001-0704](#)

[OAR 437-002-0377](#)

~~[OAR 581-022-1420](#)~~

[OAR 437-001-0760](#)

[OAR 581-022-2225](#)

<sup>1</sup> The Oregon Occupational Safety and Health Division provides: "Injury or illness" means an abnormal condition or disorder. Injuries include cases such as, but not limited to, a cut, fracture, sprain, or amputation. Illnesses include both acute and chronic illnesses, such as, but not limited to, skin disease, respiratory disorder, or poisoning (record injuries and illnesses only if they are new, work-related cases that meet one or more of the recording criteria). (OAR 437-001-0015(39))

<sup>2</sup> An injury or illness is work related if an event or exposure in the work environment either caused or contributed to the resulting condition or significantly aggravated a preexisting injury or illness condition. (OAR 437-001-0700(6))

<sup>3</sup> Amputations and avulsions are only required to be reported if they result in bone loss. (OAR 437-001-0704(4))

<sup>4</sup> A "Catastrophe" is an accident in which two or more employees are fatally injured, or three or more employees are admitted to a hospital or an equivalent medical facility. (OAR 437-001-0015(11))

<sup>5</sup> Reporting must be done in person or by telephone. (OAR 437-001-0704(3))



The district will maintain a comprehensive safety program for all employees and students. This program will include a plan for responding to emergency situations. The superintendent, or designee, will consult with community and county agencies while developing this plan. The district's emergency plan will meet any requirements of the State Board of Education.

A copy of the emergency plan is available on the [district website](#). Parents or guardians will be informed of the district's plan.

In each district facility, procedures for handling health emergencies will be established and made known to staff. Each district facility and district vehicle will be equipped with appropriate first-aid supplies and equipment. All employees are expected to know where first-aid supplies and equipment are kept in their work areas.

Each school in the district shall have, at a minimum, at least one staff member with a current first-aid/CPR/AED card for every 60 students enrolled and who are trained on the district and building emergency plans. Emergency planning will include the presence of at least one staff member with a current first-aid/CPR/AED card for every 60 students for school-sponsored activities where students are present.

The district shall provide instruction to staff and students in the emergency plan and safety program.

END OF ADMINISTRATIVE POLICY

REVIEWED: 9/10/24

APPROVED:

**POLICY / REGULATION CROSS REFERENCE**

**LEGAL REFERENCE**

[ORS 30.800](#)  
[ORS 192.660\(2\)\(k\)](#)  
[ORS 332.107](#)  
[ORS 433.260](#)  
[ORS 433.441](#)  
[OAR 437-002-0042](#)

[OAR 437-002-0120 - 0139](#)  
[OAR 437-002-0161](#)  
[OAR 437-002-0360](#)  
[OAR 437-002-0377](#)  
[OAR 581-022-2030\(3\)\(c\)](#)  
[OAR 581-022-2220](#)

[OAR 581-022-2225](#)  
[OAR 581-053-0003\(40\)](#)  
[OAR 581-053-0220\(3\)\(e\)\(B\)\(iii\)](#)  
[OAR 581-053-0320\(5\)\(b\)](#)  
[OAR 581-053-0420\(2\)\(f\)\(B\)](#)

Every Student Succeeds Act, 20 U.S.C. § 7928 (2018).  
Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2018).

**BEND-LA PINE SCHOOLS**  
Administrative School District No. 1  
Deschutes County, Oregon  
**ADMINISTRATIVE POLICY**

Name: Emergency Procedures & Disaster Plans  
Section: Required Policies  
Code: EBC / EBCA-AP

The Superintendent, or designee will develop and maintain a plan specifying procedures to be used in such emergencies as disorderly behavior, unlawful assembly, disturbances at school activities, natural disasters, fire, illness or injury of a student or staff member, and use of force on school property. The Superintendent, or designee will consult with community and county agencies while developing this plan.

The district's ~~emergency procedures plan~~ Emergency Operations Plan will meet or exceed the standards of the State Board of Education.

Copies of the ~~emergency procedures plan~~ Emergency Operations Plan will be available ~~in every school office and other strategic locations throughout the district on Bend-La Pine Schools website and made available digitally to all schools and community partners/agencies~~. Parents/guardians will be informed of the district's plan for the care of students during an emergency situation. The Board may use Oregon Revised Statute (ORS 192.660(2)(k)) ~~to~~ to conduct an executive session to consider materials related to school safety or a plan that responds to school safety threats made toward a school in the district.

END OF POLICY

**Legal Reference(s):**

- ORS 192.660(2)(k)
- ORS 332.107
- ORS 433.260
- ORS 433.441
- OAR 437-002-0161
- OAR 581-022-~~0705~~2220
- OAR 581-022-~~4420~~2220

recommend delete 9/2024

Reviewed: 7/2020

Approved:

**BEND - LA PINE SCHOOL DISTRICT NO  
1 ADMINISTRATIVE REGULATIONS  
CODE: EBC/EBCA -AR**

**DATED:**

**REVISED:**

**REVIEW**

**DATE:**

**REVIEWED**

**BY:**

**COMMUNICATIONS REGARDING SERIOUS INCIDENT**

Serious incidents occur from time-to-time and require that a network operate to communicate in as efficient a method as possible. Included in that plan is an awareness that accurate, timely information is necessary first for those directly affected by the situation and second for those who may reasonably need to be prepared to accurately discuss the incident.

Coupled with the need to activate a communication plan is the immediate need of the school administrators or district staff to deal with the incident itself.

The following plan is designed to provide a basic outline of responsibilities for school and district administration in such instances. Extraordinary circumstances may require modifications to the plan.

The process to follow for communication of serious incidents involving students or staff is as follows:

1. Immediately notify the appropriate emergency agency (911) and family of the victim. If it is necessary to hospitalize victim(s) for an injury and family members cannot get to the hospital promptly, have a staff member go to the hospital to serve as a liaison between hospital and district administration with instructions to relay progress reports as soon as possible.

2. Principal, Assistant Principal or staff member in charge will:

a. Take whatever responsible measures are required to ensure the safety of all students and staff members in the immediate area and to make sure that they are kept informed of what has happened.

b. Immediately notify the Superintendent office. Think in terms of the six basic questions: who? what? when? where? why? how?. The district office personnel will coordinate their efforts to help the school administration

3. The Superintendent's office staff will:

a. Inform the Communications Specialist

- b. Ensure that the Superintendent is informed.
- c. Ensure that the Board is informed
- d. Notify the principals of the other schools as well as the Central Office Management Team.
- e. Dispatch a member of the Central Office Management Team to the site to give support.

4. The Communications Specialist will:

- a. Contact the principal or supervisor at the site where the emergency has occurred.
- b. Develop content and timeline for communication to staff, parents, and students to ensure they have accurate, timely information about the incident. Whenever possible, these efforts will be coordinated with the school principal or supervisor.
- c. Update the Superintendent
- d. Draft news release for Superintendent review.
- e. Be responsible for all media and public information release.
- f. Deliver news release to Board, principals, and Central Office Management Team before it appears in the media.

5. The Superintendent will:

- a. Review and authorize public information.
- b. Keep Board informed.
- c. Debrief and review the communication process with the Assistant Superintendent, Central Office Management Team, Principal, and the Communications Specialist.
- d. Direct notification of OSHA in the event of an employee fatality.

6. The Superintendent, Assistant Superintendent, Principal, and the Communications Specialist are the only personnel authorized to answer questions by the media and should always follow the general guidelines for dealing with the media:

- a. Withhold names of victims until families have been notified.
- b. Report known facts only. Do not report rumors or hearsay
- c. Unless you are absolutely sure of your information, it is better to collect your thoughts and

gather additional information before giving information to the news reporter who is calling.

d. Speak calmly and objectively and avoid the use of emotional words.

e. Remain cool, non-judgmental, courteous, and in charge of the situation.

f. Never give information to anyone "off the recorded"

recommend delete 9.2024



“Safety threat action” means a lockdown, secure, shelter in place or evacuation that: (a) is initiated by a school or the district in response to a safety threat; and (b) is not a planned drill.

When a school or the district initiates a safety threat action, the school or district shall issue an electronic communication as expeditiously as possible and not later than 24 hours after initiation of the safety threat action. The communication will be issued in culturally appropriate languages to effectively communicate with parents and guardians of students attending the school at which the safety threat action occurred.

The communication must include:

1. A general description of the issue that caused the safety threat action to be taken;
2. The duration of time the safety threat action was taken, from when the action was initiated until when it concluded;
3. Actions taken by the school or district to resolve the situation that caused the safety threat action and actions taken to protect student safety; and
4. An explanation of how the situation was resolved.

The communication shall be provided in a manner which communicates relevant facts and details as may be necessary or useful for parents and guardians to understand any potential threats to student safety, and to assist parents and guardians in helping students understand and mentally process the incident and any resulting trauma.

A communication will also be issued to employees of the school at which the safety threat action occurred, and must include the same information as above and any additional information as may be permitted by relevant confidentiality and privacy requirements.

The Board may use Oregon Revised Statute (ORS) 192.660(2)(k) to conduct an executive session to consider matters related to school safety or a plan that responds to safety threats made toward a school in the district.

END OF ADMINISTRATIVE POLICY

REVIEWED: 9/10/24

APPROVED:

**POLICY / REGULATION CROSS REFERENCE**

**LEGAL REFERENCE**

[ORS 192.660 \(2\)\(k\)](#)

[ORS 332.107](#)

[ORS 339.324](#)



Each building administrator will conduct emergency procedure drills in accordance with the provisions of Oregon Revised Statutes (ORS) and the applicable Oregon Fire Code ~~this regulation~~.

All schools are required to instruct and drill students on district emergency procedures so they can ~~may~~ respond to an emergency without confusion and panic. The emergency procedures shall include drills and instruction on fires, earthquakes, and safety threats. Instruction on emergency procedures ~~fire and earthquake dangers and drills for students' grades K-8~~ shall be conducted for at least 30 minutes each school month.

The first emergency evacuation drill shall be conducted within 10 days of the beginning of classes.

### Fire Emergencies

Drills and instruction on fire emergencies shall include routes and methods of exiting the school building.

### Earthquake Emergencies

At least two drills on earthquakes shall be conducted each year.

Drills and instruction for earthquake emergencies shall include the earthquake emergency response procedure ~~methods~~ of "drop duck, cover and hold on" during the ~~an~~ earthquake. When based on the evaluation of specific engineering and structural issues related to a building, the district may include additional response procedures for earthquake emergencies.

### Safety Threats

At least two drills on safety threats shall be conducted each year. Drills and instruction on safety threats ~~for lockdown emergencies~~ shall include procedures related to lockdown, secure, shelter in place and evacuation and other appropriate actions to take when there is a threat to safety, and will include explanation of the district's communication strategy following a safety threat action. ~~how to react when an intruder is in the school and when an intruder is outside the school. Guidelines for conducting fire, earthquake, and lockdown drills are attached to this administrative regulation in Appendices A, B and C.~~

~~The building administrator shall conduct monthly fire emergency drills, two of which shall occur during the month of September. The building administrator shall conduct two earthquake emergency drills during the school year. The building administrator shall conduct two lockdown drills during the school year.~~

Each school principal shall maintain a record of emergency drills conducted during the school year, pursuant to Oregon Administrative Regulations.

Local units of government and state agencies associated with emergency procedures training and planning shall review the emergency procedures and assist the district with the instruction and the conducting of drills for students in these emergency procedures.

END OF ADMINISTRATIVE POLICY REGULATION

REVIEWED: 6/4/12, 9/10/24

APPROVED: 6/4/12

**POLICY / REGULATION CROSS REFERENCE**

EBA-AR  
EBCA-AP

**LEGAL REFERENCE**

ORS 336.071

OAR 581-022-1420

["Do The Drill!"](#) A School Resource Guide to Evacuation Planning, Oregon Office of State Fire Marshal 2010, in partnership with Oregon Fire Marshals Association, Oregon Fire Code Committee, Oregon School Resource Officers Association, Oregon Emergency Management, Oregon Department of Education and Special districts Association of Oregon.

draft 9.2024

## Appendix A

### Emergency / Fire Evacuation Drills

- Where required, prior notification of emergency evacuation drills shall be given to the fire code official.
- Evacuation drills shall be initiated by activating the fire alarm system. For other than fire emergency evacuation drills, alternative means of occupant notification must be used.
- Fire drills shall be conducted each month; the first drill of each school year must be completed during the month of September.
- Assembly areas should be not less than 50 feet from the building.
- Schools should develop a system for ensuring staff / student accountability. Schools are urged to use a card notification system using the universal colors of green and red. Green denotes that all students are present, and red denotes a problem. As staff/students arrive at the assembly point, efforts shall be made to determine if all occupants have evacuated or have been accounted for.
- An electrically or mechanically operated signal used to recall occupants after an evacuation shall be separate and distinct from the signal used to initiate the evacuation. The recall signal initiation means shall be manually operated and under the control of the person in charge of the premises or the official in charge of the incident.
- No one shall re-enter the premises until authorized to do so by the official in charge.
- Responsibility for the planning and conduct of drills shall be assigned to designated persons of leadership.
- Drills shall be held at unexpected times and under varying conditions to simulate the unusual conditions that occur in the case of fire.

## Appendix B

### Earthquake Drills

- Notify 911 dispatchers about the drill.
- Sound alarm.
- Duck, Cover and Hold initiated.
- Check self—Teachers lead drills by example. Before aftershock, which is approximately two minutes after the first shock, have students check themselves for injuries.
- Evaluation location for integrity and safety—if student movement is initiated after evaluation, teachers should use buddy teachers, one at the front of the line of students and one at the rear.
- Re-count students—have teachers, and buddy teachers, take roll after evacuation to account for each student.
- Drill Evaluation—evaluate each aspect of earthquake drills including Duck, cover and Hold evacuation.

draft 9.2024

## Appendix C

### Lockdown Drills

- When initiating a lockdown, the following announcement should be given over the intercom: “Teachers, secure your classroom for a lockdown.”
- Upon hearing the announcement, the following steps should be taken:
  - Students are to get down and out of sight in the classroom and remain silent. Students and staff should move to a part of the room that is deemed safest by staff.
  - Staff will check the halls and breezeways around their room, bringing in any students, staff, parents or volunteers who might be close to the room.
  - Staff will lock all doors into the rooms.
  - Lights will be turned off and blinds closed.
  - Windows or doors are to be covered with paper.
- Staff are not to open doors for anyone under any circumstances.
- Students are to stay away from all windows and doors.
- The only procedure for clearing a lockdown drill is face-to-face contact with the school administrator, school resource officer, or other law enforcement.

draft 9.2024



### Use

1. District authorized photo and video equipment (“cameras”) may be used on district property and school transportation vehicles to ensure the health, welfare and safety of all staff, students and visitors to district property, riding in school transportation vehicles, and to safeguard district property, facilities and equipment.
2. No unauthorized cameras (such as “Go Pros” or personally purchased equipment) will be allowed. This policy does not prohibit the use of cameras for professional development and/or educational purposes in classrooms, as allowed by law. Provided, however, distribution of video or photos of students or staff outside the classrooms is prohibited, unless authorized by the superintendent, or designee.
3. District authorized cameras may be placed and used in locations deemed appropriate by the superintendent or designee. Cameras will be placed in areas that present safety and/or security risks to students, staff or property. No cameras will be placed in restrooms or dressing rooms.
4. Staff and students are prohibited from tampering with or otherwise interfering with cameras.
5. Students or staff in violation of district policies, administrative regulations, school rules or civil or criminal laws shall be subject to appropriate disciplinary action. Referral to law enforcement agencies will be made as appropriate or as required by law.

### Student Records

1. The district will comply with provisions of law regarding student records requirements including the Family Education and Privacy Act and the Education of All Handicapped Children Act of 1975 as applicable in the district's use of photo/video recordings (“recordings”). Recordings considered for retention as a part of the student's behavioral record will be maintained in accordance with established student record procedures governing access, review and release of student records.
2. The district will include notice in parent/student handbooks that cameras may be used on district property.
3. Students will not be notified when or where a camera is in use on district property.

### Staff Records

1. Recordings considered for retention as part of the employee's personnel record will be maintained in accordance with established Board personnel policies, administrative regulations and labor agreements governing access, review and release of employee personnel records.
2. Staff will not be notified when or where cameras are in use on district vehicles or on district property.

### Retrieval of Recordings

Only school administrators, ~~Dean of Students and~~ Campus Safety and Security ~~Monitors Officers~~, Transportation ~~Department~~ ~~a~~Administrators, Director of Information Technology ~~& Operations~~, or designee (“IT Staff”), or Director of ~~Communications &~~ ~~School~~ Safety, or designee, ~~School Safety Coordinator (“School Safety Staff”)~~ or SROs/SRDs when acting as school officials, can retrieve archived Recordings.

### Storage/Security

1. All archived recordings held for review will be stored and secured offline to ensure confidentiality. If the recording does not contain relevant information, it will not be held for review. At high schools, only school administrators, ~~Deans of~~ ~~Students~~, Transportation ~~Department~~ ~~a~~Administrators, and ~~Director of Safety~~, or designee, ~~School Safety Staff~~ shall determine whether to hold and store recordings offline. If the recording does not contain relevant information, it will not be held offline.
2. Recordings will be stored for a reasonable amount of time on the district system after initial ~~r~~Recording (typically 30 days), after which such recordings will be released for erasure. Transportation recordings will be typically stored for one school day.

3. Recordings held for review of student or staff incidents will be maintained in an offline designated share drive pending resolution. The recording will then be either released for erasure or retained as necessary as a part of the student's behavioral record and/or employee's personnel record in accordance with the established district procedures.

#### **Deletion of Recordings**

Only **Director of Information Technology, or designee, or Director of Safety, or designee, IT Staff or School Safety Staff** can delete recordings from the offline share drive.

#### **Viewing Requests - Parent or Guardian, Student 18 or Older, or Staff**

1. The school administrator, Transportation **Department Administrator**, or **Director of Safety, or designee, School Safety Staff** shall determine whether it is appropriate to grant a viewing request from a parent or guardian or student 18 or older or others as deemed appropriate by the administrator. If it is determined that viewing is not allowable due to FERPA (i.e., it is a student record and not subject to disclosure to non-parent/student) or privacy reasons, the requestor may submit a public records request.
2. If recordings are available, requests for viewing may be made to the **school administrator principal** or **Transportation Department administrator** within five school days of the date of recording.
3. Requests for viewing will be limited to those parents or guardians, student, staff and district officials with a direct interest in the proceedings as deemed appropriate by the school administrator, **Dean of Students**, Transportation **Department Administrators**, or **Director of Safety, or designee School Safety Staff**.
4. Only the portion of the recording concerning a specific incident(s) will be made available for viewing.
5. No copies of the recording may be made while viewing (i.e., taking a picture/video of the recording with a cell phone is not allowed).
6. Approval/denial for viewing will be made within a reasonable period of time from receipt of request and will be so communicated to the requesting individual(s).

#### **Requests for copies of Recordings must be made by Public Records Request.**

1. Actual viewing will be permitted at district sites only, including the schools, district office or as otherwise required by law.
2. All viewing will include a school administrator, **Dean of Students**, Transportation **Department Administrator**, or **Director of Safety, or designee School Safety Staff**.
3. A written log will be maintained of viewing requests by non-staff of recordings including date of viewing, reason for viewing, and the date the recording was made.
4. Recordings remain the property of the district and may be reproduced only in accordance with applicable law, including applicable district student records policy and procedures and district personnel records policy, procedures and applicable labor agreements.

#### **Records Requests – Law Enforcement, Media, Department of Human Services, Insurance Companies and Other Outside Entities**

Requests for obtaining copies of recordings by law enforcement, **media**, Department of Human Services, insurance companies and other outside entities shall be made by public records request or subpoena.

#### **Viewing by Facilities/Maintenance, IT Staff, School Safety Staff and Legal Counsel**

Notwithstanding anything to the contrary in this policy, the following viewing is allowed:

1. The **Assistant Director of Maintenance, Maintenance Supervisor and Outside Services Manager, and SROs/SRDs when acting as school officials**, may view live recordings for the purposes of monitoring facility safety, maintenance and security. Office Managers, building secretaries, and Campus Safety and Security **Monitors Officer** may view live recordings for the purposes of monitoring building operations at their site.
2. **Director of Information Technology, or designee, IT Staff** may view recordings as necessary to maintain the systems and implement this policy.
3. **Director of Information Technology, or designee, Director of Safety, or designee, School Safety Staff and IT Staff and SROs/SRDs when acting as school officials**, may view recordings as necessary for the health, welfare and safety of all staff, students and visitors to district property and vehicles and to safeguard district property, facilities and equipment.
4. Legal counsel may view recordings as necessary to provide legal advice to the district.

**Purchase, Maintenance, and Replacement of Equipment/Supplies**

1. The purchase of all equipment and supplies, maintenance and replacement will follow the district technology approval process.
2. Vehicle drivers will be responsible for care of camera equipment while operating district vehicles.
3. Building administrators and/or site supervisors will be responsible for the care of camera equipment on school property.

**Installation**

Cameras will be installed on District school buses in accordance with the provisions of OAR 581-53-0517.

END OF ADMINISTRATIVE REGULATION

---

REVIEWED: 4/2/2012, 10/1/2020, 9/14/2024  
APPROVED: 4/2/2012, 10/14/2020

draft 9.2024



**District Responsibilities**

Bend-La Pine Schools shall provide reasonable protection against the risk of exposure to communicable disease for students and employees while engaged in the performance of their duties. Reasonable protection from communicable disease is generally attained through immunization, exclusion or other measures as provided by Oregon law, by the local health department or in the *Communicable Disease Guidance* published by the Oregon Department of Education (ODE) and the Oregon Health Authority (OHA).

A student or employee may not attend school or work, respectively, while in a communicable stage of a restrictable disease or when an administrator has reason to suspect the student or employee has or has been exposed to any disease for which exclusion is required in accordance with law. The district may provide an educational program in an alternative setting. Services will be provided to students as required by law.

Employees shall comply with all other measures adopted by the district and with all rules adopted by Oregon Health Authority, Public Health Division and the local health department.

The district shall protect the confidentiality of an each student’s and employee’s health condition and record to the extent possible and consistent with federal and state law. In cases when a restrictable or reportable disease is diagnosed and confirmed for a student, the administrator may inform employees with a legitimate educational interest.

The district will include, as part of its general emergency plans, a description of the actions to be taken by district staff in buildings and by the district in response to medical emergencies. the case of a declared public health emergency or other catastrophe that disrupts district operations. The superintendent will develop administrative regulations necessary to implement this policy.

**Employee Responsibilities**

An employee may not attend work while in a communicable stage of a restrictable disease. If the disease is a reportable disease, the employee will report the occurrence to the local health department.

Employees shall comply with all other measures adopted by the district and with all rules adopted by Oregon Health Authority, Public Health Division and the local health department.

Employees shall provide services to students as required by law. In cases when a restrictable or reportable disease is diagnosed and confirmed for a student, the administrator shall inform the appropriate employees with a legitimate educational interest to protect against the risk of exposure.

END OF ADMINISTRATIVE POLICY

REVIEWED: 7/20, 10/20, 9/10/24

APPROVED: 8/20, 10/20

**POLICY / REGULATION CROSS REFERENCE**

**LEGAL REFERENCE**

[ORS 332.107](#)

[ORS 431.150 - 431.157](#)

[ORS 433.001 - 433.526](#)

[OAR 333-018](#)

[OAR 333-019-0010](#)

[OAR 333-019-0014](#)

[OAR 333-019-1000](#)

[OAR 437-002-0360](#)

[OAR 437-002-0377](#)

[OAR 581-022-2220](#)

Oregon Department of Education and Oregon Health Authority, *Communicable Disease Guidance* (2020).

draft 9.2024



In accordance with state law, administrative rule, the local health authority and the *Communicable Disease Guidance*, the procedures established below will be followed.

1. “Restrictable diseases” are defined by rule<sup>1</sup> and include but are not limited to COVID-19, chickenpox, diphtheria, hepatitis A, hepatitis E, measles, mumps, pertussis, rubella, Salmonella enterica serotype Typhi infection, scabies, Shiga-toxigenic Escherichia coli (STEC) infection, shigellosis and infectious tuberculosis, and may include a communicable stage of hepatitis B infection in a child who, in the opinion of the local health officer, poses an unusually high risk to other children (e.g., exhibits uncontrollable biting or spitting). Restrictable disease also includes any other communicable disease identified in an order issued by the Oregon Health Authority or the local public health officer as posing a danger to the public’s health.
2. “Susceptible” for a child means lacking documentation of immunization required under OAR 333-050-0050, or if immunization is not required, lacking evidence of immunity to the disease.
3. “Susceptible” for a school employee means lacking evidence of immunity to the disease.
4. “Reportable diseases” means a disease or condition, the reporting of which enables a public health authority to take action to protect or to benefit the public health.

#### **Restrictable Diseases**

1. A student or employee of the district will not attend school or work, respectively, at a district school or facility while in a communicable stage of a restrictable disease, unless authorized to do so under Oregon law. When an administrator has reason to suspect that a student or employee has a restrictable disease, the administrator shall send them home.
2. An administrator shall exclude a susceptible student or employee if the administrator has reason to suspect they have been exposed to measles, mumps, rubella, diphtheria, pertussis, hepatitis A, or hepatitis B, unless the local health officer determines that exclusion is not necessary to protect the public’s health. The administrator may request the local health officer to make a determination as allowed by law. If the disease is reportable, the administrator or designee may report the occurrence to the local health department.
3. A student or employee will be excluded in such instances until such time as the student or employee, respectively, presents a certificate from a physician, a physician assistant licensed under Oregon Revised Statute (ORS) 677.505 - 677.525, a nurse practitioner licensed under ORS 678.375 - 678.390, local health department nurse or school nurse stating that the student or employee does not have or is not a carrier of any restrictable disease. An exclusion for chickenpox, scabies, staphylococcal skin infections, streptococcal infections, diarrhea or vomiting may be removed by a school nurse or health care provider.
4. More stringent exclusion standards for students or employees from school or work may be adopted by the local health department.

#### **Reportable Diseases Notification**

1. All employees shall comply with all reporting measures adopted by the district and with all rules set forth by Oregon Health Authority, Public Health Division and the local health department.
2. An administrator may seek confirmation and assistance from the local health officer to determine the appropriate district response when the administrator is notified that an employee or student has been exposed to a restrictable disease which is also a reportable disease.
3. An administrator shall determine other persons who may be informed of an employee’s communicable disease, or that of a student’s when a legitimate educational interest exists or for health and safety reasons, in accordance with law.

---

<sup>1</sup> OAR 333-019-0010 lists restrictable diseases.

### Equipment and Training

1. The administrator or designee shall determine what equipment and/or supplies are necessary in a particular classroom or other setting in order to prevent disease transmission.
2. The administrator or designee shall consult with the district's school nurse or other appropriate health officials to provide special training in the methods of protection from disease transmission.
3. All district personnel will be instructed annually to use the proper precautions pertaining to blood and body fluid exposure per the Occupational Safety and Health Administration (OSHA).

END OF ADMINISTRATIVE REGULATION

---

REVIEWED: 9/10/24  
APPROVED:

draft 9.2024



In accordance with state law, administrative rule, the local health authority and the *Communicable Disease Guidance*, the procedures established below will be followed.

### Definitions

- **Restrictable Diseases**

Are defined by rule and include but are not limited to COVID-19<sup>1</sup>, chickenpox, diphtheria, hepatitis A, hepatitis E, measles, mumps, pertussis, rubella, Salmonella enterica serotype Typhi infection, scabies, Shiga-toxigenic Escherichia coli (STEC) infection, shigellosis and infectious tuberculosis, and may include a communicable stage of hepatitis B infection if, in the opinion of the local health officer, the person poses an unusually high risk to others (e.g., a child that exhibits uncontrollable biting or spitting). Restrictable disease also includes any other communicable disease identified in an order issued by the Oregon Health Authority or the local public health officer as posing a danger to the public's health. A disease is considered to be a restrictable disease if it is listed in Oregon Administrative Rule (OAR) 333-019-0010, or it has been designated to be a restrictable disease by the local public health administrator after determining that it poses a danger to the public's health.

- **Susceptible**

- For a child means lacking documentation of immunization required under OAR 333-050-0050.
- For an employee means lacking evidence of immunity to the disease.

- **Reportable**

Means a disease or condition, the reporting of which enables a public health authority to take action to protect or to benefit the public health.

### Restrictable Diseases – Students

1. A student of the district will not attend a district school or facility while in a communicable stage of a restrictable disease, including a communicable stage of COVID-19<sup>2</sup>, unless authorized to do so under Oregon law. When an administrator has reason to suspect any child has a restrictable disease, the administrator shall send the student home.
2. An administrator shall exclude a susceptible child from school if the administrator has reason to suspect that the student has been exposed to measles, mumps, rubella, diphtheria, pertussis, hepatitis A, or hepatitis B, unless the local health officer determines that exclusion is not necessary to protect the public's health. The administrator may request the local health officer to make a determination as allowed by law. If the disease is reportable, the administrator will report the occurrence to the local health department.
3. An administrator shall exclude a student if the administrator has been notified by a local public health administrator or local public health officer that the student has had a substantial exposure to an individual with COVID-19 and exclusion is deemed necessary by same.
4. A student will be excluded in such instances until such time as the student or the parent or guardian of the student presents a certificate from a physician, a physician assistant licensed under Oregon Revised Statute (ORS) 677.505 - 677.525, a nurse practitioner licensed under ORS 678.375 - 678.390, local health department nurse or school nurse stating that the student does not have or is not a carrier of any restrictable diseases.
5. The district may, for the protection of both the student who has a restrictable disease and the exposed student, provide an educational program in an alternative setting. A student may remain in an alternative educational setting until such time as a certificate from a physician, physician assistant, nurse practitioner, local health department nurse or school nurse states that the student does not have or is not a carrier of any restrictable disease, or until such time as a local public health administrator states that the disease is no longer communicable to others or that adequate precautions

<sup>1</sup> Added per OAR 333-019-1000(2).

<sup>2</sup> "Communicable stage of COVID-19" means having a positive presumptive or confirmed test of COVID-19.

have been taken to minimize the risk of transmission. A restrictable disease exclusion for chickenpox, scabies, staphylococcal skin infections, streptococcal infections, diarrhea or vomiting may be removed by a school nurse or health care provider.

6. More stringent exclusion standards for students from school may be adopted by the local health department.
7. The district's emergency preparedness plan shall address the district's plan with respect to a declared public health emergency at the local or state level.

#### **Restrictable Diseases – Staff**

1. An employee of the district will not attend or work at a district school or facility while in a communicable stage of a restrictable disease, including a communicable stage of COVID-19<sup>3</sup>, unless authorized to do so under Oregon law.
2. An employee shall not report to work if the employee has been exposed to measles, mumps, rubella, diphtheria, pertussis, hepatitis A, or hepatitis B, unless the local health officer determines that exclusion is not necessary to protect the public's health, that employee shall not report to work based on safety measures. The employee may request the local health officer to make a determination as allowed by law. If the disease is reportable, the employee will report the occurrence to the local health department.
3. If an employee has been notified by a local public health administrator or local public health officer that the employee has had a substantial exposure to an individual with a restrictable disease, the employee will follow the recommendations of the local public health administrator or local public health officer.
4. An employee is expected to not report to work at a physical location of the district until such time as the employee presents a certificate from a physician, a physician assistant licensed under Oregon Revised Statute (ORS) 677.505 - 677.525, a nurse practitioner licensed under ORS 678.375 - 678.390, local health department nurse or school nurse stating that the employee does not have or is not a carrier of any restrictable disease.
5. The district's emergency plan shall address the district's plan with respect to a declared public health emergency at the local or state level.

#### **Reportable Diseases Notification**

1. All employees shall comply with all reporting measures adopted by the district and with all rules set forth by the Oregon Health Authority, Public Health Division and the local health department.
2. An administrator may seek confirmation and assistance from the local health officer to determine the appropriate district response when the administrator is notified that a student or an employee has been exposed to a restrictable disease that is also a reportable disease.
3. An administrator shall determine other persons who may be informed of a student or employee's communicable disease when a legitimate educational interest exists or for health and safety reasons in accordance with law.

#### **Education**

1. The administrator or designee shall seek information from the district's school nurse or other appropriate health officials regarding the health needs/hazards of all students and the impact on the educational needs of a student diagnosed with a restrictable disease or exposed to a restrictable disease.
2. The administrator or designee shall, utilizing information obtained above, determine an educational program for such a student and implement the program in an appropriate (i.e., regular or alternative) setting.
3. The administrator or designee shall review the appropriateness of the educational program and the educational setting of each individual student diagnosed with a restrictable disease.

