

Regular Board Session
Tuesday, February 18, 2025 6:00 PM Pacific

BANKS HIGH SCHOOL CAFETERIA
13050 NW Main Street
Banks, Or 97116

Ron Frame: Present
Corissa Mazurkiewicz: Present
William Moore: Present
Leslee Sipp: Present
Daniel Streblov: Absent

Present: 4, Absent: 1.

William Moore: Absent

Present: 3, Absent: 2.

William Moore: Present

Present: 4, Absent: 1.

1. Preliminaries
 - 1.1. Call to Order
 - 1.2. Flag Salute
 - 1.3. Roll Call
 - 1.4. Public Welcome/Recognition
 - 1.5. Approval of Agenda
 - 1.6. Banks High School Leadership
2. Recognitions
 - 2.1. Career and Technical Education
3. Audience Comment
4. Presentations/Reports
 - 4.1. Superintendent's Report
 - 4.2. Kelly Field 365 Update
 - 4.3. Financial Update
5. Consent
 - 5.1. Approval of 1.13.25 Regular Board Meeting Minutes
 - 5.2. Approval of 1.13.25 Board Work Session Minutes
 - 5.3. Approval of 1.28.25 Board Special Session Minutes
 - 5.4. NWESD Local Service Plan 2025-26
 - 5.5. Routine Personnel Matters
 - 5.6. Approve 2025-26 Budget Calendar
 - 5.7. Second readings of proposed policy updates to GBNAA/JHFF, JHFF/GBNAA & GCAA
 - 5.8. Annual Open Slots for Transfer Students for 2025-2026
6. Discussion Items
 - 6.1. First Reading 2025-26 District Calendar
7. Action Items
 - 7.1. CMGC Process for Findings of Fact - Auxiliary Gym, Kelly Field, Golf Practice area.

8. Closing

8.1. Upcoming items

8.1.1. March 10: Next Board Meeting

8.1.2. March 20: Last Day to file with Local Elections Official

8.1.3. March 24-28: Spring Break

8.1.4. April 14: Board meeting

8.2. Board Comments

9. Adjourn

WHAT IS CAREER AND TECHNICAL EDUCATION?



7.8 million high school students and **3.3 million** college and adult students participate in CTE, learning skills in the classroom and on the job.¹

CTE is delivered at comprehensive and CTE-dedicated high schools, magnet schools, area technical centers, community and technical colleges and some four-year universities.

CTE students earn industry certifications and licenses, postsecondary certificates, associate degrees, bachelor's degrees and higher.

CTE is good for students, good for businesses and good for communities.

CTE high school students are college and career ready – **96%** graduate high school and most enroll directly in college.²

Associate degrees in CTE fields can pay **up to \$2.8 million** in lifetime earnings - and pay more than bachelor's degrees in other fields - while limiting student debt.³

CTE is the answer to the nation's projected deficit of **6 million** skilled workers through 2032.⁴

LEARN MORE ABOUT CTE AT [ACTEONLINE.ORG](https://acteonline.org)

¹ Perkins Collaborative Resource Network, Perkins Data Explorer, customized Consolidated Annual Report data, 2022-23.

² Perkins Collaborative Resource Network, Perkins Data Explorer, customized Consolidated Annual Report data, 2021-22; U.S. Department of Education, Office of Elementary and Secondary Education, Consolidated State Performance Report, 2010-11 through 2017-18; U.S. Department of Education, NCES, HSL:09, Base-year, 2013 Update, High School Transcript, and Second Follow-Up.

³ Carnevale, A. P., Cheah, B., & Wenzinger, E. (2021). *The college payoff: More education doesn't always mean more earnings*. Georgetown University Center on Education and the Workforce; College Board, Annual Survey of Colleges; NCES, IPEDS Fall 2021 Enrollment data and IPEDS 2022 Institutional Characteristics data.

⁴ Lightcast. (2024). *The rising storm: Building a future-ready workforce to withstand the looming labor shortage*.

