

Alsea School Board Meeting
Wednesday, April 17, 2024
7:00 PM
Alsea School Library
301 S 3rd St
Alsea, OR 97324



Alsea School District 7J
301 South 3rd Street
Alsea, OR 97324
541.487.4305

1. **Call to Order**
 - a. Flag Salute
 - b. Approval of Agenda
2. Executive Session
 - To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing. (ORS 192.600(2)(i))
3. **Consent Agenda**
 - a. Approval of Minutes - March 14, 2024



Board members present - Risteen Follett, Soren Rounds, Deb Lindberg, Jamie Olsen, Russ Ceperich

Board members absent - None

Staff present - Krista Nieraeth, Don Staehely, Lora Nickle

Also present in person and online: patrons and employees

1. **Call to Order** - 6:31 PM

1.a. Flag Salute -

1.b. Approval of Agenda -

Agenda approved with the modification of adding 6.e. under New Business to discuss April and May board meeting dates.

Regular Session recessed - 6:32 PM

Executive Session called to order - 6:33 PM

2. **Executive Session**

- To conduct deliberations with persons designated by the governing body to carry on labor negotiations, (ORS 192.660(2)(d))

Executive Session adjourned - 6:56 PM

Regular Session reconvened - 7:01 PM

3. **Consent Agenda**

2.a. Approval of Minutes - February 7, 2024

2.b. Staff Recommendations

2.c. Surplus List

Deb Lindberg approved the consent agenda as presented. Soren Rounds seconded. The board discussed.

Motioned carried 5-0

4. **Patron Comments**

None

5. **Reports**

4.a. Superintendent Report

Ms. Nieraeth presented her report to the board. Information found in the submitted report.

Attendance Report - Ms. Nieraeth reported on Regular Attenders as of March 1, 2024

4.b. K-6 Brick and Mortar Principal Report -

Ms. Nieraeth presented her report to the board. Information found in the submitted packet.

4.c. K-5 LaHO Principal Report -

Ms. Shunk presented her report online. Information found in the submitted packet.

4.d. 7-12 Brick and Mortar Principal Report -

Mr. Rothenberger presented his report online. Information found in the submitted packet.

4.e. Financial Report -

Mr. Staehely presented his report to the board. Information found in the submitted packet.

4.f. Bond Update

Chris Giggy from Integrity Management Solutions presented their report to the board. Information

found in the submitted packet.

4.g. Enrollment -

Lora Nickle presented to the board the current enrollment. Information found in the submitted packet.

4.h. Safety

Lora Nickle presented her report to the board. Information found in the submitted packet.

6. **New Business - Ms. Nieraeth**

6.a. Audit

David Bledsoe presented the audit results to the board. Information found in the submitted packet.

Resolution 24.06. Deb Lindberg motioned to approve the 2022-23 audit as presented. Jamie Olsen seconded the motion. The board discussed. Motion carried 5-0

6.b. Resiliency Grant

Chris Giggy presented the Resiliency Grant to the board. Information found in the submitted packet.

Jamie Olsen motioned to move forward with the Resiliency Grant application process. Deb Lindberg seconded the motion. The board discussed it at length. Motion carried 5-0.

6.c. Local Service Plan

Krista Nieraeth presented the report to the board. Information found in the submitted packet. Jason Hay from Linn Benton Lincoln ESD was available online to answer any questions the board may have. Russ Ceperich motioned to approve the Local Service plan as presented. Deb Lindberg seconded. The board discussed. Motion carried 5-0.

6.d. Budget Committee Appointment

Risteen Follett presented to the board four candidates for the Budget Committee 2024-25 fiscal year.

Position #1 - Kathi Gamler, 3-year term – Russ Ceperich motioned to approve. Deb Lindberg seconded. No discussion. Motion carried 5-0

Position #3 - MacKenzie Webb, 3-year term – Deb Lindberg motioned to approve. Russ Ceperich seconded. No discussion. Motion carried 5-0

Position #4 - Tracy Foster, 1-year term – Deb Lindberg motioned to approve. Russ Ceperich seconded. No discussion. Motion carried 5-0

Position #5 - Cheryl VanLeuven, 3-year term – Deb Lindberg motioned to approve. Russ Ceperich seconded. No discussion. Motion carried 5-0

6.e. Ms. Nieraeth requested the April 11th meeting be moved to April 17th due to a conflict with Student Lead Conferences. Russ Ceperich motioned to move the April meeting date. Deb Lindberg seconded. Motion carried 5-0.

Ms. Follett requested the May meeting be moved to May 16th due to a conflict with her being out of state. Deb Lindberg motioned to move the May meeting date. Deb Lindberg seconded. Motion carried 5-0.

7. **Old Business**

7.a. Early Literacy Grant

Ms. Nieraeth let the board know that this was just informational. No vote necessary.

8. **First Reading**

None

9. **Second Reading**

None

10. **Board Comments**

Russ Ceperich still expressed interest in promoting some form of summer reading program. The board discussed at length ways to educate the community about the role of the School Board as well as the proper procedure for addressing issues or complaints.

11. **Future Agenda Items**

12. **Key Dates**

Executive Session - March 20, 6:00 PM

Spring Break - March 25 - 29

Grading Day - April 5

Red Cross Blood Drive - April 10

Student Conferences - April 11 - 12

Regular School Board Meeting - April 11 - moved to April 17 at 7:00 PM

Regular School Board Meeting – May 9 – moved to May 16th at 7:00 PM

15. **Adjourn** - 9:21 PM

School Board Chair

Date

Superintendent

Date

- b. Hires - Emilee Russell - Elementary Teacher
- c. Resignation - Joe Harris - MS/HS Science Teacher

4. **Patron Comments:**

The Alsea School Board of Directors values the opinions and input of students, staff, parents, and community members. Although board meetings are held in public, they are not meetings of the public. Please keep your comments to 3 minutes or less. If you intend to speak to the board this evening, you will need to fill out one of the blue comment cards and hand it to the Board Secretary, Lora Nickle. Public comments may also be made via Zoom. If you intend to speak via Zoom, please put your name in the comments so that the board chair can call on you. Before you begin your comments, please state your name and if you are speaking for an organization, please state that organization. For more information about public comments at a board meeting, please see Alsea School District Policy BDDH.

5. **Reports**

- a. Superintendent Report
 - Speaker(s):** Krista Nieraeth
 - i. Superintendent report

Alsea School District

April Board Meeting Board Report

Krista Nieraeth, Superintendent and Special Education Director

1. Safety Training

On March 25 and 26, I attended an ALICE Training in Gold Beach to become a certified ALICE trainer. The ALICE training is an active response training to violent critical incidents that is delivered with trauma informed approach in an age and ability appropriate way. District policy and state law says that the district must implement a safety plan for violent critical incidents (EBC/EBCA). This program is one that I trained in and felt the most empowered in as someone who works in a school setting AND is out in public (restaurants, malls, etc.). I've implemented this program in a previous district and felt as though it empowered both staff and students. We will train in this program starting in the fall.

2. Website

Ms. Nickle, Mr. Roberts and I have been working with LBLESD in revamping our website. We have been reviewing all the information on our website, looking at the required postings and making sure we have them, and really just making our website more user – friendly. Our hope is to get the revamped website up by July 1st.

3. Construction

As you can all see, construction on the CTE building is happening!! I'm very excited to see progress. The district was given a timeline for when different aspects of the project will be completed and I am staying in close contact with Chris and Nancy Giggy about any questions or concerns we may have. The district is so lucky to have Chris and Nancy as our project managers. Getting us to this point was no small feat and they have done a tremendous job! Todd Construction has also been great to work with. They are very communicative and professional. I am excited to see this project unfold over the next couple of months.

4. State Testing

I have spent quite a bit of time over the past month getting our staff trained and ready to administer State testing. Students in grades 3 – 8 and 11 take state tests in English Language Arts (ELA) and in Math. Students in grades 5, 8 and 11 take a Science test. Students who qualify for ELL services have to take the English Language Proficiency Assessment (ELPA), and all students in grades 3 – 11 take the Student Educational Equity Development (SEED) Survey. I have put an example of the SEED Survey that was given to 3rd graders. Thank you to Mrs. Shunk, Mr. Rothenberger, Ms. Kayla, Mr. Joe, Ms. Dapkus, Ms. Naylor, Ms. Pinion and Mr. Pearson for all their hard work in getting trained and getting our students tested. Please remember that it is a federal requirement for these statewide assessments to occur each year at a 95% participation rate or above. Failure to participate could result in federal educational funds being pulled from a state.

5. Cyclical Monitoring Update - SPED

As you know, the district is required to provide services to students with disabilities through our SPED program. There are very stringent laws and requirements about what those services should look like in all places a student may learn and how those services should be documented as to show that the district is following the law that student is provided with a free and appropriated education (FAPE). Once every three years, each Oregon district's SPED files are reviewed by a district team, and then are sent to ODE to be reviewed. This process ensures that districts are compliant in providing appropriate services to students on IEPs for them to be successful in school. Alsea went through this process last spring and was found not in compliance in special education files, which resulted in a new district team gathering for multiple session to correct and submit paperwork showing that the district is now in compliance and the district's plan to stay in compliance for SPED. Thank you to Ms. Boser and Roxy Cessnun for their hard work during this process and to Stacy Matthews from ODE in her guidance to the district during this time.

6. Facilities

The bathrooms in the 4 – 6 grade wing are almost done. Mr. Elbers is currently working with plumbers to get the toilets and sinks set. He spent last week finishing up framing, sheet rocking the walls, painting, and putting down the floor. This bathroom will help alleviate the traffic jams of the restrooms inside.

We are continuing to work on cleaning up the grounds, especially after items were surplused at the last board meeting. Mr. Elbers is in constant contact with Nancy and Chris about all the construction happening on the property now and planning for this summer's projects and how to work around the construction.

The gym floor will also be redone this summer. There are boards that are starting to splinter, as well as spots in the floor that are getting worn. We will have the floor completely sanded, boards replaced (we have approximately 25 boards that need to be replaced), the floor repainted and sealed. This project will take 2 weeks and will start July 29th. The cost for this project is \$30,000 total and will be split into two budget cycles, \$15,000 this year and \$15,000 next year.

Please remember due to construction, our building will be closed to all except maintenance employees and administration from June 24th – August 9th.

Student Educational Equity Development (SEED) Survey



3rd Grade Language Arts

Education leaders in Oregon would like to know more about your school year. Your answers will help schools in Oregon.

Your answers will be private. In most cases, your school, parent, or guardian will not see your answers.

Read each question carefully. Choose the answers that are true for you. There are no right or wrong answers. If you cannot find the perfect answer, it is okay to pick the best one. You can skip any question.

Use the tools in the survey to help you. If you have questions, ask your teacher.

Please select one of the following, then click Next:

- I will take this survey. Go to the first question.
- I will not take this survey. Go to the submit page.

Access to Learning Resources

The next questions will ask you about things that could help you with your school work. These may be things in your home, community, or school. Please read each question carefully. Choose the answers that are true for you.

1. Are these things available to help you with your school work?

	No, not available	Yes, sometimes available	Yes, always available	Skip question
Internet connection or Wi-Fi	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Desktop computer or laptop (such as Chromebook or similar)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tablet (such as iPad or similar)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Smartphone (such as iPhone or similar)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tools to help you talk with your teacher and other students (such as headphones, microphones or similar)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

2. Are these things available to help you with your school work?

	No, not available	Yes, sometimes available	Yes, always available	Skip question
Books or magazines to read for fun	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
School supplies (such as paper, pencil, etc.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Textbook, workbook, or other things provided by your school	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Books from your class library, school library, or public library	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

3. Are these things available to help you with your school work?

	No, not available	Yes, sometimes available	Yes, always available	Skip question
Desk, table, or flat writing surface	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Quiet <u>place</u> to do school work (such as an office or bedroom)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Friend, other children, or adults (not including your teachers)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Quiet <u>time</u> to do school work with few distractions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tutoring or extra help not provided by your school	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Sense of Belonging

The next questions will ask about your feelings toward your school. Please read each question carefully. Choose the answers that are true for you.

4. Think about your assignments from this school year. How often did they have pictures or stories of people who are like you and your family?

- Never
- Rarely
- Sometimes
- Often
- Skip question

5. Think about the tests you took this school year. How often did they have pictures or stories of people who are like you and your family?

- Never
- Rarely
- Sometimes
- Often
- Skip question

6. Think about the materials you used in class this school year. These could be textbooks, workbooks, or online materials. How often did they have pictures or stories of people who are like you and your family?

- Never
- Rarely
- Sometimes
- Often
- Skip question

7. Think about the things you read in class this school year. These things could be articles, stories, or books. How often did they show people who are like you and your family?

- Never
- Rarely
- Sometimes
- Often
- Skip question

- Intentionally left blank -

8. Think about this school year and the people at your school. How much do you agree with each statement?

	Strongly disagree	Disagree	Agree	Strongly agree	Skip question
I have friends at school.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
My classmates care about me.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
There are adults at my school who are like me and my family.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I feel welcome at my school.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

9. Think about this school year and the people at your school. How much do you agree with each statement?

	Strongly disagree	Disagree	Agree	Strongly agree	Skip question
There are adults at my school who care about me.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I feel safe talking with adults at my school.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I feel safe talking with students at my school.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I like going to school.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I have classmates who are like me and my family.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Opportunity to Learn

The next questions will ask you about what you did for reading time. Please read each question carefully. Choose the answers that are true for you.

10. Think about what you did for reading time this year. How often did you do the following?

	Never	Rarely	Sometimes	Often	Skip question
Talk about new or difficult vocabulary words with your teacher or classmates.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Talk with the whole class about something the class has read.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Work in pairs or small groups to talk about something that you have read.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

11. Think about what you did for reading time this year. How often did your teacher ask you to write about what you read?

- Never
- Rarely
- Sometimes
- Often
- Skip question

12. Think about what you did for reading time this year. How often did you borrow books or magazines from your classroom library, school library, or media center?

- Never
- Rarely
- Sometimes
- Often
- Skip question

13. Besides doing homework, how much time do you spend reading outside of school?

- Less than 30 minutes a day
- About 30 minutes a day
- About 1 hour a day
- 2 or more hours a day
- Skip question

Self-Efficacy Beliefs

The next questions will ask you about what you learned in reading time. Please read each question carefully. Choose the answers that are true for you.

14. Think about what you learned in reading time this year. How sure are you about doing each of the following?

	Not sure	A little sure	Somewhat sure	Mostly sure	Very sure	Skip question
I can figure out the meaning of a word I don't know by using other words in a text or story.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I can explain the meaning of something I have read.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I can figure out the main idea of a text or story.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

15. Think about what you learned in reading time this year. How sure are you about doing each of the following?

	Not sure	A little sure	Somewhat sure	Mostly sure	Very sure	Skip question
I can find text in a story to help me answer a question on an assignment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I can tell when I don't understand something I'm reading.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I can tell the difference between fact and opinion in a text or story.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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Well-Rounded Education

The next questions will ask you about special classes at your school. Please read each question carefully. Choose the answers that are true for you.

16. Think about this school year. How often did you have an art lesson?

- Never
- Once or twice this year
- Once or twice a month
- Once or twice a week
- More than twice a week
- Skip question

17. Think about this school year. How often did you have a music lesson?

- Never
- Once or twice this year
- Once or twice a month
- Once or twice a week
- More than twice a week
- Skip question

18. Think about this school year. How often did you have PE or physical education?

- Never
- Once or twice this year
- Once or twice a month
- Once or twice a week
- More than twice a week
- Skip question

This is the end of the survey. You may review and change your answers before submitting. Thank you for your time. Your answers will help improve Oregon schools.

- Intentionally left blank -



ii. Regular Attenders

REGULAR ATTENDERS

Grade Level	Enrollment #	01-Oct	Enrollment #	01-Nov	Enrollment #	01-Dec	Enrollment #	01-Jan	Enrollment #	01-Feb	Enrollment #	01-Mar	Enrollment #
KG	18	77.78%	18	50.00%	16	43.75%	16	43.75%	16	56.25%	17	70.59%	17
1st	42	83.33%	39	84.62%	39	82.05%	39	79.49%	40	80.00%	40	72.50%	39
2nd	36	72.22%	36	69.44%	37	78.38%	37	81.08%	37	83.78%	37	86.49%	37
3rd	31	77.42%	30	83.33%	29	89.66%	29	79.31%	28	71.43%	28	71.43%	27
4th	25	76.00%	26	73.08%	25	72.00%	25	64.00%	25	64.00%	24	54.17%	24
5th	24	70.83%	26	50.00%	25	48.00%	25	40.00%	24	45.83%	21	52.38%	18
6th	14	78.57%	13	76.92%	12	66.67%	12	66.67%	12	75.00%	13	76.92%	13
7th	19	68.42%	18	61.11%	19	47.37%	18	27.78%	17	47.06%	17	42.11%	17
8th	13	76.92%	13	61.54%	13	61.54%	13	53.85%	13	46.15%	13	38.46%	13
9th	22	68.18%	22	63.64%	23	56.52%	23	56.52%	22	63.64%	20	65.00%	17
10th	12	66.67%	12	58.33%	12	50.00%	12	58.33%	12	66.67%	12	58.33%	12
11th	14	78.57%	13	53.85%	14	57.14%	14	57.14%	14	57.14%	13	46.15%	13
12th	13	38.46%	10	30.00%	10	20.00%	10	20.00%	10	20.00%	10	30.00%	8
Schoolwide	283	71.80%	276	62.76%	274	59.47%	273	55.99%	270	59.77%	265	58.81%	255

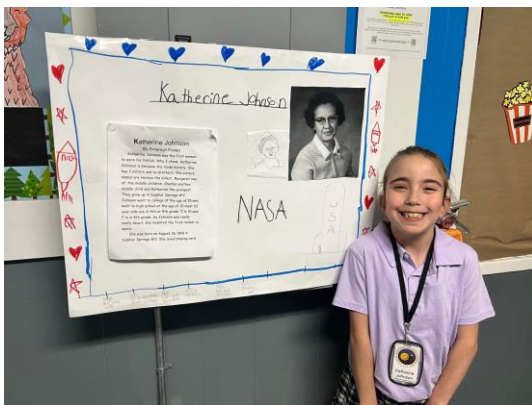
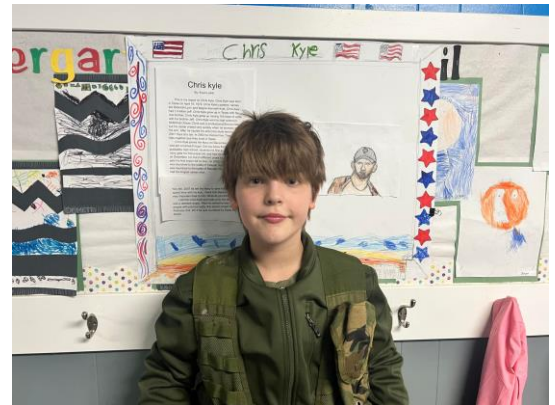
01-Apr
70.59%
76.92%
91.89%
77.78%
70.83%
61.11%
84.62%
47.06%
46.15%
70.59%
50.00%
30.77%
25.00%
61.79%

- b. K-6 Brick and Mortar Principal Report
Speaker(s): Krista Nieraeth

Alsea School District
April Meeting Board Report – K-6 B&M School
Krista Nieraeth, Principal

School / Classroom Updates / Accomplishments

- Our 5th graders did their “Gallery Night” on March 20th. Each student researched a historical figure, created a poster about that person, and wrote a speech about that person’s life. Parents and the community were invited to listen to the students that night. They did a GREAT job and we are so very proud of them!



- Our elementary teachers reviewed K – 6 Math curriculum to look at updating our current math curriculum. Currently, our district uses Bridges, but our teachers are finding it difficult to implement in the classroom. Mrs. Shunk and I lead each teacher group (LaHO and B/M) to look at 2 different curricula to decide what would work best in both schools. Both groups chose the “Ready Math” curriculum to bring to the board to adopt for 6 years starting in the 2024 – 2025 school year. Reasons included the curriculum’s differentiation for students, the tie to the online component, the ability for teachers to see sequential learning and pull from different grade levels if needed. I appreciate all the teachers taking their time in reviewing the different curricula.
- The 3rd graders presented their “Fractured Fairy Tales” during their “Meet The Author” presentation to a group of staff members and their classmates. Each group picked a fairy tale and put their own spin on it! The students had a great time doing it and the staff LOVED hearing each tale! The students all read well, helped each other when needed, and overall gave a great performance of their stories!



- The elementary school is doing student of the month from each classroom. January's Theme was Respectful. Congratulations to the following students for being chosen as January's Student of the Month!

Kindergarten:	Kannon Rothenberger	1st Grade:	Aaron Nelson
2nd Grade:	Arya Larson	3rd Grade:	Danika Kelley
4th Grade:	Kayla Hamblin	5th Grade:	Lisa Peterson
6th Grade:	Maveryk Manwarren		

February's Theme was Inclusive. Congratulations to the following students for being chosen as February's Student of the Month!

Kindergarten:	Demetri Rounds	1st Grade:	Leona Ellis
2nd Grade:	Harley Wamsley	3rd Grade:	Alaina Leavitt
4th Grade:	Addy Leavitt	5th Grade:	Evie Taylor
6th Grade:	Olivia Saharek		

Congratulations to all the winners!!

Elementary Student of the Month

This month's character trait was 'RESPECTFUL'. These students showed what it is to be a Wolverine who follows directions, is honest, and helps others in the school community. They also cooperate with their peers.



This month's character trait was 'INCLUSIVE'. These students showed what it is to be a Wolverine who always makes others feel valued, welcomed, respected, and included.