#### **Equipment and Training**

1. The administrator or designee shall, on a case-by-case basis, determine what equipment and/or supplies are necessary in a particular classroom or other setting in order to prevent disease transmission.
2. The administrator or designee shall consult with the district's school nurse or other appropriate health officials to provide special training in the methods of protection from disease transmission.
3. All district personnel will be instructed annually to use the proper precautions pertaining to blood and body fluid exposure per the Occupational Safety and Health Administration (OSHA). (See policy EBBA).

---

<sup>3</sup> "Communicable stage of COVID-19" means having a positive presumptive or confirmed test of COVID-19.

rewrite 9.2024



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

~~Chief Human Resources Officer~~ / Civil Rights Coordinator and Title IX Coordinator

520 NW Wall Street

Bend, OR 97703

541-355-1100

[titleix.coordinator@bend.k12.or.us](mailto:titleix.coordinator@bend.k12.or.us)

The district official receiving the complaint shall issue the required written notice as outlined under Oregon Procedures in Board Policy GBN/JBA/~~GBN~~-BP: Sexual Harassment.

### Reporting Procedures

All reports and information will be promptly investigated in accordance with the following procedures:

#### STEP 1

The district official receiving the report or complaint shall promptly initiate an investigation using procedures and standards, including but not limited to, those identified in Board Policy JBA/GBN-BP: Sexual Harassment and will notify the complainant or reporting person, any impacted person who is not a reporting person (if appropriate), each reported person, and where applicable the parents/guardians of a reporting person, impacted person, or reported person, when such investigation is initiated. The official will arrange such meetings as may be necessary to discuss the issue with all concerned parties within 10 business days after receipt of the report or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings of the investigation shall be reduced to writing. The official conducting the investigation shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law within 30 business days of receipt of the report or complaint.

A copy of the required written notice(s) and the date and details of notification of the notice of investigation and results of the investigation, together with any other documentation related to the sexual harassment incident, including disciplinary action taken or recommended, shall be forwarded to the Superintendent.

#### STEP 2

If a complainant is not satisfied with the decision at Step 1, the complainant may submit a written appeal to the Superintendent or designee. Such appeal must be filed within 10 calendar days after receipt of the Step 1 decision. The Superintendent or designee may arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The Superintendent or designee shall provide a written decision to the complainant within 10 business days after completion of meetings deemed necessary to discuss the appeal.

#### STEP 3

If a complainant is not satisfied with the decision at Step 2, the complainant may submit a written appeal to the Board Chair. Such appeal must be filed within 10 calendar days after receipt of the Step 2 decision. The Board will review the decision of the Superintendent or designee in a public meeting to determine what action is appropriate. The Board may use executive session if the subject matter qualifies under Oregon law. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, and adopting the Superintendent's or designee's decision. All parties involved, including the district administration, may be asked to attend a hearing for the purposes of making further explanations and clarifying the issues. The Board shall provide a written decision to the complainant within 30 business days following the completion of the hearing.

If the Board chooses not to hear the complaint, the Superintendent's or designee's decision in Step 2 is final. The Superintendent's or designee's written decision must meet the requirements of OAR 581-022-2370(4)(b).

The Superintendent is authorized to amend these procedures (including timelines) when the Superintendent feels it is necessary for the efficient handling of the complaint. Notice of any amendments will be promptly provided to the parties.

Complaints against a principal may start at Step 2 and may be filed with the Superintendent or designee. The Superintendent or designee will cause the required notices to be provided. The Superintendent or designee will investigate the complaint and will notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law. If the complaint remains unresolved within 10 business days of receipt by the Superintendent or designee, the complainant may appeal to the Board as described in Step 3.

Complaints against the Superintendent or a Board member (other than the Board Chair) may start at Step 3 and should be referred to the Board Chair on behalf of the Board. The Board Chair will cause required notices to be provided. The Board Chair shall present the complaint to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 30 business days, in open session what action, if any, is warranted. The Board Chair shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law.

Complaints against the Board Chair may start at Step 3 and should be referred to the Board Vice Chair or district legal counsel on behalf of the Board. The Board Vice Chair will cause required notices to be provided. The Board Vice Chair shall present the complaint to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 30 business days, in open session what action, if any, is warranted. The Board Vice Chair shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law.

Direct complaints related to employment may be filed with the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries.

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099. Additional information regarding filing of a complaint or report may be obtained through the principal, compliance officer or Superintendent.

All documentation related to sexual harassment complaints may become part of the student's education record or employee's personnel file, as appropriate. Additionally, a copy of all sexual harassment complaints or reports and documentation will be maintained as a confidential file and stored in the district office.

The Superintendent shall report the name of any person holding a teaching license or registered with Teacher Standards and Practices Commission (TSPC) or participating in a practicum under Oregon Administrative Rule (OAR) Chapter 584, Division 17, when, after appropriate investigation, there is reasonable cause to believe the person may have committed an act of sexual harassment. Reports shall be made to TSPC within 30 days of such a finding. Reports of sexual contact with a student shall be given to a representative from law enforcement or Oregon Department of Human Services, as possible child abuse.

END OF ADMINISTRATIVE REGULATION

---

REVIEWED: 12/13/22, 9/10/24  
APPROVED: 1/10/23

## NOTIFICATION

### SEXUAL HARASSMENT COMPLAINT PROCEDURES AND RESOURCES

#### Rights of Complainant

- The right to work, attend, or be present at district schools and activities free from any sexual harassment.
- The right to file a complaint pursuant to AC-BP: Non-Discrimination, when a person feels the person is or has been the victim of sexual harassment.
- The right to be notified when the investigation is concluded and as to whether a violation of the policy was found to have occurred, to the extent allowable under state and federal confidentiality laws.

A person who initiates a complaint in good faith may not be retaliated against. The initiation of a complaint by an employee in good faith about behavior that may violate the policy may not adversely affect any terms or conditions of employment or work environment of the staff member who initiated the complaint. The initiation of a complaint by a student or student's parent/guardian in good faith about behavior that may violate this policy may not adversely affect the educational assignments or educational environment of the student who initiated the complaint.

#### Complaint Procedure

Complaints of sexual harassment should be made to the building principal or site administrator. Complaints against a building principal or site administrator should be made to the Superintendent or designee. Complaints against the Superintendent should be made to the Board Chair. The sexual harassment complaint procedure is set forth in GBN/JBA-AR(1) Sexual Harassment Complaint Procedure and GBN/JBA-AR(2): Federal Law (Title IX) Sexual Harassment Complaint Procedure can be found on the district's website.

#### School and District Services for Employees and Students

The following district services are available to victims of sexual harassment who are employees of the district:

- Employee Assistance Program through Uprise Health / OEBC (<https://members.uprisehealth.com/> access code: OEBC)
- [SafeOregon / www.safeoregon.com/report-a-tip/](http://www.safeoregon.com/report-a-tip/) : employees can report anything from vandalism to theft to cyberbullying
- Human Resources (541-355-1100)
- School Resource Officers

The following district services are available to victims of sexual harassment who are students of the district:

- **Available at schools:** [school counselors](#), [school nurses](#), [FAN advocates](#) and [School Resource Officers](#)
- [First Step / www.firststeporegon.org](http://www.firststeporegon.org) : access to the free counseling and support resources
- [SafeOregon / www.safeoregon.com/report-a-tip/](http://www.safeoregon.com/report-a-tip/) : students can report anything from vandalism to theft to cyberbullying
- YouthLine – a free and confidential teen-to-teen help line
  - Text: text the phrase “teen2teen” to 839863
  - Talk: 877-968-8491
  - Email: [Teen2Teen@LinesForLife.org](mailto:Teen2Teen@LinesForLife.org)

#### State and Community Based Services

A victim of sexual harassment can locate services available in our community by accessing the Oregon Attorney General's Sexual Assault Task Force website <http://oregonsatf.org/help-for-survivors/#deschutes>

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2<sup>nd</sup> Ave, Room 3310, Seattle, WA 98174-1009. Direct complaints related to employment may be filed with the U.S. Department of Labor (1-866-487-2365), Equal Employment Opportunity Commission (909 First Avenue, Suite 400, Seattle, WA 98104, (800-669-4000) or Oregon Bureau of Labor and Industries (800 NE Oregon St., Suite 1045, Portland, OR 97232, 971-673-0764).

#### Privacy Rights

The district will keep all documentation related to sexual harassment complaints as confidential as is allowable under the law. Please note that the district may be required to disclose records in some instances per the Family Education Rights and Privacy Act (FERPA), the Oregon Public Records Law, the Oregon Public Employees Collective Bargaining Act, or a court order, subpoena, or discovery request.

**Please note that civil and criminal remedies that are not provided by the school or district may be available through the legal system and those remedies may be subject to statutes of limitations.**



### Additional Definitions

“Actual knowledge” means notice of sexual harassment or allegations of sexual harassment to the district’s Title IX Coordinator or any official of the district who has authority to institute corrective measures on behalf of the district, or to any employee of an elementary or secondary school.<sup>1</sup>

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment. “Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent<sup>2</sup> and requesting that the district investigate the allegation of sexual harassment.<sup>3</sup>

“Supportive measures” means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district’s educational environment, or deter sexual harassment.<sup>4</sup> The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures.

### Formal Complaint Procedures

Upon receipt of a formal complaint, the district will provide the parties<sup>5</sup> written notice of the following:

1. Notice of the district’s grievance process, including any informal resolution process.
2. Notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details<sup>6</sup> known at the time and with sufficient time to prepare a response before any initial interview.
3. That the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility be made at the conclusion of the grievance process.
4. That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
5. The parties may inspect and review evidence.
6. A reference to any provision in the district’s code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

The Title IX Coordinator will contact the complainant and the respondent to discuss supportive measures. If necessary, the Title IX Coordinator will arrange for an individualized safety and risk analysis. If necessary, a student or non-student employee may be removed or placed on leave.

### Investigation

The Title IX Coordinator will coordinate the district’s investigation. The investigation must:

1. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence.
2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the district and not on the parties.<sup>7</sup>

<sup>1</sup> This standard is not met when the only official with knowledge is the respondent.

<sup>2</sup> “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

<sup>3</sup> A complainant must be participating in or attempting to participate in the education program or activity of the district with which the formal complaint is filed.

<sup>4</sup> Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

<sup>5</sup> Parties include the complainant and the respondent, if known.

<sup>6</sup> Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.

<sup>7</sup> The district cannot access, consider, disclose, or otherwise use a party’s records that are made of maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional’s capacity, and which are maintained in connection with the provision of treatment to the party, unless the district obtains the party’s (or eligible student’s parent’s) voluntary, written consent to do so.

3. Provide an equal opportunity for the parties to present witnesses, and other inculpatory and exculpatory evidence.
4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
5. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice.<sup>8</sup> The district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.
6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint.<sup>9</sup> Prior to completion of the investigative report, the district must send to each party and party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 business days to submit a written response, which the investigator will consider prior to completion of the investigative report;
8. Create an investigative report that fairly summarizes relevant evidence and is sent to each party and party's advisor in electronic format or hard copy at least 10 business days prior to any hearing (if required or provided) or other time of determination of responsibility. The party and advisor will be allowed to review and provide a written response.

After the district has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision maker(s) must afford each party the opportunity to submit written, relevant questions<sup>10</sup> that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Credibility determinations are not based on the person's status as a complainant, respondent or witness.

No person designated as a Title IX Coordinator, investigator, decision-maker, or any person designated by the district to facilitate an informal resolution process may have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

If, in the course of an investigation, the district decides to investigate allegations about the complainant or respondent that are not included in the notice previously provided, the district must provide notice of the additional allegations to the parties whose identities are known.

At no point in the process will the district, or anyone participating on behalf of the district, require, allow, rely upon, or otherwise use questions or evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

### **Determination of Responsibility**

The respondent must be deemed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

The standard to be used for formal complaints in determining whether a violation has occurred is the clear and convincing evidence standard.<sup>11</sup>

---

<sup>8</sup> In addition to an advisor, complainants and respondents may also be entitled to other accompaniment as required by law or as necessary for conducting of grievance procedures, including but not limited to translators, services for students with disabilities and parents of minor students.

<sup>9</sup> This includes the evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the investigation. The district must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

<sup>10</sup> Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the question and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

<sup>11</sup> A clear and convincing evidence standard of evidence is understood to mean concluding that a fact is highly probable to be true. U.S. Department of Education, Title IX Regulations commentary, p. 1268, FN 1409.

The person deciding the question of responsibility (the “decision-maker”) must be someone other than the Title IX Coordinator or the investigator(s). The decision-maker must issue a written determination which must include:

1. Identification of the allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the district’s code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including:
  - a. A determination regarding responsibility;
  - b. Any disciplinary sanctions the district imposes on the respondent; and
  - c. Whether remedies designed to restore or preserve equal access to the district’s education program or activity will be provided by the district to the complainant; and
6. The district’s procedures and permissible bases for the complainant and respondent to appeal.

The district must provide the written determination to the parties simultaneously.

The determination regarding responsibility becomes final either on the date that the recipient provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

### **Remedies**

The Title IX Coordinator is responsible for effective implementation of any remedies.

The disciplinary sanctions may include:

1. Discipline up to and including suspension and expulsion;
2. Removal from various activities, committees, extra-curricular, positions, etc.
3. Disqualification for awards and honors;
4. Discipline up to and including termination, in accordance with laws, agreements, contracts, handbooks, etc.

Other remedies may include:

1. Educational programming.

### **Dismissal of a Formal Complaint**

The district must dismiss a formal complaint with regard to Title IX sexual harassment if the alleged conduct:

1. Would not constitute sexual harassment, even if proved;
2. Did not occur in the district’s education program or activity<sup>12</sup>; or
3. Did not occur against a person in the United States.

The district may dismiss a formal complaint with regard to Title IX sexual harassment if at any time during the investigation or hearing, if provided:

1. A complainant notifies the Title IX Coordinator in writing that the complaint would like to withdraw the formal complaint or any allegations therein;
2. The respondent is no longer enrolled or employed by the district; or
3. Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal of a formal complaint, the district must promptly send written notice of the dismissal and the reason(s) therefor simultaneously to the parties.

---

<sup>12</sup> Includes locations, events, or circumstances over which the district exercised substantial control over both the respondent the respondent and the context in which the sexual harassment occurs, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution. (Title 34 C.F.R. §106.44(a))

**The dismissal of a formal complaint under Title IX does not preclude the district from continuing any investigation and taking action under a different process. The district may have an obligation to continue an investigation and process under a different process.**

### **Consolidation of Complaints**

The district may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by one or more complainant against one or more respondents, or by one party against another party, where the allegations of sexual harassment arise out of the same facts or circumstances.

### **Informal Resolution**

If the district receives a formal complaint, at any time prior to reaching a determination regarding responsibility, the district may offer an optional informal resolution process, provided that the district:

1. Provides written notice to the parties disclosing:
  - a. The allegations;
  - b. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
  - c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary written consent to the informal resolution process; and
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

### **Appeals**

Either party may file an appeal from a determination regarding responsibility or from a dismissal of a formal complaint, within 10 calendar days of the decision, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
4. Additional bases may be allowed, if made available equally to both parties.

When an appeal is filed, the district must:

1. Notify the other party in writing;
2. Implement appeal procedures equally for both parties;
3. Ensure the decision-maker(s) for the appeal is not the same person as the decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
4. Ensure the decision-maker for the appeal is free from conflicts of interest and bias;
5. Give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging the outcome;
6. Issue a written decision describing the result of the appeal and the rationale for the result; and
7. Provide the written decision simultaneously to both parties.

### **Timelines**

The district will complete the following portions of the grievance process within the specified timelines:

1. General grievance process (from receipt of formal complaint to determination of responsibility: 90 business days;
2. Appeals (from receipt of appeal): 60 business days;
3. Informal resolution process: 60 business days.

Temporary delays of the grievance process, or limited extensions of time will be allowed for good cause<sup>13</sup> with written notice to the parties.

### Records

Records will be created and maintained in accordance with the requirements in Title 34 C.F.R. §106.45(a)(10).<sup>14</sup>

### Training

Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process must receive training on the definition of sexual harassment, the scope of the district's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and information resolution processes. The training must also include avoiding prejudice of the facts at issue, conflicts of interest and bias.

Decision-makers must receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions about evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

Investigators must receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes, must promote impartial investigations and adjudications of formal complaints of sexual harassment and must be made publicly available on the district's website or available upon request for inspection by members of the public.

END OF ADMINISTRATIVE REGULATION

---

REVIEWED: 12/13/22, 9/10/24\*

APPROVED: 1/10/23

*\*reviewed/no updates necessary*

---

<sup>13</sup> Good cause may include considerations such as the absence of a party, a party's advisor or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. (Title 34 C.F.R. § 106.45(b)(1)(v))

<sup>14</sup> This includes creating a record for each investigation. This record must include:

- Supportive measures, or reasons why the response was not clearly unreasonable under the circumstances;
- Basis for the conclusion that the district's response was not deliberately indifferent; and
- What measures were taken to restore or preserve equal access to the district's educational program or activity. (Title 34 C.F.R. § 106.45(a)(10)(ii))

Most records (including training) must be retained for at least seven years.

## NOTIFICATION SEXUAL HARASSMENT COMPLAINT PROCEDURES AND RESOURCES

### Rights of Complainant

- The right to work, attend, or be present at district schools and activities free from any sexual harassment.
- The right to file a complaint pursuant to AC-BP: Non-Discrimination, when a person feels the person is or has been the victim of sexual harassment.
- The right to be notified when the investigation is concluded and as to whether a violation of the policy was found to have occurred, to the extent allowable under state and federal confidentiality laws.

A person who initiates a complaint in good faith may not be retaliated against. The initiation of a complaint by an employee in good faith about behavior that may violate the policy may not adversely affect any terms or conditions of employment or work environment of the staff member who initiated the complaint. The initiation of a complaint by a student or student's parent/guardian in good faith about behavior that may violate this policy may not adversely affect the educational assignments or educational environment of the student who initiated the complaint.

### Complaint Procedure

Complaints of sexual harassment should be made to the building principal or site administrator. Complaints against a building principal or site administrator should be made to the Superintendent or designee. Complaints against the Superintendent should be made to the Board Chair. The sexual harassment complaint procedure is set forth in GBN/JBA-AR(1) Sexual Harassment Complaint Procedure and GBN/JBA-AR(2): Federal Law (Title IX) Sexual Harassment Complaint Procedure can be found on the district's website.

### School and District Services for Employees and Students

The following district services are available to victims of sexual harassment who are employees of the district:

- Employee Assistance Program through Uprise Health / OEBC (<https://members.uprisehealth.com/> access code: OEBC)
- [SafeOregon / www.safeoregon.com/report-a-tip/](http://www.safeoregon.com/report-a-tip/) : employees can report anything from vandalism to theft to cyberbullying
- Human Resources (541-355-1100)
- School Resource Officers

The following district services are available to victims of sexual harassment who are students of the district:

- **Available at schools:** [school counselors](#), [school nurses](#), [FAN advocates](#) and [School Resource Officers](#)
- [First Step / www.firststeporegon.org](http://www.firststeporegon.org) : access to the free counseling and support resources
- [SafeOregon / www.safeoregon.com/report-a-tip/](http://www.safeoregon.com/report-a-tip/) : students can report anything from vandalism to theft to cyberbullying
- YouthLine – a free and confidential teen-to-teen help line
  - Text: text the phrase “teen2teen” to 839863
  - Talk: 877-968-8491
  - Email: [Teen2Teen@LinesForLife.org](mailto:Teen2Teen@LinesForLife.org)

### State and Community Based Services

A victim of sexual harassment can locate services available in our community by accessing the Oregon Attorney General's Sexual Assault Task Force website <http://oregonsatf.org/help-for-survivors/#deschutes>

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2<sup>nd</sup> Ave, Room 3310, Seattle, WA 98174-1009. Direct complaints related to employment may be filed with the U.S. Department of Labor (1-866-487-2365), Equal Employment Opportunity Commission (909 First Avenue, Suite 400, Seattle, WA 98104, (800-669-4000) or Oregon Bureau of Labor and Industries (800 NE Oregon St., Suite 1045, Portland, OR 97232, 971-673-0764).

### Privacy Rights

The district will keep all documentation related to sexual harassment complaints as confidential as is allowable under the law. Please note that the district may be required to disclose records in some instances per the Family Education Rights and Privacy Act (FERPA), the Oregon Public Records Law, the Oregon Public Employees Collective Bargaining Act, or a court order, subpoena, or discovery request.

**Please note that civil and criminal remedies that are not provided by the school or district may be available through the legal system and those remedies may be subject to statutes of limitations.**



## Reporting

Any district employee having reasonable cause to believe that **any child** with whom the employee comes in contact has suffered abuse<sup>1</sup> shall make a report immediately to the Oregon Department of Human Services (DHS) through the centralized child abuse reporting system<sup>2</sup> or to a law enforcement agency within the county where the person making the report is at the time of their contact. Any district employee who has reasonable cause to believe that **any person**<sup>3</sup> with whom the employee is in contact has abused a child shall immediately report in the same manner.

Any district employee who has reasonable cause to believe that another district employee, contractor, agent, volunteer or student has engaged in abuse, or that a student has been subjected to abuse by another district employee, contractor, agent, volunteer or student shall immediately report such to DHS through its centralized child abuse reporting system or to a law enforcement agency, and to a designated licensed administrator or alternate licensed administrator for their school building.

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

If the Superintendent is the alleged perpetrator the report shall be submitted to the Deputy Superintendent who shall refer the report to the Board Chair. If an individual board member is the alleged perpetrator the report shall be submitted to the Superintendent who shall refer the report to the district's legal counsel.

A written record of the abuse report shall be made by the employee reporting the suspected abuse of a student and will include: name and position of person making the report; name of the student; name and position of any witness; description of the nature and extent of the abuse, including any information which could be helpful in establishing cause of abuse and identity of the abuser; description of how the report was made (i.e., phone or other method); name of agency and individual who took the report; date and time that the report was made; and name of district administrator who received a copy of the written report.

The written record of the abuse report shall not be placed in the student's educational record. A copy of the written report shall be retained by the employee making the report and a copy shall be provided to the designee that received the report.

When the district designee receives a report of suspected child abuse by a district employee, and there is a reasonable cause to support the report, the district shall place the district employee on paid administrative leave<sup>4</sup> and take necessary actions to ensure the student's safety. The employee shall remain on leave until DHS or law enforcement determines that the report is substantiated and the district takes the appropriate employment action, or cannot be substantiated or is not a report of abuse and the district determines that either:

1. An employment policy was violated and the district will take appropriate employment action against the employee, or
2. An employment policy has not been violated and no action is required by the district against the employee.

When the designee receives a report of suspected abuse by a contractor, agent or volunteer, the district shall prohibit the contractor, agent or volunteer from providing services to the district. If the district determines there is reasonable cause to support the report of suspected abuse, the district shall prohibit the contractor agent or volunteer from providing services. The district may reinstate the contractor, agent or volunteer, and such reinstatement may not occur until such time as a report of

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

<sup>2</sup> How to report abuse or neglect: [Oregon DHS](#). Call 855-503-SAFE (7233)

<sup>3</sup> "Person" could include adult, student, or other child.

<sup>4</sup> The district employee cannot be required to use any accrued leave during the imposed paid administrative leave.

suspected abuse has been investigated<sup>5</sup> and a determination has been made by law enforcement or DHS that the report is unsubstantiated.

The written record of each reported incident of abuse of a child, action taken by the district and any findings as a result of the report shall be maintained by the district.

If, following the investigation, the district decides to take an employment action, the district will inform the district employee of the employment action to be taken and provide information about the appropriate appeal process. The employee may appeal the employment action taken through the appeal process provided by the applicable collective bargaining agreement.

If the district is notified that the employee decided not to appeal the employment action or if the determination of an appeal sustained the employment action, a record of the findings of the substantiated report and the employment action taken by the district will be placed in the records on the school employee maintained by the district. Such records created are confidential and not public records as defined in Oregon Revised Statute (ORS) 192.311, however the district may use the record as a basis for providing information required to be disclosed about a district employee under ORS 339.378(1). The district will notify the employee that information about substantiated reports may be disclosed to a potential employer.

### **Definitions**

1. Oregon law defines “abuse” in ORS 419B.005(1).
2. “Child” means an unmarried person who is under 18 years of age or is a child in care, as defined in ORS 418.257.
3. A substantiated report means a report of abuse that law enforcement agency or DHS determines is founded.

### **Confidentiality of Records**

The name, address, and other identifying information about the employee who made the report are confidential and are not accessible for public inspection.

Upon request from law enforcement or DHS the district shall immediately provide requested documents or materials to the extent allowed by state and federal law.

### **Failure to Comply**

Any district employee who fails to report a suspected child abuse as provided by this regulation and the prescribed Oregon law commits a violation punishable by law. A district employee who fails to comply with the confidentiality of records requirements commits a violation punishable by the prescribed law. If an employee fails to report suspected child abuse or fails to maintain confidentiality of records as required by policy or this administrative regulation, the employee will be disciplined up to and including dismissal

### **Cooperation with Investigator**

The district staff shall make every effort in suspected child abuse cases to cooperate with investigating officials as follows:

1. Any investigation of child abuse will be directed by the DHS or law enforcement officials as required by law. DHS or law enforcement officials wishing to interview a student shall present themselves at the school office and contact the school administrator, unless the school administrator is the subject of the investigation. Upon notification that DHS or law enforcement would like to interview a student at school, the school administrator or designee must request that the investigating official fill out the DHS / Law Enforcement Protocol Investigation of Child Abuse form. If the student is to be interviewed at the school, the administrator or designee shall make a private space available. The administrator or designee may, at the discretion of the investigator, be present to facilitate the interview. If the investigating official does not have adequate identification, the administrator or designee shall refuse access to the student.

Law enforcement officials wishing to remove a student from the premises shall present themselves at the school office and contact the school administrator or designee. The law enforcement official shall sign the student out in accordance with district procedures;

---

<sup>5</sup> The district will investigate all reports of suspected abuse, unless otherwise requested by DHS or law enforcement pursuant to law.

2. When the subject matter of the interview or investigation is identified to be related to suspected abuse of a child, district employees shall not notify parents/guardians or anyone other than DHS or law enforcement agency and any school or district employee necessary to enable the investigation;
3. The school or district administrator or designee shall advise the investigator of any conditions of disability prior to any interview with the affected child;
4. District employees are not authorized to reveal anything that transpires during an investigation in which the employee participates, nor shall the information become part of the student's education records, except that the employee may testify at any subsequent trial resulting from the investigation and may be interviewed by the respective litigants prior to any such trial.

Nothing prevents the district from conducting its own investigation, unless another agency requests to lead the investigation or requests the district to suspend their investigation, or taking an employment action based on information available to the district before an investigation conducted by another agency is completed. The district will cooperate with agencies assigned to conduct such investigations.

END OF ADMINISTRATIVE REGULATION

---

REVIEWED: 12/12/05, 6/9/08, 3/16/09, 11/1/10, 1/14/13, 4/2/20, 9/20/22, 9/10/24  
APPROVED: 12/12/05, 6/9/08, 3/31/09, 11/1/10, 1/14/13, 4/2021, 10/11/22

draft 9.2024

## BEND-LA PINE SCHOOLS

Administrative School District No. 1

Deschutes County, Oregon

### ADMINISTRATIVE REGULATION

---

Name: Reporting of Suspected Child Abuse

Section: Students

Code: GBNAB/JHFE-AR

#### Reporting

Any district employee having reasonable cause to believe that **any child** with whom the employee comes in contact has suffered abuse, including neglect of a child as defined in ORS 419B.005, shall orally report or cause an oral report to be immediately by telephone or otherwise to the local office of the Oregon Department of Human Services (DHS) or its designee, or to a law enforcement agency within the county where the person making the report is at the time of their contact. Any district employee who has reasonable cause to believe that **any person** (could include adult, student or other child) with whom the employee is in contact has abused a child shall immediately report or cause a report to be made in the same manner to DHS or its designee or to the law enforcement agency within the county where the person making the report is located at the time of the contact pursuant to ORS 419B.010.

Any district employee who has reasonable cause to believe that another district employee, contractor<sup>1</sup>, agent, volunteer or student has engaged in abuse, or that a student has been subjected to abuse by another district employee, contractor, agent, volunteer or student shall immediately report such to the DHS or its designee or the local law enforcement agency pursuant to ORS 419B.015, and to the designated licensed administrator or alternate licensed administrator for their school building.

If known, the report shall contain the names and addresses of the child and the parents of the child or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, including any evidence of previous abuse, the explanation given for the suspected abuse, any other information that the person making the report believes might be helpful in establishing the possible cause of the suspected abuse and the identity of a possible perpetrator.

If the Superintendent is the alleged perpetrator the report shall be submitted to the Deputy Superintendent who shall refer the report to the Board Chair. If an individual board member is the alleged perpetrator the report shall be submitted to the Superintendent who shall refer the report to the district's legal counsel.

The employee suspecting the child abuse shall make a written record of the child abuse report. The written record may be made using Bend-La Pine Schools Child Abuse Recording form, which includes at minimum:

1. The name and position of the person making the report;
2. The name of the student;
3. The name and position of any witnesses;
4. Description of the nature and extent of the abuse, including any information which could be helpful in establishing cause of abuse and identity of the abuser;
5. A description of how the report was made (i.e., phone or other method);
6. The name of the agency and individual who took the report;
7. The date and time that the report was made; and
8. The names of the district administrator who received a copy of the written report.

---

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

## Definitions

1. Oregon law recognizes these and other types of abuse:
  - a. Physical;
  - b. Neglect;
  - c. Mental injury;
  - d. Threat of harm;
  - e. Sexual abuse and sexual exploitation.
2. Child means an unmarried person who is under 18 years of age or is under 21 years of age and residing in or receiving care or services at a child-caring agency.
3. A substantiated report means a report of abuse that law enforcement agency or DHS determines is founded.

## Confidentiality of Records

The name, address, and other identifying information about the employee who made the report are confidential and are not accessible for public inspection.

Upon request from law enforcement or DHS the district shall immediately provide requested documents or materials to the extent allowed by state and federal law.

## Failure to Comply

Any district employee who fails to report a suspected child abuse as provided by this regulation and the prescribed Oregon law commits a violation punishable by law. A district employee who fails to comply with the confidentiality of records requirements commits a violation punishable by the prescribed law. If an employee fails to report suspected child abuse or fails to maintain confidentiality of records as required by this regulation, the employee will be disciplined up to and including dismissal.

## Actions Following Receipt of a Child Abuse Report

The written record of the child abuse report shall not be placed in the student's educational record. The employee making the record shall retain a copy of the written report and a copy shall be provided to the designee that received the report.

When the district designee receives a report of suspected child abuse by a district employee, and there is a reasonable cause to support the report, the district shall place the district employee on paid administrative leave and take necessary actions to ensure the student's safety. The employee shall remain on leave until DHS or law enforcement determines that the report is substantiated and the district takes the appropriate employment action, or cannot be substantiated or is not a report of abuse and the district determines that either:

1. An employment policy was violated and the district will take appropriate employment action against the employee, or
2. An employment policy has not been violated and no action is required by the district against the employee.

If, following the investigation, the district decides to take an employment action, the district will inform the district employee of the employment action to be taken and provide information about the appropriate appeal process. The employee may appeal the employment action taken through the appeal process provided by the applicable collective bargaining agreement.

If the district is notified that the employee decided not to appeal the employment action or if the determination of an appeal sustained the employment action, a record of the findings of the substantiated report and the employment action taken by the district will be placed in the records on the school.

employee maintained by the district. Such records created are confidential and not public records as defined in Oregon Revised Statute (ORS) 192.311, however the district may use the record as a basis for providing information required to be disclosed about a district employee under ORS 339.378(1). The district will notify the employee that information about substantiated reports may be disclosed to a potential employer.

When the designee receives a report of suspected abuse by a contractor, agent or volunteer, the district shall prohibit the contractor, agent or volunteer from providing services to the district. If the district determines there is reasonable cause to support the report of suspected abuse, the district shall prohibit the contractor agent or volunteer from providing services. The district may reinstate the contractor, agent or volunteer, and such reinstatement may not occur until such time as a report of suspected abuse has been investigated and a determination has been made by law enforcement or DHS that the report is unsubstantiated.

The district shall maintain the written record of each reported incident of abuse of a child, action taken by the district, and any findings as a result of the report. The district will notify the person, as allowed by state and federal law, who was subjected to the suspected abuse about any actions taken by the district as a result of the report.

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

### **Cooperation with Investigator**

The district staff shall make every effort in suspected child abuse cases to cooperate with investigating officials as follows:

1. Any investigation of child abuse will be directed by the DHS or law enforcement officials as required by law. DHS or law enforcement officials wishing to interview a student shall present themselves at the school office and contact the school administrator, unless the school administrator is the subject of the investigation. Upon notification that DHS or law enforcement would like to interview a student at school, the school administrator or designee must request that the investigating official fill out the DHS / Law Enforcement Protocol Investigation of Child Abuse form. If the student is to be interviewed at the school, the administrator or designee shall make a private space available. The administrator or designee may, at the discretion of the investigator, be present to facilitate the interview. If the investigating official does not have adequate identification, the administrator or designee shall refuse access to the student.