CTE PREPARES THE WORKFORCE ACROSS A WIDE RANGE OF INDUSTRIES AND OCCUPATIONS.



Agriculture

Construction



Arts, Entertainment & Design

Management & Entrepreneurship



Education

Energy & Natural Resources



Financial Services



Hospitality, Events & Tourism

Healthcare & Human Services



Digital Technology

Public Service & Safety



Advanced Manufacturing

Marketing & Sales



Supply Chain & Transportation



Looking Ahead

The Board will receive updates on the Bond Project during the work session. These updates will focus on the transition from Master Planning/Pre-design to the full design phase. This is an exciting time, and the Board is encouraged to ask questions.

Additionally, spring marks the beginning of the budget season as we prepare for the 2025-2026 biennium. There is reason for optimism, particularly with the adoption of a new methodology for calculating "Current Service Levels." However, challenges remain, and the district will continue advocating for stable and adequate funding sources.

One key priority is ensuring full funding for all qualified students receiving Special Education Services. Currently, a cap of 11% is placed on the district's Special Education population. Furthermore, services classified as "High Cost" are not fully funded under current allocations; we typically receive only 40-50% of the actual cost. These funding shortfalls, combined with rising expenses—such as Paid Leave Oregon, Expanded Unemployment, and PERS liabilities—will put additional pressure on our budget.

Fortunately, we have a strong internal team and a dedicated, community-based budget committee to assist the Board in approving and adopting a balanced budget this spring.

Community Curriculum Advisory Committee (CCAC)

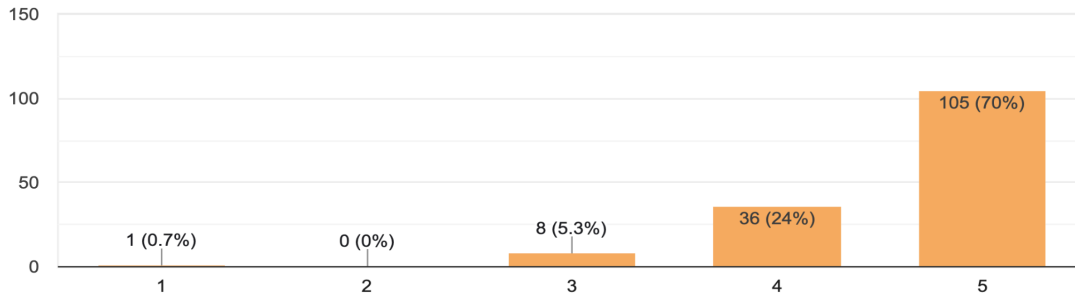
Our CCAC met on January 16th. Highlights from the meeting:

- Transparency is of the utmost importance. Families need to be able to make informed decisions for their children.
- Teachers will stick closely to the content and standards.
- The team engaged in a great conversation about aspects of health education that are most important for our students to walk away with each year. A couple of themes came out:
 - Nutrition
 - Social Emotional Health
 - Communicating/problem solving in healthy ways
- We reviewed Oregon Health Standards
- We reviewed Oregon's Curriculum List
- The team was updated on materials that are available to view in-person or online.

Attendance

In January, a survey was sent out to all parents in our district. The purpose of the survey was to find out how parents felt out their child/children's attendance as well as their child/children's sense of belonging. I am working on creating a comprehensive report based on the feedback, but wanted to share a couple of initial data points.