- c. K-5 LaHO Principal Report
Speaker(s): Heather Shunk

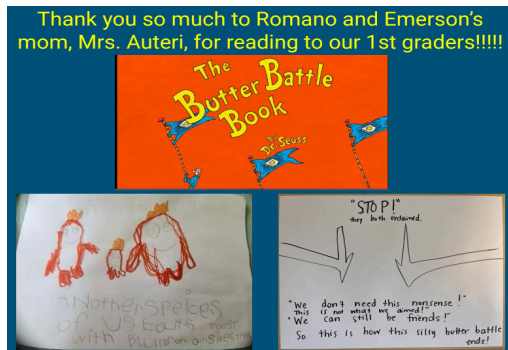
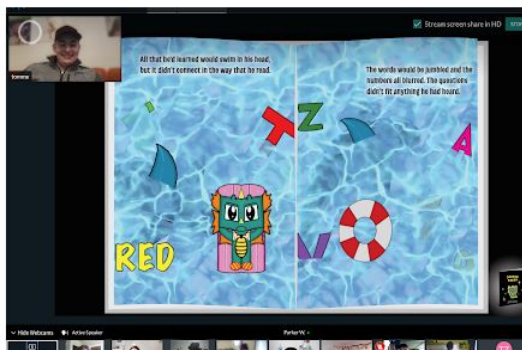
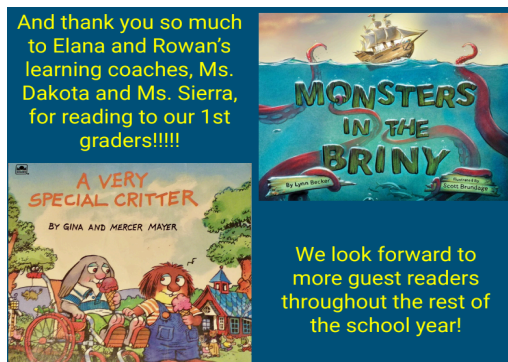
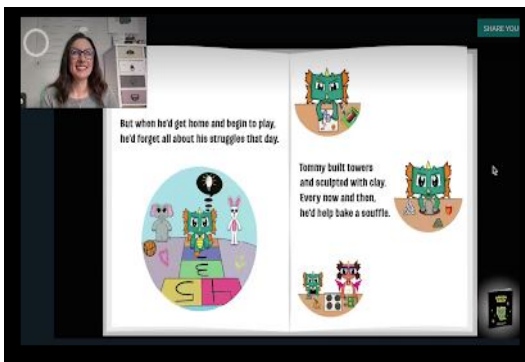
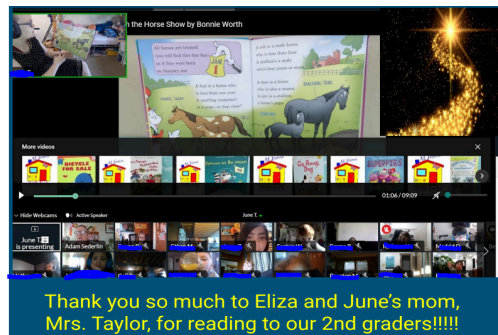
ALSEA SCHOOL DISTRICT BOARD REPORT

Name: Heather Shunk **Position:** Principal

BOARD MEETING DATE: April 17, 2024

March 2024, Student of the Month Assembly - Character Trait - LEADERSHIP

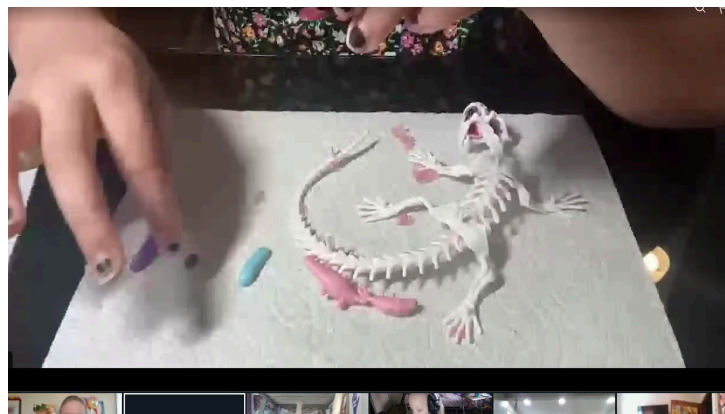
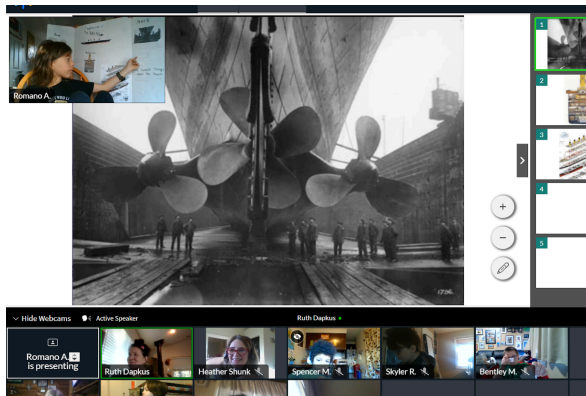
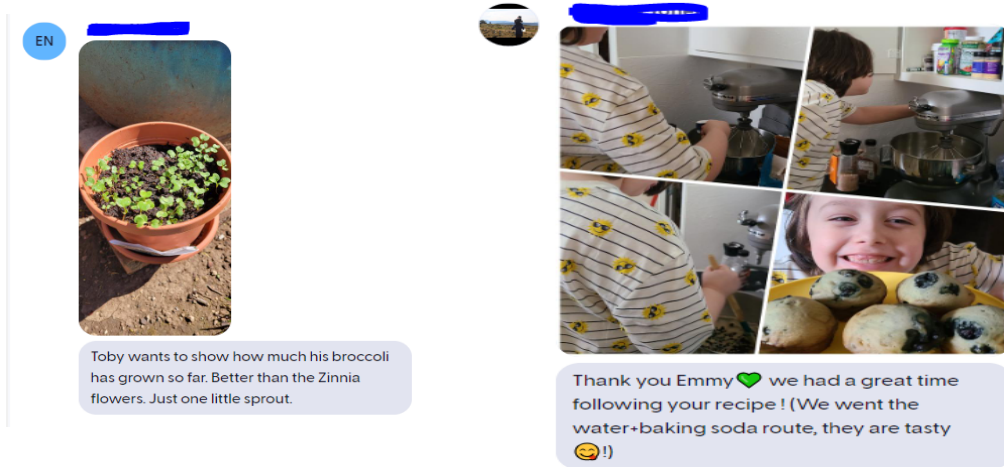
Highlights - Students of the Month, Character Trait - Leadership (Communication, purpose, determination, GRIT, integrity, etc); Celebrating Attendance and Punctuality, Math, & Reading Superstars in I-Ready, Exploratory Class: Art, Reader's Theater, Spanish, Read Across America Month spirit days, parent readers, and Author Talk. Upcoming Character Trait for April - ALIVE (vitality, energy, intellectual vigor, etc.).



Genius Hour Projects:

In our virtual learning environment, Genius Hour research projects are igniting a spark of curiosity and innovation among all of our students, fostering a culture of exploration and self-directed learning. As our students delve into topics of personal interest, they are not only deepening their understanding but also honing critical thinking and problem solving skills. These projects empower students to take ownership of their education, promoting autonomy and creativity. Genius Hour cultivates a sense of community and peer support, enhancing engagement and motivation. Students feel empowered to teach others about their discoveries and insights, while also eagerly learning from their peers' diverse perspectives and expertise. Through these experiences, students are not just acquiring knowledge; they are becoming lifelong learners equipped to navigate and contribute to an ever-changing world.

In the past few weeks, students have presented on: How to plant and take care of broccoli seeds, baking, all about the Titanic, Salamander dissection (using a kid friendly kit), leading a drawing class, and so much more. It has been wonderful to see the Learning Coach participate with the presentations.



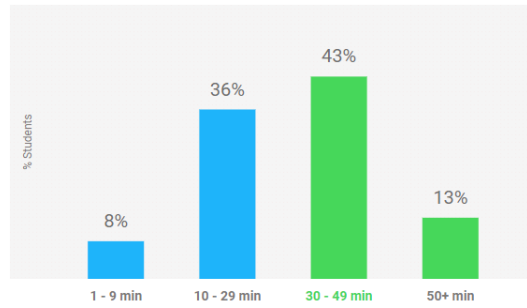
I-Ready In the past few months, there has been noticeable improvement in student engagement and reading and math lesson completion rates. Through its personalized learning pathways, students have been able to build upon and strengthen their foundational skills at their own pace, resulting in increased confidence and proficiency. The platform’s adaptive assessments accurately pinpoint each student’s strengths and areas for growth, allowing for targeted instruction tailored to individual needs. As a result, students are not only more motivated to log in regularly, but also show a greater commitment to completing assigned tasks. With the support of I-Ready, students are making significant strides in their reading and math abilities, setting a solid foundation for academic success.

Subject: Reading | School: LEARN AT HOME OREGON

Date Range: Last Week

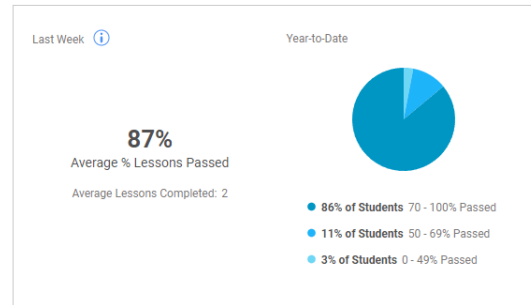
Students Using Instruction/Total (Last Week): 61/84

Lesson Time-on-Task Last Week



Students Completing Lessons/Total (YTD): 80/84

Lessons Passed

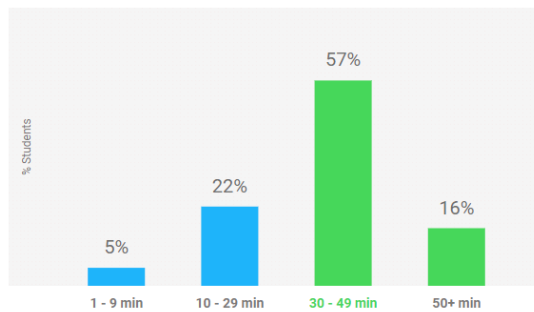


Subject: Math | School: LEARN AT HOME OREGON

Date Range: Last Week

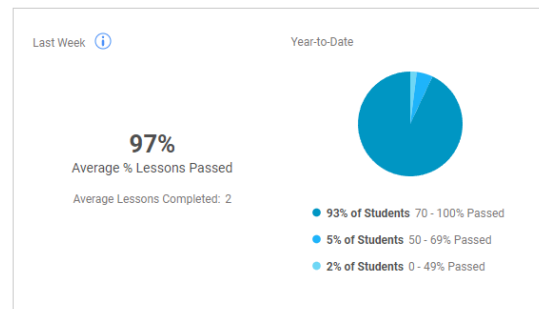
Students Using Instruction/Total (Last Week): 58/84

Lesson Time-on-Task Last Week



Students Completing Lessons/Total (YTD): 81/84

Lessons Passed



Early Registration for the 24-25 School Year has begun!!! - One of our primary themes for the 24-25 registration process revolves around elevating family interaction, exploration, creativity, and flexibility as fundamental aspects of our educational program. We understand that parents and guardians are invaluable partners in their children's academic journey. Therefore, our registration message is designed to share that we are committed to supporting and empowering the entire family, not just the student. We will be offering Open House type meetings for prospective parents and students. We are also working on a redesign of the website.

Learn at Home OREGON

FLEXIBLE & INTERACTIVE
PERSONALIZED LEARNING
SMALL CLASS SIZES
STUDENT & FAMILY CENTERED

24-25 School Year
Early Registration is Now Open!
Kindergarten to 5th Grade
alsea.k12.or.us
Learnathomeoregon.org
541-487-4305

ENGAGING & SUPPORTIVE ONLINE LEARNING COMMUNITY OPEN TO ALL OREGON RESIDENTS

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ENGAGING & SUPPORTIVE ONLINE LEARNING COMMUNITY OPEN TO ALL OREGON RESIDENTS

- d. 7-12 Brick and Mortar Principal Report
Speaker(s): Bart Rothenberger

Board Report for 7-12 for: April

From behind the principal's desk:

This past month had moved along quickly. We are in the planning stages for prom, senior banquet and graduation.

Prom: May 17th @ Bezel Barn

Senior Banquet: May 30th

Graduation: June 7th

Kayla and I are continually meeting with students regarding their grades and making sure our seniors are prepared to walk across the stage. As stated later right now all 8 seniors are on track to walk across that stage.

Again, I asked my staff to give me a highlight of one positive from their department.

CTE/Ag

Welding classes are making projects and selling them to put money back into the program!
Collaborated with digital art class on a sign project for The Alsea Hope Grange

High school PE and Health classes:

Our high school health class grade average for the last unit test (growth and development) was 88%.

The 5th-8th grade students have been doing a wonderful job in physical education. They have all enjoyed learning Norwegian Kickball and baseball. In both units the students have been showing exceptional teamwork and sportsmanship.

Social Studies

All students are doing well at the halfway mark.

Science:

The HS chemistry class is currently using an old technique to create their own perfume/colognes.

Art:

Deb's Cafe sign is finished and going up on Friday!!

Graphic design class finished HOPE GRANGE sign and it is now in Mr. Stevens class ready to be cut!

5th & 6th grades are making decorations for the Sadie Hawk Dance next week!!!

English:

There were only five kids with failing grades in English at the end of the 3rd quarter. The students showed a lot of responsibility in getting their missing work turned in, and there were lots of kids celebrating bumping an 89 % to a 90% A, or a 79% to an 80% B. Many students had

NO missing assignments for the first time in their secondary school career. I am very proud of how they have responded to the recent increase in rigor and raised expectations!

Culinary:

The students in culinary class are actively engaged on the basics of recipe development. They are working on the combination of spices, seasonings and cooking methods to develop flavor and utilize it more. In the following weeks the students will be working on a sandwich project that combines many of the skills they have learned as well as new ones. The beginning of May, the students will be developing a hamburger, side and a signature sauce recipe and making it for a panel of judges. This will be for their final project showcasing everything they have learned during class.

Math:

Class averages for 7th grade is 85.3% and Algebra 2 is 90.2%. In addition, more students are showing interest in Precalculus for next year.

Athletics:

High School and Middle School are actively participating in track meets and both groups are seeing improvement. Baseball is going well at Monroe for our three students.

Academic Advisor:

All 8 of our seniors are on track to graduate in June!

Transportation:

All buses are mechanically in good shape and running well. Fingers crossed!

- e. Financial Report
Speaker(s): Don Staehely

**GENERAL FUND
STATEMENT OF RESOURCES
FOR THE FISCAL YEAR 2023-24
As of March 31, 2024**

<u>LINE</u>	<u>SOURCE</u>	<u>BUDGET</u>	<u>Y-T-D 3/31/2024</u>	<u>PROJECTED</u>	<u>TOTAL 3/31/2024</u>	<u>BALANCE OVER/(UNDER)</u>	
STATE SCHOOL SUPPORT FORMULA							
1	1111	CURRENT YEAR'S TAXES	\$ 499,000.00	\$ 491,344.42	8,768.44	\$ 500,112.86	\$ 1,112.86
2	1112	PRIOR YEAR'S TAXES	1,000.00	2,685.72		2,685.72	1,685.72
3	1114	OTHER TAXES	-	4.72	-	4.72	4.72
4	1190	INTEREST ON TAX COLLECTIONS	800.00	510.42		510.42	(289.58)
5	2101	COUNTY SCHOOL FUND	2,500.00	1,666.58	-	1,666.58	(833.42)
6	3103	COMMON SCHOOL FUND	66,340.92	25,815.48	25,815.48	51,630.96	(14,709.96)
7	3101	STATE SCHOOL SUPPORT FUND	6,773,656.93	5,816,876.00	495,103.12	6,311,979.12	(461,677.81)
8	4801	FEDERAL FOREST FEES	-	-	-	-	-
9	TOTAL 2023-24 SSSF SOURCES (Line 1 - Line 8)		7,343,297.85	6,338,903.34	529,687.04	6,868,590.38	(474,707.47)
STATE SCHOOL SUPPORT FORMULA (Prior Yr Adjustments)							
10	STATE SCHOOL SUPPORT FUND 22-23				141,076.08	141,076.08	141,076.08
11	HIGH COST GRANT				-	-	-
12	TOTAL SSSF PRIOR YR ADJ (Line 10 - Line 11)		-	-	141,076.08	141,076.08	141,076.08
13	TOTAL SSSF SOURCES (Line 9 + Line 12)		7,343,297.85	6,338,903.34	670,763.12	7,009,666.46	(333,631.39)
NON STATE SCHOOL SUPPORT FORMULA SOURCES							
LOCAL SOURCES							
14	1510	EARNINGS ON INVESTMENTS	25,000.00	212,100.27	12,899.73	225,000.00	200,000.00
15	1710	ADMISSIONS - GATE FEES	7,500.00	5,245.71	-	5,245.71	(2,254.29)
16	1760	FUND RAISING	-	125.00	-	125.00	125.00
17	1910	RENTAL INCOME	12,000.00	2,700.00	900.00	3,600.00	(8,400.00)
18	1943	SERVICES PROVIDED CHARTER SCHOOLS	88,505.00	69,007.15	25,992.85	95,000.00	6,495.00
19	1960	RECOVER PRIOR YEAR'S EXPENDITURES	-	13,815.31	-	13,815.31	13,815.31
20	1920	DONATIONS	6,000.00	-	-	-	(6,000.00)
21	1980	FEES CHARGED OTHER GRANTS	15,000.00	-	-	-	(15,000.00)
22	1990	MISCELLANEOUS REVENUE	24,800.00	20,381.40		20,381.40	(4,418.60)
23	TOTAL LOCAL SOURCES (Line 14 - Line 22)		178,805.00	323,374.84	39,792.58	363,167.42	184,362.42
OTHER SOURCES							
24	2102	REVENUE THROUGH ESD	4,000.00	3,823.53	3,823.53	7,647.06	3,647.06
25	3203	SPECIAL EDUCATION PROGRAMS	8,000.00	-	-	-	(8,000.00)
26	5300	INSURANCE REIMBURSEMENT	5,000.00	-	-	-	(5,000.00)
27	5400	BEGINNING CASH	2,999,999.65	4,390,473.33		4,390,473.33	1,390,473.68
28	TOTAL OTHER SOURCES (Line 24 - Line 27)		3,016,999.65	4,394,296.86	3,823.53	4,398,120.39	1,381,120.74
29	TOTAL NON SSSF SOURCES (Line 23 + Line 28)		3,195,804.65	4,717,671.70	43,616.11	4,761,287.81	1,565,483.16
30	TOTAL RESOURCES (Line 13 + Line 30)		\$ 10,539,102.50	\$ 11,056,575.04	\$ 714,379.23	\$ 11,770,954.27	\$ 1,231,851.77

**GENERAL FUND
STATEMENT OF EXPENDITUES COMPARED TO BUDGET
FOR THE FISCAL YEAR 2023-24
As of March 31, 2024**

		<u>ACTUAL</u> Y-T-D			TOTAL	BALANCE FAVORABLE/ (UNFAVORABLE)	--%-- <u>COMMITTED</u>
		<u>BUDGET</u>	<u>3/31/2024</u>	<u>ENCUMBERED</u>	<u>3/31/2024</u>	<u>(UNFAVORABLE)</u>	<u>COMMITTED</u>
INSTRUCTION							
1111	Elementary, K-5	\$ 1,321,195.00	\$ 643,298.80	\$ 416,632.06	\$ 1,059,930.86	\$ 261,264.14	
1113	Elementary Extra-curricular	3,000.00	1,581.30	1,438.72	3,020.02	(20.02)	
1121	Middle/Junior High Programs	518,950.00	135,514.63	102,857.00	238,371.63	280,578.37	
1122	Middle/Junior High School Extra-curricular	48,400.00	24,121.11	3,289.99	27,411.10	20,988.90	
1131	High School Programs	556,600.00	201,206.30	132,395.06	333,601.36	222,998.64	
1132	High School Extra-curricular	221,300.00	91,507.68	12,873.15	104,380.83	116,919.17	
1210	Programs for the Talented and Gifted	3,499.50	-	-	-	3,499.50	
1250	Less Restrictive Programs: Students w/ Disability	1,187,200.00	361,055.38	154,760.78	515,816.16	671,383.84	
1280	Alternative Education	21,000.00	-	-	-	21,000.00	
1291	English Second Language Programs	9,600.00	4,403.83	6,653.29	11,057.12	(1,457.12)	
	TOTAL INSTRUCTION	3,890,744.50	1,462,689.03	830,900.05	2,293,589.08	1,597,155.42	58.95%
SUPPORT SERVICES							
2114	Student Accounting Services	53,920.00	20,654.23	6,955.87	27,610.10	26,309.90	
2134	Nurse Services	12,000.00	6,032.00	1,508.00	7,540.00	4,460.00	
2142	Psychological Testing Services	35,000.00	50,200.00	-	50,200.00	(15,200.00)	
2152	Speech Pathology Services	161,360.00	54,889.30	-	54,889.30	106,470.70	
2160	Other Student Treatment Services	28,000.00	15,328.17	24,394.94	39,723.11	(11,723.11)	
2190	Service Direction, Student Support Services	34,050.00	25,622.78	11,816.06	37,438.84	(3,388.84)	
2210	Improvement of Instruction Services	-	4,644.65	143.86	4,788.51	(4,788.51)	
2222	Library/Media Center	1,250.00	-	-	-	1,250.00	
2230	Assessment and Testing	6,848.00	2,845.01	1,438.62	4,283.63	2,564.37	
2240	Instructional Staff Development	26,000.00	1,088.73	-	1,088.73	24,911.27	
2310	Board of Education Services	161,200.00	71,946.75	1,268.75	73,215.50	87,984.50	

**GENERAL FUND
STATEMENT OF EXPENDITUES COMPARED TO BUDGET
FOR THE FISCAL YEAR 2023-24
As of March 31, 2024**

		<u>ACTUAL</u>		<u>ENCUMBERED</u>	<u>TOTAL</u>	<u>BALANCE</u> <u>FAVORABLE/</u>	<u>--%--</u>
		<u>BUDGET</u>	<u>Y-T-D</u>				
		<u>3/31/2024</u>	<u>3/31/2024</u>	<u>3/31/2024</u>	<u>(UNFAVORABLE)</u>	<u>COMMITTED</u>	
2321	Office of the Superintendent Services	335,100.00	207,102.02	62,086.08	269,188.10	65,911.90	
2410	Office of the Principal Services	527,070.00	272,937.25	116,743.62	389,680.87	137,389.13	
2520	Fiscal Services	370,900.00	228,468.00	79,744.13	308,212.13	62,687.87	
2540	Operation and Maintenance of Plant Services	613,500.00	401,432.06	101,047.28	502,479.34	111,020.66	
2550	Student Transportation Services	1,645,150.00	632,374.47	205,468.38	837,842.85	807,307.15	
2660	Technology Services	92,400.00	90,995.55	18,457.60	109,453.15	(17,053.15)	
2700	Supplemental Retirement Program	-	6,751.92	-	6,751.92	(6,751.92)	
TOTAL SUPPORT SERVICES		4,103,748.00	2,093,312.89	631,073.19	2,724,386.08	1,379,361.92	66.39%
OTHER REQUIREMENTS							
5110	Long-Term Debt Service	20,100.00	19,978.69	-	19,978.69	121.31	
5200	Transfers of Funds						
5200 790	Food Service	123,405.00	-	123,405.00	123,405.00	-	
5200 792	Bus Fund	259,000.00	-	259,000.00	259,000.00	-	
6110	Operating Contingency	120,000.00	-	-	-	120,000.00	
7000	Unappropriated Ending Fund Balance	2,022,105.00	-	-	-	2,022,105.00	
TOTAL OTHER REQUIREMENTS		2,544,610.00	19,978.69	382,405.00	402,383.69	2,142,226.31	15.81%
TOTAL EXPENDITURES		\$ 10,539,102.50	\$ 3,575,980.61	\$ 1,844,378.24	\$ 5,420,358.85	\$ 5,118,743.65	51.43%
PROJECTED ENDING FUND BALANCE		\$ -			\$ 6,350,595.42	\$ 6,350,595.42	