Law enforcement officials wishing to remove a student from the premises shall present themselves at the school office and contact the school administrator or designee. The law enforcement official shall sign the student out in accordance with district procedures;

2. When the subject matter of the interview or investigation is identified to be related to suspected abuse of a child, district employees shall not notify parents/guardians or anyone other than DHS or law enforcement agency and any school or district employee necessary to enable the investigation;
3. The school or district administrator or designee shall advise the investigator of any conditions of disability prior to any interview with the affected child;
4. District employees are not authorized to reveal anything that transpires during an investigation in which the employee participates, nor shall the information become part of the student's education records, except that the employee may testify at any subsequent trial resulting from the investigation and may be interviewed by the respective litigants prior to any such trial.

Nothing prevents the district from conducting its own investigation, unless another agency requests to lead the investigation or requests the district to suspend the investigation or taking an employment action based on information available to the district before an investigation conducted by another agency is completed. The district will cooperate with agencies assigned to conduct such investigations.

### **Training**

The district shall provide information and training each school year to district employees on the prevention and identification of abuse, the obligations of district employees under ORS 339.388 and ORS 419B.005 – 419B.050 and as directed by GBNAB/JHFE-BP: Suspected Abuse of a Child Reporting Requirements.

Reviewed: 12/12/05, 6/9/08, 3/16/09, 11/1/10, 1/14/13,  
4/2/2020, 9/20/2022

Approved: 12/12/05, 6/9/08, 3/31/09, 11/1/10, 1/14/13,  
4/2021, 10/11/2022

rewrite 9.2024



In a continuing effort to ensure the safety and welfare of students and staff, the district shall require certain individuals to submit to a criminal records check and fingerprinting as required by law. This includes employees, contractors, volunteers and others.

**Requirements for Employees not Licensed, Certified or Registered by the Teachers Standards Practices Commission (TSPC)**

All newly hired employees<sup>1</sup> not identified under Oregon Revised Statutes (ORS) 342.223<sup>2</sup> are required to submit to a criminal records check and fingerprinting as required by law. A newly hired employee is not subject to fingerprinting if the district has evidence on file that the person successfully completed a state and national criminal records check for a previous employer that was a school district<sup>3</sup> or private school, and has not resided outside the state between the two periods of employment.

An individual shall be subject to the collection of fingerprint information, only after the offer of employment from the district. Fees associated with criminal records checks and fingerprinting for individuals applying for employment with the district and not requiring licensure shall be paid by the district.

The district may<sup>4</sup> begin the employment of an individual on a probationary basis pending the return and disposition of the required criminal records checks.

When the criminal records check indicates an individual has been convicted of any crimes<sup>5</sup> prohibiting employment, the individual will not be employed, or if employed will be terminated. When the criminal records check indicates an individual has knowingly made a false statement as to the conviction of any crime, the individual may be employed by the district, or if employed by the district may be terminated. An individual who fails to disclose the presence of convictions that would not otherwise prohibit employment or contract with the district as provided by law may be employed by the district. Employment termination shall remove the individual from any district policies, collective bargaining provisions regarding dismissal procedures and appeals and the provisions of Accountability for Schools for the 21st Century Law.

**Requirements for TSPC Licensed, Certified or Registered Individuals<sup>6</sup>**

1. Any individual who is applying for a license as a teacher, administrator or personnel specialist is subject to a criminal records check and fingerprinting, unless the individual has submitted to such a check through the Teacher Standards and Practices Commission (TSPC) within the previous three years, or has remained continuously licensed by or registered with TSPC for a different license or registration for which the individual has already submitted to a criminal records check and fingerprinting.
2. Any individual who is applying for an initial certificate under ORS 342.475 as a school nurse shall submit to a criminal records check and fingerprinting with TSPC.
3. Any individual who is applying for a registration as a public charter school teacher or administrator with TSPC shall submit to a criminal records check and fingerprinting with TSPC.
4. Any individual applying for reinstatement of an Oregon license or registration as a teacher, administrator or personnel specialist, or a certificate as a school nurse with the TSPC, whose license, registration or certificate has lapsed for at least three years, shall submit to a criminal records check and fingerprinting with TSPC.

<sup>1</sup> Any individual hired within the last three months. This does not include an employee hired within the last three months if the district has evidence on file that meets the definition in Oregon Administrative Rule (OAR) 581-021-0510(11)(b).

<sup>2</sup> ORS 342.223 includes teachers, administrators, personnel specialist, school nurses, persons participating in supervised clinical practice experience, practicum or internship as a teacher, administrator or personnel specialist. See statute for details.

<sup>3</sup> As is defined in OAR 581-021-0510(9); includes school districts, the Oregon School for the Deaf, and educational program under the Youth Corrections Education Program, public charter schools and ESDs.

<sup>4</sup> Decisions regarding which employees may begin before the return of the required criminal records checks must be made in a nondiscriminatory manner.

<sup>5</sup> See OAR 581-021-0511(8).

<sup>6</sup> Requirements for individuals in positions requiring licensure, certification or registration with Teacher Standards and Practices Commission (TSPC) are outlined in ORS 342.223.

5. Any individual registering with the TSPC for student teaching, practicum or internship as a teacher, administrator or personnel specialist, if the individual does not hold a current license issued by TSPC and has not submitted to a criminal records check by TSPC within the previous three years for student teaching, practicum or internship as a teacher, administrator or personnel specialist, shall be required to submit to a criminal records check and fingerprinting with TSPC.

#### **Requirements for Contractors**

All individuals employed as or by a contractor and considered by the district to have direct, unsupervised contact with students<sup>7</sup> or unsupervised access to children are required to submit to a criminal records check and a fingerprint-based criminal records check.

The superintendent, or designee, will identify contractors who are subject to such requirements.

A contractor or an employee of a contractor required to submit to a criminal records check and fingerprinting in accordance with law and Board policy will be terminated from contract status, or withdrawal of offer of contract will be made by the district upon:

1. Refusal to consent to a criminal records check and fingerprinting; or
2. Notification<sup>8</sup> from the Superintendent of Public Instruction that the individual has a conviction of any crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number.

A subject individual may be terminated from contract status upon notification from the Superintendent of Public Instruction that the individual has knowingly made a false statement as to the conviction of any crime.

#### **Requirements for Volunteers**

A volunteer<sup>9</sup> is defined as a non-paid person functioning within the policies and procedures of the district, who shall serve under the direction of the professional staff of the district to whom they are assigned. Visitors<sup>10</sup> do not have repeated interaction with one or more children and are not responsible for the care, supervision, guidance, or control of students.

Volunteers shall submit to an in-state criminal records check. Visitors will not be required to submit to a criminal records check.

The service of a volunteer allowed to have direct, unsupervised contact with students may, with the approval of the Director of Safety or designee, begin on a probationary basis pending the return and disposition of a criminal records check.

A volunteer who knowingly made a false statement on a district volunteer application form or has a conviction of a crime listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number may result in immediate termination from the ability to volunteer in the district.

Fees associated with required non-fingerprinting criminal records checks for volunteers shall be paid by the district.

A volunteer who refuses to submit, when required, to a criminal records check or a fingerprint-based criminal records check in accordance with law and Board policy will be denied such ability to volunteer in the district.

#### **Requirements for Others**

Any community college faculty member providing instruction at the site of an early childhood education program, at a school site as part of an early childhood program or at a grade K through 12 school site during the regular school day is required to submit to a criminal records check and a fingerprint-based criminal records check.

---

<sup>7</sup> "Direct, unsupervised contact with students" means contact with students that provides the person the opportunity and probability for personal communication or touch when not under direct supervision. (OAR 581-0221-0510)

<sup>8</sup> Prior to making a determination that results in this notification and opportunity for a hearing, the Superintendent of Public Instruction may cause an investigation pursuant to OAR 581-021-0511; involved parties shall cooperate with the investigation pursuant to law.

<sup>9</sup> As defined in KCA-AR.

<sup>10</sup> As defined in KK-AR.

Any individual who is an employee of a public charter school and not identified under ORS 342.223 is required to submit to a criminal records check and a fingerprint-based criminal records check.

### **Notification**

The district will provide written notice about the requirements of fingerprinting and criminal records checks through means such as staff handbooks, employment applications, contracts or forms.

The district will provide the following notification to individuals subject to criminal records checks and fingerprinting:

1. Such criminal records checks and fingerprinting are required by law or Board policy;
2. All employment offers, contract offers, or the ability to volunteer are contingent upon the results of such checks;
3. A refusal to consent to a required criminal records check and fingerprinting shall result in immediate termination from employment, or contract status or the ability to volunteer in the district;
4. A determination by the Oregon Department of Education (ODE) which affects an individual's eligibility to be employed, or contracted with, by the district may be appealed to the Superintendent of Public Instruction under ORS 183.413 – 183.470;
5. An individual determined to have knowingly made a false statement as to the conviction of any crime on district employment applications, contracts, or ODE forms may result in immediate termination from employment or contract status;
6. An individual determined to have been convicted of any crime that would prohibit employment or contract will be immediately terminated from employment or contract status;
7. A volunteer candidate who knowingly made a false statement or has a conviction of the crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number may result in immediate termination from the ability to volunteer in the district. The district may remove the volunteer from the position allowing direct, unsupervised contact with students.

### **Processing and Reporting Procedures**

Immediately following an offer and acceptance of employment or contract, an individual subject to criminal records checks and fingerprinting shall complete the appropriate forms authorizing such checks and report to an authorized fingerprinter as directed by the district. The district shall send such authorization, any collection of fingerprint information, and the request to ODE pursuant to law.

Fingerprints may be collected by one of the following:

1. Employing district staff;
2. Contracted agent of employing district;
3. Local or state law enforcement agency; or
4. Statewide vendor identified by the Oregon Department of Administrative Services.

To ensure the integrity of the fingerprinting collection and prevent any compromise of the process, the district will provide the name of the individual to be fingerprinted to the authorized fingerprinter.

The authorized fingerprinter will obtain the necessary identification and fingerprinting and notify ODE of the results. ODE will then review and notify the district of said results as well as the identity of any individual it believes has knowingly made a false statement as to conviction of a crime or has a conviction of a crime prohibiting employment contract.

A copy of the fingerprinting results will be kept by the district. The district's use of criminal history must be relevant to the specific requirements of the position, services or employment.

**END OF ADMINISTRATIVE POLICY**

---

REVIEWED: 4/12/11, 10/8/13, 12/2019, 2/22, 9/10/24  
APPROVED: 2/14/94, 1/14/97, 4/26/11, 10/22/13, 3/2020, 4/2022

**POLICY / REGULATION CROSS REFERENCE**

**| LEGAL REFERENCE**

[ORS 181A.180](#)  
[ORS 181A.230](#)  
[ORS 326.603](#)  
[ORS 326.607](#)  
[ORS 332.107](#)

[ORS 336.631](#)  
[ORS 342.143](#)  
[ORS 342.223](#)  
[OAR 414-061-0010 – 061-0030](#)  
[OAR 581-021-0510 – 021-0512](#)

[OAR 581-022-2430](#)  
[OAR 584-050-0012](#)  
[OAR 584-050-0100](#)

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

draft 9.2024

**GrammaBEND-LA PINE SCHOOLS**

Administrative School District No. 1

Deschutes County, Oregon

**ADMINISTRATIVE POLICY**

---

Name: Criminal Records Check / Fingerprinting

Section: Required Policies

Code: GCDA/GDDA-AP

In a continuing effort to further ensure the safety and welfare of students and staff, the district shall require criminal records checks fingerprint based criminal records checks (Fingerprint Background Check) of all newly hired full-time and part-time employees not requiring licensure under ORS 342.223 to submit to a criminal records check and/or fingerprinting as required by law. Other individuals having direct, unsupervised contact with students shall also submit to criminal records checks and/or a Fingerprint Background Check, as required by law. It is the intention of the Board to ensure that the most thorough criminal history records checks are conducted, using nationwide databases when available, in addition to a Fingerprint Background Check.

The district will not hire any person who has committed a crime listed in ORS 342.143(3). The district will not contract with a contractor, if the contractor or the contractor's employees who have direct unsupervised contact with students, have committed a crime listed in ORS 342.143(3). The district shall have the authority to deny employment to applicants and contractors who have a criminal history in addition to the exclusionary crimes listed in ORS 342.143(3), if the district determines it to be necessary to ensure the safety and welfare of students and staff. A volunteer who knowingly made a false statement or has a conviction of the crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number may result in immediate termination from the ability to volunteer in the district.

"Direct, unsupervised contact with students" means contact with students that provides the person opportunity and probability for personal communication or touch when not under direct supervision.

In addition to the newly hired employees, a criminal records check or Fingerprint Background Checks shall be required of the following individuals:

1. All individuals employed as or by a contractor, whether employed part-time or full-time, and considered by the district to have direct, unsupervised contact with students;
2. Any community college faculty member providing instruction at the site of an early childhood education program, at a school site as part of an early childhood program or at a grade K through 12 school site during the regular school day;
3. An individual who is an employee of a public charter school not requiring licensure under ORS 342.223;
4. Any individual considered for volunteer service with the district who is allowed to have direct, unsupervised contact with students.

The district may begin the employment of an individual, or terms of a district contractor on a probationary basis pending the return and disposition of criminal records checks and/or fingerprinting. The service of a volunteer into a position identified by the district will not begin on a probationary basis before the return and disposition of a criminal records check as described in KCA-AR: Volunteers / Criminal History Records Check.

When the district is notified of a subject individual who has been convicted of any crimes prohibiting employment or contract with the individual will not be employed or contracted, or if employed, will be terminated. When the district is notified of a subject individual who knowingly made a false statement as to the conviction of any crime, the individual will not be employed or contracted by the district, or if

employed by the district, may be terminated. A subject individual who fails to disclose the presence of convictions that would not otherwise prohibit employment or contract with the district as provided by law will not be employed or contracted with the district.

The district's use of criminal history must be relevant to the specific requirements of the position, services or employment.

## END OF POLICY

---

Legal Reference(s):

ORS 181A.180  
ORS 181A.230  
ORS 326.603  
ORS 326.607  
ORS 332.107  
ORS 336.631  
ORS 342.143  
ORS 342.223

OAR 414-061-0010 – 061-0030  
OAR 581-021-0510 – 021-0512  
OAR 581-021-0501  
OAR 581-022-2430  
OAR 584-050-0012

Title VII of the Civil Rights Act of  
1964, as amended, 42 U.S.C §  
2000e, et. seq. (2012)

Reviewed: 4/12/11, 10/8/13, 12/2019, 2/2022

Approved: 2/14/94, 1/14/97, 4/26/11, 10/22/13, 3/2020, 4/2022

rewrite 9.2024

---

**Requirements**

1. Any individual newly hired, whether full-time or part-time, and not requiring licensure under ORS 342.223, shall submit to a criminal records check and fingerprinting.
2. Individuals applying for reinstatement of a license with the Teacher Standards and Practices Commission (TSPC) that has lapsed for more than three years shall be required to undergo a criminal records check and fingerprinting with TSPC.

Requirements, including applicable fees and the process for the collection and submission of fingerprints, etc., will generally be met by the individual as a part of the licensing process and in accordance with rules established by TSPC.

3. Any individual registering with TSPC for student teaching, practicum or internship as a teacher, administrator or personnel specialist shall be required to submit to a criminal records check and fingerprinting with TSPC.
4. Any individual hired as or by a contractor, whether full-time or part-time, into a position having direct, unsupervised contact with students as determined by the district shall be required to submit to a criminal records check and fingerprinting. The Superintendent, or designee, will identify contractors who are subject to such requirements.
5. Any community college faculty member providing instruction at the site of an early childhood education program, a school site as part of an early childhood program or at a grade K through 12 school site during the regular school day, shall be required to undergo a criminal records check and fingerprinting.
6. An individual who is an employee of a public charter school not requiring licensure under ORS 342.223 shall be required to undergo a criminal records check and fingerprinting.
7. Any person authorized by the district for volunteer service into a position having direct, unsupervised contact with students will be required to undergo a criminal records check.

**Notification**

1. The district will provide the following notification to individuals subject to criminal records checks and/or fingerprinting:
  - a. Such criminal records and/or fingerprinting are required by law and/or Board policy;
  - b. Any action resulting from such checks completed by the Oregon Department of Education (ODE) that impact employment, contract or volunteering may be appealed as a contested case to ODE;
  - c. All employment or contract offers or the ability to volunteer are contingent upon the results of such checks;
  - d. A refusal to consent to criminal records checks and/or fingerprinting shall result in immediate termination of employment, contract status, or the ability to volunteer in the district.

2. An individual determined to have knowingly made a false statement as to the conviction of any crime on district employment applications, contracts or ODE forms (written or electronic) may result in immediate termination from employment or contract status;
3. An individual determined to have been convicted of a crime that would prohibit employment or contract status will be immediately terminated from employment or contract status;
4. A volunteer candidate who knowingly made a false statement or has a conviction of the crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number will result in immediate termination from the ability to volunteer in the district. The district will remove the volunteer from any position allowing direct, unsupervised contact with students.
5. The district will provide notice described above through such means as, employment applications, contracts or volunteer application materials.

#### **Processing / Reporting Procedures**

1. Immediately following an offer and acceptance of employment, an individual subject to criminal records checks and/or fingerprinting shall complete the appropriate forms authorizing such checks and report to an authorized fingerprinter as directed by the district. The district shall send such authorization, any collection of fingerprint information, and the request to ODE pursuant to law.
2. Fingerprints may be collected by one of the following:
  - a. Employing district staff; or
  - b. Contracted agent of ODE or TSPC.
3. The authorized fingerprinter will obtain the necessary identification and fingerprinting and notify ODE of the results. ODE will then review and notify the district of said results as well as the identity of any individual it believes has knowingly made a false statement as to conviction of a crime, or has a conviction of a crime prohibiting employment or contract.
4. A copy of the fingerprinting results will be kept by the district.

#### **Fees**

1. Fees associated with fingerprinting for individuals applying for employment with the district and not requiring licensure, including contractors and their employees shall be paid by the individual.
2. Fees associated with required fingerprinting shall be paid for by the individual. The district will collect the fingerprinting fee after the individual begins working.
3. Individuals may request that the amount of the fee be withheld from the employee's paycheck, including a periodic payroll deduction rather than a lump sum payment, in accordance with Oregon law. The district may withhold such fees only upon the request of the individual.

#### **Termination of Employment or Withdrawal of Employment / Contract Offer / Volunteer Status**

1. A subject individual required to submit to criminal records checks and/or fingerprinting in accordance with law and/or Board policy will be terminated from employment or contract status, or withdrawal of offer of employment or contract will be made by the district upon:

- a. Refusal to consent to a criminal records check and/or fingerprinting; or
  - b. Notification from the Superintendent of Public Instruction that the employee has a conviction of any crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number.
2. A subject individual may be terminated from employment or contract status upon notification from the Superintendent of Public Instruction that the employee has knowingly made a false statement as to the conviction of any crime.
  3. Employment termination shall remove the individual from any district policies, collective bargaining provisions regarding dismissal procedures and the provisions of Accountability for Schools for the 21st Century Law.
  4. A volunteer who refuses to submit to a criminal background check in accordance with law and/or Board policy will be denied such ability to volunteer in the district.
  5. If the district has been notified by the Superintendent of Public Instruction that a volunteer knowingly made a false statement or has a conviction for any crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number, the individual will be denied the ability to volunteer.

#### **Appeals**

All appeals regarding a determination which prevents his/her employment or eligibility to contract with the district will be directed to the Oregon Superintendent of Public Instruction as a contested case under ORS 183.413-183.470.

Reviewed: 1/07, 9/30/13, 1/2020, 2/2022  
Approved: 1/07, 10/1/13, 3/2020, 4/2022

recommendation deleted 9.2024



An individualized education program (IEP) shall be developed and implemented for each student with disabilities in the district, kindergarten through 21 **years of age**, including those who **attend a public charter school located in the district**, are placed in or referred to a private school or facility by the district; or receive related services from the district. The district is responsible for initiating and conducting the meetings to develop, review and revise the IEP of a student with disabilities. The district will ensure that one or both parents/**guardians** are present at each meeting or are afforded the opportunity to participate and are given a copy of the IEP. A meeting to develop an IEP shall be held within 30 calendar days of a determination that the student needs special education and related services, once every 365 days thereafter and when considering a change in the IEP or placement.

If a student is to be placed or referred to a private school or facility or attends a private or parochial school, the district will ensure that a representative of the private school or facility attends the IEP meeting. If the representative of the private school or facility is unable to attend the IEP meeting, the district shall use other methods to ensure participation including but not limited to, individual or conference telephone calls, or individual meetings.

END OF ADMINISTRATIVE POLICY

REVIEWED: 4/1/08, 9/10/24

APPROVED: 4/8/08

**POLICY / REGULATION CROSS REFERENCE**

**LEGAL REFERENCE**

[ORS 343.068](#)

[ORS 343.151](#)

[ORS 343.155](#)

[ORS 343.321-343.333](#)

[OAR 581-015-2000](#)

[OAR 581-015-2190](#)

[OAR 581-015-2195](#)

[OAR 581-015-2200](#)

[OAR 581-015-2205](#)

[OAR 581-015-2210](#)

[OAR 581-015-2215](#)

[OAR 581-015-2220](#)

[OAR 581-015-2225](#)

[OAR 581-015-2229](#)

[OAR 581-015-2230](#)

[OAR 581-015-2235](#)

[OAR 581-015-2055](#)

[OAR 581-015-2600](#)

[OAR 581-015-2065](#)

[OAR 581-015-2265](#)

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.308 - 300.311, 300.342 - 300.348, 300.350, 300.501 (2006).



1. General IEP Information

- a. The district ensures that an IEP is in effect for each eligible student:
  - i. Before special education and related services are provided to a student;
  - ii. At the beginning of each school year for each student with a disability for whom the districts is responsible; and
  - iii. Before the district implements all the special education and related services, including program modifications, supports and/or supplementary aids and services, as identified on the IEP.
- b. The district uses:
  - i. The Oregon standard IEP; or
  - ii. An IEP form that has been approved by the Oregon Department of Education.
- c. The district develops and implements all provisions of the IEP as soon as possible following the IEP meeting.
- d. The IEP will be accessible to each of the student's regular education teacher(s), the student's special education teacher(s), and the student's related service provider(s) and other service provider(s). This includes all district employees assigned to work with a student with specialized needs to assist with the educational, behavioral, medical, health, or disability-related support needs of the student.
- e. The district takes steps to ensure that parent(s)/guardian(s) are present at each IEP meeting or have the opportunity to participate through other means.
- f. The district ensures that each teacher and service provider is informed of:
  - i. Their specific responsibilities for implementing the IEP specific accommodations, modifications and/or supports that must be provided for, or on behalf of the student; and
  - ii. Their responsibility to fully implement the IEP including any amendments the district and parents/guardians agreed to make between annual reviews.
- g. The district takes whatever action is necessary to ensure that parents/guardians understand the proceedings of the IEP team meeting, including arranging for an interpreter for parents/guardians with deafness or whose native language is other than English.
- h. The district provides a copy of the IEP to the parents at no cost.

2. IEP Meetings

- a. The district conducts IEP meetings within 30 calendar days of determination that the student is eligible for special education and related services.
- b. The district convenes IEP meetings for each eligible student periodically, but not less than once per year.
- c. At IEP meetings, the team reviews and revises the IEP to address any lack of expected progress toward annual goals and in the general curriculum, new evaluation data or new information from the parent(s), the student's anticipated needs, or the need to address other matters.
- d. Between annual IEP meetings, the district and the parent(s) may amend or modify the student's current IEP without convening an IEP team meeting using the procedures in the Agreement to Amend or Modify IEP subsection.
- e. When the parent(s)/guardian(s) requests a meeting, the district will either:
  - i. Schedule a meeting within a reasonable time; or
  - ii. Provide written prior notice of the district's refusal to hold a meeting.
- f. If an agency other than the district fails to provide agreed upon transition services contained in the IEP, the district convenes an IEP meeting to plan alternative strategies to meet the transition objectives and, if necessary, revising the IEP.

3. IEP Team Members

- a. The district's IEP team members include the following:
  - i. The student's parents/guardians;
  - ii. The student, if the purpose of the IEP meeting is to consider the student's postsecondary goals and transition services (beginning for IEPs in effect at age 16), or for younger students, when appropriate;

- iii. At least one of the student's special education teachers or, if appropriate, at least of the student's special education providers;
  - iv. At least one of the student's regular education teachers if the student is or may be participating in the regular education environment. If the student has more than one regular education teacher, the district will determine which teacher or teachers will participate;
  - v. A representative of the district, who may also be another member of the team, who is qualified to provide or supervise the provision of special education and is knowledgeable about about district resources. The representative of the district will have the authority to commit district resources, and be able to ensure that all services identified in the IEP can be delivered;
  - vi. An individual, who may also be another member of the team, who can interpret the instructional implications of the evaluation results; and
  - vii. At the discretion of the parent/guardian or district, other individuals who have knowledge or special expertise regarding the student;
- b. Student participation:
    - i. Whenever appropriate, the student with a disability is a member of the team.
    - ii. If the purpose of the IEP meeting includes consideration of postsecondary goals and transition services for the student, the district includes the student in the IEP team meeting.
    - iii. If the purpose of the IEP meeting includes consideration of postsecondary goals and transition services for the student, and the student does not attend the meeting, the district will take other steps to consider the student's preferences and interests in developing the IEP.
  - c. Participation by other agencies:
    - i. With parent or adult student written consent, and where appropriate, the district invites a representative of any other agency that is likely to be responsible for providing or paying for transition services if the purpose of the IEP meeting includes the consideration of transition services (beginning at age 16, or younger if appropriate); and
    - ii. If the district refers or places a student in an education service district, state-operated program, private school or other educational program, IEP team membership includes a representative from the appropriate agencies. Participation may consist of attending the meeting, conference call or participating through other means.
  - d. Participation by other employees:
    - i. All district employees assigned to work with a student with specialized needs to assist the student with educational, behavioral, medical, health or disability-related support needs of the student must be consulted with when the IEP for the student is being developed, reviewed or revised. This includes being invited to, and compensated for attending, meetings regarding the students IEP and other meetings regarding the student, when the decisions made and issues discussed are related to the responsibilities of the employee to support the student or when the employee has unique information about the student's needs and present level of performance.
4. Agreement for Nonattendance and Excusal
- a. The district and the parent/guardian may consent to excuse an IEP team member from attending the IEP meeting, in whole or in part, when the meeting involves a discussion or modification of the team member's area of curriculum or service. The district designates specific individuals to authorize excusal of IEP team members.
  - b. If excusing an IEP team member whose area is to be discussed at an IEP meeting, the district ensures:
    - i. The parent/guardian and the district consent in writing to the excusal;
    - ii. The team member submits written input to the parents/guardians and other members of the IEP team before the meeting; and
    - iii. The parent/guardian is informed of all information related to the excusal in the parent's native language or other mode of communication according to consent requirements.
5. IEP Content
- a. In developing the IEP, the district considers the student's strengths, the parent's concerns, the results of the initial or most recent evaluation, and the academic, developmental and functional needs of the student.
  - b. The district ensures that IEPs for each eligible student includes:
    - i. A statement of the student's present levels of academic achievement and functional performance that:

1. Includes a description of how the disability affects the progress and involvement in the general education curriculum;
  2. Describes the results of any evaluations conducted, including functional and developmental information;
  3. Is written in language that is understood by all IEP team members, including the parents/guardians;
  4. Is clearly linked to the annual goal statement(s); and
  5. Includes a description of benchmarks or short term objectives for children with disabilities who take alternative assessments aligned to alternate achievement standards.
  - ii. A statement of measurable annual goals, including academic and functional goals, or for students whose performance is measured by alternate assessments aligned to alternate achievement standard, statements of measurable goals and short-term objectives. The goals and, if appropriate, Objectives:
    1. Meet the student's needs that result from the disability, or because of behavior that interferes with the student's ability to learn, or impedes the learning of other students;
    2. Enable the student to be involved in and progress in the general curriculum, as appropriate; and
    3. Clearly describe the anticipated outcomes, including intermediate steps, if appropriate, that serve as a measure of progress toward the goal.
  - iii. A statement of the special education services, related services, supplementary aids and services that the district provides to the student:
    1. The district bases special education and related services, modifications and supports on peer-reviewed research to the extent practicable to assist students in advancing toward goals, progressing in the general curriculum and participating with other students (including those without disabilities), in academic, nonacademic and extracurricular activities.
    2. Each statement of special education services, related or supplementary services, aids, modifications or supports includes a description of the inclusive dates, amount or frequency, location and who is responsible for implementation.
  - iv. A statement of the extent, if any, to which the student will not participate with nondisabled students in regular academic, nonacademic, and extracurricular activities.
  - v. A statement of any individual modifications and accommodations in the administration of state or districtwide assessments of student achievement.
    1. A student will not be exempt from participation in state or districtwide assessment because of a disability unless the parent requests an exemption;
    2. If the IEP team determines that the student will take the alternate assessment instead of the regular statewide or a districtwide assessment, a statement of why the student cannot participate in the regular assessment and why the alternate assessment is appropriate for the student.
    3. A statement describing how the district will measure student's progress toward completion of the annual goals and when periodic reports on the student's progress toward the annual goals will be provided.
6. Agreement to Amend or Modify the IEP
- a. Between annual IEP meetings, the district and the parent may agree to make changes in the student's current IEP without holding an IEP meeting. These changes require a signed, written agreement between the district and the parent.
  - b. The district and the parent record any amendments, revisions or modifications on the student's current IEP. If additional IEP pages are required these pages must be attached to the existing IEP.
  - c. The district files a complete copy of the IEP with the student's education records and informs the student's IEP team and any teachers or service providers of the changes.
  - d. The district provides the parent prior written notice of any changes in the IEP and upon request, provides the parent with a revised copy of the IEP with the changes incorporated.
7. IEP Team Considerations and Special Factors
- a. In developing, reviewing and revising the IEP, the IEP team considers:
    - i. The strengths of the student and concerns of the parent/guardian for enhancing the education of the student;

- ii. The results of the initial or most recent evaluation of the student; and
- iii. As appropriate, the results of the student's performance on any general state or districtwide assessments;
- iv. The academic, developmental, and functional needs of the child.
- b. In developing, reviewing and revising the student's IEP, the IEP team considers the following special factors:
  - i. The communication needs of the student; and
  - ii. The need for assistive technology services and/or devices.
- c. As appropriate, the IEP team also considers the following special factors:
  - i. For a student whose behavior impedes their learning or that of others, strategies, positive behavioral intervention and supports to address that behavior;
  - ii. For a student with limited English proficiency, the language needs of the student as those needs relate to the IEP;
  - iii. For a student who is blind or visually impaired, instruction in Braille and the use of Braille unless the IEP team determines (after an evaluation of reading and writing skills, needs, and media, including evaluation of future needs for instruction in Braille or the use of Braille, appropriate reading and writing), that instruction in Braille or the use of Braille is not appropriate;
  - iv. For a student who is deaf or hard of hearing, the student's language and communication needs, including opportunities for direct communication with peers and professional personnel in the student's language and communication mode, academic level and full range of needs, including opportunities for direct instruction in the student's language and communication mode.
- d. In addition to the above IEP contents, the IEP for each eligible student of transition age includes:
  - i. Beginning not later than the IEP in effect when the student turns 16, or as early as 14 or younger, if determined appropriate by the IEP team (including parent(s)/guardian(s)), and updated annually thereafter the IEP must include:
    1. Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills; and
    2. The transition services (including course of study) needed to assist the student in reaching those goals.

Regarding employment planning, the parent/guardian shall be provided information about and opportunities to experience employment services provided by Oregon Vocational Rehabilitation or the Oregon Office of Developmental Disability Services. These services must be provided in a competitive integrated employment setting, as defined by Oregon Administrative Rule (OAR) 411-345-0020. Information about these services shall also be provided to the parent/guardian by the district at each annual review for IEPs to be in effect when the child turns 16, or as early as 14 or younger, if determined appropriate by the IEP team (including parent(s)/guardian(s)).