How important is good attendance to you?
150 responses

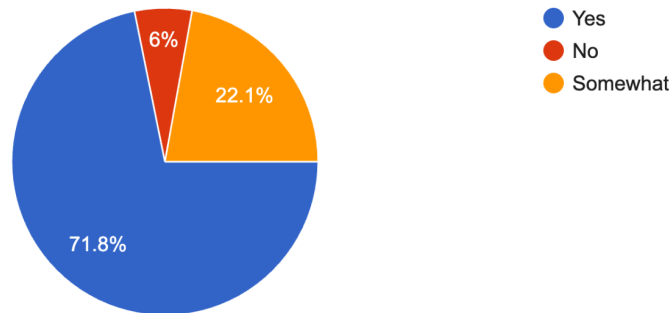


1-Not important all

3-Neutral

5-Very important

Do you feel your child is academically successful in school?
149 responses



This work has been led by Darla Waite-Larkin who has participated in a national think tank on school attendance. Our work was summarized by Dr. Sheldon Bergman, for distribution amongst the group. His initial findings are as follows:

Banks School District
Board of Directors
February 18, 2024
Superintendent's Report

Banks School District's Approach to Improving Attendance

The Banks School District is located 24 miles northwest of Portland. Banks student population of 1,100 is 82% white, 11% Hispanic, and 4% multiracial. Approximately one in five students (20%) are experiencing poverty and 6% have ever been English language learners. For the 2022-23 school year, 37.7% of the district's students were chronically absent. The district made significant improvement during the 2023-24 school year, reducing the percent of chronically absent students by 6.1% to 31.6%. Although there were efforts by schools and the district throughout the 2023-24 school year to improve attendance, they were not consistent or well organized. However, a responsive parent body carried the improvement in attendance forward.

Banks took a unique approach to improving attendance. The administration knew that truancy and other punitive efforts had been tried before and hadn't been successful. Instead of developing a list of initiatives for administration and faculty to pursue, the district decided to focus on one action and go deep. That action was to step back from solutions and enter a process of inquiry, that is, to ask students why they weren't attending, listen genuinely to their reasons and recommendations, and come back to them with what the district had learned and how it was going to respond. The district also wanted to take it further and engage parents in the same process. Therefore, the entire focus of the 2024-25 school year has been to learn from students and parents and design responses based on their perceptions and recommendations.

Since the 2023-24 school year, the district had worked with Studer Education on a strategic planning process. As a result of the process, the district adopted a motto that students should be happy and proud. That led to a deep dive into what does happy and proud mean, what does it look like and feel like. They realized that attendance is an important metric of students' sense of feeling happy and proud and one clear sign of whether students feel that sense of belonging. The district believes that if students feel a sense of belonging, they will show up at school because they want to be there. There is a strong connection between belonging and attendance.

To better assess students' perspective on attendance and belonging, the district's leadership and staff began individual interviews and focus groups with students. The intent was to talk with students and to ask them whether they felt happy and proud, whether attendance was important to them, and whether there were obstacles to attending. The venues for these discussions varied from individual interviews to focus group discussions to pizza lunches with the ten percent of students who had the lowest attendance. The administration's belief was that the district could learn a great deal by elevating student voice and learning from students' perceptions. The administration also surveyed parents to get their perceptions of whether their children were happy and proud, felt a sense of belonging, and felt attendance was important to them.

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The process, in itself, was designed to communicate to students and parents that their views were valued and that the school wanted them to be there. The response on the part of both students and parents has been very positive and revealing. The major themes that emerged from students were the importance of creating a sense of belonging in schools, that it mattered if they were there and that someone cared. Relationships with teachers and other students mattered. In addition, students didn't feel engaged in the academic work or in learning. Parents and students reported that they didn't feel teachers were engaging the students in active participation.

The result has been two initiatives on the part of the district. The first has been to focus faculty professional development on student engagement. Each school has included engagement in their vision and their improvement plan. Teachers have volunteered to be videotaped and have those videos reviewed from the perspective of engagement. The focus of the professional development has been to help teachers shift from teacher talk to student talk and to students building on each other's thinking with such strategies as turn-and-talk and partner talk.

The second initiative has been to work on building a sense of belonging through social-emotional learning. However, instead of implementing a program for students, the focus has been on working with adults to understand the meaning of transformative SEL and the adults own social-emotional competencies. The faculty is currently doing a book study using *Teaching with the Heart in Mind*. Once a month faculty, paraprofessionals and other staff meet on early release days to discuss lessons learned in the chapters of focus for the month. Involving the entire staff has been valuable in helping staff reflect on their own social-emotional well-being and ways they could carry their understandings into providing a healthy and positive classroom and school culture for students.