**SPECIAL REVENUE FUNDS
STATEMENT OF GRANTS AND OTHER SPECIAL REVENUE FUNDS**

		5	REVENUE						EXPENDITURES			
#	Fund Title	End Date	Grant Amount	Beginning Cash	Y-T-D	PROJECTED	Transfer from General Fund	TOTAL	Y-T-D	Encumbered	TOTAL	Balance
200	Donations			\$ 3,353.63	\$ 12,797.64			\$ 16,151.27	\$ 12,361.72	\$ 1,128.76	\$ 13,490.48	\$ 2,660.79
203	Title I-A	9/30/2023	10,477.16	-	10,477.16	-		10,477.16	10,477.16	-	10,477.16	
203	Title I-A	9/30/2024	49,679.00		26,434.14	23,244.86		49,679.00	35,380.88	4,348.38	39,729.26	
203	Total Title I		60,156.16		36,911.30	23,244.86		60,156.16	45,858.04	4,348.38	50,206.42	9,949.74
207	YTP	6/30/2024	38,493.70	-	16,063.19	22,430.51		38,493.70	23,767.23	9,405.84	33,173.07	5,320.63
208	E-Rate			-	28,529.71			28,529.71	2,174.83	-	2,174.83	26,354.88
210	IDEA Part B 611	9/30/2024	16,528.60	-	16,528.60	-		16,528.60	16,528.60	-	16,528.60	
210	IDEA Part B 611	9/30/2025	94,297.70		13,257.96	81,039.74		94,297.70	36,193.42	42,405.50	78,598.92	
210	Total IDEA Part B 611		110,826.30		29,786.56	81,039.74		110,826.30	52,722.02	42,405.50	95,127.52	15,698.78
216	IDEA Part B, Section 619 2021-22 ARP	9/30/2023	849.00		-	849.00		849.00	-	-	-	
	IDEA Part B, Section 619 PassThru 2022-23	9/30/2023	-		-	-		-	-	-	-	
	IDEA Part B, Section 619 PassThru 2022-23	9/30/2024	1,453.00		-	1,453.00		1,453.00	-	-	-	
216	Total IDEA Part B 619		2,302.00		-	2,302.00		2,302.00	-	-	-	2,302.00
220	Title II-A - Teacher Quality 23-24	9/30/2024	6,439.00	-	968.61	5,470.39		6,439.00	1,133.34	-	1,133.34	
	Title IV-A - Student Support and Academic Enrichment 23-24	9/30/2024	10,000.00			10,000.00		10,000.00	-	-	-	
220	Title V- B REAP		16,439.00		968.61	15,470.39		16,439.00	1,133.34	-	1,133.34	15,305.66
227	Early Literacy Grant	6/30/2024	91,682.01	-	59,593.31	32,088.70		91,682.01	40,916.94	36,896.89	77,813.83	13,868.18
	ESSER											
230	ESSER II	9/30/2023	65,974.11	-	65,974.11	-		65,974.11	65,974.11	-	65,974.11	-
232	ESSER III	9/30/2024	172,510.72	-	49,911.47	122,599.25		172,510.72	50,709.93	121,800.79	172,510.72	-
	Total ESSER Grants		238,484.83		115,885.58	122,599.25	-	238,484.83	116,684.04	121,800.79	238,484.83	-

**SPECIAL REVENUE FUNDS
STATEMENT OF GRANTS AND OTHER SPECIAL REVENUE FUNDS**

		5		REVENUE					EXPENDITURES			
#	Fund Title	End Date	Grant Amount	Beginning Cash	Y-T-D	PROJECTED	Transfer from General Fund	TOTAL	Y-T-D	Encumbered	TOTAL	Balance
Integrated Guidance												
226	Early Indicator Intervention	6/30/2024	\$ 1,505.04	\$ -	\$ 527.41	\$ 977.63		\$ 1,505.04	\$ 1,505.04	\$ -	\$ 1,505.04	
248	Federal School Improvement Funds to CSI & TSI Schools 22-23	9/30/2024	85,011.15	-	29,540.75	55,470.40		85,011.15	50,902.87	33,945.09	84,847.96	
251	Student Investment Account	9/30/2024	894,970.05	-	671,227.54	223,742.51		894,970.05	416,123.20	271,457.77	687,580.97	
252	High School Success M98	8/31/2025	116,492.52	-	39,605.92	76,886.60		116,492.52	68,257.39	51,359.75	119,617.14	
Total Integrated Guidance			1,097,978.76		740,901.62	357,077.14	-	1,097,978.76	536,788.50	356,762.61	893,551.11	204,427.65
257	Baseball/Softball Program		-	3,706.92	-			3,706.92	-	-	-	3,706.92
259	Student Activity Funds		-	-	82,630.53			82,630.53	27,075.10	1,476.90	28,552.00	54,078.53
263	Outdoor School	6/30/2024	11,000.00	-	-	11,000.00		11,000.00	5,278.23	5,133.21	10,411.44	588.56
267	TAP Asbestos Assessment	12/31/2023	11,500.00	-	11,500.00	-		11,500.00	11,500.00	-	11,500.00	-
272	TAP Grant - Seismic		25,000.00	-	-	25,000.00		25,000.00	7,500.00	-	7,500.00	17,500.00
290	Bus Replacement Fund		-	33,225.19	218,828.77		259,000.00	511,053.96	400,532.00	24,453.00	424,985.00	86,068.96
299	Nutrition Services		-	-	82,310.62	46,608.83	123,405.00	252,324.45	120,476.19	90,112.12	210,588.31	41,736.14
126	CNP Equipment Grant	6/30/2024	3,158.00	-	-	3,158.00		3,158.00	3,064.88	-	3,064.88	93.12
125	Local Food for Schools (LFS) 23-24	8/31/2024	1,316.95	-	-	1,316.95		1,316.95	-	-	-	1,316.95
120	Farm to School	6/30/2025	3,500.00	-	-	3,500.00		3,500.00	-	-	-	3,500.00
299	Total Nutrition Services		7,974.95		82,310.62	54,583.78	123,405.00	260,299.40	123,541.07	90,112.12	213,653.19	46,646.21
TOTAL				40,285.74	1,436,707.44	746,836.37	382,405.00	2,606,234.55	1,407,833.06	693,924.00	2,101,757.06	504,477.49

**DEBT SERVICE
STATEMENT OF EXPENDITURES COMPARED TO BUDGET
FOR THE FISCAL YEAR 2023-24
As of March 31, 2024**

		<u>BUDGET</u>	<u>ACTUAL Y-T-D</u>		<u>TOTAL</u>	<u>BALANCE FAVORABLE/ (UNFAVORABLE)</u>	<u>--%-- COMMITTED</u>
			<u>3/31/2024</u>	<u>ENCUMBERED</u>	<u>3/31/2024</u>		
RESOURCES							
1111	CURRENT YEAR'S TAXES	\$ 91,400.00	\$ 91,221.65		91,221.65	(178.35)	
1112	PRIOR YEAR'S TAXES	500.00	354.90		354.90	(145.10)	
1190	PRIOR YEAR'S TAXES	100.00	48.46		48.46	(51.54)	
1510	INTEREST EARNINGS	-	149.41		149.41	149.41	
5400	BEGINNING FUND BALANCE	18,000.00	23,161.82		23,161.82	5,161.82	
	TOTAL INSTRUCTION	110,000.00	114,936.24	-	114,936.24	4,936.24	
EXPENDITURES							
5110	Long-Term Debt Service						
5110 610	Redemption of Principal	30,000.00	-	30,000.00	30,000.00	-	
5110 621	Regular Interest	62,000.00	30,673.39	30,975.00	61,648.39	351.61	
7000	Unappropriated Ending Fund Balance	18,000.00	-	-	-	18,000.00	
	TOTAL EXPENDITURES	110,000.00	30,673.39	60,975.00	91,648.39	18,351.61	83.32%
PROJECTED ENDING FUND BALANCE		\$ -	\$ 84,262.85	\$ (60,975.00)	\$ 23,287.85	\$ 23,287.85	

CAPITAL PROJECTS (400)
STATEMENT OF EXPENDITUES COMPARED TO BUDGET
FOR THE FISCAL YEAR 2023-24
As of March 31, 2024

		<u>BUDGET</u>	<u>ACTUAL Y-T-D</u>		<u>TOTAL</u>	<u>BALANCE FAVORABLE/ (UNFAVORABLE)</u>	<u>--%-- COMMITTED</u>
			<u>3/31/2024</u>	<u>ENCUMBERED</u>	<u>3/31/2024</u>		
RESOURCES							
1510	Interest Earnings	\$ -	\$ -		-	-	
5200	Transfer from General Fund	-	-		-	-	
5400	Beginning Fund Balance	274,747.25	274,747.25		274,747.25	-	
	TOTAL INSTRUCTION	274,747.25	274,747.25	-	274,747.25	-	
EXPENDITURES							
4150	Building Improvement	274,747.25	-	-	-	274,747.25	
7000	Unappropriated Ending Fund Balance	-	-	-	-	-	
	TOTAL EXPENDITURES	274,747.25	-	-	-	274,747.25	0.00%
PROJECTED ENDING FUND BALANCE		\$ -	\$ 274,747.25	\$ -	\$ 274,747.25	\$ 274,747.25	

BOND 2021 AND OSCIM GRANT (410)
STATEMENT OF EXPENDITUES COMPARED TO BUDGET
FOR THE FISCAL YEAR 2023-24
As of March 31, 2024

		<u>ACTUAL</u>		<u>TOTAL</u>	<u>BALANCE</u> <u>FAVORABLE/</u>	<u>--%--</u>	
		<u>Y-T-D</u>					
		<u>BUDGET</u>	<u>3/31/2024</u>	<u>ENCUMBERED</u>	<u>3/31/2024</u>	<u>(UNFAVORABLE)</u>	<u>COMMITTED</u>
RESOURCES							
1510	Interest Earnings	\$ 33,639.41	\$ 66,558.53		66,558.53	32,919.12	
3299	State Grant	2,100,000.00	1,507,724.25	592,275.75	2,100,000.00	-	
5400	Beginning Fund Balance	1,523,492.56	1,538,492.56		1,538,492.56	15,000.00	
	TOTAL INSTRUCTION	3,657,131.97	3,112,775.34	592,275.75	3,705,051.09	47,919.12	
EXPENDITURES							
4150	Building Improvement	3,657,131.97	1,014,980.32	2,606,943.54	3,621,923.86	35,208.11	
7000	Unappropriated Ending Fund Balance	-	-	-	-	-	
	TOTAL EXPENDITURES	3,657,131.97	1,014,980.32	2,606,943.54	3,621,923.86	35,208.11	99.04%
PROJECTED ENDING FUND BALANCE		\$ -	\$ 2,097,795.02	\$ (2,014,667.79)	\$ 83,127.23	\$ 83,127.23	

Financial Summary

General Fund Resources

- State School Support – The Oregon Department of Education has issued updated estimates for 23-24, as well as updated ADM figures for 22-23. The district is estimated to receive an additional \$90,000 for 23-24 and \$141,000 for 22-23. The statements have been adjusted to reflect this change. Final figures for 22-23 are not available until May 2024.
- 1510 - Earnings on investments – Funds in the Local Government Investment Pool (LGIP) are earning 5.2% compared to 1% last year at this time. The district is earning around \$30,000 in the General Fund and \$9,000 in the Bond Fund.
- 1943 – Services provided charter schools – represents funds paid by Willamette Leadership Academy for transportation services. The administrative fee is based on the State School Support non reimbursed rate. Presently, the district is invoicing WLA at 20%. 10% is coded to deferred revenue and 10% to revenue. If the final rate is 90%, the 10% recorded in deferred revenue will be returned to WLA. If 80%, the deferred revenue will be earned and recorded as revenue.
- No other changes in revenues

General Fund Expenditures

- 1111 – Elementary – The district was awarded the Early Literacy Grant (227). Staff salaries/benefits were reclassified to the grant which lowered the total expenditures.
- 1250 – Less Restrictive Programs: Students with Disabilities - change in projected expenditures declined due to a non-payroll contract inadvertently not closed when completed.
- 2310 – Board of Education – completion and payment of the audit
- No other major changes

Ending Fund Balance - Presently the balance projected is \$6,391,000. It actual will be closer to \$6,000,000, which is the amount being used in developing the 24-25 Proposed Budget

Special Revenue

- The 3rd Quarter Grant reports have been completed and will be submitted to the Oregon Department of Education for reimbursement. Grants reimbursements are done on a quarterly basis.
- 227 – Early Literacy Grant – as mentioned previously, the grant was awarded, and qualifying expenses were reclassified to this grant. Once awarded, the ODE allows the district to claim 65% of the funds initially, which was completed and received.
- All grants are being monitored by Krista Nieraeth, Brynn Campbell, and Don Staehely to ensure all funds spent are following the grant requirements.

Debt Service

- No change – the district is projecting an ending balance of \$23,000 which will be used as the beginning cash for the 24-25 Proposed Budget

Capital Projects

- No change – the ending balance of \$274,000 will be used as the beginning cash for the 24-25 Proposed Budget

Bond 2021 and OSCIM Grant

- Financially, the only change is the available funds are earning around \$8,000-\$9,000 per month in the LGIP.
- The OSCIM grant end date has been extended to 12/31/24 by the ODE.

i. Procedures

ALSEA SCHOOL DISTRICT #7J ACCOUNTS PAYABLE PROCEDURE

General

- Purchase of goods and services shall be in accordance with Policy DJC – Bidding Requirements and ORS Chapter 279.
- Purchase of goods and services shall follow the procedures defined below. Small procurement exceptions are only allowed if approved by the Superintendent or designee.
- All awards shall be in the best interest of the Alsea School District without any favoritism.
- All mail sent to the business office is received by the Executive Assistant and opened, then distributed to the appropriate person.

Procurement Definitions and Rules

- Procurement definitions:
 - Small procurements - Procurement of goods and services that do not exceed \$10,000.
 - Intermediate procurement – Procurement of goods and services that exceed \$10,000 but do not exceed \$250,000.
 - Formal procurement – Procurement of goods greater than \$250,000.
 - Sole-sources – Procurement of goods and services greater than \$10,000, without competitive bids, when approved by the Board of Directors (Local Contract Review Board)
- Intermediate Procurement Requirements
 - Develop specifications, and terms and conditions,
 - Obtain and document at least three (3) bids and take affirmative action to include small, minority, women, and labor surplus firms.
 - Evaluate and ensure the responders are responsible and responsive.
 - Recommend the award through the Requisition/Purchase Order Process
 - Ensure all goods and services are received as defined in Receiving Process
- Formal Procurement Requirements - Same as Intermediate Procurement except those requirements as follows:
 - Shall solicit vendors for goods and services by competitive sealed bids and shall follow ORS 279.
 - The Board of Directors' approval is required for both issuing and awarding the contract.

Requisition/Purchase Order Process

The district uses a purchase order/requisition system. Purchase of goods and services must receive prior approval before being ordered or purchased. Exceptions are only allowed if approved by the Superintendent or designee. Purchase orders are processed as follows:

- Assigned staff (“Requisitioner”) generate requisitions based on the program or grant.
- Employees forward appropriate information to the Requisitioner, who inputs it into Infinite Vision (“IV”).

- The requisition will include, proposed vendor, quantity, price, total cost, appropriate DAC, Requisitioner, Requester, and any other supporting documentation necessary for the order.
 - Requisitioner – generates the requisition.
 - Requester – receives the purchase order and places the order.
 - DAC – approval process for the specific accounts or grants entered on the requisition.
- The business manager maintains the security system in IV and sets up those assigned to be the requisitioner, requester, and approvers in the DAC.
- If an approver is gone, the Business Manager or A/P Specialist can approve via “Quick Approval” function in IV, if provided authority by the normal approver.
- Attached is the workflow for all DACs. Once the requisition is approved by the business manager, the A/P Specialist is the final approval. Prior to approving, the A/P Specialist reviews order, account code, and other areas of the requisition. Concerns are either directed to the Business Manager or Requisitioner.
- If a proposed new vendor the A/P Specialist creates a new vendor in the A/P system, then approves the requisition.
- A/P generates and prints the purchase order.
- A/P Specialist, depending on directions in the requisition, will either place the order online, email the PO to the vendor, or send to the requester for ordering.
- The business manager can prepare purchase orders in the A/P Specialist absence.

Receiving Process

Items are shipped to the ordering location located on the purchase order. Approval of items or services are as followings:

Goods

- Packing slips are reviewed by the receiver, usually the requester, and then forwarded to the business office. As a practice the requester should include the account to be expensed. The A/P Specialist should double check to make sure the proper expense account is being charged, and if different, verify with the requester the correct account.
- If there is no packing slip, the A/P Specialist will obtain an email or note or phone call clarifying that the goods have been received.

Services

- The invoice is usually the only supporting documentation that is received for services performed. The requester shall review for accuracy, initial, date, and forward to the A/P Specialist for payment. Any variation in price greater than 10% shall be reviewed by the A/P with the requester to ensure the invoice is correct.

Documentation for Payment

- A completed bill package should include check voucher (showing check information and distribution of accounts), PO or requisition (unless not required), source documents (if any) and invoice.

Employee Reimbursement Process

Prior approval from the immediate supervisor is required for all employee reimbursement requests. If there is no prior approval, the reimbursement may not be approved.

- Employees fill out an Employee Reimbursement form and submit it to their immediate supervisor with backup receipts for approval (sign and date).
- The approved Employee Reimbursement form is forwarded to the A/P Specialist. Reimbursement requests for A/P Specialist is approved by the Superintendent; Superintendent, by the Board Chair; and Board Member requests by the Superintendent. Non-employee, e.g. volunteers, requests will follow the normal Requisition/Purchase Order Process and are considered a vendor.
- The request is processed through the normal review process in IV as defined above in Requisition/Purchase Order Process.
- A direct deposit voucher report is generated for all employee reimbursement requests and forwarded to the Superintendent for approval (sign and dated) and returned to the A/P Specialist
- The A/P Specialist creates the ACH and direct deposits the approved reimbursement amount into the employee's personal accounts.

Mastercard Process

The district has a Mastercard account with the Bank of Montreal (BMO). There are eight (8) cards issued which are assigned to the District Office, A/P Specialist, Facilities Manager, Transportation Director, High School, Elementary School, Technology Supervisor, LAHO and the Executive Assistant. The High School and Elementary School Cards are held by the Secondary School Secretary for staff needs.

The use of the Mastercard shall only be used in emergency situations or if there are no other means of payment, e.g. field trip or athletic trips, or online purchases/payments where a credit card is the only option.

- The assigned cards shall be used only in emergency situations, or the card is the only means for payment, e.g. field trips or athletic trips, or online purchases/payments where a credit card is the only option.
- Cards can only be used by the assigned person.
- All items paid for with a the Mastercard shall be processed through the Requisition/Purchase Order Process
- All supporting documentation shall be given to the requisitioner, e.g. receipts, packing slips, who will forward to A/P Specialist once the requisition has been approved into a purchase order.

Payment Process

Check stock is blank and kept locked in the A/P Specialist's office and Human Resource Specialist Office. Checks have invisible fluorescent fibers, coin reactive ink, and a heat sensitive thermochromic icon. The A/P Specialist and the Human Resource Specialist are the only employees in the district who have access to the locked check stock. The Superintendent is the only approved check signer for the district. The Superintendent signature is in the IV check manager module and is used when processing checks.

- The A/P Specialist processes payments weekly for all approved invoices or employee reimbursements. An approved invoice is defined as an invoice that has gone through all approval levels in IV (electronically) or an invoice that is a reoccurring monthly payment in which a blanket PO has already been approved in IV.
- The A/P Specialist creates a voucher for both checks and ACH payments and forwards the detail report to the Superintendent. The detailed report contains the vendor, account code, description and amount to be paid.
- The Superintendent approves and dates both check and ACH vouchers prior to A/P Specialist processing checks or ACH payments and returns the signed documents to the A/P Specialist.
- The A/P Specialist processes checks through IV check manager with superintendent's signature and creates the ACH direct deposit.
- The A/P Specialist mails the checks and submits the ACH voucher through Citizens Bank for processing.
- The business manager receives all ACH processing notifications from Citizens Bank.
- The business manager reviews the voucher and forwards the notification to the A/P Specialist for back up to the voucher.

Board Review

- The A/P Specialists will generate at the month end a list of all payments made to vendors and employees through accounts payable and forward to the Business Manager and Superintendent.
- The Superintendent or designee will forward to all Board members.
- Any additional information or questions by a Board member, shall be directed to the Superintendent.
- The Superintendent will provide all Board members with the information or response.

Record Retention

- All physical copies of records will be retained and maintained in the district's secured storage room through the completion of the audit for that fiscal year. Records are also kept electronically in IV and in a shared, secured folder. This folder is shared only by the Business Manager and A/P Specialist.
- All electronic copies of records will be maintained for a minimum of four years.
- All physical records will be destroyed by means to ensure no confidential information is inadvertently disclosed.

Bank Reconciliation

All bank reconciliations will be completed by the end of the month following the statement closing date. The Alsea School District has two bank accounts: 1) Citizens Regular Checking Account and 2) Local Government Investment Pool.