- ii. At least one year before a student reaches the age of majority (student reaches the age of 18, or has married or has been emancipated, whichever occurs first), a statement that the district has informed the student that all procedural rights will transfer at the age of majority; and
  - iii. If identified transition service providers, other than the district, fail to provide any of the services identified on the IEP, the district will initiate an IEP meeting as soon as possible to address alternative strategies and revise the IEP if necessary.
  - e. To promote self-determination and independence, the district shall provide the student and the student's parents/guardians with information and training resources regarding supported decision-making as a less restrictive alternative to guardianship, and with information and resources regarding strategies to remain engaged in the student's secondary education and post-school outcomes. The district shall provide this information at each IEP meeting that includes discussion of post-secondary education goals and transition services.
8. Incarcerated Youth
- a. For students with disabilities who are convicted as adults, incarcerated in adult correctional facilities and otherwise entitled to FAPE, the following IEP requirements do not apply:
    - i. Participation of students with disabilities in state and districtwide assessment; and

- ii. Transition planning and transition services, for students whose eligibility will end because of their age before they will be eligible to be released from an adult correctional facility based on consideration of their sentence and eligibility for early release.
  - b. The IEP team may modify the student's IEP, if the state has demonstrated a bona fide security or compelling interest that cannot be otherwise accommodated.
- 9. Extended School Year Services
  - a. The district makes extended school year (ESY) services available to all students for whom the IEP team has determined that such services are necessary.
  - b. ESY services are:
    - i. Provided to a student with a disability in addition to the services provided during the typical school year;
    - ii. Identified in the student's IEP; and
    - iii. Provided at no cost to the parent/guardian.
  - c. The district does not limit consideration of ESY services to particular categories of disability or unilaterally limit the type, amount, or duration of service.
  - d. The district provides ESY services to maintain the student's skills or behavior, but not to teach new skills or behaviors.
  - e. The district's criteria for determining the need for ESY services include:
    - i. Regression (a significant loss of skills or behaviors) and recoupment time based on documented evidence; or
    - ii. If no documented evidence, on predictions according to the professional judgment of the team.
  - f. "Regression" means significant loss of skills or behaviors in any area specified on the IEP as a result of an interruption in education services.
  - g. "Recoupment" means the recovery of skills or behaviors specified on the IEP to a level demonstrated before the interruption of education services.
- 10. Assistive Technology
  - a. The district ensures that assistive technology devices or assistive technology services, or both, are made available if they are identified as part of the student's IEP. These services and/or devices may be part of the student's special education, related services, or supplementary aids and services.
  - b. On a case-by-case basis, the district permits the use of district-purchased assistive technology devices in the student's home or in other settings if the student's IEP team determines that the student needs access to those devices to receive a free appropriate public education. In these situations, district policy will govern liability and transfer of the device when the student ceases to attend the district.
- 11. Transfer Students
  - a. In state: If a student with a disability (who had an IEP that was in effect in a previous district in Oregon) transfers into the district and enrolls in a district school within the same school year, the district (in consultation with the student's parents/guardians) provides FAPE to the student (including services comparable to those described in the student's IEP from the previous district), until the district either:
    - i. Adopts the student's IEP from the previous district; or
    - ii. Develops, adopts and implements a new IEP for the student in accordance with all of the IEP provisions.
  - b. Out of state: If a student transfers into the district with a current IEP from a district in another state, the district, in consultation with the student's parents/guardians, will provide FAPE to the student, including services comparable to those described in the student's IEP from the previous district, until the district:
    - i. Conducts an initial evaluation (if determined necessary by the district to determine Oregon eligibility) with parent/guardian consent and determines whether the student meets eligibility criteria described in the OARs.
    - ii. If the student is eligible under Oregon criteria, the district develops, adopts and implements a new IEP for the student using the Oregon Standard IEP or an approved alternate IEP.
    - iii. If the student does not meet Oregon eligibility criteria, the district provides prior written notice to the parents/guardians explaining that the student does not meet Oregon eligibility criteria and specifying the date when special education services will be terminated.
- 12. Abbreviated School Day

“Abbreviated school day” means any school day during which a student with a disability receives instruction or educational services for fewer hours than the majority of other students who are in the same grade within the student’s resident school district.

“Abbreviated school day program” means an education program:

- a. In which a school district restricts access for a student with a disability to hours of instruction or educational services to less than the number of hours of instruction or educational services that are provided to the majority of other students who are in the same grade within the student’s resident school district; and
- b. That results in a student with a disability having an abbreviated school day for more than 10 school days per school year.

Abbreviated school day programs are only allowed when all requirements in state law are met.<sup>1</sup>

Informed and written consent from the parent/guardian or foster parent is necessary prior to implementing an abbreviated school day program. A parent/guardian or a foster parent may, at any time, revoke consent for the placement of a student on an abbreviated school day program. Revoking consent or objecting to an abbreviated school day program shall be in writing.

Abbreviated school day programs limitations do not apply to students who are exempt per ORS 343.331.

END OF ADMINISTRATIVE REGULATION

---

REVIEWED: 1/29/07, 9/10/24  
APPROVED: 1/29/07

---

<sup>1</sup> See ORS 343.324.

---

**Special Education - Individualized Education Program (IEP)\*\***

1. General IEP Information
  - a. An IEP is in effect for each eligible student before:
    - (1) Special education and related services are provided to a student; and
    - (2) At the beginning of each school year.
  - b. The district uses:
    - (1) The Oregon standard IEP; or
    - (2) An IEP form that has been approved by the Oregon Department of Education.
  - c. An IEP is implemented as soon as possible following the IEP meeting.
  - d. The district provides all the special education and related services, including program modifications, supports and/or supplementary aids and services, identified on the IEP.
  - e. The district makes a good faith effort to assist the student to achieve the annual goals and short-term objectives identified on the IEP. The district will not be held accountable if, despite good faith implementation, a student does not achieve the anticipated progress identified on the IEP.
  - f. The IEP will be accessible to each of:
    - (1) The student's regular education teacher(s);
    - (2) The student's special education teacher(s); and
    - (3) The student's related services provider(s) and other service provider(s).
  - g. The district ensures that each teacher and service provider is informed of:
    - (1) Their specific responsibilities for implementing the IEP specific accommodations, modifications and/or supports that must be provided for, or on behalf of the student; and
    - (2) Their responsibility to fully implement the IEP.
2. IEP Meetings
  - a. The district initiates and conducts IEP meetings at least annually (every 365 days) for the purpose of developing, reviewing and revising an eligible student's IEP.
  - b. IEP meetings are conducted within 30 calendar days of determination that the student needs special education and related services.
  - c. Each eligible student's IEP is reviewed at least once a year to determine whether annual goals for the student are being achieved, and to make necessary revisions to address:
    - (1) Any lack of anticipated progress toward annual goals and in the general education curriculum, where appropriate;
    - (2) Results of any reevaluation;
    - (3) Information provided about the student provided to, or by, the parent;
    - (4) The student's anticipated needs; and
    - (5) Other matters.
  - d. The district conducts an IEP meeting any time it believes that a change in the IEP may be necessary to ensure free appropriate public education (FAPE) to the student.

- e. Parents may request a meeting at any time to review or revise the IEP if they believe that the district has not acted in good faith in developing or implementing the IEP, if they feel that the IEP is not effective or for any other reason for which a review would be appropriate.
- f. When the parent requests a meeting the district will either:
  - (1) Schedule a meeting within a reasonable time; or
  - (2) Provide written prior notice of the district's refusal to hold a meeting.
- g. If a participating agency fails to provide agreed upon transition services contained in the IEP, an IEP meeting is initiated for the purpose of identifying alternative strategies to meet the transition objectives and, if necessary, revising the IEP.
- h. The district provides prior written notice to the parent upon completion of the IEP, and before implementation of IEP services, if:
  - (1) The IEP changes the provision of FAPE to the student (e.g., adding or discontinuing a special education or related service); or
  - (2) The IEP team refuses a parent request for a change in the provision of FAPE to the student.

### 3. IEP Team Members

- a. IEP team members include the following:
  - (1) One or both of the student's parents;
  - (2) The student, when appropriate;
  - (3) At least one of the student's special education teacher or special education providers;
  - (4) At least one of the student's regular education teachers if the student is or may be participating in the regular education environment;
  - (5) A representative of the district, who may also be another member of the team, who is qualified to provide or supervise the provision of special education and is knowledgeable about the general curriculum, and about program options, academic, nonacademic and extracurricular activities. A representative of the district will have the authority to commit district resources, and be able to ensure that all services identified in the IEP can be delivered;
  - (6) An individual, who may also be another member of the team, who is knowledgeable about the student's disability, and who can interpret the instructional implications of the evaluation results;
  - (7) At the discretion of the parent or district, other individuals, including related services personnel, as appropriate, who have knowledge or special expertise regarding the student;
  - (8) The student if appropriate. The student is a required IEP team member beginning with the first IEP in effect when the student turns 16. The student must have the opportunity to indicate his/her preferences and interests during the IEP meeting when transition services are being considered. If the student does not attend the IEP meetings when transition services are being discussed, the district must take steps to ensure the student's interests and preferences are being considered;
  - (9) For students of transition age, a representative of any other agency that is likely to be responsible for providing or paying for transition services. If an agency does not send a representative to the meeting, the district must take other steps to obtain the participation of the agency in the planning of any transition services; and
  - (10) If the district has referred or placed a student in an ESD, state-operated program, private facility or any other program, IEP team membership will include a representative from those agencies. Participation may consist of attending the meeting, conference call or participating through other means.
- b. Participation of the regular education teacher:
  - (1) If the student is, or may be, participating in the regular educational environment, the regular education teacher will, to the extent appropriate, participate in the development and review of the IEP. If the student has more than one regular education teacher, the district will determine which

teacher or teachers will participate. The regular education teacher(s) will participate in discussions and decisions regarding:

- (a) Participation in the general curriculum and in the regular education environment;
- (b) Supplemental aids and services, program modifications and/or supports to be provided for the student or on behalf of the student;
- (c) Appropriate positive behavioral interventions and strategies; and
- (d) All portions of the IEP they may be implementing.

c. Attendance and Excusal

- (1) A member of the IEP team is not required to attend the IEP meeting, in whole or in part, if the parent of a child with a disability and the school district agree that the attendance of such a member is not necessary because the member's area of the curriculum or related services is not being modified or discussed at the meeting. The district must separately document this agreement in writing, retain the written submission in the student's education records, and the student's IEP should reflect no changes to that area of curriculum or related service.
- (2) A member of the IEP team may be excused from attending the IEP meeting, in whole or in part, when the meeting involves a modification to or discussion of the members' area of the curriculum or related services if the parent and the school district consent to the excusal, and the member submits in writing to the parent and to the IEP team input into the development of the IEP before the meeting. The district must separately document this agreement, and retain the written submission in the student's education records.
- (3) The district representative is not excused under these provisions.

d. Alternate Means of Participation

- (1) When conducting IEP team meetings, the parent of the child with a disability and the school district may agree to use alternate means of meeting participation, such as video conferencing and conference calls.

4. Content of the IEP

a. The IEP for each eligible student includes:

- (1) A written statement of the student's present levels of academic achievement and functional performance. The statement:
  - (a) Includes a description of how the disability affects the progress and involvement in the general education curriculum;
  - (b) Describes the results of any evaluations conducted, including functional and developmental information;
  - (c) Is written in language that is understood by all IEP team members, including the parents;
  - (d) Is clearly linked to the annual goal statement(s); and
  - (e) Includes a description of benchmarks or short term objectives for children with disabilities who take alternative assessments aligned to alternate achievement standards.
- (2) A statement of measurable annual goals, including academic and functional goals, designed to:
  - (a) Meet the student's needs that result from the disability to enable the student to be involved in and progress in the general education curriculum, as appropriate;
  - (b) Meet each of the student's other educational needs that result from the disability; and
  - (c) Clearly describe the anticipated outcomes, including intermediate steps that serve as a measure of progress toward the goal.

- (3) A description of the student's progress toward meeting the annual goals will be measured and when periodic reports on the progress the student is making toward meeting the annual goals will be provided.
  - (4) A statement of the special education services, related services, supplementary aids and services based on peer-reviewed research to the extent practicable, program modifications and supports for school personnel that will be provided to the student, or on behalf of the student. These services, modifications and supports are developed for the student to:
    - (a) Meet the annual goals;
    - (b) Be involved and progress in the general education curriculum;
    - (c) Be involved and participate in extracurricular and other nonacademic activities; and
    - (d) Be educated and participate with other students, with and without disabilities, in academic, nonacademic and extracurricular activities.
  - (5) For each special education service, related service, supplementary aid and service, program modification and support for school personnel that will be provided to the student, or on behalf of the student, a description of:
    - (a) The projected date for initiation;
    - (b) Projected duration, or ending date;
    - (c) The anticipated amount and frequency; and who is responsible for implementation of all or part of an IEP; and
    - (d) The anticipated location.
  - (6) A statement explaining the extent, if any, to which the student will not participate:
    - (a) With nondisabled students in the regular academic class; and
    - (b) In nonacademic and extracurricular activities.
  - (7) A statement of any individual appropriate accommodations that are necessary to measure the academic achievement and functional performance of the student on state and district wide assessments of student achievement, including extended and juried assessments, that are needed for the student to participate in that assessment;
  - (8) A student shall not be exempt from participation in state or districtwide assessment, including extended and juried assessments, because of a disability, unless the parent requested an exemption under OAR 581-022-0612;
  - (9) If the team determines that a student will not participate in a general statewide and/or districtwide assessment of student achievement (or part of an assessment), a statement of why that assessment is not appropriate for the student and how the student will be assessed;
  - (10) A statement of why the student cannot participate in the regular assessment and why the alternate is appropriate if the team determines that the student shall take an alternate assessment;
  - (11) A statement that describes how the student's progress toward completion of the annual goals will be measured, and how this progress will be reported to parents at least as often as progress reports for nondisabled students are provided to parents. The progress reports will indicate:
    - (a) The progress made toward completion of each annual goal during that reporting period; and
    - (b) The extent to which the progress will allow the student to meet the annual goals by the end of the IEP.
5. IEP Team Considerations and Special Factors
- a. In developing, reviewing and revising the IEP, the IEP team considers:

- (1) The strengths of the student and concerns of the parent for enhancing the education of the student;
  - (2) The results of the initial or most recent evaluation of the student; and
  - (3) As appropriate, the results of the student's performance on any general state or districtwide assessment;
  - (4) The academic, developmental, and functional needs of the child.
- b. In developing, reviewing and revising the student's IEP, the IEP team considers the following special factors:
- (1) The communication needs of the student; and
  - (2) The need for assistive technology services and/or devices.
- c. As appropriate, the IEP team also considers the following special factors:
- (1) For a student whose behavior impedes his/her learning or that of others, strategies, positive behavioral intervention and supports to address that behavior;
  - (2) For a student with limited English proficiency, the language needs of the student as those needs relate to the IEP;
  - (3) For a student who is blind or visually impaired, instruction in Braille and the use of Braille unless the IEP team determines, after an evaluation of reading and writing media, including evaluation of future needs for instruction in Braille or the use of Braille, that instruction in Braille or the use of Braille is not appropriate; and
  - (4) For a student who is deaf or hard of hearing, the student's language and communication needs, including opportunities for direct communication with peers and professional personnel in the student's language and communication mode, academic level and full range of needs, including opportunities for direct instruction in the student's language and communication mode.
- d. In addition to the above IEP contents, the IEP for each eligible student of transition age includes:
- (1) Beginning not later than the IEP in effect when the student turns 16 and updated annually thereafter appropriate measurable postsecondary goals based upon age appropriate transition assessments related to training, education, employment, and where appropriate, independent living skills and the transition services (including course of study) need to assist the student in reaching those goals;
  - (2) A statement that the student has been informed, at least one year before rights transfer that his/her rights will transfer to him/her upon reaching the age of majority.
6. Incarcerated Youth
- a. For students with disabilities who are convicted as adults, incarcerated in adult correctional facilities and otherwise entitled to FAPE, the following IEP requirements do not apply:
- (1) Participation of students with disabilities in state and districtwide assessment; and
  - (2) Transition planning and transition services, for students whose eligibility will end because of their age before they will be eligible to be released from an adult correctional facility based on consideration of their sentence and eligibility for early release.
- b. The IEP team may modify the student's IEP, if the state has demonstrated a bona fide security or compelling penological interest that cannot be otherwise accommodated.
7. Extended School Year Services
- a. The district makes extended school year (ESY) services available to all students for whom the IEP team has determined that such services are necessary.
- b. ESY services are:

- (1) Provided to a student with a disability in addition to the services provided during the typical school year;
  - (2) Identified in the student's IEP; and
  - (3) Provided at no cost to the parent.
- c. Consideration of ESY services will not be limited to particular categories of disability, and will not be limited to a type, amount or duration of service.
- d. ESY services are available to maintain the student's skills or behavior; ESY services are not necessarily provided to teach new skills or behaviors.
- e. The district has established the following criteria for determining the need for ESY services:
- (1) This criteria includes:
    - (a) Evidence of the student's regression and recoupment of skills and/or behavior, based on documented evidence; and
    - (b) Predictions regarding the student's regression and recoupment of skills and/or behavior;
    - (c) Regression means a significant loss of skills or behaviors that may result if services are interrupted;
    - (d) Recoupment means the ability to recover skills and/or behavior to a level that was achieved prior to the interruption of service.
  - (2) Additional criteria which may be used in determining the need for ESY includes:
    - (a) The nature and severity of the disability;
    - (b) The student's rate of progress, as evidenced through evaluation data and/or progress on the IEP;
    - (c) Availability of alternative resources;
    - (d) The student's need to interact with other students with and without disabilities;
    - (e) The need to provide continuing instruction and support in specific areas of the student's curriculum;
    - (f) The need to provide continuing instruction in support of the student's vocational needs;
    - (g) The nature of the services requested (e.g., services that may be extraordinary or integral to the program); and
    - (h) Any skills that may be emerging or developing that would be lost without ESY services.

## 8. Assistive Technology

- a. The district ensures that assistive technology devices or assistive technology services, or both, are made available if they are identified as part of the student's IEP. These services and/or devices may be part of the student's special education, related services or supplementary aids and services.
- b. On a case-by-case basis, the district permits the use of district-purchased assistive technology devices in the student's home or in other settings if the student's IEP team determines that the student needs access to those devices to receive a free appropriate public education. In these situations, parents are liable for loss, theft or damage due to negligence or misuse of the devices. When the student is no longer eligible for special education services in the district, assistive technology devices will be returned to the district.

R8/29/05 | JN



### Procedural Safeguards – General

Bend-La Pine Schools ensures that students with disabilities and their families are afforded their procedural safeguards related to:

1. Access to students' educational records;
2. Parent/guardian and adult student participation in special education decisions;
3. Transfer of rights to students who have reached the age of majority;
4. Prior written notice of proposed district actions;
5. Consent for evaluation and for initial placement in special education<sup>1</sup>;
6. Independent educational evaluation;
7. Dispute resolution through mediation, state complaint investigation, resolution sessions and due process hearings;
8. Discipline procedures and protections for students with disabilities, including placements related to discipline;
9. Placement of students during the pendency of due process hearings;
10. Placement of students by their parents/guardians in private schools;
11. Civil actions; and
12. Attorney's fees.

### Procedural Safeguards Notice

Bend-La Pine Schools provides to parents a copy of the *Procedural Safeguards Notice*, published by the Oregon Department of Education, at least once per year and upon initial referral or parent/guardian request for special education evaluation and when the parent/guardian requests a copy. The district also gives a copy to the student at least a year before the student's 18th birthday or upon learning that the student is considered emancipated.

The district provides the *Procedural Safeguards Notice* in the parent's/guardian's native language or other mode of communication unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent/guardian is not a written language, the district takes steps to ensure that the notice is translated orally or by other means understandable to the parent/guardian and that the parent/guardian understands the content of the notice. The district maintains written evidence that it meets these requirements.

### Parent/guardian or Adult Student Meeting Participation

1. The district provides parents/guardians or adult students an opportunity to participate in meetings with respect to the identification, evaluation, IEP and educational placement of the student, and the provision of a free appropriate public education (FAPE) to the student.
2. The district provides parents/guardians or adult students written notice of any meeting sufficiently in advance to ensure an opportunity to attend. The written notice:
  - a. States the purpose, time and place of the meeting and who is invited to attend;
  - b. Advises that parents or adult students may invite other individuals who they believe have knowledge or special expertise regarding the student;
  - c. Advises that the team may proceed with the meeting even if the parents/guardians are not in attendance;
  - d. Advises the parents/guardians or adult students who to contact before the meeting to provide information if they are unable to attend; and
  - e. Indicates if one of the meeting's purposes is to consider transition services or transition services needs. If so:
    - i. Indicates that the student will be invited; and

<sup>1</sup> If, at any time subsequent to the initial provision of special and related services, the parent of a child revokes consent in writing for the continued provision of special education and related services, the district: 1) may not continue to provide special education and related services to the child, but must provide prior written notice before ceasing the provision of special education and related services; 2) may not use mediation or due process procedures to obtain an agreement or ruling that the services may be provided to the child; 3) the district will not be considered to be in violation of the requirement to make a free appropriate public education (FAPE) available to the child because of the failure to provide the child with further special education and related services; and 4) the district is not required to convene an individualized education program (IEP) team meeting or develop an IEP for the child for further provision of special education or related services.

- ii. If considering transition services, identifies any agencies invited to send a representative (with parent/guardian or adult student consent).
- 3. The district takes steps to ensure that one or both parents/guardians of a child with a disability are present at each IEP or placement meeting or are afforded the opportunity to participate, including:
  - a. Notifying parents/guardians of the meeting early enough to ensure that they will have an opportunity to attend; and
  - b. Scheduling the meeting at a mutually agreed upon time and place.
- 4. If neither parent/guardian can attend, the district will use other methods to ensure an opportunity to participate, including, but not limited to, individual or conference phone calls or home visits.
- 5. The district may conduct an evaluation planning or eligibility meeting without the parent/guardian or adult student if the district provided meeting notice to the parent/guardian or adult student sufficiently in advance to ensure an opportunity to attend.

**Access to Records**

A parent/guardian is entitled at any reasonable time to examine all of the records of the district pertaining to the identification, evaluation and educational placement of their child and the provision of FAPE to their child. Records must be provided without undue delay, which may not exceed 10 business days, as defined in ORS 192.311, from the date of the request for the records. Records may be redacted only to the extent necessary to protect personally identifiable information of other children unless disclosure is authorized by law or court order.

**Special Education – Procedural Safeguards**

The district provides written notice to the parent of a student or eligible student, within a reasonable period of time, when the district proposes to initiate or change, or refuses to initiate or change, the identification, evaluation or educational placement of the student, or the provision of a free appropriate public education.

Parents of students with disabilities may request a due process hearing if the district refuses to initiate or change the identification, evaluation or educational placement of the student or to provide a free appropriate public education to the student.

The superintendent will develop administrative regulations which detail the procedures to be used for these hearings, all of which must comply with federal and state procedural safeguards.

During the pendency of any administrative or judicial proceeding concerning the identification, evaluation or educational placement of a student or the provision of a free appropriate public education, unless the district and parents of the student agree otherwise, the student involved must remain in his/her present educational placement. In the case of an application for initial admission to school, the student, with the consent of the parents, shall be placed in a program provided or selected by the district until the completion of all proceedings.

The placement may be changed to an interim alternative education setting, for up to 45 days, due to a weapon, illegal drug or controlled substance incident or due to the substantial likelihood of injurious behavior.

END OF ADMINISTRATIVE POLICY REGULATION

REVIEWED: 1/29/07, 9/10/24  
APPROVED: 1/29/07

**POLICY / REGULATION CROSS REFERENCE**

**LEGAL REFERENCE**

<a href="#">ORS 343.155</a>	<a href="#">OAR 581-015-2000</a>	<a href="#">OAR 581-015-2310</a>
<a href="#">ORS 343.165</a>	<a href="#">OAR 581-015-2030</a>	<a href="#">OAR 581-015-2325</a>
<a href="#">ORS 343.173</a>	<a href="#">OAR 581-015-2090</a>	<a href="#">OAR 581-015-2330</a>
<a href="#">ORS 343.177</a>	<a href="#">OAR 581-015-2095</a>	<a href="#">OAR 581-015-2345</a>
<a href="#">ORS 343.181</a>	<a href="#">OAR 581-015-2190</a>	<a href="#">OAR 581-015-2360</a>

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.300, 300.500 - 300.505, 300.515, 300.517.

draft 9.2024



The Board is dedicated to the development and application of best practices within the district's educational/behavioral programs. It is the intent of the Board to establish this policy and subsequent administrative regulation to define the circumstances that must exist and the requirements that must be met prior to, during, and after the use of restraint and/or seclusion as an intervention with district students.

The use of the following types of restraint on a student in the district is prohibited:

1. Chemical restraint
2. Mechanical restraint
3. Prone restraint
4. Supine restraint
5. Any restraint that involves intentional and nonincidental use of a solid object<sup>1</sup>, including a wall or the floor, to impede a student's movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.
6. Any restraint that places, or creates a risk of placing, pressure on a student's neck or throat.
7. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, unless the restraint is necessary for the purpose of extracting a body part from a bite.
8. Any restraint that impedes, or creates a risk of impeding, breathing.
9. Any restraint that involves the intentional placement of the hands, feet, elbow, knee or any object on a student's neck, throat, genitals or other intimate parts.
10. Any restraint that causes pressure to be placed, or creates a risk of causing pressure to be placed, on the stomach or back by a knee, foot or elbow bone.
11. Any action designed for the primary purpose of inflicting pain.

The use of a seclusion cell is prohibited.

Restraint or seclusion may not be used for discipline, punishment, retaliation or convenience of staff, contractors or volunteers of the district.

Restraint may be imposed on a student in the district only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and substantial physical or bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

Seclusion may only be used on a student in the district only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and serious bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

If restraint or seclusion is used on a student, by trained staff or other staff available in the case of an emergency when trained staff are not immediately available due to the unforeseeable nature of the emergency, i.e., teacher or administrator, it will be used only for as long as the student's behavior poses a reasonable risk of imminent and substantial physical or bodily injury to the student or others and less restrictive interventions would not be effective. Students will be continuously monitored by staff for the duration of the restraint or seclusion.

<sup>1</sup> The use of a solid object, including furniture, a wall, or the floor, by district staff performing a restraint is not prohibited if the object is used for the staff's own stability or support while performing the restraint and not as a mechanism to apply pressure directly to the student's body.

## Definitions

1. "Restraint" means the restriction of a student's actions or movements by holding the student or applying pressure or other means.

"Restraint" does not include:

- a. Holding a student's hand or arm to escort the student safely and without the use of force from one area to another;
  - b. Assisting a student to complete a task if the student does not resist the physical contact; or
  - c. Providing reasonable intervention with the minimal exertion of force necessary if the intervention does not include a restraint prohibited under Oregon Revised Statute ORS 339.288 and the intervention is necessary to:
    - i. Break up a physical fight;
    - ii. Interrupt a student's impulsive behavior that threatens the student's immediate safety, including running in front of a vehicle or climbing on unsafe structures or objects; or
    - iii. Effectively protect oneself or another from an assault, injury or sexual contact with the minimum physical contact necessary for protection.
2. "Seclusion" means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. Seclusion includes, but is not limited to, the involuntary confinement of a student alone in a room with a closed door, whether the door is locked or unlocked.

"Seclusion" does not include the removal of a student for a short period of time to provide the student with an opportunity to regain self-control if the student is in a setting from which the student is not physically prevented from leaving, or a student being left alone in a room with a closed door for a brief period of time if the student is left alone for a purpose that is unrelated to the student's behavior.

3. "Seclusion cell" means a freestanding, self-contained unit that is used to isolate the student from other students or physically prevent a student from leaving the unit or cause the student to believe the student is physically prevented from leaving the unit.
4. "Serious bodily injury" means any significant impairment of the physical condition of a person, as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else.
5. "Substantial physical or bodily injury" means any impairment of the physical condition of a person that requires some form of medical treatment.
6. "Mechanical restraint" means a device used to restrict the movement of a student or the movement or normal function of a portion of the body of a student.

"Mechanical restraint" does not include:

- a. A protective or stabilizing device ordered by a licensed physician; or
  - b. A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.
7. "Chemical restraint" means a drug or medication that is used on a student to control behavior or restrict freedom of movement that is not prescribed by a licensed physician or other qualified health care professional acting under the professional's scope of practice for standard treatment of the student's medical or psychiatric condition; and administered as prescribed by a licensed physician or other qualified health professional acting under the professional's scope of practice.
  8. "Prone restraint" means a restraint in which a student is held face down on the floor.
  9. "Supine restraint" means a restraint which a student is held face up on the floor.

Any student being restrained or secluded within the district whether it is an emergency or as part of a plan shall be continuously monitored by staff for the duration of the intervention. Any room used for seclusion of a student must meet the standards as outlined in Oregon Administrative Rule OAR 581-021-0568.

The district shall only utilize a training program for restraint or seclusion to train staff and use in the district which has been approved by the Oregon Department of Education (ODE).

The district shall preserve, and may not destroy, any records related to an incident of restraint or seclusion, including an audio or video recording. The records must be preserved in the original format and without alteration in accordance with law.

An annual review of the use of restraint and seclusion during the preceding school year shall be completed and submitted to the Oregon Department of Education (ODE) to ensure compliance with district policies and procedures set forth in JGAB-AR.

The results of the review and annual report shall be documented and shall include at a minimum:

1. The total number of incidents involving restraint;
2. The total number of incidents involving seclusion;
3. The total number of seclusions in a locked room;
4. The total number of students placed in restraint;
5. The total number of students placed in seclusion;
6. The total number of incidents that resulted in injuries or death to students or staff as a result of the use of restraint or seclusion;
7. The total number of students placed in restraint or seclusion more than 10 times in a school year and an explanation of what steps have been taken by the district to decrease the use of restraint and seclusion for each student;
8. The total number of restraint or seclusion incidents carried out by untrained individuals;
9. The demographic characteristics<sup>2</sup> of all students upon whom restraint or seclusion was imposed;
10. The total number of rooms available for use by the district for seclusion of a student and a description of the dimensions and design of the rooms.

This annual report shall be made available to the public at the district’s main office and on the district’s website and to the Board of Directors. At least once each school year, the parents and guardians of students in the district shall be notified about how to access the report.

The district shall investigate all complaints regarding the use of restraint and/or seclusion practices according to the procedures outlined in KL-BP: Public Complaints and KL-AR: Public Complaints. The complaint procedure is available on the policies page of the district’s website.

The complainant, whether an organization or an individual, may appeal a district’s final decision to the Oregon Department of Education pursuant to OAR 581-002-0001 - 581-002-0023.

The Superintendent shall develop administrative regulations to carry out the requirements set forth in this policy and to meet any additional requirements established by law related to the use, reporting, and written documentation of the use of restraint or seclusion by district staff. A staff member who violates this policy or its administrative regulation may be subject to discipline, up to including dismissal.

END OF ADMINISTRATIVE POLICY

---

REVIEWED: 12/11/12, 9/15/19, 9/10/24

APPROVED: 1/8/13, 10/2/19

**POLICY / REGULATION CROSS REFERENCE**

**LEGAL REFERENCE**

<a href="#">ORS 161.205</a>	<a href="#">ORS 339.288</a>	<a href="#">ORS 339.297</a>
<a href="#">ORS 339.250</a>	<a href="#">ORS 339.291</a>	<a href="#">ORS 339.300</a>
<a href="#">ORS 339.285</a>	<a href="#">ORS 339.294</a>	<a href="#">ORS 339.303</a>

---

<sup>2</sup> Including race, ethnicity, gender, disability status, migrant status, English proficiency and status as economically disadvantaged, unless the demographic information would reveal personally identifiable information about an individual student.

The Board is dedicated to the development and application of best practices within the district's educational programs. It is the intent of the Board to establish this policy and subsequent administrative regulation to define the circumstances that must exist and the requirements that must be met prior to, during, and after the use of restraint and/or seclusion as an intervention with district students.

### **Definitions**

1. "Restraint" means the restriction of a student's actions or movements by holding the student or applying pressure or other means. "Restraint" does not include:
  - Holding a student's hand or arm to escort the student safely and without the use of force from one area to another;
  - Assisting a student to complete a task if the student does not resist the physical contact; or
  - Providing reasonable intervention with the minimal exertion of force necessary if the intervention does not include a restraint prohibited under Oregon Revised Statute ORS 339.288 and the intervention is necessary to:
    - Break up a physical fight;
    - Interrupt a student's impulsive behavior that threatens the student's immediate safety, including running in front of a vehicle or climbing on unsafe structures or objects; or
    - Effectively protect oneself or another from an assault, injury or sexual contact with the minimum physical contact necessary for protection.
2. "Seclusion" means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. Seclusion does not include the removal of a student for a short period of time to provide the student with an opportunity to regain self-control if the student is in a setting from which the student is not physically prevented from leaving.
3. "Serious bodily injury" means any significant impairment of the physical condition of a person, as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else.
4. "Mechanical restraint" means a device used to restrict the movement of a student or the movement or normal function of a portion of the body of a student. "Mechanical restraint" does not include:
  - A protective or stabilizing device ordered by a licensed physician; or
  - A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.
5. "Chemical restraint" means a drug or medication that is used on a student to control behavior or restrict freedom of movement that is not prescribed by a licensed physician or other qualified health care professional acting under the professional's scope of practice for standard treatment of the student's medical or psychiatric condition; and administered as prescribed by a licensed physician or other qualified health professional acting under the professional's scope of practice.
6. "Prone restraint" means a restraint in which a student is held face down on the floor.
7. "Supine restraint" means a restraint which a student is held face up on the floor.