Although the inquiry process will remain core to the district's pursuit of answers, the grounding that the district has established for its initiatives bode well for improvements in attendance well into the future.

Instructional Leadership

January 15th and 16th provided a great opportunity for all of our administrative teams to meet with our coach from Center for Educational Leadership. The purpose of these coaching sessions could be determined by each team to meet the needs of their schools.

TSEL

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Our district's initiative to implement the Oregon TSEL standards is progressing well. As a reminder, our focus for the 2024-2025 school year is on building staff knowledge and providing targeted training. To effectively promote students' social and emotional competence, it is crucial for schools to also foster a supportive environment for staff—one that nurtures the social and emotional skills and capacity of the adults in our buildings. If you are interested in participating in our District book study, we have extra books available.

Instructional Materials Adoption

Our first health materials have arrived and can be viewed in the district office conference room. The school based curriculum committees have also begun receiving the materials and will meet again in February to collaboratively analyze the components of each program. The health curriculum adoption process involves a limited number of programs submitted and approved by the state. As a result, the analysis may progress more quickly compared to adoptions in other content areas.

100 GENERAL FUND | Revenue & Expense Summary

Fiscal Year 2024 - 2025

For the Period Ending January 31, 2025

	Period 1 Actual Jul '24	Period 2 Actual Aug '24	Period 3 Actual Sept '24	Period 4 Actual Oct '24	Period 5 Actual Nov '24	Period 6 Actual Dec '24	Period 7 Actual Jan '25	Period 8 Projected Feb '25	Period 9 Projected Mar '25	Period 10 Projected Apr '25	Period 11 Projected May '25	Period 12 Projected Jun '25	Projected 2024-25 Totals	Adopted 2024-25 BUDGET	Year-To-Date 2024-25 Actuals	Variance Budget vs. Projected	% of Budget
REVENUES																	
STATE SCHOOL FUND FORMULA:																	
Local Taxes	-	-	8,631	4,431	894,753	2,746,774	29,840	19,765	67,583	10,318	12,814	86,696	3,881,605	3,875,000	3,684,429	6,605	95%
County School Funds	-	-	-	-	19,336	-	-	-	-	7,343	-	3,475	30,154	35,000	19,336	(4,846)	55%
State School Fund	1,535,620	767,350	767,350	767,350	767,350	767,350	767,350	767,350	767,350	767,350	563,791	-	9,005,561	9,214,000	6,139,720	(208,439)	67%
Common School Fund	72,830	-	-	-	-	-	79,937	77,365	-	-	-	-	230,131	151,500	152,766	78,631	101%
State Managed Timber	-	-	-	-	118,910	-	-	71,699	-	-	94,226	131,488	416,323	380,000	118,910	36,323	31%
SSF Formula Total	1,608,450	767,350	775,981	771,781	1,800,349	3,514,124	877,127	936,179	834,933	785,011	670,831	221,659	13,563,774	13,655,500	10,115,161	(91,726)	74%
Local Sources (1000)	17,272	19,538	17,035	15,389	13,655	23,907	23,341	7,769	6,803	5,667	23,366	5,274	179,016	85,000	130,137	94,016	153%
Intermediate Sources (2000)	-	-	-	-	-	-	-	-	938	-	-	806	1,744	3,000	-	(1,256)	0%
State Sources (3000)	-	-	-	-	-	-	-	-	-	-	125,000	-	125,000	125,000	-	-	0%
Federal Sources (4000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Sources (5000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Operating Revenue	1,625,721	786,888	793,016	787,170	1,814,004	3,538,031	900,468	943,948	842,674	790,679	819,196	227,739	13,869,534	13,868,500	10,245,298	1,034	74%
Beginning Fund Balance (5400)	2,468,213	-	-	-	-	-	-	-	-	-	-	-	2,468,213	2,155,000	2,468,213	313,213	115%