- The Business Manager completes the bank reconciliations using the Infinite Visions system.
- The Business Manager forwards the documents listed below to the Superintendent for review:
 - ⊖ Bank Reconciliation Report – reconciliation detail of the bank balance to the general ledger bank balance.
 - ⊖ Outstanding Checks – list, if any, of all issued checks outstanding at the statement date
 - ⊖ Outstanding Disbursements – list, if any, of ACH payments outstanding at the statement date.
 - ⊖ Outstanding Deposits – list, if any, of all outstanding deposits at the bank statement date.
 - ⊖ Edit List – list of all transactions that cleared the bank and general ledger for that statement.
 - Bank statement – statements are received electronically and can be obtained by the Business Manager and Superintendent through the bank or LGIP.
- The Superintendent reviews the statements and, if there are questions, submits those to the Business Manager before approving.
- If approved, the Superintendent signs and dates the Bank Reconciliation Report and forwards it to the Business Manager.
- The Business Manager saves all the documents in the shared secured folder by bank, fiscal year, and month. The Superintendent, Human Resources Specialist, Executive Secretary and Business Manager have access to the secured shared folder.
- The Business Manager forwards a list of any outstanding checks over 30 days to the A/P Specialist for investigation.

DEPOSITS/ACCOUNTS RECEIVABLE PROCEDURE

Regular Checking Account - Monies are received via checks, direct deposit to the regular bank accounts, and cash, which is rare outside of ASB monies.

- Checks and cash are either received by the Executive Assistant or Secondary School Secretary/ASB Bookkeeper.
- ASB Monies received by the Secondary School Secretary/ASB Bookkeeper are counted and recorded on a deposit summary sheet, initialed, and locked in a cabinet.
- The Executive Assistant or Secondary School Secretary/ASB Bookkeeper notifies the A/P Specialist who verifies the amount and prepares the deposit.
- Checks are scanned and deposited electronically every week. The exception to an electronic deposit of checks would be the number of checks to be deposited or the value of the check being too large to do so. If there is any cash, it is taken to the bank by the A/P Specialist that week.;
- The Business Manager submits grant reimbursements to the Oregon Department of Education monthly or quarterly, per the grant guidelines. Funds are posted via ACH to the regular checking account. The Business Manager sends notification and the supporting document to the A/P Specialist.
- The A/P Specialist enters all deposits made to the regular checking account into the Infinite Visions deposit module.
- The A/P Specialist uploads and maintains the deposit and supporting documentation in a shared secured folder.
- The Business Manager reconciles the bank statement monthly. (See Bank Reconciliation Procedure)

Local Governmental Investment Pool (LGIP) – Monies received include state school support funds, common and county school funds, property taxes, and monthly interest earned.

- The Business Manager receives notice from the paying agencies that monies will be deposited in the LGIP.
- The Business Manager enters all property taxes by county in an annual spreadsheet that allocates funds between current and prior taxes for the General Fund and Debt Service Fund.
- The Business Manager enters monthly state school support funds received in an annual spreadsheet to allocate other funds and expenses included in the payment.
- The Business Manager enters all deposits made to the LGIP bank account into the Infinite Visions deposit module.
- The Business Manager reconciles the bank statement monthly. (See Bank Reconciliation Procedure)

Accounts Receivable – Invoice issued to an outside agency or individual.

- The A/P Specialist will receive notice to invoice an outside agency either from the Business Manager or Superintendent. Other agencies, e.g. Willamette Leadership Academy, are invoiced per the agreement with the district.
- The A/P Specialist will invoice the outside agency or individual and enter the name, date, amount, and invoice number on an AR Listing Log.
- Monies received will be noted on log by date received and amount by the A/P Specialist.
- On June 30 of each fiscal year, the Business Manager determines the accounts receivable amounts and enters the journal entry for processing per the Journal Entry Procedure.

Note – Due to the minimal invoices, with most at the fiscal year end, the cost of adding the Infinite Vision Accounts Receivable module was not economical.

Board Review

- The A/P Specialists will generate at the month end a list of all deposits made and forward it to the Business Manager and Superintendent.
- The Superintendent or designee will forward to all Board members.
- Any additional information or questions from a Board member shall be directed to the Superintendent.
- The Superintendent will provide all Board members with the information or response.

Record Retention

- All regular checking deposit records will be retained and maintained in the district's secured storage room and marked with the fiscal year and destroy date.
- All LGIP deposits and transactions will be retained in the district's secure folder, marked by fiscal year and month.
- All records will be maintained for a minimum of four years.
- All records will be destroyed by means to ensure no confidential information is inadvertently disclosed.

ALSEA SCHOOL DISTRICT PAYROLL PROCEDURE

The Alsea School District uses Infinite Vision (IV) to maintain employee information and process employee monthly payroll. Frontline is used by employees to maintain employee leave balanced, days absent, employees who substitute for a regular employee. Payroll cutoff is the 15th of each month, with payroll on the 25th unless it is a holiday or weekend. Employee absent hours and substitute work hours are transferred from Frontline to Infinite Vision after 15th for processing that month's payroll. Human Resource Specialist continuously tracks the requirements for state licensing and teacher experience, which may impact the teacher's salary placement.

Salary Schedules: The Business Manager, at the beginning of the fiscal year, enters all pay rates and contract amounts in the IV salary schedules. All rates correspond to either rates as defined by the collective bargaining agreement, the Board approved salary reset agreement, or state substitute rate for licensed staff.

Calendars – The Business Manager will setup all calendars in IV based on the school calendar adopted by the Board and direction from the Superintendent and Human Resource Specialist

Personnel Action Notice (PAN) – Required for the following:

1. New regular employees
2. Current Employees - change in position.
3. Current employees – change in salary placement other than rollover from prior fiscal year.
4. Stipends – annually – if it does not require the Board Chair's approval and is carried over from the prior year, a list attached to the PAN, including the Superintendent's approval.
5. Stipends that require Board Chair's signature
6. All extra duty payments – annually
7. All temporary and substitute employees – annually – see process below.

Hiring Process (New Regular Employee): The following procedure relates to the hiring of a regular position employee only.

- When a new employee is needed for a certain position, the immediate supervisor informs the Human Resource Specialist, who enters the position on Talent Ed located on the district's website.
- Talent Ed tracks all applications received to the hiring school or department and then the hiring school/department reviews them and prints the necessary ones for interviews, which are set up by the hiring school/department.
- An interview team performs the interviews, selects the appropriate applicant, and then notifies the Superintendent of their selection.

- If the Superintendent approves the interview team's recommendation to hire, the hiring administrator contacts the selected candidate to make the offer and the Human Resource Specialist follows up with the official offer of the position through an email.
- The Human Resources Specialist does the orientation, virtually, with the new employee.
- The Human Resource Specialist generates the Personnel Action Notification and submits it to the Superintendent for approval.
- The Human Resource Specialist saves the PAN and new employee hiring documents in the shared drive.
- The Business Manager creates the new employee within IV and inputs all information into the system. Infinite Vision automatically assigns the new employee the available employee number.
- The Human Resource Specialist verifies the employee information entered in IV.
- The Business Manager sets up the new hires position per the PAN and connects it to the appropriate salary, calendar, and, if applicable, agreement/contracts.
- Licensed, Supervisory, Confidential Employees:
 - The Business Manager/Human Resource Specialist processes all agreements/contracts from Infinite Visions, which are all connected to the position.
 - All agreements/contracts are forwarded to the Superintendent for review.
 - All agreements/contracts are signed by the Board Chair and employee.
- Classified Employees
 - The Business Manager/Human Resource Specialist creates a work calendar for all classified employees, which reflects days paid, annual salary and monthly salary.
 - All calendars are signed by the employee and supervisor.
- The Business Manager enters the new employee in OEBC, and appropriate deductions, leaves and position in IV.
- The Human Resource Specialist will provide the new employee with a new employee packet regarding health benefits other voluntary deduction information through OEBC, tax-sheltered annuities, American Fidelity benefits and other district information.

- The Business Manager will set up all voluntary deductions, including, if a licensed staff, notification to OEA.
- The Business Manager forwards the leave calculation sheet to the Human Resource specialist who enters the available leave in Frontline.
- No pay will be generated until all information is completed by the employee, processed by the Human Resource Specialist in the shared drive.

Hiring Process (Non-Regular Employee Positions); The following procedure relates to the hiring of substitute employees, temporary employees, extra duty employees, and stipends. The above positions are rehired each fiscal year and require a PAN.

- The Human Resource Specialist generates the Personnel Action Notification (PAN) and submits it to the Superintendent for approval. If rehired and was an employee the prior year as of June 30, the PAN is the only required document to set up the employee. All other employee groups will require all hiring documents, including IRS W-4, Oregon W-4, and I-9.
- The Human Resource Specialist saves the PAN and, if applicable, new employee hiring documents in the shared drive.
- The Business Manager creates the new employee within IV and inputs all information into the system. Infinite Vision automatically assigns the new employee the available employee number.
- The Human Resource Specialist verifies the employee information entered in IV.
- The Business Manager sets up the new hires position per the PAN and connects it to the appropriate salary, calendar, and, if applicable, agreement.
- If the employee is a substitute, the Business Manager will set up the appropriate sick leave in IV.
- The Business Manager will generate the agreement for all stipends and extra duties and forward it to the Human Resources Specialist.
- The Human Resources Specialist reviews and forwards it to the Superintendent for approval.
- All agreements are signed by the Board Chair and employees before final implementation in IV for payroll.
- The Human Resource Specialist saves the signed agreement in the shared folder.

Frontline Maintenance:

All regular employees, except Willamette Learning Academy bus drivers, will enter all leaves taken in Frontline. All leaves are front loaded. Only unused sick leave will carry forward to the subsequent fiscal year. The Human Resource Specialist performs all setup in Frontline.

- The Business Manager provides the Human Resource Specialist with the leave amount earned for the fiscal year.
- The Human Resource Specialist enters the leave earned into Frontline.
- Leave used by an employee is entered within 24 hours of being used. If not entered, the employee contacts the program secretary, who will then enter the leave.
- Leaves are approved by the immediate supervisor and reconciled by the program secretary daily.
- The Human Resource Specialist will review all leaves weekly and notify the program secretary of any possible changes. Prior to the 16th, all leaves will be reconciled in Frontline.
- After the 15th of each month, the Business Manager will download all leaves used from Frontline and populate IV for payroll processing.
- Any payroll docks generated from excess use of a leave will be forwarded to Human Resource Specialist for approval, before finalizing the dock.

Payroll Processing

The following procedure relates to processing the monthly payroll to issuing payment to the employee. Payroll is the 25th of each month, unless the 25th is on a holiday or weekend. Payroll cutoff is the 15th. All timecards must be approved by the immediate supervisor and in the Human Resource Department by 8 A.M the following day. An additional payroll may be processed during the month if an employee terminates or to correct a payroll issue.

- The Human Resources Specialist reviews all timecards to ensure they are signed by the immediate supervisor. No time will be processed without proper approval.
- The Human Resource Specialists scans all timecards into the shared folder.
- The Business Manager/Human Resource Specialists prints all employee days and corresponding substitute, if applicable, and scans into the shared folder.
- The Business Manger enters all timecards and position pay on a monthly reconciliation sheets and files in the shared folder.
- The Business Manager inputs all leaves used from Frontline and reconciles leaves used.
- The Business Manager reconciles all payroll deductions, except PERS, prior to processing payroll.
- After all payroll areas are reconciled by the Business Manager, the Business Manager notifies the Payroll Specialist at LBLESD
- The Payroll Specialist enters timecard hours into IV and reconciles to the monthly reconciliation sheet provided by the Business Manager.
- After payroll information is entered and processed, the Payroll Specialist runs an edit report⁷ for the current month and compares it against the prior month's finalized payroll run looking for any variations. An Edit Report is a preliminary report that shows how the payroll will be processed unless changed.
- After the Payroll Specialist has investigated any variance, if any, the preliminary payroll Edit Report and journal reports are forwarded to the Business Manager, Human Resource Specialist and Superintendent for final review.
- The Business Manager compares the payroll totals to the control salary spreadsheet.
- The Human Resource Specialist and Superintendent reviews staff payments and any other items that look out of the ordinary.
- Once approved by all, the Payroll Specialist will finalize the payroll run for the month which will approve the transfer of direct deposits or create a payroll check run for printing.

- The Payroll Specialist forwards the check file and supporting backup to the Human Resource Specialist.
- The Human Resource Specialist processes the payroll checks and payroll deduction checks through IV with the Superintendents signature.
- Employees are required to come to the District Office, with picture ID, to pick up payroll checks. Unclaimed checks are mailed out at the end of the day on payday.
- The Payroll Specialist emails all employee direct deposit vouchers via email address that is defined in IV Employee Maintenance.
- The Payroll Specialist generates a deduction liability report for the finalized payroll run and will reconcile the report against payroll liability invoices.
- The Business Manager receives an encumbrance report from the finalized payroll run and reviews the report.
- The Business Manager reconciles all payroll liability accounts monthly.
- In the absence of the Payroll Specialist, the Business Manager will act as the backup for processing payroll, with the Human Resource Specialist reviewing and approving all reports.

JOURNAL ENTRIES

Journal entries are required to reclassify transactions that have been posted in the General Ledger through payroll or accounts payable to the correct account. The following procedure is used for all journal adjustments:

Accounts Payable Adjustments

- A/P Specialist creates the journal adjustment and attaches supporting documentation in the Infinite Vision (IV) journal adjustment module.
- A/P Specialist forwards the journal adjustment to the Superintendent for review. If approved, the journal adjustment is forwarded to the Business Manager. If not approved, it is returned to the A/P Specialist for additional documentation or rejected.
- The Business Manager reviews and, if approved, posts the journal adjustment. The Business Manager can also return the journal entry to the A/P Specialist or reject the adjustment.
- All posted journal entries are maintained in the IV accounting system, with the supporting documentation and approvals.

Payroll Adjustments

Payroll Journal adjustments are required when an employee's salary and deduction have been originally charged to an incorrect account code or grant.

- The Business Manager creates an adjustment in the payroll module, which automatically generates the journal adjustment in the IV journal adjustment module.
- The Business Manager will attach supporting documentation for the entry and release the journal adjustment.
- Level One approval is the A/P Specialist who reviews the journal adjustment for account accuracy and supporting documentation.
- If approved at Level 1, it is forwarded to the Superintendent for review and approval.
- If approved by the Superintendent, it is forwarded to the Business Manager who will post the adjustment to the general ledger.
- All posted journal entries are maintained in the IV accounting system, with the supporting documentation and approvals.

- f. Bond Report
Speaker(s): Chris and Nancy Giggy

Alea School Bond Project Budget Summary - Updated April 5, 2024

Income

	Original Budget	Current Budget	Actual Income To-Date	Notes
Bond Sale	\$ 2,100,000.00	\$ 2,289,477.00	\$ 2,289,477.00	Bond value \$2.1M plus premium of \$189,477
Bond Fund Interest		\$ 112,412.82	\$ 112,412.82	Interest on bond proceeds updated 4/3/24
OSCIM Grant	\$ 2,100,000.00	\$ 2,100,000.00	\$ 1,507,724.25	Income value updated 3/3/24
ESSER Funds	\$ -	\$ 237,725.01	\$ 115,924.21	ESSER II \$68,251.41 (spent 9/23) and ESSER III \$169,473.60 (spend by 9/24) after "unfinished learning" deductions. Updated 3/3/24
Totals	\$ 4,200,000.00	\$ 4,739,614.83	\$ 4,025,538.28	

Expenses

	Original Budget	Current Budget	Committed Costs	Paid To-Date	Notes
Construction Cost		\$ 4,008,925.23	\$ 4,008,925.23	\$ 1,451,426.62	Costs for construction contractors.
Design Fees		\$ 362,684.06	\$ 362,684.06	\$ 318,766.06	Fees for architect, engineers, geotech, survey & haz material study.
Consultant Fees		\$ 54,407.31	\$ 54,407.31	\$ 32,189.13	Fees for soil testing, special inspections, commissioning & misc consulting.
Project Management		\$ 62,000.00	\$ 62,000.00	\$ 56,407.00	IMS not-to-exceed fee.
Permits & Fees		\$ 34,716.11	\$ 34,716.11	\$ 28,966.70	Permit & site plan fees.
Furnishings		\$ -	\$ -	\$ -	Furnishings, equipment, computers, etc. are either in possession or being funded separately.
Other Project Costs		\$ 123,949.14	\$ 123,949.14	\$ 123,949.14	Attorney, bank fees, insurance & advertising.
Owner's Contingency		\$ 92,932.98	NA	NA	For unforeseen costs based on available funds after committed values.
Totals	\$ -	\$ 4,739,614.83	\$ 4,646,681.85	\$ 2,011,704.65	





Alsea School District Bond Projects Construction Manager's Report

Report Date: 5 April 2024

GENERAL OVERVIEW

Construction has started on the new CTE Building! Underground utilities and foundation excavation are in progress. Foundation rebar and concrete will be installed in late July, followed by pad preparation. Metal building erection is planned for May. Construction is on-schedule for completion in late August.

The Electrical Upgrade work with CB Construction received brief work over spring break with some underground utility installation on the north side of the gym. We're still being told the main switchgear will be delivered in late April and they expect to complete all required work in time for site-wide power shutdown and switchover in early July. The power shutdown is expected to last two to three weeks. The current expected completion date for the Electrical Upgrade is late July.

Work on the HVAC Upgrade project with CB Construction has been completed as much as possible until the gym is vacated in late June. Classroom and office units have been installed with completion verified by a third-party commissioning engineer. The HVAC unit and ducting for the gym is all that remains, but this can't be installed until summer break so heat isn't disrupted in the gym. The new HVAC systems will be operational when the Electrical Upgrade is completed in late July.

The seismic grant application for the gym was submitted to the State in early January and award notice is expected in May or June. If successful, design will start this summer with a goal of completing construction during summer 2025. The District was awarded a TAP grant to fund the seismic grant application so there will be no impact to the District's budget even if the grant isn't awarded.

PROJECT TEAM

No changes this month.

BUDGET

The updated budget summary and details for bond project revenue and expenses are attached. Comments on revenue and expense elements are noted below.

Alsea School District Bond Program Construction Manager's Report

Revenue

The current program budget is \$4.74 million including ESSER funds and the OSCIM grant that doubles the value of the bond amount. Bond interest is being added to the income budget as it's earned.

Expenses

The "Current Budget" column in Expenses shows the projected costs matched to the Revenue budget. All budget elements have been included and there is \$93k remaining in Owner's Contingency for unforeseen costs.

The "Committed Costs" column shows the value of work that has been contracted so far. Costs for CTE construction have been added including permits, builders risk insurance, BOLI fees, special inspections and the fire alarm system. There were no changes to committed cost this month.

The "Paid to-Date" column shows the value of work that has been paid for. So far, \$2.0 million has been spent on completed work. The project management fee from IMS does not include a donated value of \$39k to-date.

SCHEDULE

Todd Construction has provided us with a complete and detailed master schedule for the CTE Building showing substantial completion for occupancy in August. Primary construction elements are scheduled as follows:

- Building footings and underground utilities – April
- Building slab – early May
- Metal building material delivery – mid May
- Metal building erection – May & early June
- Door and window install – mid June
- Interior framing – late June
- Interior utility rough-in – early July
- Interior finishes – July
- Final finishes and trim – early August
- Substantial completion for move-in – August 18
- Final inspection and punchlist work – late August

CB Construction provided the schedule below for the electrical upgrade a few months ago. We met with them in March and they reportedly are still on schedule.

Alsea School District Bond Program
Construction Manager's Report

Electrical	97 days?	Mon 3/25/24	Tue 8/6/24
CPI Transformer delivery	1 day	Fri 3/29/24	Fri 3/29/24
Conduit for North Building	5 days?	Mon 3/25/24	Fri 3/29/24
Delivery of Panels MDB and MSB	1 day	Wed 4/24/24	Wed 4/24/24
Install CPI Transformer	5 days	Mon 4/29/24	Fri 5/3/24
Install Panels MDB and MSB	15 days	Mon 5/6/24	Fri 5/24/24
Pull wire to MDB and MSB	18 days	Mon 5/6/24	Wed 5/29/24
Disconnect Existing Service	5 days?	Mon 7/8/24	Fri 7/12/24
Connect New Service	10 days?	Mon 7/15/24	Fri 7/26/24
Commissioning	5 days	Mon 7/29/24	Fri 8/2/24
Final Inspection	2 days	Mon 8/5/24	Tue 8/6/24

CB Construction also provided the schedule below a few months ago for HVAC system completion. Work is expected to resume in June.

HVAC Upgrade	27 days?	Mon 6/24/24	Tue 7/30/24
Deliver RTUs	1 day	Mon 6/24/24	Mon 6/24/24
Install RTUs	10 days	Mon 6/24/24	Fri 7/5/24
Pull conductors to RTU	11 days	Tue 6/25/24	Tue 7/9/24
Install Gym Ducting	10 days	Mon 6/24/24	Fri 7/5/24
Power Up Units	5 days	Tue 7/16/24	Mon 7/22/24
Final Inspections	1 day?	Tue 7/23/24	Tue 7/23/24
Commisioning	5 days	Wed 7/24/24	Tue 7/30/24

PROJECT-SPECIFIC ACTIVITY

CTE Building

Construction fencing is installed between the playground and construction area and includes the north parking lot which has been designated for construction vehicles & materials.



Alsea School District Bond Program
Construction Manager's Report

The building pad has been excavated and base rock installed.



Underground utility trenching has started.



Alsea School District Bond Program
Construction Manager's Report

Foundations are being excavated on the west side.