### **Prohibited Types of Restraint**

The use of the following types of restraint on a student in the district is prohibited:

1. Chemical restraint
2. Mechanical restraint
3. Prone restraint
4. Supine restraint
5. Any restraint that involves intentional and nonincidental use of a solid object, including a wall or the floor, to impede a student's movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.
6. Any restraint that places, or creates a risk of placing, pressure on a student's neck or throat.
7. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, unless the restraint is necessary for the purpose of extracting a body part from a bite.
8. Any restraint that impedes, or creates a risk of impeding, breathing.
9. Any restraint that involves the intentional placement of the hands, feet, elbow, knee or any object on a student's neck, throat, genitals or other intimate parts.
10. Any restraint that causes pressure to be placed, or creates a risk of causing pressure to be placed, on the stomach or back by a knee, foot or elbow bone.
11. Any action designed for the primary purpose of inflicting pain.

### **Use of Restraint and Seclusion**

Restraint or seclusion may not be used for discipline, punishment, retaliation or convenience of staff, contractors or volunteers of the district.

Restraint may be imposed on a student in the district only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and substantial physical or bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

Seclusion may only be used on a student in the district only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and serious bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

If restraint or seclusion is used on a student, by trained staff or other staff available in the case of an emergency when trained staff are not immediately available due to the unforeseeable nature of the emergency, i.e., teacher or administrator, it will be used only for as long as the student's behavior poses a reasonable risk of imminent and substantial physical or bodily injury to the student or others and less restrictive interventions would not be effective. Students will be continuously monitored by staff for the duration of the restraint or seclusion.

Any student being restrained or secluded within the district whether it is an emergency or as part of a plan shall be continuously monitored by staff for the duration of the intervention Any room used for seclusion of a student must meet the standards as outlined in Oregon Administrative Rule OAR 581-021-0568.

### **Notice Following the Use of Restraint or Seclusion**

Following the use of physical restraint or seclusion, district staff shall comply with the notice and reporting procedures set forth in JGAB-AR: Use of Restraint or Seclusion. An annual review of the use of restraint and seclusion during the preceding school year shall be completed and submitted to the Oregon Department of Education (ODE) to ensure compliance with district policies and procedures set forth in JGAB-AR. This annual report shall be made available to the public at the district's main office and on the district's website and to the Board of Directors. At least once each school year, the parents and guardians of students in the district shall be notified about how to access the report.

### **Training**

The district shall utilize the Crisis Prevention Institute (CPI) training program for use in the district. As required by state regulation, the selected program shall be one approved by the Oregon Department of Education (ODE) and include, but not limited to, positive behavior support, conflict prevention, de-

escalation and crisis response techniques. Any program selected by the district must be in compliance with state and federal law with respect to the use of restraint and/or seclusion.

**Complaints Regarding the Use of Restraint or Seclusion**

The district shall investigate all complaints regarding the use of restraint and/or seclusion practices according to the procedures outlined in KL-AP: Public Complaints and KL-AR: Public Complaints. The complainant, who is a student, a parent or guardian of a student attending school in the district or a person who resides in the district, may appeal a district's final decision to the Deputy Superintendent of Public Instruction pursuant to OAR 581-022-2370.

The Superintendent shall develop administrative regulations to carry out the requirements set forth in this policy and to meet any additional requirements established by law related to the use, reporting, and written documentation of the use of restraint or seclusion by district staff.

END OF POLICY

---

**Legal Reference(s):**

[ORS 161.205](#)  
[ORS 339.250](#)  
[ORS 339.285](#)  
[ORS 339.288](#)  
[ORS 339.291](#)  
[ORS 339.294](#)  
[ORS 339.297](#)

[ORS 339.300](#)  
[ORS 339.303](#)

[OAR 581-021-0061](#)  
[OAR 581-021-0550](#)  
[OAR 581-021-0553](#)  
[OAR 581-021-0556](#)

[OAR 581-021-0559](#)  
[OAR 581-021-0563](#)  
[OAR 581-021-0566](#)  
[OAR 581-021-0568](#)  
[OAR 581-021-0569](#)  
[OAR 581-021-0570](#)  
[OAR 581-022-2370](#)

Reviewed: 12.11.12, 9.15.19  
Approved: 1.8.13, 10.2.19



### Procedure

1. If restraint or seclusion continues for more than 30 minutes, school staff will attempt to immediately notify parent or guardians verbally or electronically.
2. Following an incident involving the use of restraint or seclusion, school staff will provide parents or guardians of the student the following:
  - a. Verbal or electronic notice of the incident by the end of the school day when the incident occurred.
  - b. Written documentation of the incident within 24 hours that provides:
    - i. A description of the restraint or seclusion including:
      1. The date of the restraint or seclusion;
      2. The times the restraint or seclusion began and ended; and
      3. The location of the incident.
    - ii. A description of the student's activity that prompted the use of restraint or seclusion.
    - iii. The efforts used to de-escalate the situation and the alternatives to restraint or seclusion that were attempted.
    - iv. The names of staff of the district who administered the restraint or seclusion.
    - v. A description of the training status of the staff of the district who administered the restraint or seclusion, including any information that may need to be provided to the parent or guardian.
  - c. Timely notification of a debriefing meeting to be held and of the parent's or guardian's right to attend the meeting.
  - d. Immediate<sup>1</sup>, written notification of the existence of any records<sup>2</sup> related to an incident of restraint or seclusion (including photos or audio or video recording).
3. If the restraint or seclusion was administered by a person without training, the administrator will ensure written notice is issued to the parent or guardian of the student that includes notice of the lack of training, and the reason why a person without training administered the restraint or seclusion. The administrator will ensure written notice of the same to the Superintendent.
4. An administrator will be notified as soon as practicable whenever restraint or seclusion has been used.
5. If restraint or seclusion continues for more than 30 minutes the student must be provided with adequate access to bathroom and water every 30 minutes. If restraint or seclusion continues for more than 30 minutes, every 15 minutes after the first 30 minutes, an administrator for the district must provide written authorization for the continuation of the restraint or seclusion, including providing documentation for the reason the restraint or seclusion must be continued. Whenever restraint or seclusion extends beyond 30 minutes, staff of the district will immediately attempt to verbally or electronically notify a parent or guardian.
6. A district Restraint and/or Seclusion Incident Report must be completed and copies provided to those attending the debriefing meeting for review and comment. The completed Restraint and/or Seclusion Incident Report Form shall include the following:
  - a. Name of the student;
  - b. Name of the staff member(s) administering the restraint or seclusion;
  - c. Date of the restraint or seclusion and the time the restraint or seclusion began and ended;
  - d. Location of the restraint or seclusion;
  - e. A description of restraint or seclusion;
  - f. A description of the student's activity immediately preceding the behavior that prompted the use of restraint or seclusion;
  - g. A description of the behavior that prompted the use of restraint or seclusion;
  - h. Efforts to de-escalate the situation and alternatives to restraint or seclusion that were attempted;

<sup>1</sup> "Immediate" means to act as soon as possible without undue delay, but in no case later than within 24 hours of the incident. (OAR 581-021-0556(2)(e))

<sup>2</sup> Such records shall be maintained in accordance with ORS 339.294(9).

- i. Information documenting parent or guardian contact and notification.
7. A documented debriefing meeting must be held within two school days after the use of restraint or seclusion. The parent or guardian of the student must be invited to attend the meeting<sup>3</sup>, and the meeting will include staff involved in the intervention. The debriefing team shall include an administrator. At the debriefing meeting, the district shall review, in its entirety, any audio or video recording preserved as a record of the incident involving restraint or seclusion in accordance with law. Written notes must be taken and a copy of the written notes shall be provided to a parent or guardian of the student.

The parent or guardian has the right to request another meeting in the event they were unable to attend the debriefing meeting scheduled to be held within two school days of the incident.

8. If serious bodily injury or death of a student occurs in relation to the use of restraint or seclusion:
  - a. Oral notification of the incident must be provided immediately to a parent or guardian of the student and to the Oregon Department of Human Services (DHS); and
  - b. Written notification of the incident must be provided to DHS within 24 hours of the incident.
9. If serious bodily injury or death of a staff member occurs in relation to the use of restraint or seclusion, written notification of the incident must be provided within 24 hours of the incident, to the superintendent, to the Superintendent of Public Instruction and, if applicable, to the union representative for the affected person.
10. The district will maintain a record of each incident in which injuries or death occurs in relation to the use of restraint or seclusion.

#### **Restraint and/or Seclusion as part of a Behavioral Support Plan in the Student's Individual Education Program (IEP) or Section 504 Plan**

1. Parent participation in the plan is required.
2. The IEP team that develops the behavioral support plan shall include knowledgeable and trained staff, including a behavioral specialist and a district representative who is familiar with the restraint and seclusion training practices adopted by the district.
3. Prior to the implementation of any behavioral support plan that includes restraint and/or seclusion, a functional behavioral assessment must be completed. The assessment plan must include an individual threshold for reviewing the plan. When the behavior support plan includes restraint or seclusion the parents or guardians will be provided a copy of JGAB-AP: Use of Restraint and Seclusion and JGAB-AR: Use of Restraint and Seclusion at the time the plan is developed.
4. If a student is involved in five incidents in a school year, the team, including a parent or guardian of the student, will form for the purpose of reviewing and revising the student's behavior plan and ensuring the provision of any necessary behavioral supports.

#### **Use of Restraint and/or Seclusion in an Emergency**

Use of restraint and/or seclusion under the circumstances of an emergency by a school administrator, staff or volunteer to maintain order or prevent a student from harming themselves, other students or school staff with a student who does not have restraint and/or seclusion as part of their IEP or Section 504 plan, is subject to all of the requirements established in JGAB-AP and this administrative regulation with the exception of those specific to plans developed in an IEP or 504 plan.

END OF ADMINISTRATIVE REGULATION

---

REVIEWED: 11/26/12, 9/15/19, 9/10/24  
APPROVED: 11/26/12, 10/2/19

---

<sup>3</sup> "Meeting" means the debriefing meeting at which the audio or video recording will be viewed. (OAR 581-021-0556(9))

---

**Notifications Following Use of Physical Restraint or Seclusion**

If restraint or seclusion continues for more than 30 minutes, school staff will attempt to immediately notify parent or guardians verbally or electronically.

Following an incident involving the use of restraint or seclusion, school staff will provide parents or guardians of the student the following:

1. Verbal or electronic notice of the incident by the end of the school day when the incident occurred.
2. Written documentation of the incident within 24 hours that provides:
  - A description of the restraint or seclusion including: the date of the restraint or seclusion, the times the restraint or seclusion began and ended, and the location of the incident.
  - A description of the student's activity that prompted the use of restraint or seclusion;
  - The efforts used to de-escalate the situation and the alternatives to restraint or seclusion that were attempted;
  - The names of staff of the district who administered the restraint or seclusion;
  - A description of the training status of the staff of the district who administered the restraint or seclusion, including any information that may need to be provided to the parent or guardian; and
  - Timely notification of a debriefing meeting to be held and of the parent's or guardian's right to attend the meeting.
3. If the restraint or seclusion was administered by a person without training, the administrator will ensure written notice is issued to the parent or guardian of the student that includes the lack of training, and the reason why a person without training administered the restraint or seclusion. The administrator will ensure written notice of the same to the Superintendent.
4. An administrator will be notified as soon as practicable whenever restraint or seclusion has been used.
5. If restraint or seclusion continues for more than 30 minutes the student must be provided with adequate access to bathroom and water every 30 minutes. If restraint or seclusion continues for more than 30 minutes, every 15 minutes after the first 30 minutes, an administrator for the district must provide written authorization for the continuation of the restraint or seclusion, including providing documentation for the reason the restraint or seclusion must be continued. Whenever restraint or seclusion extends beyond 30 minutes, staff of the district will immediately attempt to verbally or electronically notify a parent or guardian.
6. If serious bodily injury or death of a student occurs in relation to the use of restraint or seclusion, written notification of the incident must be provided to the Department of Human Services within 24 hours of the incident.
7. If serious bodily injury or death of a staff member occurs in relation to the use of restraint or seclusion, written notification of the incident must be provided to the Superintendent within 24 hours of the incident, or to the union representative for the affected person, if applicable.

8. The district will maintain a record of each incident in which injuries or death occurs in relation to the use of restraint or seclusion.
9. A district Restraint and/or Seclusion Incident Report must be completed and copies provided to those attending the debriefing meeting for review and comment. The completed Restraint and/or Seclusion Incident Report Form shall include the following:
  - Name of the student;
  - Name of the staff member(s) administering the restraint or seclusion;
  - Date of the restraint or seclusion and the time the restraint or seclusion began and ended;
  - Location of the restraint or seclusion;
  - A description of restraint or seclusion;
  - A description of the student's activity immediately preceding the behavior that prompted the use of restraint or seclusion;
  - A description of the behavior that prompted the use of restraint or seclusion;
  - Efforts to de-escalate the situation and alternatives to restraint or seclusion that were attempted;
  - Information documenting parent or guardian contact and notification.

#### **Debriefing Meeting**

A documented debriefing meeting must be held within two school days after the use of restraint or seclusion; staff involved in the intervention must be included in the meeting. The debriefing team shall include an administrator. Written notes must be taken and a copy of the written notes shall be provided to a parent or guardian of the student.

#### **Restraint and/or Seclusion as part of a Behavioral Support Plan in the Student's Individual Education Program (IEP) or Section 504 Plan**

Parent participation in the plan is required. The IEP team that develops the behavioral support plan shall include knowledgeable and trained staff, including a behavioral specialist and a district representative who is familiar with the restraint and seclusion training practices adopted by the district.

Prior to the implementation of any behavioral support plan that includes restraint and/or seclusion, a functional behavioral assessment must be completed. The assessment plan must include an individual threshold for reviewing the plan. When the behavior support plan includes restraint or seclusion the parents or guardians will be provided a copy of JGAB-AP: Use of Restraint and Seclusion and JGAB-AR: Use of Restraint and Seclusion at the time the plan is developed.

If a student is involved in five incidents in a school year, the team, including a parent or guardian of the student, will form for the purpose of reviewing and revising the student's behavior plan.

#### **Use of Restraint and/or Seclusion in an Emergency**

Use of restraint and/or seclusion under the circumstances of an emergency by a school administrator, staff or volunteer to maintain order or prevent a student from harming themselves, other students or school staff with a student who does not have restraint and/or seclusion as part of their IEP or Section 504 plan, is subject to all of the requirements established in JGAB-AP and this administrative regulation with the exception of those specific to plans developed in an IEP or 504 plan.

#### **Annual Review and Report**

An annual review of the use of physical restraint and seclusion on students for the preceding year shall be completed. The results of the annual review shall be documented in a report, which shall include at a minimum:

1. The total number of incidents involving physical restraint;
2. The total number of incidents of seclusion;
3. The total number of seclusions in a locked room;
4. The total number of students placed in physical restraint;
5. The total number of students placed in seclusion;
6. The total number of incidents that resulted in injuries or death to students or personnel as a result of the use of physical restraint or seclusion;
7. The total number of students who were placed in physical restraint or seclusion more than 10 times in the course of a school year and an explanation of what steps have been taken by the district to decrease the use of physical restraint and seclusion for each student.
8. The number of incidents in which the district staff member(s) administering physical restraint or seclusion were not trained as provided by this policy;
9. The demographic characteristics of all students upon whom physical restraint and/or seclusion was imposed, including race, ethnicity, gender, disability status, migrant status, English proficiency and status as economically disadvantaged, unless demographic information would reveal personally identifiable information about an individual student.
10. The total number of rooms available for use by the district for seclusion of a student and a description of the dimensions and design of the rooms.

The district's annual report shall be made available to the Board of Directors and the public at the district's main office and on the district's website. The district shall notify parents and guardians of students annually once each school year about how to access the report.

---

**Legal Reference(s):**

Reviewed: 11.26.12, 9.15.19  
Approved: 11.26.12, 10.2.19

**BEND - LA PINE SCHOOL DISTRICT NO 1**  
**ADMINISTRATIVE REGULATIONS**  
**CODE: JHC**  
**DATED:**  
**REVISED:**  
**REVIEW DATE:**  
**REVIEWED BY:**

## **STUDENT HEALTH SERVICES AND REQUIREMENTS**

Although the district's primary responsibility is to educate students, the student's health and general welfare is also a major Board concern. The Board believes school programs should be conducted in a manner that protects and enhances student and employee health and is consistent with good health practices.

The nurse(s) employed by the district shall function as integral members of the instructional staff, serving as resource person to teachers in securing appropriate information and materials on health-related topics.

The district shall have an established health services program, which provides:

1. Pertinent health information on the students, as required by Oregon statutes or regulations;
2. Health appraisal to include screening for possible vision or hearing problems and also scoliosis;
3. Health counseling for students and parents when appropriate;
4. Emergency care and first-aid assistance for sick and injured students and staff;
5. Control and prevention of communicable diseases as required by the State Health Division and the county health department;
6. Assistance for students in taking prescribed medication according to established district procedures;
7. Adaptation for students with special health needs.

The district health staff will coordinate with health personnel from other public agencies in matters pertaining to health instruction or the general health of students and employees.

Procedures shall be developed and implemented to carry out this regulation. All district employees will be apprised of their responsibilities in this area. Parents shall have the opportunity to request their students be exempt from participation in scoliosis, vision or hearing screening. The district will abide by those requests.

---

## PHYSICAL EXAMINATION OF STUDENTS

Students in grades 6 through 12 or initially entering into the Bend-LaPine athletic programs shall have a physical examination prior to participation in extracurricular sports. "Participation" as used in this policy means participation in sports practices and interscholastic competition. The physical examination must be conducted by a physician possessing an unrestricted license to practice medicine. The examination must be performed no earlier than May 1 of the preceding school year.

Students, who continue to participate in extracurricular sports after grade 6, shall be required to complete a physical exam in grades 7, 9, and 11.

Students are required to submit to the district a School Sports Pre-Participation Examination form prior to their participation. This form is to be completed and signed by a parent and physician, giving clearance and permission for the student to participate and authorizing emergency medical treatment and/or transportation to a medical facility, as necessary. Parents are required to have their student submit an additional physical exam form if he/she has had an injury, is diagnosed with a significant illness or has had major surgery prior to further participation in extracurricular sports.

END OF POLICY

---

Approved 9-23-02  
By: Leadership Council

Legal References:  
ORS 332.107  
ORS 336.479

2001-02 OSAA Handbook, Oregon Activities Association



## Immunization

Proof of immunization must be presented at the time of initial enrollment<sup>1</sup> in school or within 30 days of transfer to the district in accordance with Oregon law. Proof consists of a signed Certificate of Immunization Status form documenting either evidence of immunization, a religious, philosophical beliefs and/or medical exemption or immunity documentation.<sup>2</sup>

## Physical Examination School Sports Participation

A student participating in extracurricular sports in grades 7 through 12 is required to submit to an appropriate School Sports Pre-Participation Examination<sup>3</sup> prior to their initial participation in a related district program. The form<sup>4</sup> is to be completed and signed by a parent or guardian giving permission for the student to participate and signed by a medical provider authorized by law<sup>5</sup> who has examined and evaluated the student. The completed form(s) must be returned as directed. ~~The Board recommends that all students initially enrolling in school have a physical examination. Parents will be asked to complete a district [Health History form] when initially enrolling their student in the district and when registering them for grade 7. All students participating in athletic programs are required to submit to the district a School Sports Pre-participation Examination form prior to their initial participation in a district athletic program. The form is to be completed and signed by a parent or guardian and physician giving permission for the student to participate.~~

A student who is subsequently diagnosed with a significant illness or has had a major surgery is required to have a physical examination prior to further participation ~~in extracurricular sports.~~

A student who exhibits signs, symptoms or behaviors consistent with a concussion following an observed or suspected blow to the head or body, or who has been diagnosed with a concussion will not be allowed to participate in any athletic event or training on that day, unless an athletic trainer licensed by the Board of Athletic Trainers or a physician licensed pursuant to ORS 677.100 - 677.228 has determined the student has not suffered a concussion.<sup>6</sup> Except as allowed above, a student excluded for concussion reasons will not be allowed to return to participate in an athletic event or training until the following three conditions have been met:

1. It is not the same day as the student exhibited signs, symptoms or behaviors, experienced a blow to the head or body, or was diagnosed with a concussion;
2. The student no longer exhibits signs, symptoms or behaviors consistent with a concussion; and
3. The student has received a medical release form from a health care professional<sup>7</sup>.

A student who continues to participate in extracurricular sports in grades 7 through 12 shall be required to complete a ~~physical~~ sports examination once every two years, thereafter.

<sup>1</sup> The district shall immediately enroll a ~~homeless~~ student experiencing houselessness in the school selected even if the student is unable to produce records normally required for enrollment.

<sup>2</sup> Documentation requirements for exemptions are outlined in ORS 433.267.

<sup>3</sup> The required form is available at <https://www.osaa.org/governance/forms>, a copy may be obtained from a school office, or a form generated by the medical provider may be used if it meets requirements of law in OAR 581-021-0041.

<sup>4</sup> The form may be used in either a hard copy or electronic format.

<sup>5</sup> This physical examination must be conducted by a physician possessing an unrestricted license to practice medicine, a licensed naturopathic physician, a licensed physician assistant, a licensed nurse practitioner or a licensed chiropractic physician who has clinical training and experience in detecting cardiopulmonary diseases and defects.

<sup>6</sup> For more information regarding medical releases for students in grades 9-12, see OSAA rules.

<sup>7</sup> "Health care professional" includes a chiropractic physician, a naturopathic physician, a psychologist, a physical therapist, an occupational therapist, a physician assistant or a nurse practitioner who is licensed or registered under the laws of Oregon.

**POLICY / REGULATION CROSS REFERENCE**

**LEGAL REFERENCE**

[ORS 326.580](#)~~[ORS 336.211](#)~~

~~[ORS 336.213](#)~~

~~[ORS 336.](#)~~

[ORS 336.479](#)

[ORS 336.485](#) - [ORS 336.490](#)

[ORS 433.235](#) - [433.280](#)

[OAR 333-050-0010](#) - [050-0120](#)

[OAR 333-019-0010](#)

[OAR 581-021-0041](#)

McKinney-Vento Homeless Assistance Act, Subtitle VII-B, reauthorized by Title IX-A of the Every Student Succeeds Act, 42 U.S.C. §§ 11431-11435 (2018).  
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (~~2020~~2024).

draft 9.2024

**BEND-LA PINE SCHOOLS**

Administrative School District No. 1  
Deschutes County, Oregon

**ADMINISTRATIVE REGULATION**

Name: Immunization of Students

Section: Students

Code: JHCB-AR

No student will be allowed to enroll or continue school attendance without first presenting evidence of compliance with Oregon Revised Statutes and Oregon Administrative Rules concerning immunizations. The school principal is required to exclude any student from school attendance for noncompliance with the statutes and rules. In the event of noncompliance, the school principal will notify the parent or guardian in writing of the reason for the exclusion, stating that the student will continue to be excluded until the student has complied with the requirements. The notice will also inform the parent that a hearing will be afforded upon request.

Students and their parents who are not claiming a medical or nonmedical exemption to immunization requirements must submit a document signed by the parent, a practitioner of the healing arts who has within the scope of the practitioner's license the authority to administer immunizations or a representative of the local health department certifying the immunizations the student has received.

Students and their parents who are claiming a medical exemption to immunization requirements must submit a document signed by a physician or representative of the local health department stating that the child should be exempted from receiving specified immunizations because of an indicated medical diagnosis.

Students and their parents who are claiming a nonmedical exemption to immunization requirements must:

1. Watch the Vaccine Education Module, print out and complete the Vaccine Education Certificate; or
2. Talk to a health care provider, print out and complete the Vaccine Education Certificate.

The Vaccine Education Module and Vaccine Education Certificate are available on the Oregon Health Authority website or through a health care practitioner's office. Vaccine Education Certificates must be signed by a health care practitioner and provided to the school. Students and their parents may claim a nonmedical exemption to school immunization requirements for any reason, including but not limited to religious or philosophical beliefs.

The district will comply with the State Health Division rules related to the district's immunization registry and the associated tracking and recall systems. This compliance shall include the waiver of the requirement of consent for release of information from or providing information to and the waiver of issues of confidentiality in regard to immunization records.

Reviewed: 4/7/14, 1/28/18

Approved: 4/7/14, 2/5/18

**BEND-LA PINE SCHOOLS**

Administrative School District No. 1

Deschutes County, Oregon

**ADMINISTRATIVE POLICY**

Name: Communicable Diseases

Section: Students

Code: JHCC-AP

---

Bend-La Pine Schools shall provide reasonable protection against the risk of exposure to communicable disease for students. Reasonable protection from communicable disease is generally attained through immunization, exclusion or other measures as provided by Oregon law, by the local health department or in the *Communicable Disease Guidance* published by the Oregon Department of Education (ODE) and the Oregon Health Authority (OHA). Services will be provided to students as required by law.

A student will not attend school while in a communicable stage of a restrictable disease or when an administrator has reason to suspect that any susceptible student has or has been exposed to any disease for which the student is required to be excluded in accordance with law and per administrative regulation JHCC-AR - Communicable Diseases - Students. If the disease is a reportable disease, the administrator will report the occurrence to the local health department. The administrator will also take whatever reasonable steps it considers necessary to organize and operate its programs in a way which both furthers the education and protects the health of students and others.

The district may, for the protection of both the student who has a restrictable disease and the exposed student, provide an educational program in an alternative setting.

The district will include, as a part of its emergency plan, a description of the actions to be taken by district personnel in the case of a declared public health emergency or other catastrophe that disrupts district operations.

The district shall protect the confidentiality of each student's health condition and record to the extent possible and consistent with federal and state law. In cases when a restrictable or reportable disease is diagnosed and confirmed for a student, the administrator shall inform the appropriate employees with a legitimate educational interest to protect against the risk of exposure.

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

END OF POLICY

---

LEGAL REFERENCES:

[ORS 431.150 - 431.157](#)

[ORS 433.001 - 433.526](#)

[OAR 333-018](#)

[OAR 333-019-0010](#)

[OAR 333-019-0014](#)

[OAR 333-019-1000](#)

[OAR 437-002-0360](#)

[OAR 437-002-0377](#)

[OAR 581-022-2220](#)

OREGON DEPARTMENT OF EDUCATION and OREGON HEALTH AUTHORITY, *Communicable Disease Guidance* (2020).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).

Reviewed: 7/2020

Approved: 8/2020



---

**ADMINISTRATIVE POLICY**

**CODE: JHCCF-AP**

**TITLE: PEDICULOSIS (HEAD LICE)**

---

A student with a suspected case of head lice may be referred to designated trained staff for a screening. The screening will be done in a confidential manner by trained personnel.

School personnel will notify the parent or guardian of a student found with head lice and may provide information on treatment. The parent or guardian will be notified and directed to pick up the student. Should the parent or guardian be unable to pick up the student, the student will not be sent back to the classroom in order to minimize contact that might impact other students. Students will still ride the bus home if parents/guardians are unable to pick them up at the end of the day.

Suggested school measures for head lice provided in [Communicable Disease Guidance for Schools](#) issued by the Oregon Department of Education and Oregon Health Authority will be consulted.

END OF ADMINISTRATIVE POLICY

---

REVIEWED: 9/10/24

APPROVED:

**POLICY / REGULATION CROSS REFERENCE**

**LEGAL REFERENCE**

[ORS 332.107](#)



In compliance with Oregon law the following guidelines apply to the dissemination, inspection and examination of the public records of the district:

1. A public records request shall be submitted in writing through the district office at 520 NW Wall Street, Bend, OR 97703, or via email to [publicrecords@bend.k12.or.us](mailto:publicrecords@bend.k12.or.us), to the superintendent's designee, which may include the Executive Assistant to the Superintendent or the Board Clerk. Specific names of individuals may be found on the [district website](#).
2. Upon receipt of a written request, the district shall respond within five business days<sup>1</sup> acknowledging receipt of the request or completing<sup>2</sup> the district's response to the request.

If the district provides an acknowledgement of the request, it must:

- a. Confirm that the district is the custodian of the requested record;
  - b. Inform the requester that the district is not the custodian of the requested record; or
  - c. Notify the requester that the district is uncertain whether the district is the custodian of the requested record.
3. If the district is the custodian of the requested record, as soon as reasonably possible but not later than 10 business days after the date of the district is required to acknowledge receipt of the request as described above, the district shall:
    - a. Complete its response to the public records request. If the district determines that the request is exempt from public disclosure, the district will include a statement to that effect and that the requester may appeal the decision pursuant to state law; or
    - b. Provide a written statement that the district is still processing the request and a reasonable estimated date by which the district expects to complete its response based on the information currently available.
  4. The time periods, established by Oregon law and identified above, will not apply to the district if compliance would be impracticable because:
    - a. The staff<sup>3</sup> necessary to complete a response to the public records request are unavailable;
    - b. Compliance would demonstrably impede the district's ability to perform other necessary services; or
    - c. Of the volume of the public records request being simultaneously processed by the district.

In these situations, the district shall, as soon as practicable and without reasonable delay, acknowledge a public records request and complete the response to the request.

5. The district may request additional information or clarification from the requester for the purpose of expediting the district's response to the request as permitted by law. If the district requests additional information or clarification, in good faith, the obligation to complete the request is suspended until the requester provides the requested information or clarification or affirmatively declines to provide the information or clarification. If the requestor fails to respond within 60 days to a good faith request from the district for information or clarification, the district shall close the request.
6. If a copy of a public record is requested, the district will provide a single copy. If a request to inspect a public record is made and the record is maintained in a machine readable or electronic form, the custodian shall provide the record in the form requested, if available. If the public records is not available in the form requested, it will be made available in the form the record is maintained.
7. If a person who is a party to a civil judicial proceeding to which the district is a party or who has filed notice under ORS 30.275(5)(a), asks to inspect or to receive a copy of a public record that the person knows relates to the proceeding or notice, the individual must submit the request in writing to the designated custodian of district records and at the same time to the district's attorney.

<sup>1</sup> "Business day" means a day other than Saturday, Sunday, or a legal holiday, and on which at least one paid employee of the district is scheduled and does report to work. Business day does not include any day on which the central administration offices of the district are closed.

<sup>2</sup> The district response to a public records request will be considered complete when it complies with criteria in Oregon law (ORS 192.329).

<sup>3</sup> Staff members who are on leave or are not scheduled to work are considered to be unavailable.

8. Information will be made available to individuals with disabilities in an accessible format upon request and advance notice. Auxiliary aids and services available to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.
9. Where the labor effort exceeds 30 minutes, labor, material and out-of-pocket charges may be charged to the requestor.

Labor will be calculated at the hourly rate (including benefits) of the employee(s) conducting the search and review.

Typical costs<sup>4</sup> will be as follows:

- a. Clerical time: \$60 per hour
- b. Administrator time: \$100 per hour
- c. BLS IT Staff: \$75 per hour
- d. Attorney time: \$115 per hour
- e. Printing: \$0.25 per page

Auxiliary aids and services for qualified persons with disabilities will be available at no additional charge.

If the district has informed the requestor of a permitted fee, the obligation of the district to complete its response to the request is suspended until the fee has been received by the district. If the requester fails to pay the fee within 60 days of the date they were informed of the fee or fails to pay the fee within 60 days of the date on which the district informed them of the denial of the fee waiver, the district shall close the request.

END OF ADMINISTRATIVE REGULATION

---

REVIEWED: 1/10/08, 7/15/09, 12/2018, 9/10/24  
APPROVED: 2/21/08, 7/15/09, 1/2019

---

<sup>4</sup> At the time of the request, the District will provide specific rates for the employees conducting the search and review.

## **BEND-LA PINE SCHOOLS**

Administrative School District No. 1  
Deschutes County, Oregon

### **ADMINISTRATIVE REGULATION**

Name: Public Records  
Section: K/L Community  
Code: KBA-AR

Public record means any information that:

- Is prepared, owned or retained by the district;
- Is related to an activity, transaction or function of the district; and
- Is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the district.

Public record does not include messages on voice mail or on other telephone message storage and retrieval systems, or spoken communication that is not recorded.

Board meetings and records will be matters of public information subject to such restrictions as are set by federal law or regulation, by state statute or by pertinent court rulings.

The Board's official minutes, its written policies and its financial records will be available at the district office for inspection by any citizen desiring to examine them during hours when the district office is open. All such information will be made available to individuals with disabilities in any appropriate format upon request and with appropriate advanced notice. Auxiliary aids and services available to ensure equally effective communications to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.

The district supports the right of the people to know about programs and services of their schools and will make every effort to disseminate information. The superintendent or designee is authorized to use all means available to keep parents and other community members informed about the district / school's program and activities.