Total Monthly Revenues	4,093,934	786,888	793,016	787,170	1,814,004	3,538,031	900,468	943,948	842,674	790,679	819,196	227,739	16,337,747	16,023,500	12,713,511	314,247	79%
CUMULATIVE RESOURCES	4,093,934	4,880,823	5,673,838	6,461,009	8,275,013	11,813,044	12,713,511	13,657,459	14,500,133	15,290,812	16,110,008	16,337,747					
EXPENDITURES BY OBJECT																	
Salaries (100)	128,445	131,608	567,707	554,615	550,073	547,413	545,779	551,969	582,771	556,665	556,674	1,284,443	6,558,162	6,560,629	3,025,640	(2,467)	46%
Employee Benefits (200)	73,135	79,258	350,262	312,831	346,864	341,660	303,525	345,672	348,607	348,533	347,831	856,835	4,055,011	4,129,071	1,807,534	(74,060)	44%
Purchased Services (300)	85,440	236,516	90,198	126,199	361,294	260,190	238,380	217,976	287,487	204,271	342,112	362,802	2,812,865	2,804,700	1,398,217	8,165	50%
Supplies & Materials (400)	7,949	46,874	55,559	26,550	32,442	9,806	17,536	25,055	28,886	21,396	30,694	78,671	381,418	393,100	196,715	(11,682)	50%
Capital Outlay (500)	-	17,921	-	-	-	-	-	-	-	-	-	-	17,921	-	17,921	17,921	
Insurance/Other (600)	150,352	10,068	2,541	3,716	2,627	602	941	2,092	319	354	916	2,873	177,404	185,700	170,849	(8,296)	92%
Interfund Transfers (700)	-	-	-	-	-	-	-	-	-	1,084	-	644,216	645,300	645,300	-	-	0%
Total Operating Expenditures	445,321	522,246	1,066,267	1,023,911	1,293,299	1,159,671	1,106,161	1,142,764	1,248,070	1,132,303	1,278,227	3,229,840	14,648,081	14,718,500	6,616,877	(70,419)	45%
Contingency (810)	-	-	-	-	-	-	-	41,667	41,667	41,667	41,667	41,667	208,333	500,000	-	(291,667)	0%
Unapprop. Ending Fund (820)	-	-	-	-	-	-	-	67,083	67,083	67,083	67,083	67,083	335,417	805,000	-	(469,583)	0%
Total Monthly Expenditures	445,321	522,246	1,066,267	1,023,911	1,293,299	1,159,671	1,106,161	1,251,514	1,356,820	1,241,053	1,386,977	3,338,590	15,191,831	16,023,500	6,616,877	(831,669)	41%
CUMULATIVE EXPENDITURES	445,321	967,567	2,033,835	3,057,746	4,351,045	5,510,716	6,616,877	7,868,391	9,225,211	10,466,264	11,853,241	15,191,831					
Month-end Fund Balance	3,648,613	3,913,255	3,640,004	3,403,263	3,923,968	6,302,328	6,096,634	5,789,068	5,274,922	4,824,548	4,256,767	1,145,916			6,096,634	1,145,916	
EXPENDITURES BY FUNCTION																	
Instruction (1000)	3,549	28,432	649,619	637,009	650,305	709,975	619,330	677,595	703,737	651,647	720,449	1,983,000	8,034,648	8,074,046	3,298,221	(39,398)	41%
Support Services (2000)	441,772	493,814	416,648	386,902	642,994	449,696	486,831	465,169	544,333	479,572	557,778	602,625	5,968,133	5,999,154	3,318,656	(31,021)	55%
Enterprise & Comm Svc (3000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Facilities Acq & Constr (4000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Uses (5000)	-	-	-	-	-	-	-	-	-	1,084	-	644,216	645,300	645,300	-	-	0%
Total Operating Expenditures	445,321	522,246	1,066,267	1,023,911	1,293,299	1,159,671	1,106,161	1,142,764	1,248,070	1,132,303	1,278,227	3,229,840	14,648,081	14,718,500	6,616,877	(70,419)	45%
Contingencies (6000)	-	-	-	-	-	-	-	41,667	41,667	41,667	41,667	41,667	208,333	500,000	-	(291,667)	0%
Unapprop. Ending Fund (7000)	-	-	-	-	-	-	-	67,083	67,083	67,083	67,083	67,083	335,417	805,000	-	(469,583)	0%
Total Monthly Expenditures	445,321	522,246	1,066,267	1,023,911	1,293,299	1,159,671	1,106,161	1,251,514	1,356,820	1,241,053	1,386,977	3,338,590	15,191,831	16,023,500	6,616,877	(831,669)	41%
CUMULATIVE EXPENDITURES	445,321	967,567	2,033,835	3,057,746	4,351,045	5,510,716	6,616,877	7,868,391	9,225,211	10,466,264	11,853,241	15,191,831					
Month-end Fund Balance	3,648,613	3,913,255	3,640,004	3,403,263	3,923,968	6,302,328	6,096,634	5,789,068	5,274,922	4,824,548	4,256,767	1,145,916			6,096,634	1,145,916	