COMMUNICATIONS

IMS Monthly Reports are being provided to the School Board along with weekly updates. One article was published in the April edition of the Alsea Valley Voice.

g. Enrollment

Speaker(s): Krista Nieraeth

Alsea School District - Enrollment Totals

Grade Level	2023-24										2022-23									
	2023-24 SY										2022-23 SY									
	Sept 1	Oct 1	Nov 1	Dec 1	Jan 1	Feb 1	Mar 1	Apr 1	May 1	June 1	Sept 1	Oct 1	Nov 1	Dec 1	Jan 1	Feb 1	Mar 1	Apr 1	May 1	June 1
KG	19	18	18	16	16	16	17	17			58	62	60	61	60	56	55	53	50	49
1st	35	42	39	39	39	40	40	39			56	66	64	66	64	60	60	58	54	53
2nd	35	36	36	37	37	37	37	37			42	41	41	45	43	38	36	35	32	30
3rd	28	32	30	29	29	28	28	27			43	50	54	53	51	46	46	46	45	44
4th	24	25	26	25	25	25	24	24			37	41	47	47	47	43	42	40	39	39
5th	23	24	26	25	25	24	21	21			29	32	36	36	36	29	29	26	24	23
6th	13	13	12	12	12	12	13	13			35	45	49	49	46	43	37	34	34	33
7th	18	20	19	19	18	17	17	17			44	59	59	61	59	56	56	52	48	41
8th	13	13	13	13	13	13	13	13			41	51	53	52	50	44	42	42	41	39
9th	20	22	22	23	23	22	20	17			14	14	13	13	12	12	12	12	13	12
10th	12	12	12	12	12	12	12	12			17	16	16	16	16	15	15	14	14	13
11th	13	14	13	14	14	14	13	13			21	21	21	22	20	20	20	19	17	17
12th	13	11	10	10	10	10	10	8			25	24	22	22	21	20	20	15	14	14
Total ADM	266	282	276	274	273	270	265	258			462	522	535	543	525	482	470	446	425	407

h. Safety

Speaker(s): Lora Nickle



Alsea School District
Safety Committee Meeting
March 13, 2024 3:30 PM

Members Present: Krista Nieraeth, Sara Littlefield, Mary O'Brien, Keenan Elbers and Lora Nickle.

Members Absent: Bart Rothenberger

1. Staff Concerns

- a. Ellis' classroom reported: "I have a white window in my classroom that is loose and non-functional. It isn't super dangerous when it's closed, but it becomes dangerous when it is open. It also can be easily broken into from the outside." - **Keenan Elbers will find a temporary solution as all classroom windows will be getting replaced in phases.**
- b. The logs out back of the high school could use some serious looking KEEP OFF signs. Kids are on them often, and only some get down when you tell them to. - **Keenan Elbers will work on a possible solution.**
- c. AM Highway crosswalk: "I wanted to share my safety concern regarding students arriving at school. It's great that Joe is the crossing guard in the afternoon, but in the mornings on the highway people are usually in a bigger rush and the safety of our students should receive the same attention in the morning as it does in the afternoon. If staff are present at 7:30am I don't see why someone can't take that position in the mornings like Joe does in the afternoon." - **Krista Nieraeth will look at the support staff schedules to see if they can be arranged for coverage.**
- d. Front Gate: Still not secure. One good yank opens it up. - **Keenan Elbers reported that he has spoken to Seth Stevens, Alsea CTE/Shop teacher who will be welding it to make it sturdier.**

2. PACE

- a. Update school ground pictures - ½ way completed. - **Lora Nickle reported that she checked with PACE and only pictures that reflect changes i.e. fencing, preschool etc. She said that she needs to double check on the AC units that were installed on the roofs to see if those need to be reported.**
- b. Quarterly walk through, 2nd - **Sara Littlefield and Mary O'Brien volunteered to help Lora Nickle walk around next week to complete.**

3. ALICE Training update - **Krista Nieraeth will be attending an ALICE Training in Gold Beach the week of March 25th. She then will be able to train the staff and students on best practices.**

- a. March Fire Drill - **Scheduled for Wednesday, March 20th at 12:30 PM**

6. **New Business**

- a. Approval of Public Summary of Superintendent Evaluation
Speaker(s): Risteen Follett

Alsea School District

Krista Nieraeth Evaluation Summary

April 17, 2024

The board of directors of the Alsea School District has completed the annual evaluation of Superintendent Krista Nieraeth for the 2023 – 2024 year. All five (5) board members have served on the board for the evaluation period and have been able to observe and be a part of the successes achieved this year. This evaluation has been completed in collaboration with the superintendent and all board members agree with summary findings.

The evaluation focused on eight professional standards and superintendent goals.

Regarding the eight professional standards, we determined that Superintendent Nieraeth's performance was exemplary in the areas of ethical leadership and financial management. In the areas of culturally responsive leadership, communications and community relations, policy and governance the board felt her performance was strong. Visionary leadership, district culture, and organizational management all received a rating of average.

The board determined that Superintendent Nieraeth has done an outstanding job of attaining the goals set by the superintendent and approved by the board in August of last year to foster effective and open communication, promote ongoing academic and social-emotional growth, and increase organizational effectiveness, efficiency, and accountability. Goal setting is not common for a first year superintendent in a new district, and the board is impressed with Superintendent Nieraeth's ambition and drive to serve the Alsea District's staff and students.

We will be working with Superintendent Nieraeth over the couple months to develop goals for the superintendent aligned with our district goals and look forward to working together to continue the success of our district.



Risteen Follett, Chair

Alsea School District Board of Education



Krista Nieraeth, Superintendent

Alsea School District

- b. K-6 Math Curriculum Adoption
 - c. DLT Grant
- Speaker(s):** Krista Nieraeth

Rural Utilities Service - Distance Learning and Telemedicine Grant



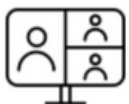
Deadline
April 29th, 2024

This program provides grants to encourage and improve telemedicine and distance learning services in rural areas through the use of telecommunications, computer networks, and related advanced technologies to be used by students, teachers, medical professionals, and rural residents. Grants are for projects where the benefit is primarily delivered to end users that are not at the same location as the source of the education or healthcare service.

Eligible Use of Funds:

- Audio, video licensing and interactive video equipment whose primary function is interactive distance learning or telemedicine
- Terminal and data terminal equipment
- Computer hardware, network components, and software
- Patient monitoring equipment with interactive capabilities
- Headsets, including virtual reality headsets
- Training simulators, including smart manikins
- Devices that will transmit images to a hub for reading or diagnosis
- Protective items that will be for end-user equipment
- Inside wiring and similar infrastructure that supports DLT services
- Broadband transmission facilities
- Acquire instructional programming
- Acquire technical assistance and instruction for using eligible equipment
- Cybersecurity

Eligible HP & Poly Products*



Video Conferencing



Headsets



Screens



Computers & Laptops

*Products are provisionally eligible based on proposed use and alignment with grant priorities.



[Link to Program Website](#)



Funding Available

\$60 million

20% set aside for SUD/ODU projects



Award Size

\$50,000 - \$1,000,000



Cost Share

15% of Federal Request



of Awards

Approximately 100



Eligible Applicants

- State and local governmental entities
- Federally-recognized Tribes
- Nonprofit organizations
- For-profit businesses
- Consortia of eligible entities



7. **Old Business**

- a. Resilience Hub Grant
Speaker(s): Krista Nieraeth

8. **First Reading *(Shaded words are new/strike-throughs are deleted)**

- a. AC - Nondiscrimination

OSBA Model Sample Policy

Code: AC
Adopted:

Nondiscrimination

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

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

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

[The Board designates the [insert position title(s)] as the district's civil rights coordinator.] [The Board directs the superintendent to designate the district's civil rights coordinator and make contact information available to staff, students and parents. {²}]

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

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

END OF POLICY

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

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

Legal Reference(s):

ORS 174.100	ORS 659A.003	ORS 659A.321
ORS 192.630	ORS 659A.006	ORS 659A.409
ORS 326.051(1)(e)	ORS 659A.009	OAR 581-002-0001 – 002-0005
ORS 332.505	ORS 659A.029	OAR 581-021-0045
ORS 408.230	ORS 659A.030	OAR 581-021-0046
ORS 659.805	ORS 659A.040	OAR 581-021-0047
ORS 659.815	ORS 659A.103 - 659A.145	OAR 581-022-2310
ORS 659.850 - 659.860	ORS 659A.230 - 659A.233	OAR 581-022-2370
ORS 659.865	ORS 659A.236	OAR 839-003
ORS 659A.001	ORS 659A.309	

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).~~

b. CBG - Evaluation of the Superintendent

OSBA Model Sample Policy

Code: CBG
Adopted:

Evaluation of the Superintendent

{Required policy. OAR 581-022-2405 requires districts to “adopt and implement personnel policies which address...evaluation procedures.” **Review the superintendent contract** before adopting **to ensure there is no conflicting language**; modify policy as needed.}

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

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

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

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

END OF POLICY

Legal Reference(s):

[ORS 192.660\(2\), \(8\)](#)
[ORS 332.107](#)
[ORS 332.505](#)

~~[ORS 342.513](#)~~
~~[ORS 342.815](#)~~

[OAR 581-022-2405](#)

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

c. CCG - Evaluation of Administrators

OSBA Model Sample Policy

Code: CCG

Adopted:

Evaluation of Administrators

{Required Policy. OAR 581-022-2405 requires districts to “adopt and implement personnel policies which address...evaluation procedures.” Review any employment contracts before adopting to ensure there is no conflicting language. Many of the legal requirements in this policy apply only to those who meet the definition of administrator in ORS 342.815, but the district may have administrators that do not meet that definition (e.g., business manager, transportation supervisor).}

The superintendent will implement and supervise an evaluation system for administrators. The purpose of administrator evaluations is to assist an administrator with developing and strengthening professional abilities, to improve the instructional program and management of the school system, and for supervisors to make recommendations regarding their employment and/or salary status.

[Evaluation and support systems established by the district must evaluate administrators on a regular cycle.] [A formal evaluation will be conducted ~~regularly~~ [at least once each year].]

The evaluation shall be conducted according to the following guidelines:

1. Evaluative criteria for each position will be in written form and made available to the administrator;
2. Evaluations will be made by the superintendent and/or a qualified, licensed designee;
3. Evaluations will be in writing and discussed with the administrator by the person who conducts the evaluation; and
4. The administrator being evaluated will have the right to attach a memorandum to the written evaluation, and have the right of appeal through established grievance procedures, if applicable.

An administrator’s evaluation shall use the following educational leadership-administrator standards¹ adopted by the State Board of Education.

1. Visionary leadership;
2. Instructional improvement;
3. Effective management;
4. Inclusive practice;
5. Ethical leadership; and
6. Socio-political context.

¹ These standards are aligned with the Interstate School Leaders Licensure Consortium (ISLLC) and the Educational Leadership Constituents Council (ELCC) standards for Education Leadership.

Administrator evaluations shall be based on the core administrator standards adopted by the Oregon State Board of Education. The standards shall be customized based on collaborative efforts with the administrators and any exclusive bargaining representative of the administration.

Local evaluation and support systems established by the district for administrators must be designed to meet or exceed the requirements defined in the Oregon Framework for Teacher and Administrator Evaluation and Support Systems, including:

1. Four performance level ratings of effectiveness;
2. Consideration of multiple measures of administrator practice and responsibility which may include, but are not limited to:
 - a. Classroom-based assessments including observations, lesson plans and assignments;
 - b. Portfolios of evidence;
 - c. Supervisor reports; and
 - d. Self-reflections and assessments.
3. Consideration of evidence of student academic growth and learning based on multiple measures of student progress including performance data of students, schools and districts that is both formative and summative. Evidence may also include other indicators of student success;
4. A summative evaluation method for considering multiple measures of professional practice, professional responsibilities, and student learning and growth to determine the administrator's professional growth path;
5. Customized by the district, which may include individualized weighting and application of the standards.

An evaluation using the administrator standards must attempt to:

1. Strengthen the knowledge, skills, disposition and administrative practices of the administrator;
2. Refine the support, assistance and professional growth opportunities offered to the administrator, based on the individual needs of the administrator and the needs of the students, the school and the district;
3. Allow the administrator to establish a set of administrative practices and student learning objectives that are based on the individual circumstances of the administrator, including other assignments of the administrator;
4. Establish a formative growth process for each administrator that supports professional learning and collaboration with other **teachers and** administrators;
5. Use evaluation methods and professional development, support and other activities that are based on curricular standards and are targeted to the needs of the administrator; and
6. Address ways to help all educators strengthen their culturally responsive practices.

The superintendent shall regularly report to the Board on the implementation of the evaluation and support systems and educator effectiveness.

END OF POLICY

Legal Reference(s):

[ORS 192.660\(2\),\(8\)](#)

[ORS 332.505](#)

[ORS 342.120](#)

[ORS 342.815](#)

[ORS 342.850](#)

[ORS 342.856](#)

[OAR 581-022-2405](#)

[OAR 581-022-2410](#)

[OAR 581-022-2420](#)

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

d. EBBB - Injury or Illness Reports

OSBA Model Sample Policy

Code: EBBB

Adopted:

Injury/ or Illness Reports

{Required policy. ORS 339.309 requires a district school board establish policy for reporting incidents, e.g., injury.}

All injuries/ or illnesses¹, sustained by the 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. [Staff members will report self-administered first-aid² treatment to an immediate supervisor.] All accidents involving employees, students, visiting public or district property will be reported immediately to a supervisor.

A written report will be submitted within 24 hours to the district's safety officer. Reports will cover property damage as well as personal injury.

In the event of a work-related³ illness or injury to an employee resulting in overnight in-patient hospitalization for medical treatment⁴ other than first aid, loss of an eye, amputation or avulsion⁵, the district safety officer 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 catastrophes⁶ shall be reported⁷ 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 visiting public and accidents involving district property, employees, students

¹ 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))

² For employees, "first aid" means any one-time treatment and subsequent observation of minor scratches, cuts, burns, splinters, or similar injuries that do not ordinarily require medical care. Such one-time treatment and subsequent observation is considered first aid even though it is provided by a physician or registered professional personnel. (OAR 437-001-0015(34))

³ 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 ~~condition~~ injury or illness. (OAR 437-001-0700(6))

⁴ "Medical treatment" ~~includes managing or caring for~~ is the management or care of a patient ~~for the purpose of~~ to combatting disease or disorder. The following are not considered medical treatment: visits to a ~~doctor~~ physician or other licensed health care professional solely for observation or counseling; diagnostic procedures, such as x-rays and blood tests, including administering prescription medications ~~used~~ solely for diagnostic purposes; ~~and~~ or any procedure that can be labeled first aid according to OAR 437-001-0700(8)(d)(A)(iii).

⁵ Amputations and avulsions are only required to be reported if they result in bone loss. (OAR 437-001-0704(4))

⁶ A "eCatastrophe" 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))

⁷ Reporting must be done in person or by telephone. (OAR 437-001-0704(3))

or visiting public will be promptly investigated. As a result of the investigation any corrective measures needed will be acted upon.

The district safety officer will maintain records ~~and reports on serious~~ on injuries, illnesses, ~~including and~~ accidents involving district property, ~~or~~ employees, students or visiting publics, ~~and periodic statistical reports on the number and types of injuries/illnesses occurring in the district, as well as on the measures being taken to prevent such injuries/illnesses in the future.~~

~~The records will include monthly reporting information and an analysis of the data and trends will be conducted at least annually.~~ 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. Such reports will be submitted to the ~~[superintendent] [Board] for review [annually⁸].~~

END OF POLICY

Legal Reference(s):

[ORS 339.309](#)

[OAR 437-001-0015](#)

[OAR 437-001-0700](#)

[OAR 437-001-0704](#)

[OAR 437-001-0760](#)

[OAR 437-002-0360](#)

[OAR 437-002-0377](#)

[OAR 581-022-2225](#)

⁸ ~~[Annual reporting is required, but may occur more often.]~~

e. EBCA - Safety Threats

OSBA Model Sample Policy

Code: EBCA
Adopted:

Safety Threats**

{Required policy. Requirement for policy comes from ORS 339.324 which outlines actions of a school district when a safety threat action has occurred.}

“Safety threat action” means a lockdown, lockout, shelter in place or evacuation that: (a) is initiated by a school 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 expediently 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 POLICY

Legal Reference(s):

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

[ORS 332.107](#)

[ORS 339.324](#)

f. EBC - Emergency Plan and First Aid

OSBA Model Sample Policy

Code: EBC
Adopted:

Emergency Plan and First Aid**

{Highly recommended policy. This policy informs districts about requirement for an emergency procedures plan (OAR 581-022-2225), and other minimum standards for providing emergency care to students.}

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 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.

Copies of the emergency plan will be available in every school office and other strategic locations throughout the district. 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 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.

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

END OF POLICY

Legal Reference(s):

[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).

g. EBCB - Emergency Procedure Drills and Instruction

OSBA Model Sample Policy

Code: EBCB
Adopted:

Emergency Procedure Drills and Instruction

{Highly recommended policy. This policy includes information about required instruction and drills on emergency procedures. See ORS 336.071}

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

All schools are required to instruct and drill students on district emergency procedures so that students they can respond to an emergency without confusion and panic. The emergency procedures shall include drills and instruction on fires, earthquakes, ~~which shall include~~ ^[1]tsunami procedures ~~in a tsunami hazard zone~~ and safety threats. Instruction on ~~fires, earthquakes[,] [and] safety threats [and tsunami dangers²,] and drills for students,~~ emergency procedures 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

~~The district will conduct monthly fire drills. At least one fire drill will be held within the first 10 days of the school year.~~ Drills and instruction on fire emergencies shall include routes and methods of exiting the school building.

Earthquake ~~and Tsunami~~ Emergencies

~~[3] At least two drills on earthquakes shall be conducted each year.~~ ^[4] ~~At least three drills on earthquakes that include tsunami drills shall be conducted each year.~~

Drills and instruction for earthquake emergencies shall include the earthquake emergency response procedure of “drop, cover and hold on” during the 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.

~~[5] Drills and instruction on tsunami emergencies shall include immediate evacuation after an earthquake, when appropriate, or after a tsunami warning to protect students against inundation by tsunamis.]~~

Safety Threats

¹ {Required if schools are in a designated tsunami hazard done.}

~~² This is required language for a district in a tsunami hazard zone.~~

³ {This is required action for a district not in a tsunami hazard zone.}

~~⁴ {This is required action for a district in a tsunami hazard zone.}~~

~~⁵ {This is required action for a district in a tsunami hazard zone.}~~

At least two drills on safety threats shall be conducted each year. Drills and instruction on safety threats shall include procedures related to lockdown, lockout, 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 (See Board policy EBCA - Safety Threats**).

~~The Board may use 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.~~

[The district may provide additional instruction relating to other disasters such as flooding, drought, excessive snowfall or wildfires.⁶]

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 POLICY

Legal Reference(s):

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

[ORS 336.071](#)

[ORS 339.324](#)

[ORS 476.030\(+\)](#)

[OAR 581-022-2225](#)

⁶ The Oregon Department of Education has resources available at <https://www.oregon.gov/ode/schools-and-districts/grants/pages/threat-and-hazard-resources.aspx>.

h. GBEB - Communicable Diseases in Schools

OSBA Model Sample Policy

Code: GBEB
Adopted:

Communicable Diseases—Staff in Schools

{Highly recommended policy. This policy outlines the requirements for schools on communicable diseases.}

The district 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 for Schools* published by the Oregon Department of Education (ODE) and the Oregon Health Authority (OHA).

~~An~~ 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 ~~that~~ the student or employee has or has been exposed to any disease for which exclusion is required in accordance with law ~~and per administrative regulation GBEB-AR-Communicable Diseases-Staff~~. The district may provide an educational program in an alternative setting. Services will be provided to students as required by law.

~~If the disease is a reportable disease, the administrator 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.~~

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 ~~the case of a declared public health emergency or other catastrophe which disrupts district operations~~ buildings and by the district in response to medical emergencies.

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

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 431.150 - 431.157](#)

[ORS 433.001 - 433.526](#)~~004~~

[ORS 433.010](#)

[ORS 433.110](#)

[ORS 433.235 - 433.284](#)

[OAR 333-018](#)

[OAR 333-019-0010](#)

[OAR 333-019-0014](#)

[OAR 437-002-0360](#)

HR ~~7/31/20~~4/04/24 | LF

Communicable Diseases—Staff in Schools – GBEB

[OAR 437-002-0377](#)

[OAR 581-022-2220](#)

[OAR 581-022-2225](#)

OREGON DEPARTMENT OF EDUCATION and OREGON HEALTH AUTHORITY, *Communicable Disease Guidance for Schools* ~~(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)~~2023).
Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. §§ 1320d to -1320d-8 (2018); 45 C.F.R. Parts 160, 164
~~(2019)~~2023).

- i. GBEB-AR - Communicable Diseases in Schools

OSBA Model Sample Administrative Regulation

Code: GBEB-AR

Revised/Reviewed:

Communicable Diseases—Staff in Schools

{Highly recommended administrative regulation.}

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 rule¹ and include but are not limited to COVID-19², 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 a child who~~, in the opinion of the local health officer, ~~the person~~ poses an unusually high risk to others ~~children~~ (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.~~
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 ~~an~~ 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. ~~An~~ 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, ~~including a communicable stage of COVID-19³~~, unless authorized to do so under Oregon law. When an administrator has reason to suspect that ~~an~~ a student or employee has a restrictable disease, the administrator shall send ~~the employee~~ them home.
2. An administrator shall exclude ~~an~~ a susceptible student or employee if the administrator has reason to suspect ~~that an employee has~~ 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

¹ OAR 333-019-0010 lists restrictable diseases.

² Added per OAR 333-019-1000(2).

³ “Communicable stage of COVID-19” means having a positive presumptive or confirmed test of COVID-19.

make a determination as allowed by law. If the disease is reportable, the administrator ~~will or~~ designee may report the occurrence to the local health department.

~~3.—An administrator shall exclude an employee if the administrator 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 COVID-19 and exclusion is deemed necessary by same.~~

4.3.—~~An~~ 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.

~~5.—An administrator may allow attendance of an employee restricted for chickenpox, scabies, staphylococcal skin infections, streptococcal infections, diarrhea or vomiting if the restriction has been removed by a school nurse or health care provider.~~

6.4. More stringent exclusion standards for students or employees from school or work may be adopted by the local health department.

~~7.—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 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 a student has been exposed to a restrictable disease ~~that~~ which is also a reportable disease.
3. [District staff with impaired immune responses, that are of childbearing age or some other medically fragile condition, should consult with a medical provider for additional guidance⁴.]
4. 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.

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.

⁴ Refer to *Communicable Disease Guidance for Schools* published by the Oregon Health Authority and the Oregon Department of Education.

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).

j. GBN/JBA - Sexual Harassment

OSBA Model Sample Policy

Code: GBN/JBA

Adopted:

Sexual Harassment

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

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

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

General Procedures

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

OREGON DEFINITION AND PROCEDURES

Oregon Definition

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

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

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

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

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

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

3. Assault when sexual contact occurs without ~~the student’s, staff member’s or third party’s consent because the student, staff member or third party is under the influence of drugs or alcohol, is unconscious or is pressured through physical force, coercion or explicit or implied threats~~ consent⁴.^{5}

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

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

Oregon Procedures

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

Name	Position	Phone	Email
HS Principal			
Athletic Director			

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

Response

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

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

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

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

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

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, compliance officer or superintendent. Students may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate district official.