No records will be released for inspection by the public or any unauthorized persons – either by the superintendent or any other person designated as custodian for district records – if such disclosure would be contrary to the public interest, as described in state law. If a copy of a record is requested, the district will provide a single copy. If a request to inspect a record is made and the public record is maintained in a machine readable or electronic form, the custodian shall provide the record in the form requested, if available. If not available in the form requested, it will be provided in the form the public record is maintained. If a person who is a party to a civil judicial proceeding to which the district is a party or who has filed notice under ORS 30.275(5)(a), asks to inspect or to receive a copy of a public record that the person knows relates to the proceeding or notice, the individual must submit the request in writing to the designated custodian of district records and at the same time to the district's attorney.

Employee and volunteer addresses, electronic addresses (other than the district electronic mail addresses assigned by the district to district employees), social security numbers, dates of birth, and telephone numbers contained in personnel records maintained by the district are exempt from public disclosure pursuant to ORS 192.445 and ORS 192.502 (3). Such information may be released only upon the written request of the employee or volunteer or as otherwise provided by law. This exemption does not apply to a substitute teacher, as defined in ORS 342.815, when requested by a professional education association of which the substitute teacher may be a member.

The district will not disclose the identification badge or card of an employee without the employee's written consent if the badge or card contains the employee's photograph and the badge or card was prepared solely for internal use by the district to identify district employees. A duplicate of the photograph

used on the badge or card shall not be disclosed. The district shall not, in accordance with state law, disclose personal information for the purposes of enforcement of federal immigration laws.

The district shall retain and maintain its public record in accordance with OAR 166, Division 400.

### **Public Records Request Process**

In compliance with Oregon law, the following guidelines apply to the dissemination, inspection and examination of the public records of the district:

1. A request to inspect or receive a copy of a public record shall be submitted in writing through the superintendent's office at 520 NW Wall Street, Bend, OR 97703, or via email to [publicrecords@bend.k12.or.us](mailto:publicrecords@bend.k12.or.us)
2. Upon receipt of a written request, the district shall respond within five business days<sup>1</sup> acknowledging receipt of the request or completing<sup>2</sup> the district's response to the request. If the district provides an acknowledgement of the request, it must:
  - a. Confirm that the district is the custodian of the requested record;
  - b. Inform the requester that the district is not the custodian of the requested record; or
  - c. Notify the requester that the district is uncertain whether the district is the custodian of the requested record.
3. If the district is the custodian of the requested record, as soon as reasonably possible but not later than 10 business days after the date of the district is required to acknowledge receipt of the request as described above, the district shall:
  - a. Complete its response to the public records request. If the district determines that the request is exempt from public disclosure, the district will include a statement to that effect and that the requester may appeal the decision pursuant to state law; or
  - b. Provide a written statement that the district is still processing the request and a reasonable estimated date by which the district expects to complete its response based on the information currently available.
4. The time periods, established by Oregon law and identified above, will not apply to the district if compliance would be impracticable because:
  - a. The staff necessary to complete a response to the public records request are unavailable;
  - b. Compliance would demonstrably impede the district's ability to perform other necessary services; or
  - c. Of the volume of the public records request being simultaneously processed by the district.

Upon receipt of a request, the district shall respond as soon as practicable and without unreasonable delay, acknowledge a public records request and complete the response to the request. The district may request additional information or clarification from the requester for the purpose of expediting the district's response to the request as permitted by law. If the district requests additional information or clarification, in good faith, the obligation to complete the request is suspended until the requester provides the requested information or clarification or affirmatively declines to provide the information or clarification.

The district reserves the right to establish a fee schedule which will reasonably reimburse the district for the actual cost of making copies of public records available pursuant to law. The district will not be obligated to complete a request for which the requestor has not paid a fee as permitted by state law. There will be no additional charge for auxiliary aids and services provided for qualified persons with disabilities.

- Where the labor effort exceeds 30 minutes, labor, material and out-of-pocket charges may be requested for reimbursement to the district. Labor will be calculated at the hourly rate (including

benefits) of the employee(s) affected. Materials and out-of-pocket charges will be reimbursed at the established rate of \$0.15 per page for black and white and \$0.25 per page for color copies. Auxiliary aids and services for qualified persons with disabilities will be available at no additional charge.

- If the district has informed the requestor of a permitted fee, the obligation of the district to complete its response to the request is suspended until the fee has been received by the district. If the requester fails to pay the fee within 60 days of the date he/she was informed of the fee, or fails to pay the fee within 60 days of the date on which the district informed them of the denial of the fee waiver, the district shall close the request.

Information will be made available to individuals with disabilities in an appropriate format upon request and advance notice. Auxiliary aids and services available to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.

The district reserves the right to restrict the inspection of some public records to the district's facilities. The district reserves the right to withhold, upon written request, an individual's home address, personal telephone number or electronic mail address according to ORS 192.368

### **Individual Home Addresses or Personal Telephone Number**

An individual may submit a written request to the district not to disclose a specified public record indicating home address, personal telephone number or electronic mail address of the individual. Unlisted telephone numbers obtained / maintained by the district shall be treated the same as listed telephone numbers unless accompanied by a written request not to disclose the numbers. An individual shall provide evidence to the district to establish that disclosure of the aforementioned would constitute a danger to personal safety. Such evidence may include, but is not limited to, evidence that the individual or family member residing with the individual has:

- Been a victim of domestic violence;
- Obtained an order under ORS 133.055;
- Contacted a law enforcement officer involving domestic violence or other physical abuse;
- Obtained a temporary restraining order or other no contact order to protect the individual from future physical abuse; and/or
- Filed other criminal or civil legal proceedings regarding physical protection.

Written requests honored by the district shall remain effective:

- Until the district receives a written request for termination; and
- For up to five years after the district receives a request.

The district may, however, disclose a home address, personal telephone number or electronic mail address exempt from disclosure upon court order, upon request from any law enforcement agency or with the consent of the individual.

---

<sup>1</sup> "Business day" means a day other than Saturday, Sunday, or a legal holiday, and on which at least one paid employee of the district is scheduled and does report to work. Business day does not include any day on which the central administration offices of the district are closed.

<sup>2</sup> The district response to a public records request will be considered complete when it complies with criteria in ORS 192.410-192.505.

#### LEGAL REFERENCE(S):

[ORS Chapter 192](#)

[OAR 137-004-0800\(1\)](#)

[OAR 166-400](#)

SB 481 (2017)

HB 3464 92017)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2017); 29 C.F.R. Part 1630 (2017); 28 C.F.R. Part 35 (2017).  
Oregon Department of Justice, Oregon Attorney General, *Public Records and Meetings Manual* (2014).

Americans with Disabilities Act Amendments Act of 2008.

Reviewed: 1/10/08, 7/15/09, 12/2018

Approved: 2/21/08, 7/15/09, 1/2019

rewrite 9.2024



**REPORT:** Executive Limitation 4.8: Communications

**PRESENTED BY:** Scott Maben, Director of Communications

**EXECUTIVE SUMMARY:**

This monitoring report provides the Board with information to evaluate the Superintendent's compliance with the directives of Executive Limitation 4.8: Communications.

**Monitoring Report**

The Superintendent shall not fail to ensure that the district provides for internal and external communications to inform the Board of Directors, district staff, students and families of the district vision, goals, initiatives, programs, events, and opportunities. This includes district communications that occur on a regular basis in forms that are accessible and coherent, with the objective of promoting transparency, understanding, and engagement among all district stakeholders.

**Notable Evidence for 2023-2024:**

**Through internal and external communications, the superintendent and other district leaders will increase their public profiles and share the vision for the district using a variety of platforms.**

We were moderately successful with intentional efforts to elevate the District's public profile through a variety of communication tools and platforms. We took advantage of many opportunities to be engaged with our community generally, to strengthen community partnerships, and to work collaboratively with news media. I believe two events – prolonged labor negotiations and the Learning Levy on the May ballot – thrust the district into the news and community consciousness this year.

**The communications team will keep district staff and the families we serve well informed of the goals, objectives, plans, programs, and activities of the district.**

Communications this year included monthly staff newsletters and 15 Family Spotlights, plus 23 staff newsletters providing updates on negotiations with the BEA and OSEA. We worked to improve newsletter content, such as providing profiles of Student Voice Council leaders and SROs and drawing attention to policy updates. We also produced a detailed video of our CTE program, among other video projects. Some projects, including The Supe's On! podcast and Friday Faves, were paused due to the time commitments of negotiations.

**The team will amplify and center student voice and build capacity for school leaders and staff to communicate more effectively with families.**

We showcased our Student Voice Council members in family newsletters and with social media celebrations and have met with SVC to support its own communication efforts. We have invited schools to share stories of student achievement and celebration with us, to promote in all our communications, including news media, social media, websites, and

newsletters. We also partnered with principals and others to draft, translate and send a wide variety of school news, from threat responses to major changes in operations and schedules.

**The team will strengthen and diversify the district's media relations and broaden our outreach to community stakeholders and partners.**

We are in a much better working relationship with area news media than when I began in my role. We have had over a dozen meetings with publishers, editors, news directors and producers to discuss how we can work well together and support each other's needs. Through diligent efforts to respond consistently and quickly to media inquiries, and through story idea pitches and coordinated announcements, we have established a solid, trust-based working relationship with The Bulletin, KTVZ, Central Oregon Daily News, The Source Weekly, KBND, OPB, KLCC, KSJJ, Cascade Business News, and student publications Summit Pinnacle and The Obsidian. Feedback from newsroom leaders indicates a growing recognition of, and appreciation for, our efforts to be transparent, responsive and helpful.

Our efforts to improve connection, communication and collaboration with community partners began with the Bend Police Department; communications staff with High Desert ESD, Central Oregon Community College, OSU Cascades, and the Redmond, Crook County and Madras school districts; Deschutes County Health Services; and the Bend-La Pine Education Foundation. More recently we added the Bend Area Chamber of Commerce, City of Bend, and Family Access Network. We are in regular contact with these partners and are doing more to share information from them and with/through them.

**Strategic Initiatives for 2024-2025:**

- Migrate district/school websites to new website platform, to improve visitor experience, accessibility and navigability, and remove outdated or unnecessary content.
- Adopt a new family communication/engagement platform for district and school use, providing for a standard and consistent messaging approach; simpler, flexible user experience; improved family engagement.
- Improve internal communication initiatives to facilitate district efforts to support and inform staff, strengthen connections between departments and school teams, and build trust and understanding among all district employees.

In the 2023-24 school year we shared 28 staff newsletters:

- 7 Staff Spotlights (average views 826)
- 9 OSEA bargaining bulletins (average views 1,076)
- 12 BEA bargaining bulletins (average views 1,294)

For 2024-25, we plan to share 16 Staff Spotlight newsletters, with a goal of increasing staff engagement by at least 5% over the 2023-24 Staff spotlight engagement level.

- Expand efforts to strengthen communication and collaboration with community partners, such as leveraging communication channels to mutually share relevant information.



**REPORT:** Executive Limitation 4.9: Safety

**PRESENTED BY:** Scott Bojanowski, Interim Director of Safety

**EXECUTIVE SUMMARY:**

This monitoring report provides the Board with information to evaluate the Superintendent's compliance with the directives of Executive Limitation 4.9: Safety.

**Monitoring Report**

The Board of Directors recognizes that effective learning and productive work take place in a safe, secure, and welcoming environment. Safety and security are priorities of the district, and the district is committed to providing a safe and secure environment in all district facilities, on district vehicles, and at district-sponsored activities.

Accordingly, the Superintendent shall produce and maintain a District Emergency Operations Plan (EOP) and shall not fail to provide for a safe and secure learning and working environment free from unnecessary disruption that includes procedures to address:

1. The supervision and security of schools, district buildings and grounds.
2. The supervision and safety of students during school hours and at school-sponsored activities.
3. The sharing of information with partner agencies, in accordance with applicable state and federal laws.
4. Regular assessments to evaluate the security needs of district facilities.

**Notable Evidence for 2023-2024:**

- Conducted 33 formal school site visits to collaborate with staff and students to highlight best practices and discuss how the safety department can support schools in areas of improvement. A comprehensive report was completed by the safety department for each school.
- Collaborated with district, school, and partner agencies on 122 safety related planning meetings, trainings, and non-scheduled site visits to strengthen the culture and relationship building around our district's safety goals.
- Monitored the Safe Oregon Tip Line tips from students and community members, resulting in 248 tips being actioned upon, with a 97% response rate of under 3 minutes by district and school administrators.
- Provided oversight on all required emergency drills for the district, resulting in a cumulative total of 374 drills being completed in SY 23-24, with a 97% "on-time" completion rate by our schools.

- Coordinated the response to 68 school emergency incidents, using the district's internal emergency messaging system. Resulting in immediate district support to all schools during their site-based emergencies.

**Strategic Initiatives for 2024-2025:**

- Continue to strengthen the culture of safety across the school district through site visits, feedback mechanisms, and community partner collaboration.
- Build upon current safety-related policies and procedures to develop resources that can be shared with staff to reflect district best practices.
- Provide professional development opportunities for staff to enhance their understanding of safety expectations and emergency response procedures.

# Elementary School Enrollment (9/10/2024)

	AMITY CREEK	BEAR CREEK	BUCKINGHAM	ELK MEADOW	ENSWORTH	HIGH LAKES	HIGHLAND	JUNIPER	LA PINE	LAVA RIDGE			
KG	24	77	39	66	18	54	66	49	66	50			
GRADE 1	24	92	51	62	25	62	66	66	84	63			
GRADE 2	24	83	54	73	19	59	65	74	82	88			
GRADE 3	24	100	59	87	28	79	66	82	76	57			
GRADE 4	24	80	69	82	18	84	59	84	97	75			
GRADE 5	24	91	71	89	24	79	63	80	76	75			
TOTAL	144	523	343	459	132	417	385	435	481	408			
PROJECTIONS	144	518	365	453	155	408	393	432	492	425			
"+/-"	0	5	-22	6	-23	9	-8	3	-11	-17			

	NORTH STAR	PINE RIDGE	PONDEROSA	R.E. JEWELL	ROSLAND	SILVER RAIL	THREE RIVERS	TSIDE VILL	W.E. MILLEF	TOTAL	PROJ.	VAR.
KG	50	60	68	56	28	57	32	25	59	944	1,094	-150
GRADE 1	56	93	58	72	35	70	37	22	88	1126	1,122	4
GRADE 2	42	82	94	70	24	84	48	13	76	1154	1,165	-11
GRADE 3	64	110	80	73	23	85	44	14	72	1223	1,206	17
GRADE 4	47	95	75	81	26	83	55	28	114	1276	1,274	2
GRADE 5	54	87	87	70	21	76	63	24	88	1242	1,243	-1
TOTAL	313	527	462	422	157	455	279	126	497	6965	7,105	-140
PROJECTIONS	326	566	449	443	181	451	276	136	491	7105		
"+/-"	-13	-39	13	-21	-24	4	3	-10	6	-140		

## Middle School Enrollment (9/10/2024)

	CMS	HDMS	LPMS	PCMS	PBMS	SVMS	REALMS	3 RIVERS	WS VILL	TOTAL	Proj	Diff
GRADE 6	260	206	95	181	168	190	54	46	26	1226	1,204	22
GRADE 7	209	236	87	208	198	187	52	57	30	1264	1,241	23
GRADE 8	220	226	97	198	233	218	50	41	19	1302	1,279	23
TOTAL	689	668	279	587	599	595	156	144	75	3792	3,725	67
PROJECITONS	663	677	273	561	584	593	156	141	77	3725		
"+/-"	26	-9	6	26	15	2	0	3	-2	67		

## High School Enrollment (9/10/2024)

	BSH	CHS	LPHS	BTA	MVHS	REALMS	SHS	TOTAL	PROJ.	VAR.
GRADE 9	315	354	94	29	275	39	315	1421	1395	26
GRADE 10	301	343	134	31	289	48	296	1442	1366	76
GRADE 11	325	312	113	29	306	28	335	1448	1366	82
GRADE 12	317	370	115	25	318	34	357	1536	1365	171
TOTAL	1258	1379	456	114	1188	149	1303	5847	5493	354
PROJECITONS	1212	1253	408	118	1106	152	1243	5493		
"+/-"	46	126	48	-4	82	-3	60	354		

## Program Enrollment (9/10/2024)

	9/10/2024	9/7/2023	PROJECTED
BIS	212	215	218
DSMS	163	168	178
Other	6	81	80
J Bar J	37	40	41
COIC	0	56	101
Total Other	418	560	618

## Year over Year Enrollment (9/10/2024)

Change to Oct 1	9/10/2024	9/12/2023	YOY Chang
Enrolled in schools	16604	16597	7
Students enrolled in programs	418	560	-142
Total enrollment District-wide	17022	17157	-135



**REPORT:** Learning Levy Election Outcome Analysis

**PRESENTED BY:** Scott Maben, Director of Communications

**EXECUTIVE SUMMARY:**

On February 27, 2024, the Board of Directors voted 6-0 to authorize the district to place a Local Option Levy on the May 21, 2024, primary election ballot. The ballot question asked voters if the District should levy \$1.00 per \$1,000 of assessed value for five years, beginning in the 2024-25 fiscal year, to bridge a district funding gap and support listed priorities.

On May 21, 2024, the proposed levy, Measure 9-167, received 18,794 yes votes (42.78%) and 25,133 no votes (57.22%). The measure did not pass.

To gain insights on what voters thought of the proposed levy and why it didn't garner more support, the District worked with Nelson Research of Salem, Oregon, to conduct an opinion survey of 400 likely voters in the district on June 13-14, 2024. Nelson Research also conducted voter opinion surveys in November 2023 and January 2024 to assist the District in developing the proposed levy.



# Learning Levy: Election Outcome Analysis

SCOTT MABEN, SEPT. 10, 2024



**B E N D**  
**LA PINE**  

---

**S C H O O L S**

# LEARNING LEVY

February 27, 2024 – Board voted 6-0 to authorize the district to place a Local Option Levy on the May 21, 2024, primary election ballot.

Ballot question: Shall the District levy \$1.00 per \$1,000 of assessed value for five years, beginning in 2024-25, to bridge a district funding gap and support listed priorities?

# LEARNING LEVY

This proposed 5-year local option levy would allow the District to bridge the funding gap and dedicate resources for the following:

- Protecting and maintaining class sizes
- Strengthening and adding Career Technical Education pathways
- Recruiting and retaining teachers and support staff
- Increasing advanced academic offerings for students
- Improving support systems for struggling students
- Enhancing elective offerings in music, art, technology, business, world languages

# LEARNING LEVY

If approved, the levy would establish a tax rate of \$1.00 per \$1,000 of assessed property value. The estimated cost for a home with a median assessed value of \$238,750 is about \$239 a year. The levy would provide the District approximately \$21.2 million in the first year.

## Election Results 5/21/24

The Learning Levy fell well short of the simple majority needed to pass.

The margin between NO votes and YES votes was 6,339 votes, or 14.44 points.

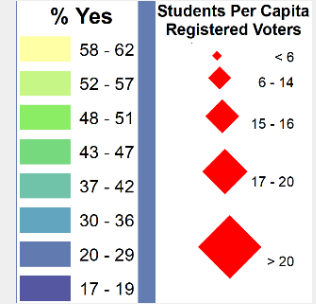
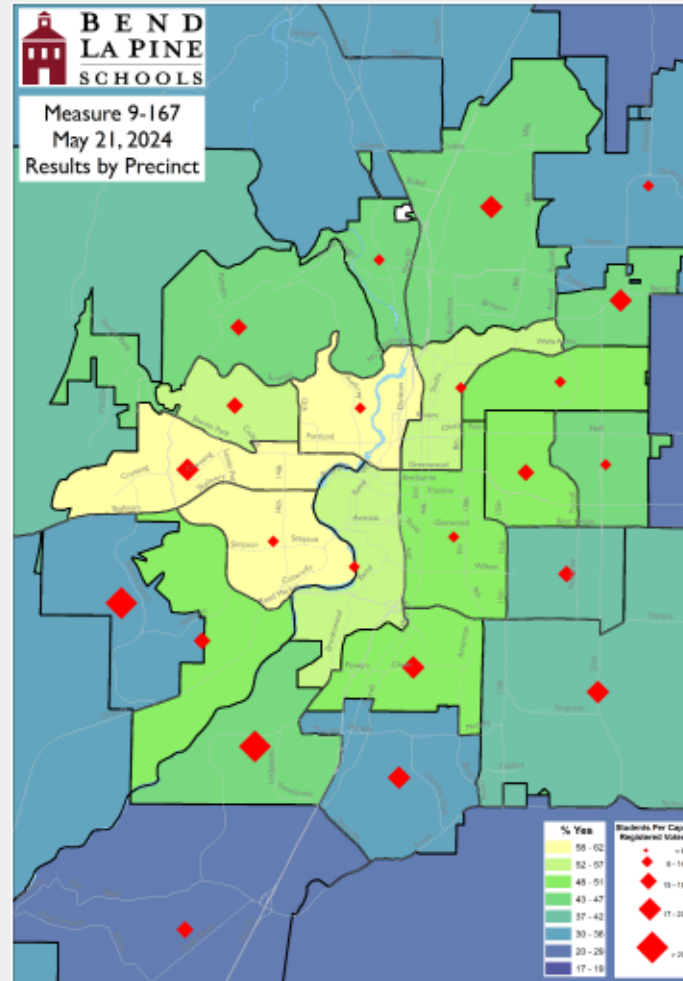
### 9-167, Administrative School District No 1

<input checked="" type="checkbox"/> No	57.22%	<div style="width: 57.22%;"><div style="width: 57.22%;"></div></div>	25,133
Yes	42.78%	<div style="width: 42.78%;"><div style="width: 42.78%;"></div></div>	18,794
Total:			43,927
Over Votes:			0
Under Votes:			1,271



## Results by Precinct

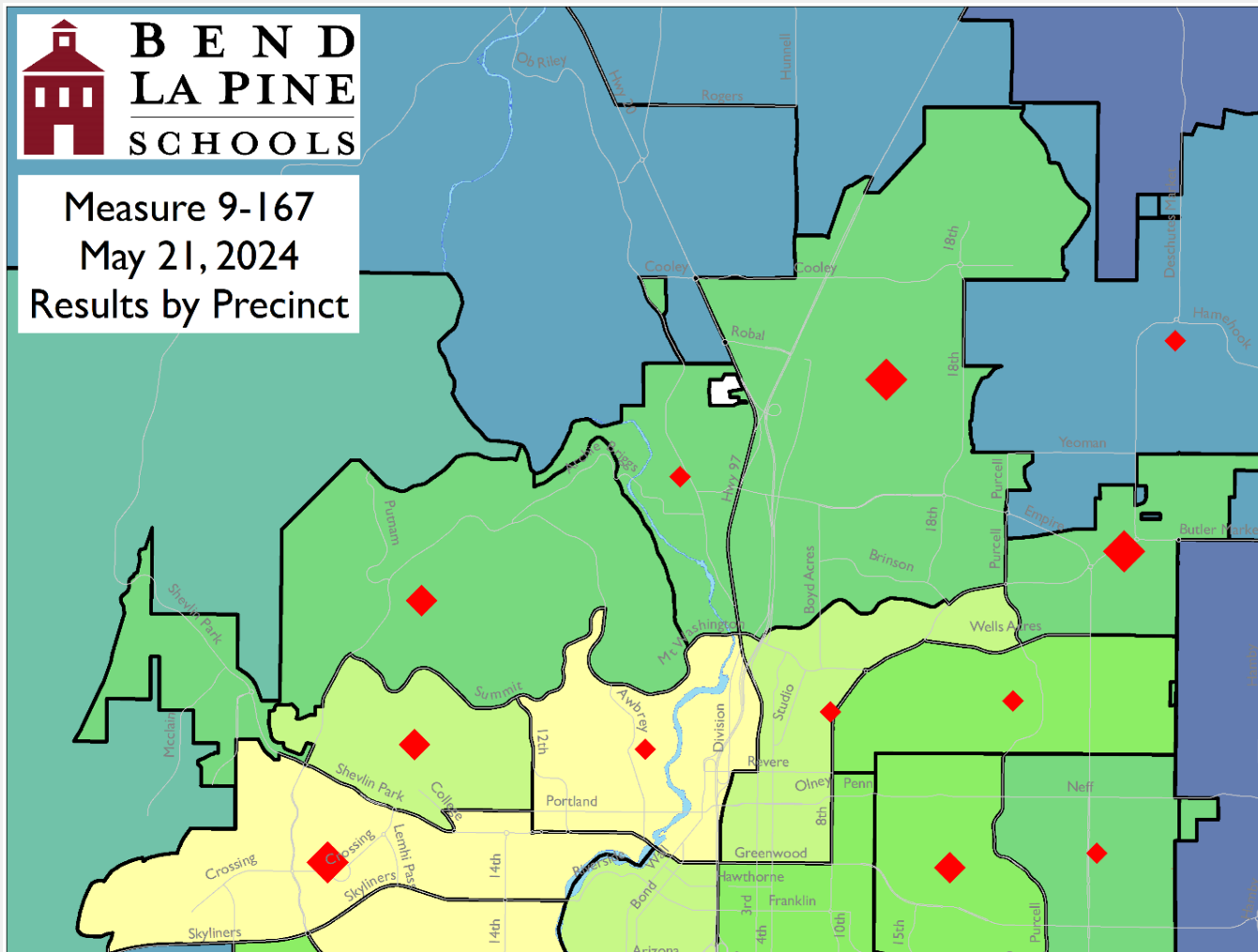
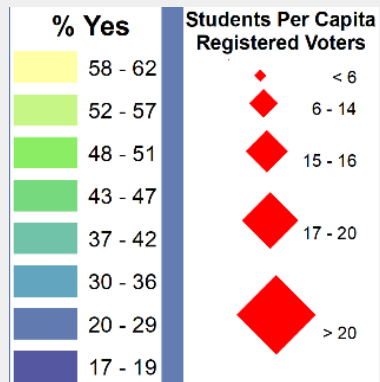
Support highest in west Bend neighborhoods.  
Support lowest in rural areas.



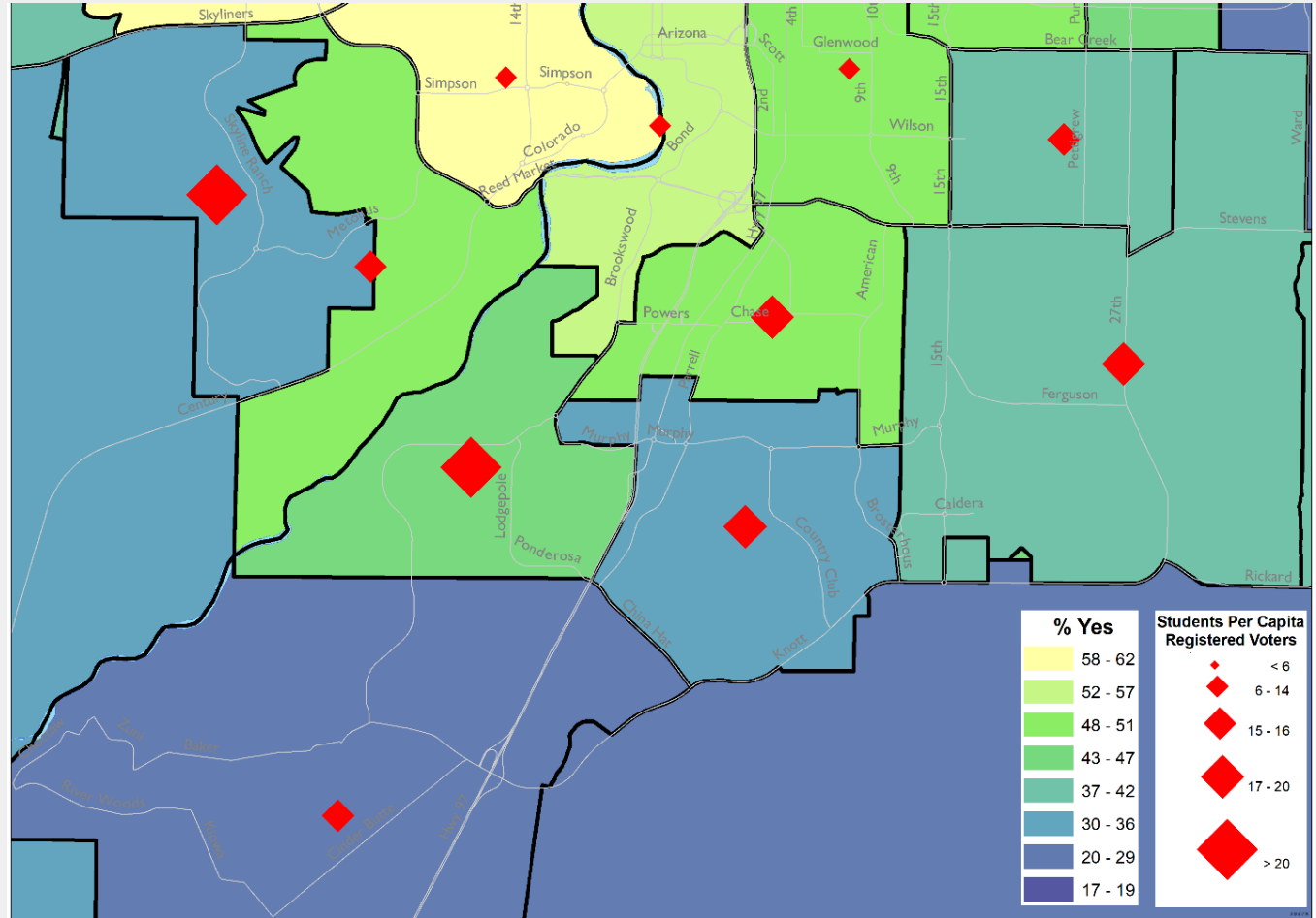
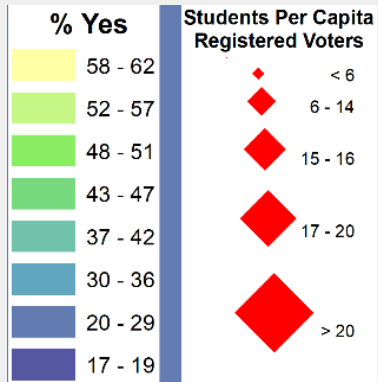


Measure 9-167  
May 21, 2024  
Results by Precinct

# North half of Bend area



# South half of Bend area

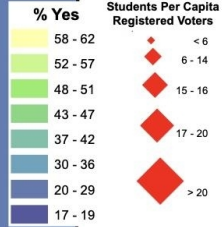
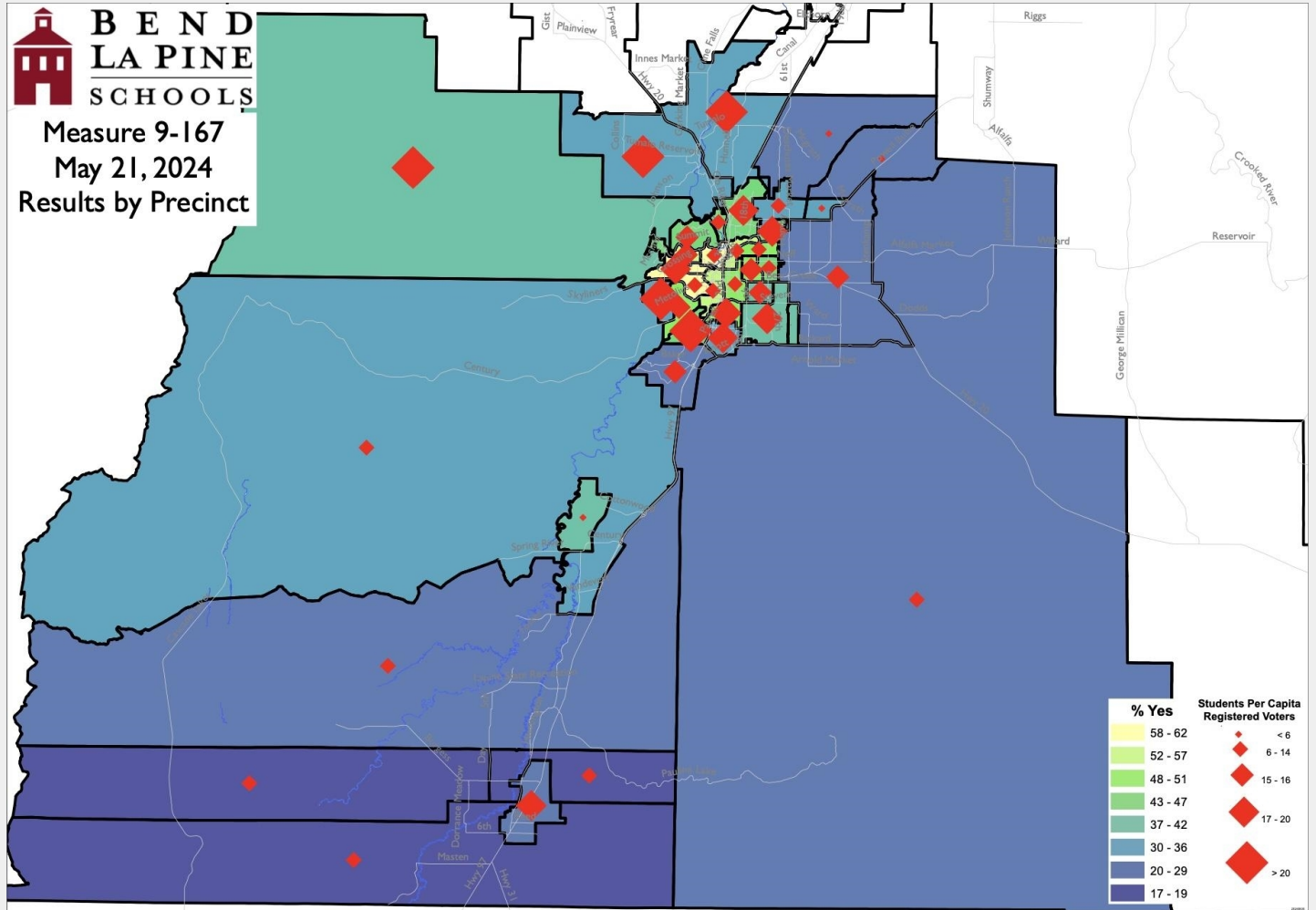
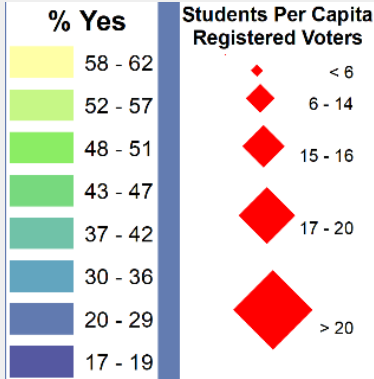