Regular Board Session
Monday, January 13, 2025 6:00 PM Pacific

BANKS HIGH SCHOOL CAFETERIA
13050 NW Main Street
Banks, Or 97116

Ron Frame: Present
Corissa Mazurkiewicz: Present
William Moore: Present
Leslee Sipp: Present
Daniel Streblow: Present
Present: 5.

1. Preliminaries

1.1. Call to Order

1.2. Flag Salute

1.3. Roll Call

1.4. Public Welcome/Recognition

1.5. Approval of Agenda

I make a motion to approve the January 13th, 2025 agenda as presented. This motion, made by Corissa Mazurkiewicz and seconded by Daniel Streblow, Carried.

Ron Frame: Yea, Corissa Mazurkiewicz: Yea, William Moore: Yea, Leslee Sipp: Yea, Daniel Streblow: Yea
Yea: 5, Nay: 0

1.6. Banks High School Leadership

Madeline Dobody and Tayler Lovelady, BHS representatives, shared updates on sports teams as well as the Braves newscast. The Winter Formal is January 25th. The FFA District convention is coming up and the drama club is working on club shirts and has an upcoming musical. Updates on Tabletop and Robotics were also shared.

2. Recognitions

2.1. Oregon School Board Appreciation Month

Dr. Sica shared the Governor's proclamation as well as some important school board related statistics.

3. Audience Comment

Public Comment #1: Nina S.; shared her thoughts on retaining the District Administration Building. Supports and advocates preserving the District Administration building.

Public Comment #2: Jody H.; shared her thoughts on retaining the District Administration Building. Supports and advocates preserving the District Administration building. Desired seeing 2 plans that were considered viable.

Public Comment #3: Laurellen; shared information about Epigenetics as it relates to retention of the District Administration Building.

Public comment #4: Corey, feels it is important to preserve the District Administration Building.

4. Presentations/Reports

4.1. January 2025 Superintendent's Report

Dr. Sica shared the Superintendent's report. The district is working on improving student attendance. District Staff is working with the an instructional leadership coach and is engaged in collective reading. Materials are being reviewed for Health curriculum adoption by the curriculum team.

4.2. December 2024 Financial Update

The December financial report was shared. Next year's ADM is predicted to be down by approximately 6 students next year. Other than that, nothing noteworthy.

4.3. 2023-24 Audit Report

Connor, with our audit firm, Pauly Rogers, presented the 2023-24 Financial Audit. The firm visits the district twice a year and reviews samples of payroll, payables, deposits, grants, financial statements and other financial records for accuracy and to ensure the proper procedures and laws were followed. For the 2023-24 school year, the District had no findings and had a clean audit. The Board had no questions.