Investigation

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

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

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

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

1. **[Discipline of staff and students engaging in sexual harassment;**
2. **Removal of third parties engaged in sexual harassment;**
3. **Additional supervision in activities;**
4. **Additional controls for district electronic systems;**
5. **Trainings and education for staff and students; and**

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

6. Increased notifications regarding district procedures and resources.]

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

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

No Retaliation

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

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

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

Notice

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

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

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

The written notification must include¹⁰:

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

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

The notice must:

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

[Oregon Department of Education (ODE) Support

¹⁰ Remember confidentiality laws when providing any information.

The ODE will provide technical assistance and training upon request.]

FEDERAL DEFINITION AND PROCEDURES

Federal Definition

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

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

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

Federal Procedures

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

Reporting

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

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

[Person or position (The Athletic Director)] is designated as the Title IX coordinator [and can be contacted at (541_ 487 - 4305)]. The Title IX coordinator will coordinate the district’s efforts to comply with its responsibilities related to this AR. The district prominently will display the contact information for the Title IX coordinator on the district website and in each handbook. {¹²}

Response

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

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

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

Notice

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

1. The name or title, office address, electronic mail address, and telephone number of the Title IX coordinator(s);

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

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

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

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

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

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

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 or the Assistant Secretary¹⁸, or both.]

No Retaliation

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

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

Publication

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

END OF POLICY

Legal Reference(s):

[ORS 243.706](#)
[ORS 332.107](#)
[ORS 342.700](#)
[ORS 342.704](#)
[ORS 342.708](#)
[ORS 342.850](#)
[ORS 342.865](#)
[ORS 659.850](#)
[ORS 659A.006](#)
[ORS 659A.029](#)
[ORS 659A.030](#)
[OAR 581-021-0038](#)
[OAR 584-020-0040](#)
[OAR 584-020-0041](#)

¹⁸ Of the United States Department of Education.

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

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).

k. GBNAB/JHFE - Suspected Abuse of a Child Reporting Requirements

OSBA Model Sample Policy

Code: GBNAB/JHFE

Adopted:

Suspected Abuse of a Child Reporting Requirements**

{Required policy. ORS 339.372 requires school boards to adopt policy on reporting of suspected child abuse.}

Any district employee who has reasonable cause to believe that **any child** with whom the employee has come in contact has suffered abuse¹ shall ~~orally report or cause an oral report~~ immediately ~~by telephone or otherwise to the local office of~~ make a report to the Oregon Department of Human Services (DHS) ~~or its designee~~ through the centralized child abuse reporting system^[2] or to ~~the~~ a law enforcement agency within the county where the person making the report is located at the time of the contact ~~pursuant to Oregon Revised Statute (ORS) 419B.010~~. Any district employee who has reasonable cause to believe that **any person**³ 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 described above ~~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, t~~The report shall ~~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 abuse and the identity of a possible perpetrator.

Abuse of a child by district employees, contractors⁴, agents⁵, volunteers⁶, 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) or its designee~~ through its centralized child abuse reporting system or ~~the local~~ to a law enforcement agency ~~pursuant to ORS 419B.015~~, and to ~~the~~ a designated licensed administrator.

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

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

³ "Person" could include adult, student or other child.

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

⁵ "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.

⁶ "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.

The district will designate a {⁷} 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 [the building principal] who shall also report to the Board 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(1) - 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 ~~and~~ or the ~~local~~ centralized child abuse reporting system of 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 administrative regulation GBNAB/JHFE-AR(1) - Reporting of Suspected Abuse of a Child. All such reports of suspected abuse will be reported to a law enforcement agency or DHS, ~~or its designee~~, for investigation, and the agency will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged abuser.

When there is reasonable cause to support a 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 Board policy to report suspected abuse of a child, and appropriate electronic communications with students. The district shall make available each school year the training described above to contractors, agents, volunteers, and parents and legal guardians of students attending district-

⁷ {ORS 339.372 requires the district to post the names and contact information of the persons, i.e., a licensed administrator and an alternate licensed administrator, who are designated to receive reports of sexual abuse for a school building in the respective school building. A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC.}

operated schools, and will be made available separately from the training provided to district employees. The district shall provide each school year information on the prevention and identification of abuse, the obligations of district employees under Board policy to report abuse, and appropriate electronic communications with students to contractors, agents and volunteers. The district shall make available each school year training that is designed to prevent abuse to students attending district-operated schools.

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

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

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

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

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

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

END OF POLICY

Legal Reference(s):

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

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

[OAR 581-022-2205](#)

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

I. GBNAB/JHFE-AR - Reporting of Suspected Abuse of a Child

OSBA Model Sample Policy

Code: GBNAB/JHFE-AR(1)

Revised/Reviewed:

Reporting of Suspected Abuse of a Child

{Required administrative regulation. ORS 339.372 requires school boards to have procedures for reporting on, and responding to reports of, suspected abuse of a child.}

Reporting

Any district employee having reasonable cause to believe that **any child** with whom the employee comes in contact has suffered abuse¹ shall ~~orally make a report or cause an oral report~~ immediately ~~by telephone or otherwise to the local office of the~~ to the Oregon Department of Human Services (DHS) ~~or its designee~~ through the centralized child abuse reporting system^[2] 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**³ 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, 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~~ through its centralized child abuse reporting system ~~or the local~~ to a law enforcement agency ~~pursuant to ORS 419B.015~~, and to ~~the~~ a designated licensed administrator or alternate licensed administrator for their school building.

~~If known, t~~The report shall ~~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 abuser the report shall be submitted to the **[building principal]** who shall refer the report to the Board chair.

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 the 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 the agency and individual who took the report;

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

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

³ "Person" could include adult, student or other child.

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 designee receives a report of suspected abuse of a child by a district employee, and there is reasonable cause to support the report, the district shall place the district employee on paid administrative leave⁴ 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^{5}, agent or volunteer, the district ~~[may]~~ ~~[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 investigated⁶ 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.] [The employee not covered by a collective bargaining agreement may appeal the employment action taken through an appeal process administered by a neutral third party.]~~

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

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

⁵ {The district is encouraged to duplicate this language in the contract. If the contract is with a company and the person assigned to do the work is the alleged perpetrator, the district shall notify the company and request another company employee be assigned to complete the work.}

⁶ The district will investigate all reports of suspected abuse, unless otherwise requested by DHS ~~or its designee~~ or law enforcement pursuant to law.

district will notify the employee that information about substantiated reports may be disclosed to a potential employer.

Definitions

1. Oregon law ~~recognizes these and other types of abuse~~ defines “abuse” in ORS 419B.005(1):
 - 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~~ a child in care, as defined in ORS 418.257.
3. [A “substantiated report” means a report of abuse that a 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 abuse of a child as provided by this policy 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 abuse of a child or fails to maintain confidentiality of records as required by ~~this 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 abuse of a child cases to cooperate with investigating officials as follows:

1. Any investigation of abuse of a child 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. [When an administrator is notified that the DHS or law enforcement would like to interview a student at school, the administrator must request that the investigating official fill out the appropriate form (See GBNAB/JHFE-AR(2) – Abuse of a Child Investigations Conducted on District Premises). The administrator or designee should not deny the interview based on the investigator’s refusal to sign the 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 of the school may, at the discretion of the investigator, be present to facilitate the interview. If the investigating official does not have adequate identification the administrator shall refuse access to the student.

Law enforcement officials wishing to remove a student from the premises shall present themselves at the office and contact the 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 or anyone else other than DHS or law enforcement agency and any school employee necessary to enable the investigation;
3. The 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.

m. GCDA/GDDA - Criminal Records Checks and Fingerprinting

OSBA Model Sample Policy

Code: GCDA/GDDA

Adopted:

Criminal Records Checks and Fingerprinting *

{Required policy. Requirement/Authority for policy comes from OAR 581-021-0510 - 021-0512 and ORS 326.603 - 326.607.}

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 ^{1} not Licensed, Certified or Registered by the Teachers Standards Practices Commission (TSPC)

All newly hired employees² not identified under Oregon Revised Statutes (ORS) 342.223³ 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 district⁴ or private school, and has not resided outside the state between the two periods of employment^{5}.

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.] [individual. An individual may request the fee be withheld from the amount otherwise due the individual. The district will withhold this amount only upon request of the subject individual.]~~

The district ~~[may⁶]~~ **[shall not]** begin the employment of an individual ~~[on a probationary basis pending]~~ **[before]** the return and disposition of the required criminal records checks.

When the criminal records check indicates an individual has been convicted of any crimes⁷ 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

¹ {If the district wants to include the larger section on TSPC-licensed employees (see p. 2), keep this bracketed language. If the district does not want to include the larger section on TSPC-licensed individuals, omit this bracketed language.}

² 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).

³ 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.

⁴ 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.

⁵ {Additional exception applies through July 1, 2024. See ORS 326.603(4)(b).}

⁶ Decisions regarding which employees may begin before the return of the required criminal records checks must be made in a nondiscriminatory manner.

⁷ See OAR 581-021-0511(8).

crime, the individual ~~[will not]~~ **[may]** be employed by the district, or if employed by the district ~~[will]~~ **[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 ~~[will not]~~ **[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 individuals in positions requiring licensure, certification or registration with Teacher Standards and Practices Commission (TSPC) are outlined in ORS 342.223.]~~

OR

[Requirements for TSPC Licensed, Certified or Registered Individuals

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.
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^{8}

All individuals employed as or by a contractor and considered by the district to have direct, unsupervised contact with students⁹ or unsupervised access to children are required to submit to a criminal records check and a fingerprint-based criminal records check.

⁸ {The district should include language regarding background checks in any contract that includes direct, unsupervised contact with students whenever applicable.}

⁹ “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. (OAR 581-021-0510)

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. Notification¹⁰ 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]** ~~[will]~~ 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

~~[¹¹]~~ The district shall require a fingerprint-based criminal records check for volunteers allowed direct, unsupervised contact with students, in the following positions:

1. Head coach;
2. Assistant coach;
3. Overnight chaperone;
4. Volunteers transporting students, other than their own, in a private vehicle off district property for a district-sponsored activity;
5. List of other positions subject to this fingerprinting, if any.

The service of a volunteer into a position identified by the district as requiring a fingerprint-based criminal records check ~~[may]~~ **[will not]** begin ~~[on a probationary basis pending]~~ **[before]** the return and disposition of a state and national criminal records check based on fingerprints.]

~~[¹²]~~ Volunteers allowed by the district into a position designated by the district to have direct, unsupervised contact with students shall submit to an in-state criminal records check.

¹⁰ 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.

¹¹ {If the district requires fingerprinting for certain volunteer positions, the district is required to list those volunteer positions in board policy. The bracketed language is only possible examples; modify to identify the positions in the district which require such fingerprinting.}

¹² {If the district allows volunteer service and the volunteers have direct, unsupervised contact with students, this policy language is required, and districts are required to conduct criminal records checks on these volunteers.}

[The service of a volunteer allowed to have direct, unsupervised contact with students ~~[may]~~ **[will not]** begin ~~[on a probationary basis pending]~~ **[before]** the return and disposition of a criminal records check.]

[A volunteer that is not likely to have direct, unsupervised contact with students, as determined by the district, **[will]** ~~[will not]~~ be required to submit to an in-state 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]** ~~[will]~~ result in immediate termination from the ability to volunteer in the district.]

[Fees associated with a required fingerprinting for volunteers shall be paid by the ~~[individual]~~ **[district].**] Fees associated with required non-fingerprinting criminal records checks for volunteers shall be paid by the ~~[individual]~~ **[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.

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 **[volunteer]** 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 or 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 [(written or electronic)] [may] [~~will~~] 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~~] [will] result in immediate termination from the ability to volunteer in the district.] [~~The district [~~may~~] [~~will~~] 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[,] [or] contract [or volunteering].

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 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 581-022-2430](#)
[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).

n. IGBAF - Special Education - Individualized Education Program (IEP)

OSBA Model Sample Policy

Code: IGBAF

Adopted:

Special Education - Individualized Education Program (IEP)**

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 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 POLICY

Legal Reference(s):

[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. §§ 300.5 - 300.6, 300.22 - 300.24, 300.34, 300.43, 300.105 - 106, 300.112, 320.325, 300.328, 300.501 (2012).

- o. IGBAF-AR - Special Education: Individualized Education Program (IEP)

OSBA Model Sample Policy

Code: IGBAF-AR

Revised/Reviewed:

Special Education - Individualized Education Program (IEP)**/*

{Required administrative regulation (AR). This AR is designated as required because the district is required to do everything in this AR; having this AR may help demonstrate compliance during the ODE audit process.}

1. General IEP Information

- a. The district ensures that an IEP is in effect for each eligible student:
 - (1) Before special education and related services are provided to a student;
 - (2) At the beginning of each school year for each student with a disability for whom the district is responsible; and
 - (3) 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:
 - (1) The Oregon standard IEP; or
 - (2) 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 services 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) 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:
 - (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 including any amendments the district and parents agreed to make between annual reviews.
- b. The district takes whatever action is necessary to ensure that parents understand the proceedings of the IEP team meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.
- g. 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 the 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) requests a meeting, the district will either schedule a meeting within a reasonable time or provide timely 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, to revise the IEP.

3. IEP Team Members

- a. The district's IEP team members include the following:
 - (1) The student's parent(s);
 - (2) 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;
 - (3) At least one of the student's special education teachers or, if appropriate, at least one of the student's 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. If the student has more than one regular education teacher, the district will determine which teacher or teachers will participate;
 - (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 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;
 - (6) An individual, who may also be another member of the team, who can interpret the instructional implications of the evaluation results; and
 - (7) At the discretion of the parent or district, other persons who have knowledge or special expertise regarding the student.
- b. Student participation:
 - (1) Whenever appropriate, the student with a disability is a member of the team.
 - (2) 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.
 - (3) 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:

- (1) 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
- (2) 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:

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 student's 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 may consent to excuse an IEP team member from attending an IEP meeting, in whole or in part, when the meeting involves a discussion or modification of 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:
 - (1) The parent and the district consent in writing to the excusal;
 - (2) The team member submits written input to the parents and other members of the IEP team before the meeting; and
 - (3) The parent 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:
 - (1) A statement of the student's present levels of academic achievement and functional performance that:

- (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 parents;
 - (d) Is clearly linked to each annual goal statement;
 - (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, 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:
- (a) Meet the student's needs that are present because of the disability, or because of behavior that interferes with the student's ability to learn, or impedes the learning of other students;
 - (b) Enable the student to be involved in and progress in the general curriculum, as appropriate; and
 - (c) Clearly describe the anticipated outcomes, including intermediate steps, if appropriate, that serve as a measure of progress toward the goal.
- (3) A statement of the special education services, related services, supplementary aids and services that the district provides to the student:
- (a) 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.
 - (b) 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.
- (4) A statement of the extent, if any, to which the student will not participate with nondisabled students in regular academic, nonacademic and extracurricular activities.
- (5) A statement of any individual modifications and accommodations in the administration of state or districtwide assessments of student achievement.
- (a) A student will not be exempt from participation in state or districtwide assessment because of a disability unless the parent requests an exemption;
 - (b) 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.

- (6) 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. Individualized COVID-19 Recovery Services[†]~~

~~Individualized COVID-19 Recovery Services are defined as those services determined necessary for eligible students based on the unique needs that arise from their disability due to the impact of the COVID-19 pandemic, which may include but are not limited to:~~

- ~~a. Special education and related services;~~
- ~~b. Supplementary aides and services;~~
- ~~c. Additional or intensified instruction;~~
- ~~d. Social emotional learning support; and~~
- ~~e. Peer or adult support.~~

~~The IEP team for each eligible student shall consider the need for Individualized COVID-19 Recovery Services at least at each initial IEP meeting and each regularly scheduled annual review meeting.~~

- ~~a. IEP teams shall consider the impact COVID-19 on the eligible student’s ability to engage in their education, develop and re-establish social connections with peers and school personnel, and adapt to the structure of in-person learning.~~
- ~~b. For initial IEPs, IEP teams shall also review the impact of COVID-19 on the eligible student’s initial evaluation timeline and eligibility determination in considering the need for Individualized COVID-19 Recovery Services.~~
- ~~c. For annual reviews, IEP teams shall also consider the impact of COVID-19 on the implementation of the eligible student’s IEP considering the need for Individualized COVID-19 Recovery Services.~~

~~Any member of the IEP team, including parents and eligible students, may request that the IEP team meet to review the need for Individualized COVID-19 Recovery Services at any time.~~

- ~~a. IEP teams are not required to meet more than once annually to consider the need for Individualized COVID-19 Recovery Services unless updated information indicates the eligible student’s circumstances have changed or there is reason to suspect that the eligible student may need any additions or modifications to their Individualized COVID-19 Recovery Services.~~
- ~~b. IEP teams that considered the need for Individualized COVID-19 Recovery Services at an initial IEP or annual review meeting on or after June 24, 2021 shall review the need for Individualized COVID-19 Recovery Services at the next annual review, but are not required to do so before then unless the eligible student’s circumstances have changed or there is reason to suspect that the eligible student may need any additions or modifications to their Individualized COVID-19 Recovery Services.~~

[†]The requirements of this section are in effect until July 1, 2023 unless extended by the State Board of Education.

~~When Individualized COVID-19 Recovery Services are recommended, the eligible student's IEP must be updated to reflect the recommendation.~~

~~The district or program shall provide written notice to the parents of each eligible student regarding the opportunity for the IEP team to meet to consider Individualized COVID-19 Recovery Services.~~

~~After each determination is made, the district or program shall provide written notice to the parent and/or adult student with a disability regarding the determination of need for Individualized COVID-19 Recovery Services. This notice shall include the following documentation:~~

- ~~a. A statement of the Individualized COVID-19 Recovery Services recommended based on the meaningful input of all IEP team members, including parents and eligible students, as appropriate;~~
- ~~b. The projected dates for initiation and duration of Individualized COVID-19 Recovery Services~~
- ~~c. The anticipated frequency, amount, location, and provider of the services described in item a. above and whether these services are being provided within the standard instructional day for the eligible student.~~

~~If the district and parent hold an IEP meeting to discuss the need for Individualized COVID-19 Recovery Services and do not reach an agreement regarding such services, the district and parent may request a Facilitated IEP meeting. If the district and the parent choose to participate in a Facilitated IEP meeting, the district shall notify ODE.~~

~~Nothing in this section shall affect or otherwise alter a parent's right to seek mediation under OAR 581-015-2335, request a due process hearing under OAR 581-015-2345, a complaint under OAR 581-015-2030, or other parental rights under the procedural safeguards.~~

~~Nothing in this section relieves the district of its duty to create an appropriate IEP for every eligible student, regardless of whether the eligible student requires Individualized COVID-19 Recovery Services.~~

7.6. Agreement to Amend or Modify IEP

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.

- a. 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.
- b. 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.
- c. 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.

8.7. 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;
 - (3) As appropriate, the results of the student's performance on any general state or districtwide assessments;
 - (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 their 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 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;
 - (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;
 - (5) If a student is deaf, deafblind, or hard of hearing, the district will provide information about relevant services and placements offered by the school district, the education service district, regional programs, and the Oregon School for the Deaf; and
 - (6) A statement of any device or service needed for the student to receive a free appropriate public education (FAPE).
- d. In addition to the above IEP contents, the IEP for each eligible student of transition age includes:
- (1) Beginning not later than the first 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)), and updated annually thereafter, the IEP must include:
 - (a) Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training education, employment, and where appropriate, independent living skills; and
 - (b) The transition services (including courses of study) needed to assist the student in reaching those goals.

Regarding employment planning, the parent 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 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)).

- (2) At least one year before a student reaches the age of majority (student reaches the age of 18, or has married or 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
 - (3) 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 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.

9.8. 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:
 - (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 other compelling interest that cannot be otherwise accommodated.

10.9. 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 to provide FAPE.
- 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. 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 extended school year services include:
 - (1) Regression (a significant loss of skills or behaviors) and recoupment time based on documented evidence; or
 - (2) 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.

11.10. 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 FAPE. In these situations, district policy will govern liability and transfer of the device when the student ceases to attend the district.

12.11. 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) provides FAPE to the student (including services comparable to those described in the student’s IEP from the previous district), until the district either:

- (1) Adopts the student’s IEP from the previous district; or
- (2) 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, will provide FAPE to the student, including services comparable to those described in the student’s IEP from the previous district, until the district:

- (1) Conducts an initial evaluation (if determined necessary by the district to determine Oregon eligibility) with parent consent and determines whether the student meets eligibility criteria described in the OARs.
- (2) 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.

- (3) If the student does not meet Oregon eligibility criteria, the district provides prior written notice to the parents explaining that the student does not meet Oregon eligibility criteria and specifying the date when special education services will be terminated.

13.12. 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.²

Informed and written consent from the parent or foster parent is necessary prior to implementing an abbreviated school day program. A parent 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.

² See ORS 343.324.

p. IGBAG - Special Education - Procedural Safeguards

OSBA Model Sample Policy

Code: IGBAG
Adopted:

Special Education - Procedural Safeguards**

Procedural Safeguards – General

A district ensures that students with disabilities and their families are afforded their procedural safeguards related to:

1. Access to students' educational records;
2. Parent 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 education¹;
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 in private schools;
11. Civil actions; and
12. Attorney's fees.

Procedural Safeguards Notice

The district 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 request for special

¹ 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.

education evaluation and when the parent 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 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 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 and that the parent understands the content of the notice. The district maintains written evidence that it meets these requirements.

Parent or Adult Student Meeting Participation

1. The district provides parents 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 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 are not in attendance;
 - d. Advises the parents 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:
 - (1) Indicates that the student will be invited; and
 - (2) If considering transition services, identifies any agencies invited to send a representative (with parent or adult student consent).
3. The district takes steps to ensure that one or both parents 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 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 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 or adult student if the district provided meeting notice to the parent or adult student sufficiently in advance to ensure an opportunity to attend.

Access to Records

A parent 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.