**BEND  
LA PINE  
SCHOOLS**

**Measure 9-167  
May 21, 2024  
Results by Precinct**

Entire district,  
with south  
county



## Post-election survey

Conducted June 13–14  
by Nelson Research  
400 likely voters  
5% margin of error

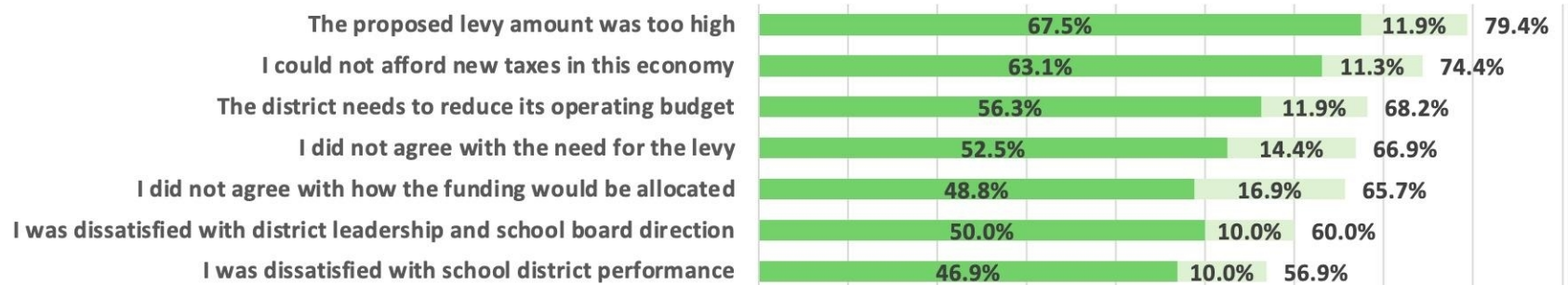
91.5% said they voted in the May primary

Of the 400 respondents:

- 206 reported voting YES
- 160 reported voting NO
- 34 reported not voting but knew about the levy



## No on Measure 9-167 Voters: Reasons for "No" Votes

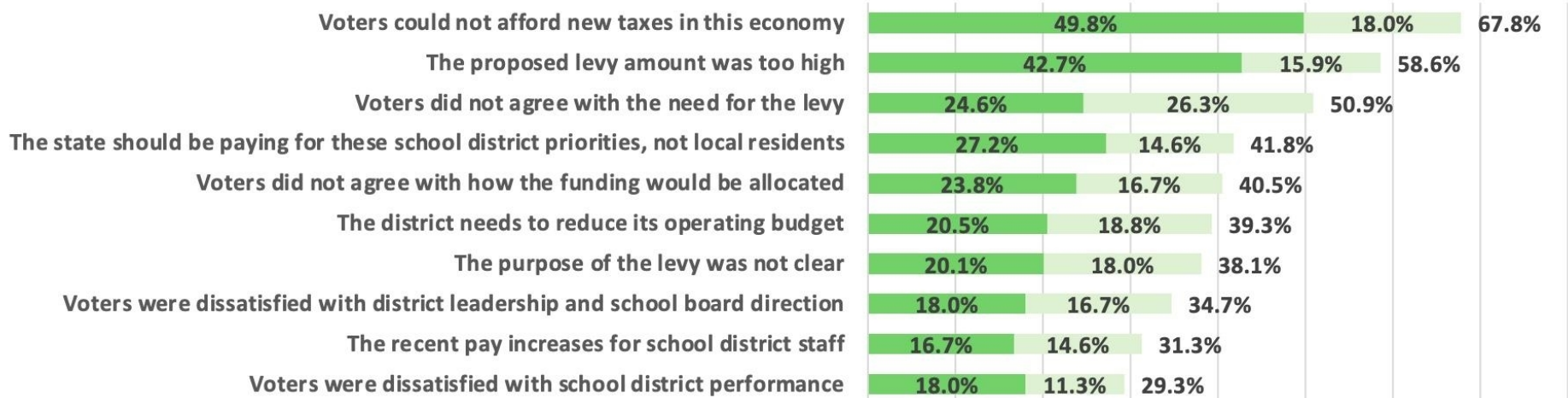


**We then asked:**

Of all the reasons stated, which is the reason that most caused you to vote NO on the Bend La Pine Schools 5-year local option levy?

	<b>N=160</b>
The proposed levy amount was too high	<b>38%</b>
I could not afford new taxes in this economy	<b>12%</b>
The purpose of the levy was not clear	<b>12%</b>
I was dissatisfied with district leadership and school board direction	<b>8%</b>
The district needs to reduce its operating budget	<b>8%</b>
I was dissatisfied with school district performance	<b>6%</b>
I did not agree with the need for the levy	<b>6%</b>
I did not agree with how the funding would be allocated	<b>5%</b>
The state should be paying for these school district priorities, not local residents	<b>5%</b>

## Yes on Measure 9-167 voters: Perceptions for "No" votes



**We asked all respondents:**

In your opinion, what could Bend-La Pine Schools do to improve upon future potential local option levy proposal?

	<b>N=400</b>
Communicate better with voters/clearer messaging	<b>38%</b>
Reduce cost of the levy	<b>22%</b>
Not sure	<b>13%</b>
Balance the budget	<b>10%</b>
Transparency where funds would be allocated	<b>10%</b>
More state funding	<b>3%</b>
Poor timing	<b>3%</b>
Focus on academics	<b>3%</b>
Poor administration	<b>2%</b>
Go out during a general election	<b>1%</b>

## Analysis

Why the levy failed even though our pollings suggested a path to success



Our January 2024 benchmark survey showed potential support at **51.3%**. The June 2024 exit survey showed support at **51.4%**, even though the measure only garnered 43% support in the May election. (“No” voters may be less inclined to answer survey questions)

Between the January and June surveys, key differences emerged which shed light on the outcome:

- 60+ age demographic: Support dropped from 46.4% to 40.8%
- Non-affiliated/independent voters: Opposition increased from 40.6% to 48.8%



## Analysis

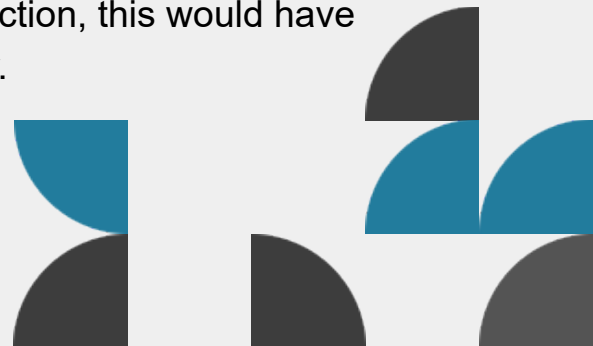
### A warning sign from older voters



The Q24 response in the January benchmark survey proved to be prescient. This question asked whether respondents agreed that an increase in property taxes would be unaffordable in today's economy.

A plurality of respondents agreed with this sentiment, including 54% of seniors. The 60+ age cohort represented 42% of the January sample.

If the 60+ age cohort were disproportionately represented in the May election, this would have eroded support for the levy.



## Analysis

### Concerns about affordability



The Q14 response in the June exit survey is likely the most informative response. This was in a series of questions asking “Yes” voters why they believed the measure failed, and Q14 gave this potential reason: **“Voters could not afford new taxes in this economy.”**

In reality, many of those who indicated they voted “Yes” in the June exit survey likely actually voted “No” and indicated their reason in Q14. In particular, 57% of the 60+ age subgroup indicated this was a “very significant” reason for the measure’s failure.

#### 14. Voters could not afford new taxes in this economy

Total (239)	1-Insignificant	2	3	4	5- Very Significant	Not Sure/ Refused
	5.4	5.4	16.7	18.0	49.8	4.6

#### Gender

Male	4.8	5.8	16.3	19.2	50.0	3.8
Female	5.9	5.2	17.0	17.0	49.6	5.2

#### Age

18-34	8.3	16.7	8.3	16.7	50.0	0.0
35-59	6.5	6.5	15.2	23.9	44.9	2.9
60+	3.4	2.2	20.2	9.0	57.3	7.9

## Analysis

### Why “Yes” voters believe the levy failed

We asked voters who either indicated that they voted “Yes” on Measure 9-167, or indicated that they were aware of the measure yet did not vote, why they believed the measure failed.

Strong majorities believed that the measure failed for one of two reasons: (1) voters could not afford new taxes, and (2) the proposed levy amount was too high.

This is instructive for two reasons. First, because these “Yes” voters clearly heard these sentiments expressed from their friends, family, co-workers and neighbors. Second, it is statistically likely that some of these voters actually voted “No.”



# Conclusions

Older voters and non-affiliated/independent voters grew concerned about their ability to afford a \$1 per \$1,000 assessed property tax increase, coupled with a relatively short timeframe in which to make the decision.

This conclusion is supported not only by the movement seen in select exit survey questions, but also by the verbatim response, which conveyed that voters wanted better communication from the district combined with a lower cost. The desire for 'better communication' is likely a reflection of the fact that voters felt they needed more time to consider their decision.



# Conclusions

If the District and Board were to consider another proposed Local Option Levy, we believe a longer community conversation – preferably up to 12 months prior to an election date – would be beneficial to give community members time to consider and perhaps provide feedback on identified needs and strategic initiatives.

As for the levy rate/amount, further analysis and discussion would be warranted in the context of existing economic conditions.





# THANK YOU

scott.maben@bend.k12.or.us  
(541) 355-1006



**B E N D**  
**LA PINE**  

---

**S C H O O L S**



**Bend La Pine Schools Levy  
Local Option Levy Exit Survey  
Likely Voters, N=400  
Margin of Error, 5%  
v.Final**

Hello, my name is \_\_\_\_\_. I'm with Nelson Research, a public opinion research firm. We are conducting a brief survey in your area today **regarding Bend-La Pine Schools** and would like to include your household's opinion. May I please take a few minutes of your time? I promise I'm not selling anything.

First of all, are you registered to vote in the State of Oregon? **(INTERVIEWER: IF NO, POLITELY TERMINATE)**

Bend-La Pine Schools is surveying members of the community to better understand how voters perceived the recently defeated local option levy – Measure 9-167 – which would have allowed the district to bridge its funding gap and dedicate resources to support education priorities. Your honest feedback is appreciated and responses are kept confidential.

1. First of all, did you vote in the recent May Primary election?

- |  |             |
|--|-------------|
| 1. Yes <b>(Go to Q 2)</b>              | <b>91.5</b> |
| 2. No <b>(Go to Q 3)</b>               | <b>7.8</b>  |
| 3. Not Sure/Refused <b>(Go to Q 3)</b> | <b>0.8</b>  |

2. **(‘YES’ ONLY on Q1)** To the best of your recollection, did you vote YES or did you vote NO on Measure 9-167, the Bend La Pine Schools 5-year local option levy?

- |                           |             |
|---------------------------|-------------|
| 1. Yes <b>(Go to Q 4)</b> | <b>51.4</b> |
| 2. No <b>(Go to Q 17)</b> | <b>43.7</b> |
| 3. Not Sure/Refused       | <b>4.9</b>  |

3. **(‘NO’ ONLY on Q1)** Even though you did not vote, did you see, hear or read anything about Measure 9-167, the Bend La Pine Schools 5-year local option levy?

- |   |              |
|---|--------------|
| 1. Yes <b>(Go to Q 4)</b>                       | <b>100.0</b> |
| 2. No <b>(Politely Terminate)</b>               |              |
| 3. Not Sure/Refused <b>(Politely Terminate)</b> |              |



**(YES ONLY on Q2 or Q3)**

As you are aware, local voters rejected Measure 9-167. I will now read you a list of reasons why local voters may have voted NO on Measure 9-167, the Bend La Pine Schools 5-year local option levy.

Based on what you have seen, read, or heard – please tell me on a scale of one to five, with "1" representing an INSIGNIFICANT REASON and "5" representing a VERY SIGNIFICANT REASON, how you would rate each reason that local voters may have voted NO on the Bend La Pine Schools 5-year local option levy. **(INTERVIEWER: PLEASE ROTATE)**

**(N=240)**

4. Voters did not agree with the need for the levy

1. 1-Insignificant	<b>18.3</b>
2. 2	<b>6.7</b>
3. 3	<b>16.3</b>
4. 4	<b>26.3</b>
5. 5- Very Significant	<b>24.6</b>
6. Not Sure/Refused	<b>7.9</b>

5. Voters did not agree with how the funding would be allocated

1. 1-Insignificant	<b>14.2</b>
2. 2	<b>10.9</b>
3. 3	<b>18.4</b>
4. 4	<b>16.7</b>
5. 5- Very Significant	<b>23.8</b>
6. Not Sure/Refused	<b>15.9</b>

6. The purpose of the levy was not clear

1. 1-Insignificant	<b>23.4</b>
2. 2	<b>10.5</b>
3. 3	<b>18.0</b>
4. 4	<b>18.0</b>
5. 5- Very Significant	<b>20.1</b>
6. Not Sure/Refused	<b>10.0</b>

7. Now was not the right time to expand student programs and services

1. 1-Insignificant	<b>34.3</b>
2. 2	<b>14.2</b>
3. 3	<b>15.5</b>
4. 4	<b>9.2</b>
5. 5- Very Significant	<b>18.8</b>
6. Not Sure/Refused	<b>7.9</b>

8. The district needs to reduce its operating budget

1. 1-Insignificant	<b>18.8</b>
2. 2	<b>10.9</b>
3. 3	<b>19.2</b>
4. 4	<b>18.8</b>
5. 5- Very Significant	<b>20.5</b>
6. Not Sure/Refused	<b>11.7</b>

9. The recent pay increases for school district staff

1. 1-Insignificant	<b>22.2</b>
2. 2	<b>18.8</b>
3. 3	<b>17.2</b>
4. 4	<b>14.6</b>
5. 5- Very Significant	<b>16.7</b>
6. Not Sure/Refused	<b>10.5</b>

10. The new Transportation Utility Fee approved by the Bend City Council

1. 1-Insignificant	<b>20.9</b>
2. 2	<b>11.3</b>
3. 3	<b>16.7</b>
4. 4	<b>11.7</b>
5. 5- Very Significant	<b>16.3</b>
6. Not Sure/Refused	<b>23.0</b>

11. The city of Bend's 10-year tax exemption for the Jackstraw mixed-use development

1. 1-Insignificant	<b>20.1</b>
2. 2	<b>5.9</b>
3. 3	<b>11.3</b>
4. 4	<b>11.3</b>
5. 5- Very Significant	<b>17.2</b>
6. Not Sure/Refused	<b>34.3</b>

12. The state should be paying for these school district priorities, not local residents

1. 1-Insignificant	<b>15.1</b>
2. 2	<b>10.5</b>
3. 3	<b>21.8</b>
4. 4	<b>14.6</b>
5. 5- Very Significant	<b>27.2</b>
6. Not Sure/Refused	<b>10.9</b>

13. The proposed levy amount was too high

1. 1-Insignificant	<b>8.4</b>
2. 2	<b>7.9</b>
3. 3	<b>17.6</b>
4. 4	<b>15.9</b>
5. 5- Very Significant	<b>42.7</b>
6. Not Sure/Refused	<b>7.5</b>

14. Voters could not afford new taxes in this economy

1. 1-Insignificant	<b>5.4</b>
2. 2	<b>5.4</b>
3. 3	<b>16.7</b>
4. 4	<b>18.0</b>
5. 5- Very Significant	<b>49.8</b>
6. Not Sure/Refused	<b>4.6</b>

15. Voters were dissatisfied with school district performance

1. 1-Insignificant	17.2
2. 2	15.1
3. 3	25.1
4. 4	11.3
5. 5- Very Significant	18.0
6. Not Sure/Refused	13.4

16. Voters were dissatisfied with district leadership and school board direction

1. 1-Insignificant	13.4
2. 2	13.8
3. 3	23.8
4. 4	16.7
5. 5- Very Significant	18.0
6. Not Sure/Refused	14.2

**(SKIP to VERBATIM "A")**

**(NO ONLY on Q2)**

I will now read you a list of reasons why you may have voted NO on Measure 9-167, the Bend La Pine Schools 5-year local option levy.

Based on your own personal experience – please tell me on a scale of one to five, with "1" representing an INSIGNIFICANT REASON and "5" representing a VERY SIGNIFICANT REASON, how you would rate each reason you may have voted NO on the Bend La Pine Schools 5-year local option levy. **(INTERVIEWER: PLEASE ROTATE)**

**(N=160)**

17. I did not agree with the need for the levy

1. 1-Insignificant	12.5
2. 2	3.1
3. 3	16.3
4. 4	14.4
5. 5- Very Significant	52.5
6. Not Sure/Refused	1.3

18. I did not agree with how the funding would be allocated

1. 1-Insignificant	<b>15.0</b>
2. 2	<b>3.8</b>
3. 3	<b>11.9</b>
4. 4	<b>16.9</b>
5. 5- Very Significant	<b>48.8</b>
6. Not Sure/Refused	<b>3.8</b>

19. The purpose of the levy was not clear

1. 1-Insignificant	<b>32.5</b>
2. 2	<b>8.8</b>
3. 3	<b>16.3</b>
4. 4	<b>13.1</b>
5. 5- Very Significant	<b>25.6</b>
6. Not Sure/Refused	<b>3.8</b>

20. Now was not the right time to expand student programs and services

1. 1-Insignificant	<b>22.5</b>
2. 2	<b>10.0</b>
3. 3	<b>18.8</b>
4. 4	<b>9.4</b>
5. 5- Very Significant	<b>33.8</b>
6. Not Sure/Refused	<b>5.6</b>

21. The district needs to reduce its operating budget

1. 1-Insignificant	<b>8.8</b>
2. 2	<b>5.6</b>
3. 3	<b>11.9</b>
4. 4	<b>11.9</b>
5. 5- Very Significant	<b>56.3</b>
6. Not Sure/Refused	<b>5.6</b>

22. The recent pay increases for school district staff

1. 1-Insignificant	<b>26.9</b>
2. 2	<b>11.3</b>
3. 3	<b>16.9</b>
4. 4	<b>13.8</b>
5. 5- Very Significant	<b>26.9</b>
6. Not Sure/Refused	<b>4.4</b>

23. The new Transportation Utility Fee approved by the Bend City Council

1. 1-Insignificant	<b>23.8</b>
2. 2	<b>9.4</b>
3. 3	<b>11.3</b>
4. 4	<b>7.5</b>
5. 5- Very Significant	<b>38.8</b>
6. Not Sure/Refused	<b>9.4</b>

24. The city of Bend's 10-year tax exemption for the Jackstraw mixed-use development

1. 1-Insignificant	<b>23.1</b>
2. 2	<b>7.5</b>
3. 3	<b>11.9</b>
4. 4	<b>6.9</b>
5. 5- Very Significant	<b>28.8</b>
6. Not Sure/Refused	<b>21.9</b>

25. The state should be paying for these school district priorities, not local residents

1. 1-Insignificant	<b>18.8</b>
2. 2	<b>13.1</b>
3. 3	<b>21.3</b>
4. 4	<b>8.1</b>
5. 5- Very Significant	<b>32.5</b>
6. Not Sure/Refused	<b>6.3</b>

26. The proposed levy amount was too high

1. 1-Insignificant	<b>10.0</b>
2. 2	<b>1.9</b>
3. 3	<b>8.8</b>
4. 4	<b>11.9</b>
5. 5- Very Significant	<b>67.5</b>
6. Not Sure/Refused	<b>0.0</b>

27. I could not afford new taxes in this economy

1. 1-Insignificant	<b>13.1</b>
2. 2	<b>4.4</b>
3. 3	<b>8.1</b>
4. 4	<b>11.3</b>
5. 5- Very Significant	<b>63.1</b>
6. Not Sure/Refused	<b>0.0</b>

28. I was dissatisfied with school district performance

1. 1-Insignificant	<b>21.3</b>
2. 2	<b>5.6</b>
3. 3	<b>10.0</b>
4. 4	<b>10.0</b>
5. 5- Very Significant	<b>46.9</b>
6. Not Sure/Refused	<b>6.3</b>

29. I was dissatisfied with district leadership and school board direction

1. 1-Insignificant	<b>16.9</b>
2. 2	<b>6.9</b>
3. 3	<b>9.4</b>
4. 4	<b>10.0</b>
5. 5- Very Significant	<b>50.0</b>
6. Not Sure/Refused	<b>6.9</b>

30. Of all the reasons stated, which is the reason that most caused you to vote NO on the Bend La Pine Schools 5-year local option levy? (CODE: OPEN ENDED)

N=160	
The proposed levy amount was too high	<b>38%</b>
I could not afford new taxes in this economy	<b>12%</b>
The purpose of the levy was not clear	<b>12%</b>
I was dissatisfied with district leadership and school board direction	<b>8%</b>
The district needs to reduce its operating budget	<b>8%</b>
I was dissatisfied with school district performance	<b>6%</b>
I did not agree with the need for the levy	<b>6%</b>
I did not agree with how the funding would be allocated	<b>5%</b>
The state should be paying for these school district priorities, not local residents	<b>5%</b>
All of the above	<b>1%</b>
The new Transportation Utility Fee approved by the Bend City Council	<b>1%</b>

---

**VERBATIM (All Respondents)**

A. In your opinion, what could Bend La Pine Schools do to improve upon any future potential local option levy proposal? (PROBE)

N=400	
Communicate better with voters/clearer messaging	<b>38%</b>
Reduce cost of the levy	<b>22%</b>
Not sure	<b>13%</b>
Balance the budget	<b>10%</b>
Transparency where funds would be allocated	<b>10%</b>
More state funding	<b>3%</b>
Poor timing	<b>3%</b>
Focus on academics	<b>3%</b>
Poor administration	<b>2%</b>
Go out during a general election	<b>1%</b>

---

## DEMOGRAPHICS

31. GENDER: What is your gender identity?

- |           |             |
|-----------|-------------|
| 1. Male   | <b>46.8</b> |
| 2. Female | <b>53.3</b> |

32. AGE: Are you between the ages of ...?

- |          |             |
|----------|-------------|
| 1. 18-34 | <b>3.5</b>  |
| 2. 35-59 | <b>52.0</b> |
| 3. 60+   | <b>44.5</b> |

33. SCHOOL CHILDREN: Do you have children or grandchildren who currently attend Bend La Pine Schools?

- |                     |             |
|---------------------|-------------|
| 1. Yes              | <b>46.3</b> |
| 2. No               | <b>53.5</b> |
| 3. Not Sure/Refused | <b>0.3</b>  |

34. PREVIOUS SCHOOL CHILDREN: Do you have children or grandchildren who previously attended Bend La Pine Schools?

- |                     |             |
|---------------------|-------------|
| 1. Yes              | <b>46.3</b> |
| 2. No               | <b>53.0</b> |
| 3. Not Sure/Refused | <b>0.8</b>  |

35. ETHNICITY: Which race or ethnicity best describes you? (Please choose only one.)

- |                              |             |
|------------------------------|-------------|
| 1. White or Caucasian        | <b>90.0</b> |
| 2. Hispanic or Latino        | <b>0.8</b>  |
| 3. Black or African American | <b>0.3</b>  |
| 4. Asian or Pacific Islander | <b>1.3</b>  |
| 5. Other                     | <b>4.0</b>  |
| 6. Not Sure/Refused          | <b>3.8</b>  |

36. LIVING ARRANGEMENT: Do you rent or own your home?

- |                                   |             |
|-----------------------------------|-------------|
| 1. Rent                           | <b>8.8</b>  |
| 2. Own                            | <b>89.5</b> |
| 3. I have a different arrangement | <b>1.0</b>  |
| 4. Not Sure/Refused               | <b>0.8</b>  |

**37. VOTER HISTORY: (INTERVIEWERS; PLEASE RECORD FROM THE PHONE LIST – SEE INSTRUCTION SHEET FOR PROCEDURE)**


1. Voted in 1 Out Of 4 Elections	<b>5.3</b>
2. Voted in 2 Out Of 4 Elections	<b>9.3</b>
3. Voted in 3 Out Of 4 Elections	<b>26.3</b>
4. Voted in 4 Out Of 4 Elections	<b>58.8</b>
5. New Voter	<b>0.5</b>

**38. POLITICAL PARTY:**

1. Democrat	<b>47.3</b>
2. Republican	<b>29.0</b>
3. Independent/NAV	<b>23.8</b>

**39. GEOGRAPHIC AREA: (INTERVIEWER: COMPLETE FROM PHONE LIST)**

1. South Deschutes County	<b>15.0</b>
2. West Deschutes County	<b>37.5</b>
3. NE Deschutes County	<b>24.5</b>
4. SE Deschutes County	<b>23.0</b>



# Impuesto para el Aprendizaje: Análisis de las elecciones

SCOTT MABEN, 10 de SEPTIEMBRE, 2024



**B E N D**  
**LA PINE**  

---

**S C H O O L S**

# Impuesto para el Aprendizaje

27 de febrero del 2024 – La Junta votó 6-0 para autorizar que el distrito colocara un impuesto de opciones locales en la papeleta de las elecciones primarias del 21 de mayo del 2024.

Pregunta de la papeleta: ¿Debe el distrito recaudar \$1.00 por cada \$1,000 del valor estimado de la propiedad por cinco años a partir del 2024-25, para cubrir una brecha de financiamiento del distrito y apoyar las prioridades indicadas?

# Impuesto para el Aprendizaje

Esta propuesta de un impuesto de opciones locales de 5 años permitiría que el distrito cubra la brecha de financiamiento y dedique recursos para lo siguiente:

- Proteger y mantener el tamaño de las clases
- Fortalecer y agregar trayectorias de Educación Técnica Profesional
- Contratar y retener a los maestros y el personal de apoyo
- Aumentar los ofrecimientos académicos avanzados para los estudiantes
- Mejorar los sistemas de apoyo para los estudiantes con dificultades
- Mejorar los ofrecimientos optativos en música, arte, tecnología, negocios, idiomas del mundo

# Impuesto para el Aprendizaje

Si se aprueba, el impuesto establecería una tasa de impuestos de \$1.00 por cada \$1,000 del valor estimado de la propiedad. El costo estimado para una vivienda con un valor estimado medio de \$238,750 es aproximadamente \$239 al año. El impuesto proveería al distrito aproximadamente \$21.2 millones en el primer año.

# Resultados de las elecciones del 5/21/24

El Impuesto de Aprendizaje no alcanzó la mayoría simple necesaria para ser aprobado.

El margen entre los votos de NO y los votos de SÍ fue de 6,339 votos o 14.44 puntos.

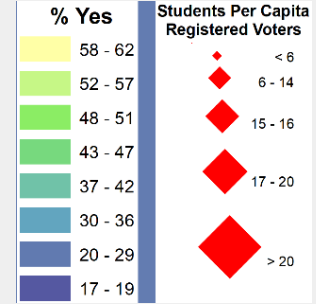
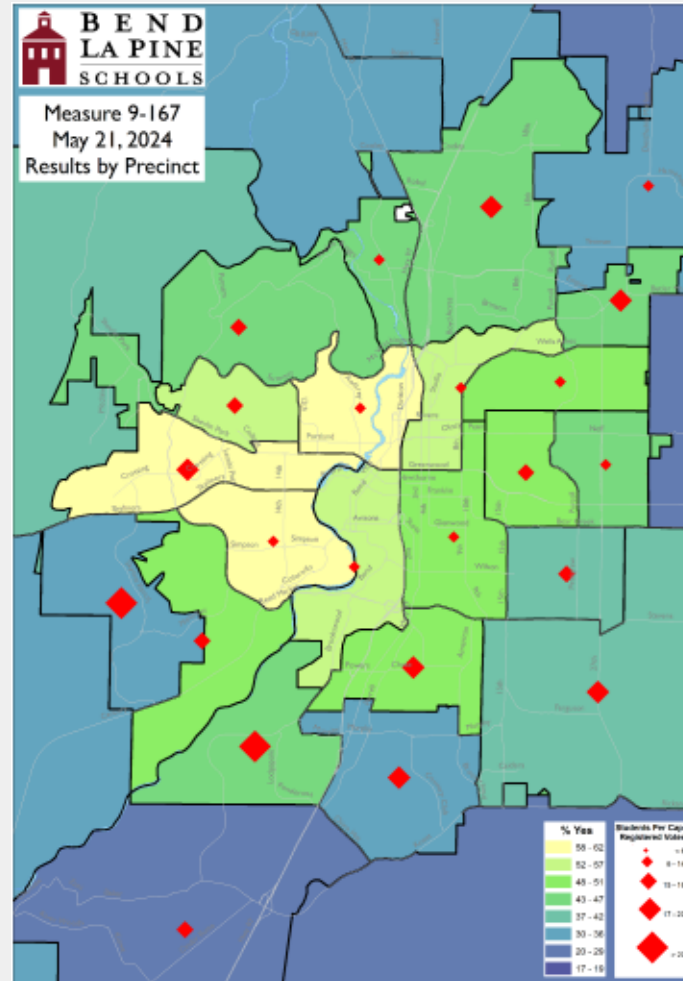
## 9-167, Administrative School District No 1

<input checked="" type="checkbox"/> No	57.22%	<div style="width: 57.22%;"><div style="width: 57.22%;"></div></div>	25,133
Yes	42.78%	<div style="width: 42.78%;"><div style="width: 42.78%;"></div></div>	18,794
Total:			43,927
Over Votes:			0
Under Votes:			1,271



## Resultados por precinto

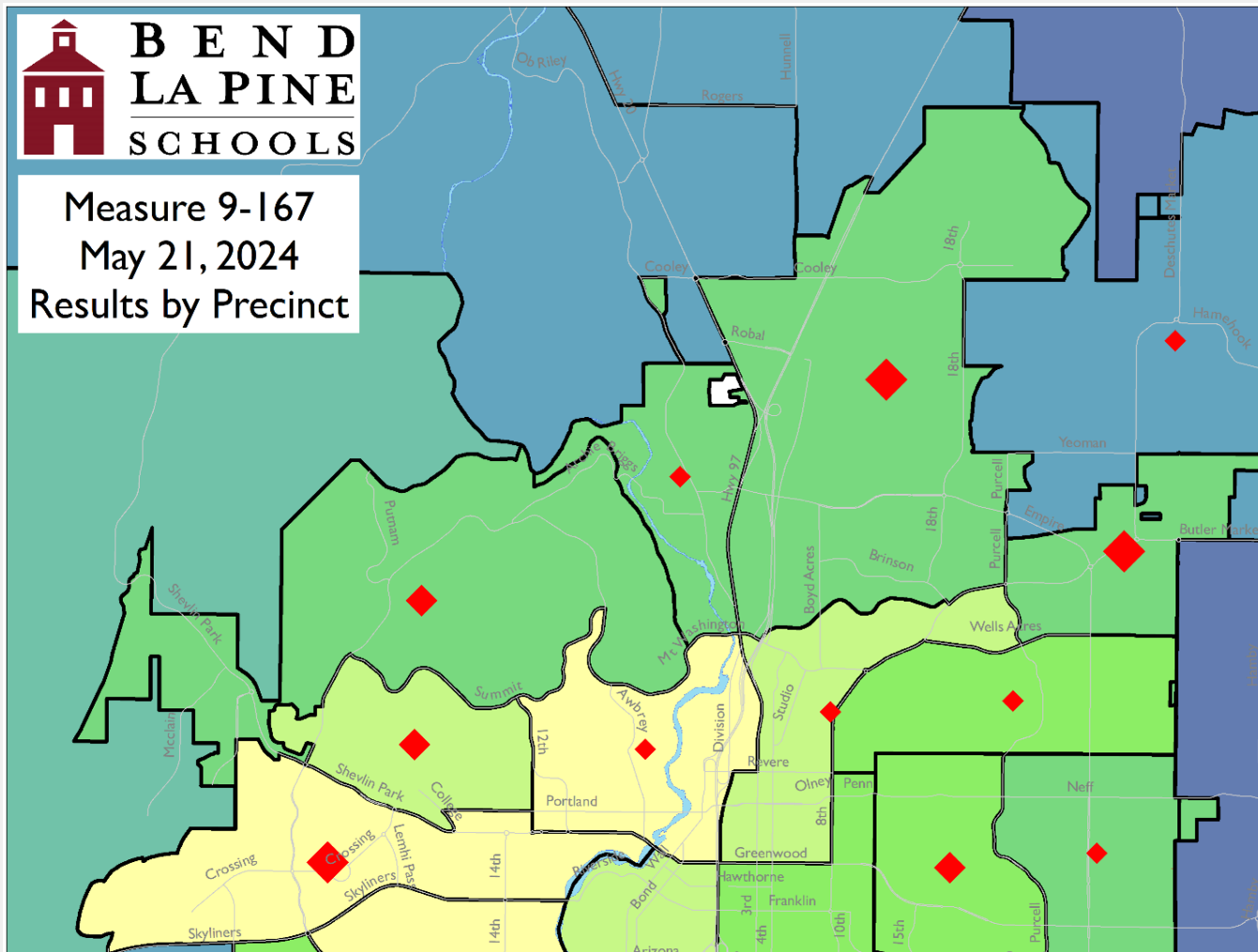
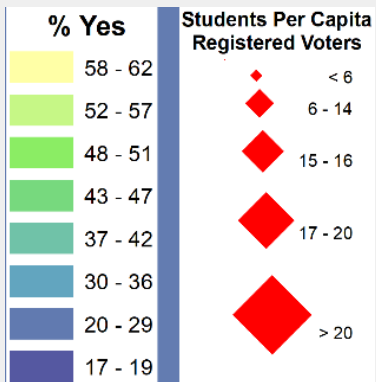
Mayor apoyo en los vecindarios del oeste de Bend. Menor apoyo en las áreas rurales.