END OF POLICY

Legal Reference(s):

- | | | |
|----------------------------------|----------------------------------|----------------------------------|
| ORS 343.155 | OAR 581-015-2000 | OAR 581-015-2310 |
| ORS 343.165 | OAR 581-015-2030 | OAR 581-015-2325 |
| ORS 343.173 | OAR 581-015-2090 | OAR 581-015-2330 |
| ORS 343.177 | OAR 581-015-2095 | OAR 581-015-2345 |
| ORS 343.181 | OAR 581-015-2190 | OAR 581-015-2360 |
| | OAR 581-015-2195 | OAR 581-015-2385 |
| OAR 581-001-0005 | OAR 581-015-2305 | |

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.300, 300.500 - 300.505, 300.515, 300.517.

q. JBA/GBN - Sexual Harassment

OSBA Model Sample Policy

Code: JBA/GBN
Adopted:

Sexual Harassment

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

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

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

General Procedures

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

OREGON DEFINITION AND PROCEDURES

Oregon Definition

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

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

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

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

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

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

3. Assault when sexual contact occurs without ~~the student’s, staff member’s or third party’s consent because the student, staff member or third party is under the influence of drugs or alcohol, is unconscious or is pressured through physical force, coercion or explicit or implied threats~~ consent⁴.^{5}

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

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

Oregon Procedures

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

Name	Position	Phone	Email
HS Principal _____	_____	_____	_____
[Superintendent _____	_____	_____	_____]

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

Response

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

1. Student is protected and to promote a nonhostile learning environment;

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

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

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

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

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, compliance officer or superintendent. Students may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate district official.

Investigation

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

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

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

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

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

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

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

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

No Retaliation

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

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

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

Notice

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

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

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

The written notification must include¹⁰:

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

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

The notice must:

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

[Oregon Department of Education (ODE) Support

¹⁰ Remember confidentiality laws when providing any information.

The ODE will provide technical assistance and training upon request.]

FEDERAL DEFINITION AND PROCEDURES

Federal Definition

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

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

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

Federal Procedures

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

Reporting

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

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

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

Response

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

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

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

Notice

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

1. The name or title, office address, electronic mail address, and telephone number of the Title IX coordinator(s);

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

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

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

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

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

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

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 or the Assistant Secretary¹⁸, or both.]

No Retaliation

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

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

Publication

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

END OF POLICY

Legal Reference(s):

[ORS 243.706](#)
[ORS 332.107](#)
[ORS 342.700](#)
[ORS 342.704](#)
[ORS 342.708](#)
[ORS 342.850](#)
[ORS 342.865](#)
[ORS 659.850](#)
[ORS 659A.006](#)
[ORS 659A.029](#)
[ORS 659A.030](#)

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

¹⁸ Of the United States Department of Education.

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

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).
Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).
Gebser v. Lago Vista Indep. Sch. Dist., 524 U.S. 274 (1998).

r. JBAA-AR - Section 504 - Students**/*

OSBA Model Sample Policy

Code: JBAA-AR
Revised/Reviewed:

Section 504 – Students**/*

In order to meet the requirements of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA), the following procedures have been established:

Definitions

1. A student is considered a “qualified individual with disabilities” under Section 504 if the student:
 - a. Has a physical or mental impairment which substantially limits one or more major life activities, even when mitigating measures, such as medication, prosthetics, hearing aids, etc., ameliorate the effects of the disability (e.g., any student receiving services under the Individuals with Disabilities Education Act (IDEA), students with diabetes). The term does not cover students disadvantaged by cultural, environmental or economic factors;
 - b. Has a record or history of such an impairment (e.g., a student with learning disabilities who has been decertified as eligible to receive special education under IDEA, a student who had cancer, a student in recovery from chemical dependencies);
 - c. Is regarded as having such an impairment. A person can be found eligible under this provision if the student:
 - (1) Has a physical or mental impairment that does not substantially limit a major life activity but is treated by the district as having such a limitation;
 - (2) Has a physical or mental impairment that substantially limits a major life activity only as a result of the attitudes of others towards such impairment (e.g., a student who is obese); or
 - (3) Has no physical or mental impairment but is treated by the district as having such an impairment (e.g., a student who tests positive with the HIV¹ virus but has no physical effects from it).
 - d. Has a qualifying disability that is episodic or in remission.
2. “Physical or mental impairment” means any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; endocrine; or any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness and specific learning disabilities;
3. “Major life activities,” as defined by the ADA, means functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, communicating; and major

¹ HIV - Human Immunodeficiency Virus

bodily functions including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions;

4. “Program or activity” includes all district programs and activities. The district will also ensure that contracts with those who provide services to the district, such as alternative programs, also provide students with disabilities an equal opportunity to participate in the program or activity;
5. “Potentially disabling conditions” under Section 504, if they substantially limit a major life activity, may include, but are not limited to:
 - a. Attention deficit disorder (ADD);
 - b. Behavior disorders;
 - c. Chronic asthma and severe allergies;
 - d. Physical disabilities such as spina bifida, hemophilia and conditions requiring students to use crutches;
 - e. Diabetes.

District Responsibilities

The superintendent or designee will:

1. Provide written assurance of nondiscrimination whenever the district receives federal money in accordance with application guidelines;
2. Designate an employee to coordinate the district’s compliance efforts with Section 504;
3. Provide procedures to resolve student, parent and employee complaints of discrimination;
4. Provide notice to students, parents, employees, including those with vision or hearing impairments, of the district’s policy of compliance with Section 504 prohibiting nondiscrimination in admission or access to or treatment or employment in district programs or activities. District aids, benefits and services will afford students with disabilities equal opportunity to obtain the same result, gain the same benefit or reach the same level of achievement as students without disabilities, in the most integrated setting appropriate to the student’s needs. Notice will specify the employee designated by the district to coordinate the district’s Section 504 compliance efforts;
5. Annually identify and locate students with disabilities who are Section 504 qualified in the district and who qualify for services;
6. Annually notify students with disabilities and their parents or guardians of the district’s responsibilities under Section 504;
7. Provide parents or guardians with procedural safeguards:
 - a. Notice of their rights under Section 504, including the right to request an impartial hearing as provided by Oregon Administrative Rule (OAR) 581-015-2390;
 - b. An opportunity to review relevant records.

8. Provide all employees assigned to work with a student with specialized needs to assist the student with educational, behavioral, medical, health or disability-related support access to the 504 Plan.

Transportation

1. If the district proposes to terminate transportation services for a student who qualifies for services under Section 504, the district will first determine the relationship between the student's behavior and disability and provide the parent with notice of rights.
2. If the district places a student in a program not operated by the district, the district will ensure that adequate transportation to and from the program is provided at no additional cost to the parent or student than would be incurred if the student were placed in programs operated by the district.

Evaluation

1. The district will conduct an evaluation of any student who, because of a disability, needs or is believed to need accommodations or related services. Such evaluation will be completed by an evaluation team comprised of a group of persons knowledgeable about the student, the meaning of the evaluation data and placement options. The team will be appointed by the superintendent or designee. Such evaluation will be completed before any action is taken with respect to the initial placement of the student in a regular or special education program and any subsequent, significant change in placement.

All 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 504 Plan for the student is being developed, reviewed or revised. This includes being invited to, and compensated for attending, meetings regarding the student's 504 Plan 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.

2. Tests and other evaluation materials will:
 - a. Be validated and administered by trained personnel;
 - b. Tailored to assess educational need and not merely based on IQ scores;
 - c. Reflect aptitude or achievement. All tests must measure what they purport to measure.

Placement

In interpreting evaluation data and making placement decisions, the evaluation team will:

1. Draw upon information from a variety of sources;
2. Ensure that all relevant information is documented and considered;
3. Ensure that the student is educated with students without disabilities to the maximum extent possible.

Reevaluations

1. The evaluation team will periodically reevaluate all students identified as qualified to receive services under Section 504. Minimally, students will be reevaluated every three years.
2. A reevaluation will be conducted by the evaluation team whenever a significant change in placement occurs. Examples of significant changes in placement include, but are not limited to:
 - a. Expulsion;
 - b. Serial suspensions which exceed 10 school days in a school year. Consideration will be given to the frequency of suspensions, the length of each and their proximity to one another;
 - c. Transferring or placing the student in alternative education or other such programs;
 - d. Graduation;
 - e. Significantly changing the composition of the student's class schedule (e.g., moving the student from regular education to the resource room, etc.).

Discipline

1. Before implementing a suspension or expulsion that constitutes a significant change in the placement of a student with disabilities under Section 504, the evaluation team will conduct a reevaluation of the student to determine whether the misconduct in question is caused by the student's disability and, if so, whether the student's current educational placement is appropriate:
 - a. If it is determined that the misconduct of the student is caused by the student's disability, the evaluation team will continue the evaluation, following the requirements of Section 504 and the ADA for evaluation and placement, to determine whether the student's current educational placement is appropriate. Due process procedures that meet the requirements of IDEA may be used to meet the procedural safeguards of law;
 - b. If it is determined that the misconduct is not caused by the student's disability, the student may be excluded from school in the same manner as are similarly situated students who do not have disabilities.
2. When the placement of a student with disabilities under Section 504 is changed for disciplinary reasons, the student and parents are entitled to the procedural protections as specified above. These protections include appropriate notice to parents, an opportunity for their examination of pertinent records, an impartial hearing with the participation of the parents and an opportunity for representation by counsel and a review procedure.
3. The district may take disciplinary action against a student with disabilities under Section 504 who is engaged currently in the use of alcohol or illegal drugs to the same extent that it takes disciplinary action against students not having disabilities. As provided by law, due process procedures specified above will not apply to disciplinary actions arising from the use or possession of alcohol or illegal drugs. Regularly established district due process procedures will, however, be provided.
4. Students with disabilities under Section 504 who are also covered by IDEA will be disciplined in accordance with Board policy JGDA - Discipline of Students with Disabilities and the accompanying administrative regulation.

Complaints

Student, parent or staff complaints of noncompliance with the provisions of Section 504 will be reported to the superintendent or designee and processed [as provided in Board policy AC - Nondiscrimination and

the accompanying administrative regulation] [in accordance with established district complaint procedures].

s. JEA - Compulsory Attendance

OSBA Model Sample Policy

Code: JEA

Adopted:

Compulsory Attendance**

{Highly Recommended. ORS 339.010 requires the attendance of children between the ages of 6 and 18 years who have not completed grade 12 in public school; ORS 339.020 compels parents or guardians of the child to maintain attendance in public school unless otherwise exempted.}

Except when exempt by Oregon law, all children between ages 6 and 18 who have not completed the 12th grade are required to regularly attend a public, full-time school during the entire school term. Persons having **legal** control of a child between the ages 6 and 18, who has not completed the 12th grade, are required to **have** send the child **attend** to school and maintain the child in regular attendance during the entire school term.

All children five years of age who have been enrolled in a public school are required to attend regularly while enrolled in the public school. Persons having **legal** control of a child, who is five years of age and **has** who have enrolled the child in a public school, are required to **have** send the child **attend** to school and maintain the child in regular attendance during the school term.

Attendance supervisors shall monitor and report any violation of the compulsory attendance law to the superintendent or designee. [A citation for violation of ORS 339.035 may be issued.]

~~The district will develop procedures for issuing a citation.~~

A parent who is not supervising their child by requiring school attendance may also be in violation of Oregon Revised Statute (ORS) 163.577(1)(c); failing to supervise a child is a Class A violation.

Exemptions from Compulsory School Attendance

In the following cases, children shall not be required to attend public, full-time schools:

1. Children being taught in a private or parochial school in courses of study usually taught in kindergarten through grade 12 in the public schools, and in attendance for a period equivalent to that required of students attending public schools.
2. Children proving to the Board's satisfaction that they have acquired equivalent knowledge to that acquired in the courses of study taught in kindergarten through grade 12 in the public schools.
3. Children who have received a high school diploma or a modified diploma.
4. Children being taught, by a private teacher, the courses of study usually taught in kindergarten through grade 12 in the public school for a period equivalent to that required of students attending public schools.
5. Children being educated in the home by a parent, **legal** guardian or private teacher[-:][.]
 - a. [When a student is taught or is withdrawn from a public school to be taught by a parent, **legal** guardian or private teacher, the parent, **legal** guardian or private teacher must notify the [] Education Service District (ESD) in writing within 10 days of such occurrence. In addition,

when such a home-schooled student moves to a new ESD, the parent, guardian or private teacher shall notify the new ESD in writing, within 10 days, of the intent to continue home schooling. The ESD shall acknowledge receipt of any notification in writing within 90 days of receipt of the notification. The ESD is to notify, at least annually, the school districts of home-schooled students who are registered with the ESD and reside in their district;

- b. Each child being taught by a parent or private teacher as described above shall be examined no later than August 15, following grades 3, 5, 8 and 10:
 - (1) If the student was withdrawn from public school, the first examination shall be administered at least 18 months after the date the student withdrew from public school;
 - (2) If the child never attended public or private school, the first examination shall be administered prior to the end of grade 3.
 - c. Procedures for homeschooling students with disabilities are set out in Oregon Administrative Rule (OAR) 581-021-0029;
 - d. Examinations testing each child shall be from the list of approved examinations from the State Board of Education;
 - e. The examination must be administered by a neutral, individual qualified to administer tests on the approved list provided by the Oregon Department of Education;
 - f. The person administering the examination shall score the examination and report the results to the parent or guardian. Upon request of the ESD superintendent, the parent or guardian shall submit the results of the examination to the ESD;
 - g. All costs for the test instrument, administration and scoring are the responsibility of the parent or guardian;
 - h. In the event the ESD superintendent finds that the child is not showing satisfactory educational progress, the ESD superintendent shall follow the guidelines in Oregon Revised Statutes and Oregon Administrative Rules.]
6. Children whose sixth birthday occurred on or before September 1 immediately preceding the beginning of the current school year, if the parent or guardian notified the child's resident district in writing that the parent or guardian is delaying the enrollment of their child for one school year to better meet the child's needs for cognitive, social or physical development, as determined by the parent or guardian.
 7. Children who are present in the United States on a nonimmigrant visa and who are attending a private, accredited English language learner program in preparation for attending a private high school or college.
 8. Children excluded from attendance as provided by law.
 9. Children who are eligible military children¹ are exempt up to 10 days after the date of military transfer or pending transfer indicated in the official military order.

¹ "Military child" means a child who is in a military family covered by the Interstate Compact on Educational Opportunity for Military Children, as determined under rules adopted by the State Board of Education.

10. An exemption may be granted to the parent or guardian of any child 16 or 17 years of age who is lawfully employed full-time, or who is lawfully employed part-time and enrolled in school, a community college or an alternative education program as defined in ORS 336.615.
11. An exemption may be granted to any child who is an emancipated minor or who has initiated the procedure for emancipation under ORS 419B.550 - 419B.558.

END OF POLICY

Legal Reference(s):

[ORS 153.018](#)
[ORS 163.577](#)
[ORS 339.010 - 339.095](#)
[ORS 339.139](#)

[ORS 339.990](#)
[ORS 807.065](#)
[ORS 807.066](#)

[OAR 581-021-0026](#)
[OAR 581-021-0029](#)
[OAR 581-021-0076](#)
[OAR 581-021-0077](#)

t. JEA-AR - Compulsory Attendance

OSBA Model Sample Policy

Code: JEA-AR

Revised/Reviewed:

Compulsory Attendance Notices[-and Citations]**

{Highly Recommended. Compulsory attendance for education and/or registering homeschool students with the local ESD are statutory requirements of persons in charge of students ages 6 through to 18. This administrative regulation supports procedures required of public education providers. The district should consult with the ESD on which superintendent will issue a citation, if at all, for violations of ORS 339.035 before adopting bracketed language.}

~~Compulsory attendance citations may be issued by the superintendent or designee as a means to enforce the compulsory attendance law. All such citations shall be issued according to the following procedures:~~

Appropriate notices on student absences or irregular attendance may be issued by the district in accordance with law. [A citation may be issued by the superintendent or designee for noncompliance of ORS 339.035¹ in accordance with ORS 339.095.]

1. Attendance Supervisor

The attendance supervisor shall:

- a. Determine ~~that the~~ whether a parent or guardian has failed to enroll their child and to maintain the child in regular attendance at a public school. “Regular attendance” means attendance which does not include more than eight unexcused one-half day absences, or the equivalent thereof, in any four-week period in which school is in session;
- b. Provide written compulsory attendance noncompliance notification to the parent or guardian within 24 hours of ~~verification~~ notification of the violation from the proper authority. If the student is ~~a youth offender~~ an adjudicated youth on parole or probation, at the same time notice is given to the parent or other person, the attendance supervisor shall notify the student’s parole or probation officer of the student’s absence;
- c. Serve the notification personally or by certified mail. The notification will be written in the ~~native~~ home language of the parent or guardian of the student;
- d. Ensure that notification includes a statement requiring the student to appear at the public school on the next school day following receipt of the notice and to maintain regular attendance for the remainder of the school year;
- e. Ensure that the notification states that the parent or guardian has the right to request an evaluation to determine if the child should have an individualized education program (IEP) or Section 504 plan (“504 plan”); ~~if the child does not currently have an IEP~~, or right to request a review of their child’s current IEP or 504 plan;
- f. Provide a copy of the notice ~~and pertinent attendance records~~ to the [superintendent or designee²]; at the time notice is given to the parent or guardian;

¹ ORS 339.035 provides requirements for teaching by private teacher, parent or guardian.

² {OAR 581-021-0077, requires such notice to the superintendent, a principal or other appropriate school official.}

~~Notify the superintendent within three days of knowledge that the parent or guardian receiving the notification has not complied with the notice.~~ The attendance supervisor, within three days of knowledge of noncompliance by the parent or guardian, shall notify the superintendent.

2. [Superintendent or Designee

~~The superintendent or designee will:~~

~~a. If after review of attendance records a student's record, a citation in violation of ORS 339.035 appears warranted, prior to issuing the citation, the superintendent or designee shall provide written notification to the parent or guardian of the student and the student. The notice will be written in the native language of the parent or guardian. The notice will be delivered personally or by certified mail and will state that:~~

- ~~a. The student is required to attend regularly, a school full-time school during the school year;~~
- ~~b. A citation for violation of compulsory attendance laws ORS 339.035 may be issued by the superintendent or designee;~~
- ~~c. The parent or guardian has the right to request: ~~d. A~~ an evaluation to determine if the student should have an IEP or 504 plan, if the student does not have one; ~~;~~ or ~~A~~ a review of the student's current IEP or 504 plan;~~
- ~~d. ~~e.~~ The parent or guardian and student are required to attend a scheduled conference with the superintendent or designee. The date, time and place of conference will be specified in the notice.~~

~~If an evaluation or review as described in item c. above has been requested, ~~T~~ this conference may not be scheduled until after an evaluation or review as described in item 3. above, if requested by the parent, has been completed will be scheduled after its completion.]~~

3. [Conference

~~The superintendent or designee will may conduct a conference with the parent or guardian and student. Auxiliary aids and services will be provided upon advance request. The superintendent or designee will may:~~

- ~~a. Review Oregon's compulsory-attendance law and the student's attendance record;~~
- ~~b. Determine the reasons for the noncompliance;~~
- ~~c. Develop a plan for student attendance improvement (i.e., contract, etc.);~~
- ~~d. Inform the parent and student of other available resources in the district and community, if available;~~
- ~~e. Discuss the potential consequences for continued compulsory-attendance noncompliance, including the potential for the issuance of a citation and the consequences for violation of the Board's student conduct and truancy policies, if applicable.]~~

4. [Citation

~~Compulsory attendance noncompliance citations may be issued by the superintendent or designee.~~

~~The superintendent or designee shall:~~

- a. — Determine that the parent or guardian has continued to fail to enroll their student in school or maintain the student in regular attendance following a conference or has refused to attend the conference as required;
- b. — Contact the clerk of the court for the county and determine which court will hear the case and when;
- c. — Ensure the official representing the district will be available to present evidence of the violation at the time and date specified;
- d. — Determine whether the local court’s interpretation of Oregon Revised Statute (ORS) 339.095 requires the student be named as defendant. Complete form accordingly;
- e. — Complete Uniform Compulsory Attendance Citation and Complaint form as follows:
 - (1) — Specify appropriate court, district, circuit, municipal or justice;
 - (2) — Specify when the court will hear the case, including date, time and location of the court appearance at the bottom of the form;
 - (3) — Provide all pertinent defendant information, including the name and address of the parent or guardian. Only one adult should be named as the defendant;
 - (4) — Provide all pertinent offense information, including the period of time during which the absences occurred;
 - (5) — Ensure the minimum number of absences constituting irregular attendance as defined in law has in fact occurred. Excused absences should not be counted for purposes of this citation;
 - (6) — Provide all pertinent student information including the grade, date of birth, length of time in the district and parent(s) name(s);
 - (7) — Provide date of superintendent’s or designee’s prior notification of attendance requirements, consequences including possibility of citation and conference meeting date was sent;
 - (8) — Ensure that the prior notice was served to the same parent or guardian who is named as the defendant in the citation;
 - (9) — Provide district name, date, superintendent’s name and signature. If the superintendent has designated another district official to issue citations, such delegation will be documented and the delegated official’s name and signature will appear on the form;
 - (10) — Personally serve (not mail) the citation;
 - (11) — Complete time and date citation was issued, name, title and signature of district official serving the citation;
 - (12) — Ensure the parent or guardian is provided the citation;
 - (13) — Ensure the designated court is appropriately notified immediately after the citation is served;
 - (14) — Ensure the district retains a copy of the citation;
 - (15) — Consult with district’s attorney to assist in these procedures, as necessary.
- f. — Maintain student attendance records in accordance with applicable education records laws.]

[District Name
Address, City, State, Zip Code
Phone:]

***** [ATTENDANCE SUPERVISOR'S] NON-ENROLLMENT NOTICE *****

Date _____
Parent(s)/Guardian _____
Address _____

Dear _____,
(Parent/Guardian)

After review of attendance records, your child _____ (name) is not exempted from compulsory attendance for school, under provisions of ORS 339.030, and is not currently enrolled in school.

In accordance with Oregon law, children between ages 6 through 18 must be enrolled in school. Please enroll your child at [name of school] no later than the next school day following receipt of this notice and maintain your child in regular attendance for the remainder of the school year.

You may request an evaluation to determine if your child should have an individualized education program (IEP) or Section 504 plan ("504 plan"), or request a review of your child's current IEP or 504 plan.

If your child is taught by a parent, guardian or private teacher, you must notify your local education service district and comply with ORS 339.035. Your local ESD is: [name of ESD and contact information].

If you have questions and/or need assistance, please contact [name] at [number].

Sincerely,

[Attendance Supervisor] [Principal]

[cc: [Principal]/[Superintendent]]

[District Name
Address, City, State, Zip Code | Phone:]

***** [ATTENDANCE SUPERVISOR'S] IRREGULAR ATTENDANCE NOTICE *****

Date _____
Parent(s)/Guardian _____
Address _____

Dear _____,
(Parent/Guardian)

After review of attendance records, your child _____ (name) is not maintaining regular attendance at a public school as required by ORS 339.065. ["Regular attendance" is defined by Oregon law as attendance which does not include more than eight unexcused one-half day absences or the equivalent thereof in any four-week period school is in session.] According to attendance records, your child has had [] unexcused absences from school on the following dates: [].

Please send your child to school no later than the next school day following receipt of this notice and maintain your child in regular attendance for the remainder of the school year.

You may request an evaluation to determine if your child should have an individualized education program (IEP) or Section 504 plan ("504 plan"); or request a review of your child's current IEP or 504 plan. If you request an evaluation for ~~an IEP~~ or a review of a current IEP or 504 plan, a conference will be held after such evaluation or review has been completed.

If your child is taught by a parent, guardian or private teacher, you must notify your local education service district and comply with ORS 339.035. Your local ESD is: [name of ESD and contact information].

If you have questions and/or need assistance, please contact [name] at [number].

Sincerely,

[Attendance Supervisor] [Principal]

[cc: [Principal] [/Superintendent]]

[District Name
Address, City, State, Zip Code
Phone:]

****SUPERINTENDENT'S NOTICE OF COMPULSORY ATTENDANCE NONCOMPLIANCE****

Date _____
Parent(s)/Guardian _____
Address _____

Dear _____,
(Parent/Guardian)

According to district records, you were notified by the district's attendance supervisor on [date] that your child, [name], [is not yet enrolled in school] [is not maintaining regular school attendance] [is not enrolled with the local education service district] as required by Oregon ~~compulsory attendance~~ laws.

Your child was required to appear in school no later than the next school day following your receipt of the notice and to maintain regular attendance for the remainder of the school year. District records indicate your child continues to be absent from a public school. A child is required to regularly attend a full-time school.

~~The superintendent or designee may issue a citation for your continued violation of Oregon's compulsory attendance law.~~

You [may request an evaluation of your child's individualized education program (IEP) or Section 504 plan or a review of ~~your child's current IEP~~ same.] [requested an evaluation to determine if your child should have an individualized education program (IEP) or Section 504 plan.] [[requested a review of an existing IEP or Section 504 plan for your child] and the requested evaluation or review was completed on [date].]

~~In accordance with law, you~~ You and your child are ~~required~~ requested to attend a conference with [designated school official] on [date] at [time] ~~to discuss:~~

~~1. Oregon's compulsory attendance law and your child's attendance record;~~

~~2. The reasons for your noncompliance;~~

1. The development of a plan for improvement;

2. Resources available to help your child be successful in school, referrals to other agencies as may be needed and such alternative education information as may be required by law;

3. Any questions you may have concerning ~~the potential consequences for continued noncompliance with Oregon's compulsory attendance law, as set forth above and as provided in Board student conduct and truancy policies~~ district programs and resources to help your child attend regularly.

~~Failure to attend this conference or to maintain your child in regular school attendance will result in the issuance of a citation, as provided by law.~~

If your child is taught by a parent, guardian or private teacher, you must notify your local education service district and comply with ORS 339.035. Your local ESD is: [name of ESD and contact information].

If you have questions and/or need assistance, please contact [name] at [number].

Sincerely,

[Superintendent][/Designee]

u. JGAB - Use of Restraint or Seclusion

OSBA Model Sample Policy

Code: JGAB
Adopted:

Use of Restraint or Seclusion**

{Required policy. The requirement for this policy comes from OAR 581-021-0556(12).}

The Board is dedicated to the development and application of best practices within the district's public educational/behavioral programs. The Board establishes this policy and its 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 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 the intentional and nonincidental use of a solid object¹, 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 mouth, 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.

¹ 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.

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 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, e.g., teacher, administrator[, or volunteer], 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.

Definitions

1. “Restraint” means the restriction of a student’s actions or movements by holding the student or using 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:

- (1) Break up a physical fight;
- (2) 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
- (3) 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 that 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 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 in which a student is held face up on the floor.

Any student being restrained or secluded within the district whether in an emergency or as a part of a plan shall be constantly 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 ~~the {²}~~ a training program ~~of for~~ restraint or seclusion ~~for use~~ to train staff and use in the district. ~~As required by state regulation, the selected program shall be one which has been 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 seclusion.~~

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.

² {The district must identify the program utilized for training.}

An annual review of the use of restraint and seclusion during the preceding school year shall be completed and submitted to ODE to ensure compliance with district policies and procedures.

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 characteristics³ 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. At least once each school year the parents and guardians of students of 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 Board policy KL - Public Complaints and KL-AR - Public Complaint Procedure. The complaint procedure is available at the district's administrative office and is available on the home 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. [This appeal process is identified-represented in administrative regulation KL-AR(2) - Appeal to the Deputy Superintendent of Public Instruction.]

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

³ 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.

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 and including dismissal.

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 581-021-0563](#)
[OAR 581-021-0566](#)
[OAR 581-021-0568](#)
[OAR 581-021-0569](#)
[OAR 581-021-0570](#)
[OAR 581-022-2267](#)
[OAR 581-022-2370](#)

v. JGAB-AR - Use of Restraint or Seclusion

OSBA Model Sample Policy

Code: JGAB-AR

Revised/Reviewed:

Use of Restraint or Seclusion**

{Required administrative regulation. ORS 339.294 requires a district to establish procedures to follow during and after an incident involving the use of restraint or seclusion. This administrative regulation helps support those procedures.}

Procedure

1. If restraint or seclusion continues for more than 30 minutes, school staff will attempt to immediately notify parents 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:
 - (1) A description of the restraint or seclusion including:
 - (a) The date of the restraint or seclusion;
 - (b) The times the restraint or seclusion began and ended; and
 - (c) The location of the incident.
 - (2) A description of the student's activity that prompted the use of restraint or seclusion;
 - (3) The efforts used to de-escalate the situation and the alternatives to restraint or seclusion that were attempted;
 - (4) The names of staff of the district who administered the restraint or seclusion;
 - (5) 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
 - c. Timely notification of a debriefing meeting to be held and of the parent's or guardian's right to attend the meeting.
 - d. Immediate¹, written notification of the existence of any records^{2} 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~~ which includes notice of the lack of training; and the reason ~~why a person without training administered the~~ restraint or

¹ "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))

² {Such records shall be maintained in accordance with ORS 339.294(9).}

seclusion was administered by a person without training. 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 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 the 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;
 - 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 meeting³, and the meeting will include staff members involved in the intervention **must be included in the meeting** and any other appropriate personnel. The debriefing team shall include an administrator. At the debriefing meeting, the district shall review, in its entirety, any audio or video recording⁴ preserved as a record of the incident involving restraint or seclusion in accordance with law. Written notes shall be taken and a copy of the written notes shall be provided to the parent or guardian of the student.

³ "Meeting" means the debriefing meeting at which the audio or video recording will be viewed. (OAR 581-021-0556(9))

⁴ [To the extent practicable without altering the meaning of the record, the district shall segregate or redact from such a record any personally identifiable information of other students before disclosure to the student's parent or guardian. If the district is unable to segregate or redact personally identifiable information of other students without altering the meaning of the record, the district shall disclose the record to the student's parent or guardian in its original format and without any alteration. "Disclose" means to inform the student's parent or guardian that the record exists; that the record in its original format and without alteration will be available for review by the parent or guardian privately and in the debriefing meeting; and that a copy of the record will be provided to the student's parent or guardian upon request in its original and unaltered format except to the extent that the redaction is needed to protect the personally identifiable information of another student. (ORS 339.294; OAR 581-021-0556(10))]

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. ~~w~~Written notification of the incident must be provided to ~~the Department of Human Services~~ 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 ~~within 24 hours of the incident, or~~ and, if applicable, to the union representative for the affected person, ~~if applicable~~.
10. The district ~~will~~ shall maintain a record of each incident in which injuries or death occurs in relation to the use of restraint or seclusion.
11. [The district, upon request from DHS regarding an investigation of an incident of restraint or seclusion as suspected child abuse, shall disclose any records preserved to DHS or its designee which are deemed relevant to the subject investigation, in its original format and without any alteration.]

Restraint and/or seclusion as a 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.
4. [When a behavior support plan includes restraint or seclusion the parents [will] [may] be provided a copy of the district Use of Restraint or Seclusion policy at the time the plan is developed.]
5. 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 by school administrator, staff or volunteer to maintain order or prevent a student from harming themselves, other students or school staff.

Use of restraint and/or seclusion under these circumstances with a student who does not have restraint and/or seclusion as a part of their IEP or Section 504 plan, is subject to all of the requirements established by Board policy and this administrative regulation with the exception of those specific to plans developed in an IEP or 504 plan.

w. JHCA/JHCB - Immunization and School Sports Participation

OSBA Model Sample Policy

Code: JHCA/JHCB

Adopted:

~~Immunization, Physical Examination, Vision Screening/Eye Examination and Dental Screening~~ and School Sports Participation**

{Highly recommended policy.}

Immunization

Proof of immunization must be presented at the time of initial enrollment¹ 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.²

~~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 Examination³ prior to their initial participation in a related district program. The form⁴ 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 law⁵ who has examined and evaluated the student. The completed form(s) must be returned [as directed] [to the school office]. ~~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.~~

¹ 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.

² Documentation requirements for exemptions are outlined in ORS 433.267.

³ 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.

⁴ The form may be used in either a hard copy or electronic format.

⁵ 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.

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.⁶ 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 professional⁷.

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.

Vision Screening or Eye Examination

~~The parent or guardian of a student who is 7 years of age or younger and is beginning an education program with the district for the first time shall, within 120 days of beginning the education program, submit a certification that the student has received:~~

- ~~1. A vision screening or eye examination; and~~
- ~~2. Any further examination, treatments or assistance necessary.~~

~~The certification is not required if the parent or guardian provides a statement to the district that:~~

- ~~1. The student submitted a certification to a prior education provider; or~~
- ~~2. The vision screening or eye examination is contrary to the religious beliefs of the student or the parent or guardian of the student.~~

Dental Screening

~~The district shall file in the students dental health record any dental screening certifications and any results of a dental screening known by the district. The district will provide to the parent or guardian of each student, standardized information developed by the Oregon Health Authoritys dental director regarding dental screenings, further examinations or necessary treatments and preventative care including fluoride varnish, sealants and daily brushing and flossing.~~

⁶ For more information regarding medical releases for students in grades 9-12, see OSAA rules.

⁷ “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.

~~The parent or guardian of a student who is 7 years of age or younger, and is beginning an education program with the district for the first time, shall submit a certification within 120 days of beginning the education program that the student has received a dental screening within the previous 12 months.~~

~~The certification is not required if the parent or guardian provides a statement to the district that:~~

- ~~1. The student submitted a certification to a prior education provider;~~
- ~~2. The dental screening is contrary to the religious beliefs of the student or the parent or guardian of the student; or~~
- ~~3. The dental screening is a burden for the student or the parent or guardian of the student in the following ways:
 - ~~a. The cost of obtaining the dental screening is too high;~~
 - ~~b. The student does not have access to an approved screener;~~
 - ~~c. The student was unable to obtain an appointment with an approved screener.~~~~

~~The certification may be provided by a licensed dentist, a dental hygienist or a health care practitioner as defined by state law. The certification must include the:~~

- ~~1. Sts name;~~
- ~~2. Date of screening; and~~
- ~~3. Name of entity conducting the dental screening.~~

~~The district shall submit to the Oregon Department of Education a report that identifies the percentage of students who failed to submit the certification for the previous year, no later than October 1 of each year.~~

~~If the district is causing the dental screening to be conducted, the district will follow the notice requirements in accordance with law.~~

END OF POLICY

Legal Reference(s):

ORS 326.580	ORS 336.485 - ORS 336.490	OAR 581-021-0031
ORS 336.211	ORS 433.235 - 433.280	OAR 581-021-0041
ORS 336.213	OAR 333-019-0010	OAR 581-022-2220
ORS 336.214	OAR 333-050-0010 - 050-0120	
ORS 336.479	OAR 581-021-0017	

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).

~~OREGON SCHOOL ACTIVITIES ASSOCIATION, OSAA HANDBOOK.~~

x. JHFE/GBNAB - Suspected Abuse of a Child Reporting Requirements

OSBA Model Sample Policy

Code: JHFE/GBNAB

Adopted:

Suspected Abuse of a Child Reporting Requirements**

{Required policy. ORS 339.372 requires school boards to adopt policy on reporting of suspected child abuse.}

Any district employee who has reasonable cause to believe that **any child** with whom the employee has come in contact has suffered abuse¹ shall ~~orally report or cause an oral report immediately by telephone or otherwise to the local office of~~ make a report to the Oregon Department of Human Services (DHS) ~~or its designee~~ through the centralized child abuse reporting system^[2] or to ~~the~~ a law enforcement agency within the county where the person making the report is located at the time of the contact ~~pursuant to Oregon Revised Statute (ORS) 419B.010~~. Any district employee who has reasonable cause to believe that **any person**³ 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 described above ~~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 ~~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 abuse and the identity of a possible perpetrator.

Abuse of a child by district employees, contractors⁴, agents⁵, volunteers⁶, 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) or its designee~~ through its centralized child abuse reporting system or ~~the local~~ to a law enforcement agency pursuant to ORS 419B.015, and to ~~the~~ a designated licensed administrator.

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

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

³ "Person" could include adult, student or other child.

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

⁵ "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.

⁶ "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.

The district will designate a {⁷} 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 [insert {⁸} licensed administrator position title] who shall also report to the Board 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 JHFE/GBNAB-AR(1) - 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 ~~and~~ or the ~~local~~ centralized child abuse reporting system of 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 administrative regulation JHFE/GBNAB-AR(1) - Reporting of Suspected Abuse of a Child. All such reports of suspected abuse will be reported to a law enforcement agency or DHS, ~~or its designee~~, for investigation, and the agency will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged abuser.

When there is reasonable cause to support a 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 -

⁷ {ORS 339.372 requires the district to post the names and contact information of the persons, i.e., a licensed administrator and an alternate licensed administrator, who are designated to receive reports of sexual abuse for a school building in the respective school building. A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.}

⁸ {A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.}

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

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

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

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

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

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

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

END OF POLICY

Legal Reference(s):

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

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

[OAR 581-022-2205](#)

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

~~Senate Bill 51 (2021).~~

R10/05/214/04/24 | LF

Suspected Abuse of a Child Reporting Requirements** – JHFE/GBNAB

y. JHFE/GBNAB-AR - Reporting of Suspected Abuse of a Child

OSBA Model Sample Policy

Code: JHFE/GBNAB-AR(1)

Revised/Reviewed:

Reporting of Suspected Abuse of a Child

{Required administrative regulation. ORS 339.372 requires school boards to have procedures for reporting on, and responding to reports of, suspected abuse of a child.}

Reporting

Any district employee having reasonable cause to believe that **any child** with whom the employee comes in contact has suffered abuse¹ shall ~~orally make a report or cause an oral report~~ immediately ~~by telephone or otherwise to the local office of the~~ to the Oregon Department of Human Services (DHS) ~~or its designee~~ through the centralized child abuse reporting system^[2] 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**³ 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, 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~~ through its centralized child abuse reporting system ~~or the local~~ to a law enforcement agency ~~pursuant to ORS 419B.015~~, and to ~~the~~ a designated licensed administrator or alternate licensed administrator for their school building.

~~If known, t~~The report shall ~~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 abuser the report shall be submitted to the **[building principal]** who shall refer the report to the Board chair.

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 the 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 the agency and individual who took the report;

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

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

³ "Person" could include adult, student or other child.

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 designee receives a report of suspected abuse of a child by a district employee, and there is reasonable cause to support the report, the district shall place the district employee on paid administrative leave⁴ 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^{5}, agent or volunteer, the district ~~[may]~~ ~~[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 investigated⁶ 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.] [The employee not covered by a collective bargaining agreement may appeal the employment action taken through an appeal process administered by a neutral third party.]~~

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

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

⁵ {The district is encouraged to duplicate this language in the contract. If the contract is with a company and the person assigned to do the work is the alleged perpetrator, the district shall notify the company and request another company employee be assigned to complete the work.}

⁶ The district will investigate all reports of suspected abuse, unless otherwise requested by DHS ~~or its designee~~ or law enforcement pursuant to law.

district will notify the employee that information about substantiated reports may be disclosed to a potential employer.

Definitions

1. Oregon law ~~recognizes these and other types of abuse~~ defines “abuse” in ORS 419B.005(1):
 - 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~~ a child in care, as defined in ORS 418.257.
3. [A “substantiated report” means a report of abuse that a 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 abuse of a child as provided by this policy 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 abuse of a child or fails to maintain confidentiality of records as required by ~~this 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 abuse of a child cases to cooperate with investigating officials as follows:

1. Any investigation of abuse of a child 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. [When an administrator is notified that the DHS or law enforcement would like to interview a student at school, the administrator must request that the investigating official fill out the appropriate form (See JHFE/GBNAB-AR(2) – Abuse of a Child Investigations Conducted on District Premises). The administrator or designee should not deny the interview based on the investigator’s refusal to sign the 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 of the school may, at the discretion of the investigator, be present to facilitate the interview. If the investigating official does not have adequate identification the administrator shall refuse access to the student.

Law enforcement officials wishing to remove a student from the premises shall present themselves at the office and contact the 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 or anyone else other than DHS or law enforcement agency and any school employee necessary to enable the investigation;
3. The 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.

z. KBA-AR - Public Records Request

OSBA Model Sample Policy

Code: KBA-AR

Revised/Reviewed:

Public Records Request

{Highly recommended administrative regulation}

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 [address] to [{}name of superintendent or other designee].
2. Upon receipt of a written request, the district shall respond within five business days² acknowledging receipt of the request or completing³ the district's response to the request.

If the district provides an acknowledgment of the request, it must:

- a. Confirm that the district is the custodian of the requested record;
 - b. Inform the requester that the district is not the custodian of the requested record; or
 - c. Notify the requester that the district is uncertain whether the district is the custodian of the requested record.
3. If the district is the custodian of the requested record, as soon as reasonably possible but not later than 10 business days after the date the district is required to acknowledge receipt of the request as described above, the district shall:
 - a. Complete its response to the public records request in accordance with ORS 192.329(2). If the district determines that a record is exempt from public disclosure, the district will include a statement to that effect and that the requester may appeal the decision pursuant to state law; or
 - b. Provide a written statement that the district is still processing the request and a reasonable estimated date by which the district expects to complete its response based on the information currently available.
 4. The time periods, established by Oregon law and identified above in Section 2 or 3, will not apply to the district if compliance would be impracticable because:

¹ {ORS 192.324(7) requires the a public body to include the name of one or more individuals to whom a public records request may be sent, with addresses, in written procedures. If the district does not have other written procedures which includes this required designation besides a KBA-AR, add the required name(s) here per ORS 192.324(7).}

² "Business day" means a day other than Saturday, Sunday or a legal holiday, and on which at least one paid employee of the district is scheduled to and does report to work. Business day does not include any day on which the central administration offices of the district are closed.

³ The district response to a public records request will be considered complete when it complies with criteria in Oregon law (ORS 192.329).

- a. The staff or volunteers⁴ 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 unreasonable delay, acknowledge a public records request and complete the response to the request.

5. The district may request additional information or clarification from the requester for the purpose of expediting the district’s response to the request as permitted by law. If the district requests additional information or clarification, in good faith, the obligation to complete the request is suspended until the requester provides the requested information or clarification or affirmatively declines to provide the information or clarification. If the requester fails to respond within 60 days to a good faith request from the district for information or clarification, the district shall close the request.
6. If a copy of a public record is requested, the district will provide a single copy. If a request to inspect a public record is made and the record is maintained in a machine readable or electronic form, the custodian shall provide the record in the form requested, if available. If the public record is not available in the form requested, it will be made available 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 Oregon Revised Statute (ORS) 30.275(5)(a) asks to inspect or to receive a copy of a public record that the person knows relates to the proceeding or notice, the individual must submit the request in writing to the designated custodian of district records and at the same time to the district’s attorney.
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 will be ~~reimbursed to the district~~ charged to the requester. ~~Labor will be calculated at the hourly rate of the employee affected. Materials and out-of-pocket charges will be reimbursed at the established rate of [\$.25 per page].~~

[⁵] Costs will be as follows:

- a. Clerical time: \$40 per hour;
- b. Administrator time: \$90 per hour;
- c. Attorney time: \$300 per hour;

⁴ Staff member or volunteers who are on leave or are not scheduled to work are considered to be unavailable.

⁵ {ORS 192.324(7) requires the public body to include “the amounts of and the manner of calculating fees that the public body charges for responding to requests of public records.” If the district does not have other written procedures which include this required information besides a KBA-AR, add this information here. Dollar amounts should be reviewed to reflect actual district costs.}

d. 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 requester of a permitted fee, the obligation of the district to complete its response to the request is suspended until the fee has been received by the district. If the requester fails to pay the fee within 60 days of the date they were 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.

aa. IKC - Class Rankings

OSBA Model Sample Policy

Code: IKC

Adopted:

Class Rankings

In the interest of encouraging and recognizing outstanding academic achievement, a valedictorian and a salutatorian will be selected for each graduating class.

The district's valedictorian and salutatorian may be permitted to speak as part of the district's planned graduation program at the discretion of the principal or designee. All speeches must be reviewed and approved in advance by the principal or designee. **[[Titles and] [P]rivileges granted to students designated as valedictorian or salutatorian may be denied and/or revoked for violation of Board policy, administrative regulation or school rule.]**

The valedictorian and salutatorian will be selected according to the following procedure:

1. The valedictorian will be the student with the highest grade point average as computed at the end of **[seven]** semesters of high school work;
2. The salutatorian will be the student with the second highest grade point average as computed at the end of **[seven]** semesters of high school work;
3. In case of a tie for valedictorian, co-valedictorians will be honored;
4. In case of a tie for salutatorian, co-salutatorians will be honored;
5. Foreign exchange students **[will][will not]** be considered in computing class rank and, therefore, **[will][will not]** be eligible for any academic honors;
6. To be eligible for valedictorian or salutatorian honors, a student must be enrolled at **[Alsea]** High School prior to and continuously following the **[10th school day]** of the student's **[senior]** year.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 336.179](#)

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

9. **Second Reading**

10. **Board Comments**

11. **Future Agenda Items**

12. **Key Dates**

April 23, 2024 - Budget Committee Orientation, 5:00 PM

April 23, 2024 - Budget Committee Meeting, 6:00 PM

May 3, 2024 - Teacher Work Day

May 16, 2024 - School Board Meeting