Measure 9-167  
 May 21, 2024  
 Results by Precinct

# Mitad norte del área de Bend

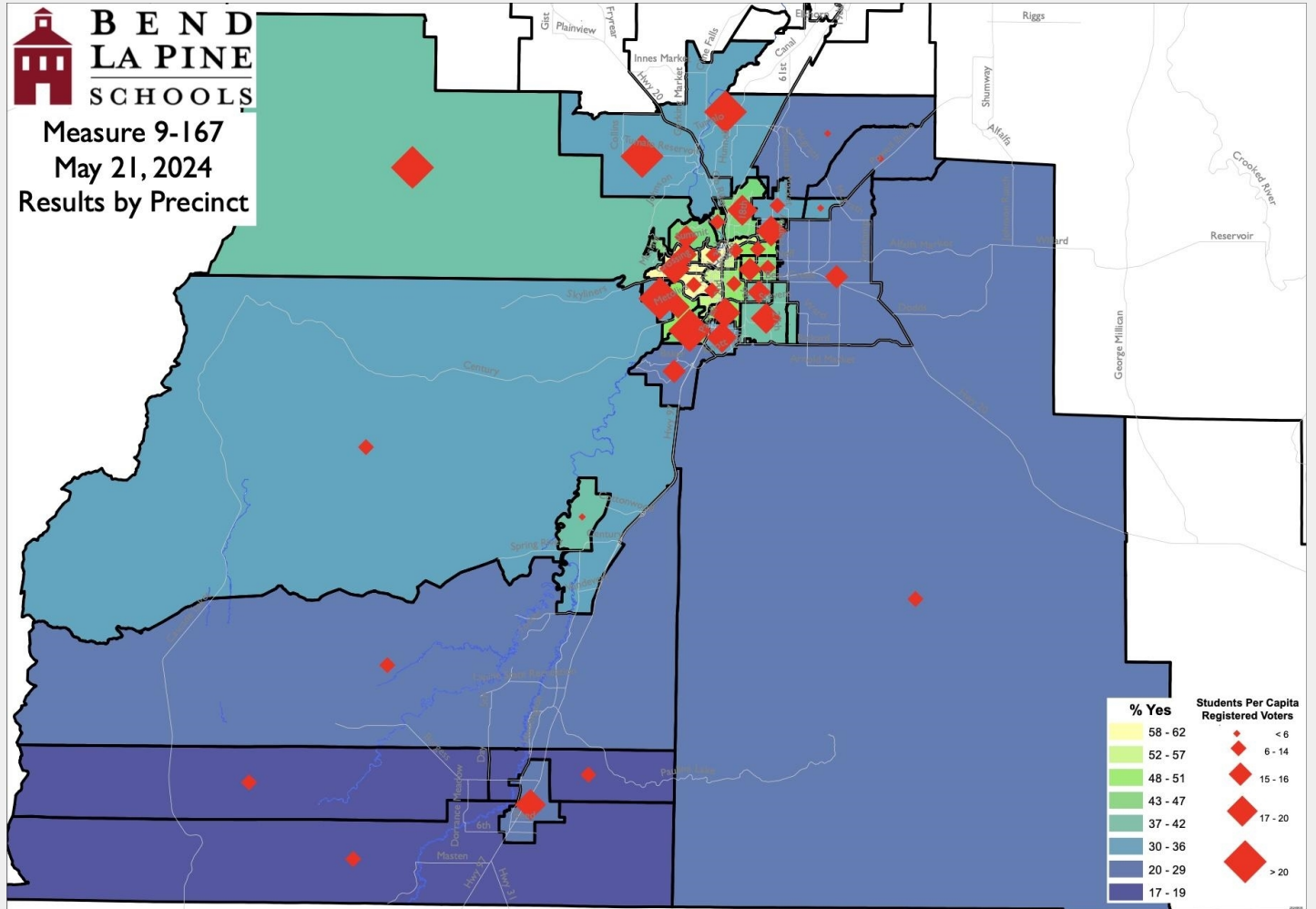
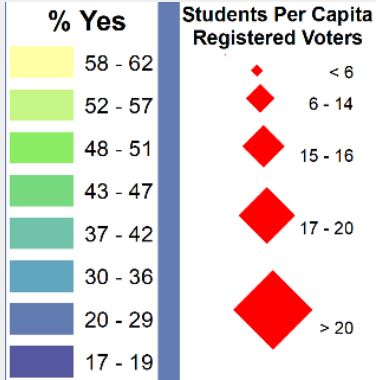






**BEND  
LA PINE  
SCHOOLS**  
Measure 9-167  
May 21, 2024  
Results by Precinct

Todo el  
distrito, con el  
condado sur



## Encuesta después de las elecciones

Realizada el 13 y 14 de junio  
por Nelson Research  
400 votantes probables  
Margen de error de 5 %.

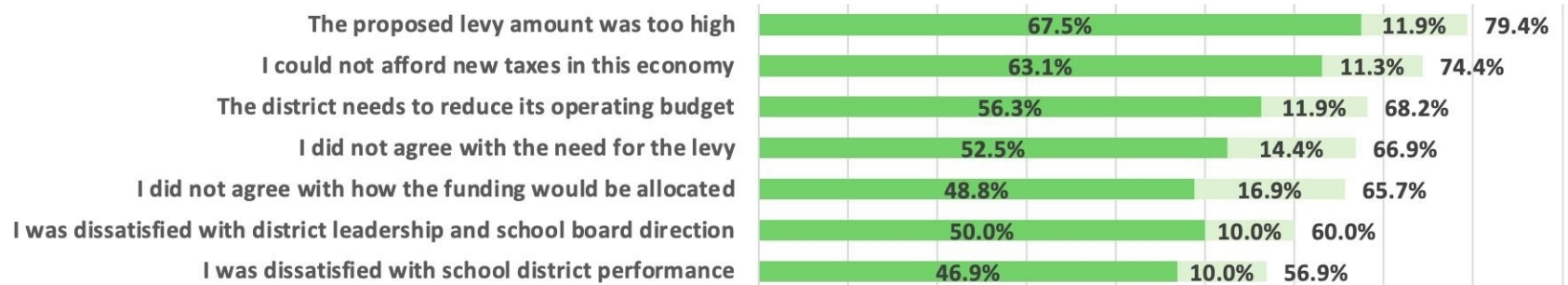
El 91.5% dijeron que votaron en las elecciones primarias de mayo

De los 400 encuestados:

- 206 reportaron que votaron SÍ
- 160 reportaron que votaron NO
- 34 reportaron que no votaron pero que sabían sobre el impuesto



## No on Measure 9-167 Voters: Reasons for "No" Votes

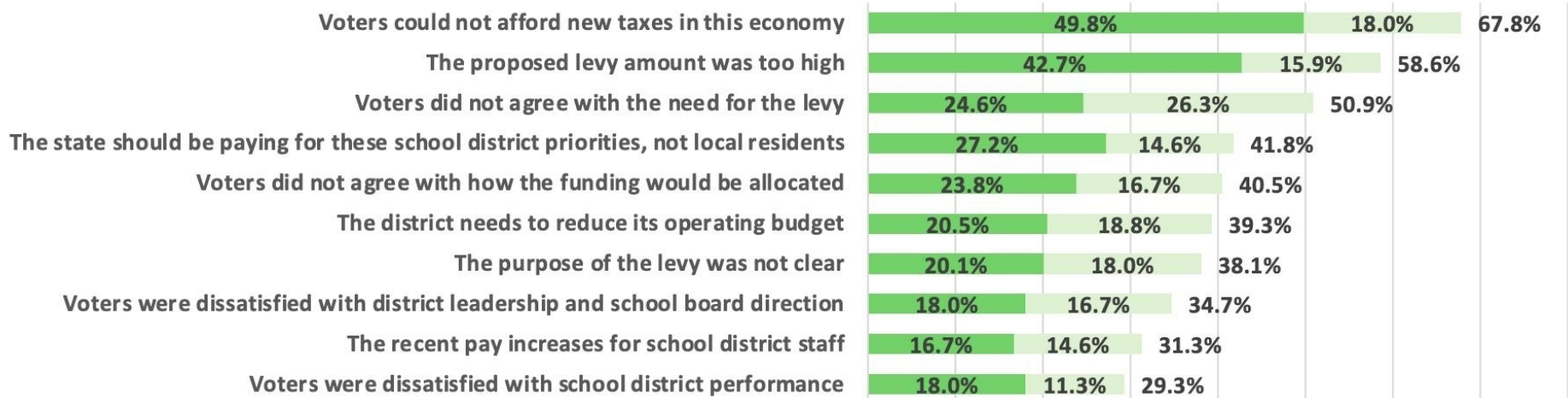


## Después preguntamos:

De todas las razones indicadas, ¿cuál es la razón que más causó que votara NO por el impuesto de opciones locales de 5 años del Distrito de Escuelas de Bend-La Pine?

	<b>N=160</b>
The proposed levy amount was too high	<b>38%</b>
I could not afford new taxes in this economy	<b>12%</b>
The purpose of the levy was not clear	<b>12%</b>
I was dissatisfied with district leadership and school board direction	<b>8%</b>
The district needs to reduce its operating budget	<b>8%</b>
I was dissatisfied with school district performance	<b>6%</b>
I did not agree with the need for the levy	<b>6%</b>
I did not agree with how the funding would be allocated	<b>5%</b>
The state should be paying for these school district priorities, not local residents	<b>5%</b>

## Yes on Measure 9-167 voters: Perceptions for "No" votes



**Preguntamos a todos los encuestados:**

En su opinión, ¿qué podría hacer el Distrito de Escuelas de Bend-La Pine para mejorar una posible propuesta de impuesto de opciones locales en el futuro?

	<b>N=400</b>
Communicate better with voters/clearer messaging	<b>38%</b>
Reduce cost of the levy	<b>22%</b>
Not sure	<b>13%</b>
Balance the budget	<b>10%</b>
Transparency where funds would be allocated	<b>10%</b>
More state funding	<b>3%</b>
Poor timing	<b>3%</b>
Focus on academics	<b>3%</b>
Poor administration	<b>2%</b>
Go out during a general election	<b>1%</b>

## Análisis

Por qué el impuesto fracasó a pesar de que nuestras encuestas sugirieron un camino hacia el éxito.



Nuestra encuesta de referencia de enero del 2024 mostró un apoyo potencial del 51.3%. La encuesta de salida de junio del 2024 mostró un apoyo del 51.4%, a pesar de que la propuesta solamente obtuvo un 43% de apoyo en las elecciones de mayo. (Las personas que votaron “No” podrían estar menos dispuestas a responder las preguntas de la encuesta).

Entre las encuestas de enero y junio surgieron diferencias claves que esclarecen el resultado:

- Personas de 60+ años de edad: El apoyo bajó de 46.4% a 40.8%.
- Votantes no afiliados/independientes: La oposición aumentó de 40.6% a 48.8%.

## Análisis

Una señal de advertencia sobre los votantes de edad mayor.



La respuesta a la pregunta 24 de la encuesta de referencia de enero resultó ser profética. Esta preguntaba si los encuestados estaban de acuerdo con que un incremento en los impuestos sobre la propiedad sería inasequible en la economía actual.

Una pluralidad de encuestados estuvo de acuerdo con este sentimiento, incluyendo el 54% de las personas mayores. El grupo de las personas de 60+ años de edad representó el 42% de la muestra de enero.

Si el grupo de las personas de 60+ años de edad estaba desproporcionadamente representada en las elecciones de mayo, esto habría erosionado el apoyo para el impuesto.



## Análisis

### Preocupaciones sobre asequibilidad



La respuesta a la pregunta 14 de la encuesta de salida de junio es probablemente la más informativa. Esta pregunta estaba en una serie de preguntas que preguntaban a los votantes de "Sí" por qué creían que la propuesta fracasó, y la pregunta 14 daba esta posible razón: **"Los votantes no pueden pagar impuestos nuevos en esta economía."**

En realidad, muchos de aquellos que indicaron haber votado "Sí" en la encuesta de salida de junio probablemente votaron "No" e indicaron su razón en la pregunta 14. En particular, el 57% del subgrupo de las personas de 60+ años de edad indicó que esta era una razón "muy significativa" para el fracaso de la propuesta. .



#### 14. Voters could not afford new taxes in this economy

Total (239)	1-Insignificant	2	3	4	5- Very Significant	Not Sure/ Refused
	5.4	5.4	16.7	18.0	49.8	4.6

#### Gender

Male	4.8	5.8	16.3	19.2	50.0	3.8
Female	5.9	5.2	17.0	17.0	49.6	5.2

#### Age

18-34	8.3	16.7	8.3	16.7	50.0	0.0
35-59	6.5	6.5	15.2	23.9	44.9	2.9
60+	3.4	2.2	20.2	9.0	57.3	7.9

## Análisis

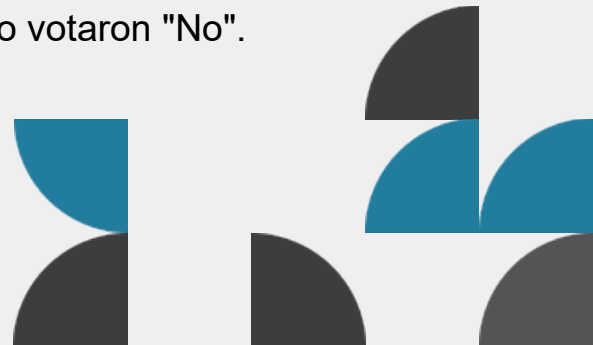
Por qué los votantes de "Sí" creen que el impuesto fracasó



Preguntamos a los votantes que indicaron que votaron "Sí" a la Propuesta 9-167, o que indicaron que conocían la propuesta, pero que no votaron, por qué creían que la propuesta fracasó.

Una gran mayoría creía que la propuesta fracasó por una de estas dos razones: (1) Los votantes no pueden pagar impuestos nuevos y (2) el monto del impuesto propuesto es demasiado alto.

Esto es revelador por dos razones. Primero, porque estas personas que votaron "Sí" escucharon claramente estos sentimientos expresados por sus amigos, familiares, compañeros de trabajo y vecinos. Segundo, es estadísticamente probable que algunos de estos votantes de hecho votaron "No".



# Conclusiones

Los votantes de edad mayor y los votantes no afiliados/independientes se mostraron preocupados por su capacidad para pagar el incremento de \$1 por cada \$1,000 de impuesto sobre la propiedad, junto con un plazo relativamente corto para tomar la decisión.

Esta conclusión está respaldada no solamente por el movimiento observado en ciertas preguntas de la encuesta de salida, sino también por las respuestas literales, las cuales transmitían que los votantes deseaban una mejor comunicación por parte del distrito combinada con un costo menor. El deseo de una "mejor comunicación" es probablemente un reflejo del hecho de que los votantes sentían que necesitaban más tiempo para considerar su decisión.



# Conclusiones

Si el distrito y la Junta tuvieran que considerar otra propuesta de impuesto de opciones locales, creemos que sería beneficioso mantener una conversación más larga con la comunidad (preferiblemente hasta 12 meses antes de la fecha de las elecciones) para que los miembros de la comunidad tengan tiempo para reflexionar y, tal vez, de dar su opinión sobre las necesidades identificadas y las iniciativas estratégicas.

En cuanto a la tasa/monto del impuesto, sería necesario un mayor análisis y discusión en el contexto de las condiciones económicas actuales.





# GRACIAS

scott.maben@bend.k12.or.us  
(541) 355-1006



**B E N D**  
**LA PINE**  

---

**S C H O O L S**



**REPORT:** Administrative Policies & Regulations for Review – September 10, 2024

**PRESENTED BY:** Steve Cook, Superintendent

**EXECUTIVE SUMMARY:**

Bend-La Pine Schools has a multi-part, policy and regulation review process. The district shares policies and regulations that are currently in review at regularly scheduled school board meetings and then following the meeting allows time for, and considers, public feedback related to the proposed changes. The district also has several student, staff, and community groups that review policies and provide feedback. The Oregon School Boards Association (OSBA) releases a Policy Update several times a year with changes to policies and regulations as a result of changes in legislation. The district reviews the required and recommended changes before adopting any changes. Public feedback is not solicited on these policies as the updates align with requirements set forth in laws and regulations.

The following administrative policies and regulations are currently in review. A brief summary of the proposed changes are listed below and a redline version of each follows this executive summary.

<b>Policy / Regulation Title</b>	<b>Reason for Update</b>
<b>KI-AP: Public Solicitation in District Facilities</b>	Updates reflect current laws and regulations as well as district practices.
<b>KI-AR: Advertising in District Facilities</b>	Regulation is being recommended for deletion as language has been incorporated into the new administrative policy KJ-AP.
<b>KJ-AP: Commercial Advertising</b>	This is a new administrative policy that aligns with current laws and regulations as well as district practices.
<b>KJ-AR: Commercial Advertising</b>	This administrative regulation is a total rewrite and renaming of the previous KJ-AR: Hiring Staff with Private Funds. This rewritten administrative regulation aligns with current laws and regulations as well as district practices.
<b>KJ-AR: Hiring Staff with Private Funds</b>	Regulation is being recommended for deletion as it is being rewritten and renamed to KJ-AR: Commercial Advertising.

Feedback regarding the proposed changes will be accepted until 5:00 p.m. on September 24, 2024. To provide comment on any of the policies in review, please visit the [Policies page](#) of the District website or complete the comment form linked [here](#). Comment form opens Wednesday, September 11, 2024.



### General

1. Fund raising and solicitation by non-school agencies or for non-school activities during school hours will not be permitted without prior approval of the superintendent and/or designee.
2. Demonstrations of services or materials and canvassing of students or any school employee for the purpose of selling products or services shall not be permitted in either the district's schools or on school grounds, unless authorized by the superintendent and/or designee.
3. No Non-district sponsored organizations or individuals may not solicit funds or sell tickets within the district without first securing permission through the superintendent and/or designee.
4. Whenever possible, solicitation should occur during non-classroom time. ~~Solicitation efforts approved by the superintendent shall not occur during class time.~~

The administration of surveys, questionnaires and requests for information by non-school-connected organizations are prohibited. Exceptions may be approved by the superintendent and/or designee. In the event an exception is granted for the administration or distribution of a survey created by a third party, the district will provide an opportunity for the student's parent/guardian to inspect such survey upon request, before the survey is administered or distributed by a school to a student. Any district survey containing any "covered survey items"<sup>1</sup> may also be inspected by parents/guardians.

Parents/guardians may also request that their student be excused from participation in such surveys. Requests may be submitted in accordance with the provisions of KAB-AP: Parental Rights and accompanying administrative regulation.

As required by law, the superintendent and/or designee shall ensure that notification is provided to parents/guardians of students at least annually at the beginning of the school year or when enrolling students for the first time in school, of the specific or approximate dates during the school year when such surveys are scheduled or expected to be scheduled. The rights provided to parents/guardians under this policy transfer to the student when the student turns 18 years of age or is an emancipated minor under applicable state law.

The district recognizes its responsibility to protect student privacy. Personal information that may be collected as a result of such surveys will be released only with prior, written parental/guardian permission, unless as otherwise provided by law and/or the provisions of JOB-AP: Personally Identifiable Information.

### Travel Services

1. ~~The solicitation and sale of travel services to students without the approval of the Superintendent is prohibited on school property, at activities under the jurisdiction of the district and at interscholastic activities administered by a voluntary organization (i.e., Oregon School Activities Association).~~
  - a. ~~This includes sale of services to students by any person (including school employees) or groups that sell, provides, furnishes, contracts for, arranges or advertises travel services.~~
  - b. ~~Non-school organizations and individuals may solicit and sell travel services during non-school times consistent with facility rental guidelines of the school district.~~
2. ~~Sellers of travel services must meet the following district criteria:~~

---

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

- a.—Belong to an association of sellers of travel certified by the director of the Department of Consumer and Business Services;
- b.—Provide proof of errors and omissions insurance;
- c.—Provide proof of a client trust account or performance bond;
- d.—Submit references;
- e.—Include in all information provided to students and parents that drug, alcohol and tobacco use will be prohibited; and,
- f.—Include in all information provided to students and parents a statement that the activity is a non-school sponsored event.

END OF ADMINISTRATIVE POLICY

---

REVIEWED: 9/10/24  
 APPROVED: 7/9/09

**POLICY / REGULATION CROSS REFERENCE**

**LEGAL REFERENCE**

[ORS 332.107](#)

[ORS 339.880](#)

32 Or. Atty. Gen. Op. 209 (1965)

46 or. Atty. Gen. Op 239 (1989)

Protection of Pupil Rights, 20 U.S.C. § 1232h (2012); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2017).

Every Student Succeeds Act, 20 U.S.C. § 7928 (2012).

Family Education Rights and Privacy Act, 20 U.S.C. § 1232g (2012).

draft 9.2024

**BEND-LA PINE SCHOOLS**

Administrative School District No. 1

Deschutes County, Oregon

**ADMINISTRATIVE REGULATION**

Name: Advertising in District Facilities

Section: Community

Code: KI-AR

It is the intent of the district to operate a nonpublic forum, and except as allowed in this administrative regulation and policy KJA, advertisement is prohibited on district property.

Advertising which is consistent with community standards, school curriculum and academic goals, and which is age-appropriate and consistent with district non-discrimination policies, may be accepted for placement in school publications and on certain district property. Advertising on district property shall be prohibited where the circumstances, in the judgment of the superintendent or designee, may be considered exploitative of the students of the district or may otherwise compromise the district's educational mission. The district will not accept advertisements which:

1. Promote hostility, disorder, violence, or fraudulent or unethical practices;
2. Promote the use of illegal drugs, alcohol, tobacco, gambling or firearms;
3. Attack or promote ethnic, racial or religious groups;
4. Are sexually exploitative in nature or deal with sexual issues;
5. Are libelous;
6. Inhibit the functioning of the school;
7. Override the school's identity;
8. Promote, favor or oppose the candidacy of any candidate for election, adoption of any bond issues, or municipal or school election;
9. Promote any religious beliefs, or religious or political organization;
10. Contain vulgar and plainly offensive, obscene language;
11. Are associated with any company or individual whose actions are inconsistent with the district's mission and goals or community values; or
12. Promote any product or service not permitted to minors by law.

The placement of advertisements on district property or in school publications does not constitute school or district endorsement of any product, service, organization, or activity. Advertisements that imply or declare an endorsement of a product, service, organization or activity are prohibited.

Revenues from advertisements in school publications shall be used to offset the cost of producing the publications. Excess shall accrue to the organization sponsoring the activity. Revenues from advertising on district property (i.e., scoreboards) shall be a resource to the district general fund or, if appropriate, to a special fund.

The superintendent or designee shall approve advertisements on district property on a case-by-case basis. Such advertisements may be renewed on a three-year basis.

Reviewed: 6/4/12

Approved: 6/4/12



The Board recognizes that district-sponsored commercial advertising may provide an important source of revenue for its programs and activities. Such sales may be permitted as approved by the superintendent or designee and by this policy.

“Commercial advertising” as used in this policy means, use by any person, company, business or corporation, for personal or private gain, of any district media, including, but not limited to, school newspaper, yearbook or other printed material, flyer or circular, radio, television, social media, video or any other electronic technology or indoor or outdoor signage designed to:

1. Transmit a message offering any goods or services;
2. Cause or induce any other person to purchase any goods or services;
3. Increase demand for any goods or services.

Commercial advertising approved by the district must be consistent with district mission, goals, [Equity Stance](#), Board policies and administrative regulations; promote positive values for district students through proactive educational messages that encourage student achievement and high standards of personal conduct. Building Officials shall evaluate whether proposed advertising is consistent with these criteria. If a Building Official is uncertain regarding a particular advertisement, they can refer the question to the district advertising committee comprised of the Executive Director of Policy, Advocacy, & Equity Civil Rights, the Deputy Superintendent, and one other member of the district’s leadership team. At the committee’s discretion, additional individuals may be added on an ad hoc basis. The committee shall make a recommendation to the Superintendent who shall make the final decision.

The superintendent, or designee, may consider for approval revenue-enhancing activities that include, but are not limited to, contracts or agreements for:

1. Exclusive advertising of any product or service throughout the district or at specified locations or times to a person, business or corporation in exchange for goods or services (e.g., scoreboards, electronic message boards, athletic gear, exclusive right to sell beverages, bottled water, snacks, meals, etc.);
2. Products or services that require the dissemination of advertising to staff, students, parents or others or allow any person, business or corporation to obtain information from staff, students, parents or others for the purposes of market research;
3. The use of district facilities or grounds in exchange for products, services or financial considerations (e.g., cell phone towers, etc.);
4. Technology hardware, software, satellite hook-up and/or access in exchange for free or reduced prices and/or fees and/or advertising rights, or agreement to use equipment a certain number of hours of the day, month, etc.;
5. Naming rights to district property in exchange for goods, services or monetary considerations.

Contracts shall include a provision allowing the district to terminate the contract if it is determined by the district to have an adverse impact on district programs, services or activities. Revenue derived shall be used for programs, services and/or activities as determined by the district.

All contracts considered for approval are subject to the competitive procurement requirements of [DJ-AR: Public Contracting Rules & Guidelines](#) and [DJC-AR: Purchasing Authority & Limits](#). Competitive procurement as used in this policy includes monetary as well as in-kind contributions (i.e., scoreboards, computers, other equipment or materials).

**END OF ADMINISTRATIVE POLICY**

REVIEWED: 9/10/24

APPROVED:

**POLICY / REGULATION CROSS REFERENCE**

[DJ-AR](#)  
[DJC-AR](#)

[BLS Equity Stance](#)

**LEGAL REFERENCE**

[ORS 279B.055](#)  
[ORS 279C.335](#)

[ORS 332.107](#)

[ORS 339.880](#)

draft 9.2024



Commercial advertising in district schools may be permitted by the superintendent or designee subject to the following. Schools, with prior approval, may:

1. Publish advertising in any school newspaper, other school periodical, school or district publication, web page or yearbook;
2. Distribute advertising or market research as part of a district-approved curriculum on advertising, marketing or media literacy, etc.;
3. Post signs of school, district or public appreciation for financial or other support from any person, business or corporation for the educational program in any school in the district;
4. Use free educational materials with incidental advertisements;
5. Permit demonstrations of educational materials and equipment;
6. Cooperate with nonprofit community organizations in making or posting announcements or distributing program materials that supplement the school program provided that such cooperation does not interfere with the school program and is consistent with the mission, goals and policies of the district;
7. Utilize films or other educational materials and instructional aids, including newspapers and magazines in either print or electronic form furnished by private sources, when the advertising content is reasonable in the judgment of the superintendent or designee;
8. Permit participation, on a student-option basis, in essay, art, science and similar contests sponsored by outside interests when such activities parallel the curriculum and contribute to the educational program;
9. Release promotional material for non-school athletic and cultural events through appropriate school departments;
10. Accept limited advertising on extracurricular activity schedules and programs.

Other exceptions may be approved when, in the judgment of the superintendent or designee, students of the district will benefit.

There may be no obligation on the part of students or staff to sell products, make purchases or distribute information.

The use of any advertising for alcohol, cannabis or tobacco products in district publications or for any other purpose inconsistent with Board policies and administrative regulations is prohibited.

No activity which requires staff or students to assist in promoting campaigns (financial, charitable, educational or otherwise) will be permitted without the express permission of the superintendent.

END OF ADMINISTRATIVE REGULATION

REVIEWED: 9/10/24

APPROVED: 1/1/07

## HIRING STAFF WITH PRIVATE FUNDS

The Bend-La Pine School District (District) utilizes an allocation for staffing schools that is primarily based upon the number of students enrolled in a particular school. The staffing allocation may not always allow the flexibility that is required to offer as many courses as requested or to lower class sizes in specific areas. In those instances wherein fundraising efforts result in additional resources to pay for instructional staff, the District will allocate the staff in accordance with the following guidelines:

1. The Education Foundation for the Bend-La Pine School District (Foundation) is the only approved vehicle for fundraising efforts or donations to assist in the payment of additional instructional staff for schools. Funds raised by the Foundation may be used to pay for either full-time or part-time instructional staff.
  - 1.1. Definition of staff
    - 1.1.1. Any position or portion of a position that would normally be filled by a certificated or classified employee of the District under state law and current labor contracts;
    - 1.1.2. Any individual providing a service which is part of the core instructional program (Language Arts, Foreign Language, Mathematics, Science, Social Studies, Fine and Performing Arts, Physical Education) of the school or for which academic credit will be granted to students or staff by their reception of that service.
  - 1.2. Questions regarding whether or not a position falls within this definition shall be directed to the Office of the Superintendent. Any waivers or exceptions to this definition must be granted by the Superintendent with approval of the Foundation and documented in the record.
  - 1.3. Distribution of funds will be only to schools within the District that are under the sole jurisdiction of the Bend La Pine Public Schools Board of Directors.
  - 1.4. Position(s) to be filled by donated funds will be determined by building principals in consultation with the Superintendent or designee.
2. It is preferable that funds be donated without specific parameters and for needed staff positions as determined by the schools.
  - 2.1. However, funds donated for staff positions at a specific school will be apportioned on a 2:1 ratio (67% to the school and 33% to the Foundation for staff hiring purposes at other schools within the District).

- 2.1.1. Funds donated for a specific school will be subject to the determination of the building principal in consultation with the Superintendent or designee.
  - 2.2. All funds raised for staff will be handled through the Foundation which will donate the funds in a lump sum to the District.
  - 2.3. Funds otherwise raised outside of the Foundation activities will not be subject to the 1/3-2/3 split, as long as they are not used to pay for staff.
3. Foundation payments are for staff positions, not for specific individuals.
  - 3.1. The District will hire staff in accordance with its current hiring practices, and retains the control over all personnel decisions.
  - 3.2. The number of additional positions hired will be limited to the amount fundraised and donated to the district.
  - 3.3. The payment for staff from the Foundation must be made within the current fiscal year.
  - 3.4. Donations of funds for staff positions will not obligate the District for continued funding of the position(s).
    - 3.4.1. Positions filled are for the specific time period for which funds are provided and will not continue unless further funds are provided.
  - 3.5. The District will provide, on an annual basis, an accounting for the use of the donated funds.
4. In accordance with Foundation Principles, there will be an annual review of the practice and adjustments will be made as necessary.

Cross References: BDGOV A.3; GCCE-AR; IFCA/CFA; KH-AR