5. Consent

I make a motion to approve the Consent Agenda Items as presented. This motion, made by Daniel Streblov and seconded by Corissa Mazurkiewicz, Carried.

Ron Frame: Yea, Corissa Mazurkiewicz: Yea, William Moore: Yea, Leslee Sipp: Yea, Daniel Streblov: Yea

Yea: 5, Nay: 0

5.1. Approval of December 9, 2024 Regular Board Meeting Minutes

5.2. Approval of December 9, 2024 Work Session Minutes

5.3. Approval of December 30, 2024 Interim Work Session Meeting Minutes

5.4. Routine Personnel Matters

5.5. Adopt policies AC, AC-AR, GCBDA/GDBDA, GCBDA/GDBDA AR1, GCBDC/GDBDC AR1, GCBDF/GDBDF, GCBDF/GCBDF AR1, GBN/JBA (JBA/GBN), GCBDD/GDBDD, IKF, JBA/GBN, JFE, JHCD, JHCD-AR1, JECA and deletion of policies GBN/JBA AR1 & AR2 (JBA/GBN AR1 & AR2)

6. Discussion Items

6.1. Review Proposed 2025-26 Budget Calendar

The Board reviewed the proposed calendar. As there are no new budget committee members this year, we may determine to add the Budget 101 training to the beginning of the first budget meeting

6.2. First readings of proposed policy updates to GBNA/JHFF, JHFF/GBNA & GCAA

7. Closing

7.1. Upcoming items

7.1.1. January 28: Special Session

7.1.2. February 8: Board Candidate Filing opens

7.1.3. February 18: Work Session and Regular Board Meeting

7.1.4. March 20: Last Day to file with Local Elections Official

7.2. Board Comments

Member Maz - Happy New Year to all. Thanks to the Public for their presence and passion.

Member Moore - Regarding the evaluation process; appreciates the clarity of the process and alignment with the district's vision. Appreciates the entire staff.

Member Strelow - Thanks to the public for their example and passion for the bond project. Is grateful for the Strategic Plan but also the metrics to measure our growth and progress. Sports shout out for basketball game at Yamhill tomorrow.

Member Sipp - Thanks to the public for their attendance. Shout out to the Swim team.

Member Frame - Is grateful for his experience working with XXXX, Thanks to the staff for the clean audit and continued bond work.

8. Adjourn

Meeting adjourned at 7:01

Banks School District Board of Directors

January 13, 2025

Superintendent's Report

Superintendent's Evaluation

In the Fall of 2024 the Board approved the Superintendent's Goals and Criteria for evaluation. The criteria are verbatim from the district's strategic plan. The Board is required to provide a performance evaluation to the Superintendent at the regularly scheduled meeting in March.

The tool linked below is an internal document that is used to track our District's progress toward the goals of our strategic plan. It is reviewed and analyzed quarterly by administration and will be updated with data that will be available by the end of January (at the end of the first semester). The board will also receive a tool to input your ratings.

The board will receive updated evidence as well as the results of the staff survey at the February 18th Board Meeting. We will communicate the process for completing the evaluation however it will be similar to years past.

CCAC (Community Curriculum Advisory Council)

Our CCAC will hold its next meeting on January 16th. The agenda for the meeting will be as follows:

- Review Oregon Health Standards
- Review Oregon's Curriculum List
- Update on materials that have been received and are ready for review

Attendance

Last week, we distributed a survey to parents to gather insights that will shape our efforts around attendance and students' sense of belonging at school. The collected data will be analyzed, and actionable steps will be developed based on the findings. This represents one of our most in-depth initiatives focused on attendance and belonging, and we are eager to learn more about how students perceive their school experience and how we can enhance it overall.

Instructional Leadership

Our coach from the Center for Educational Leadership will be here on January 15th and 16th to meet with each school's administration and team. These coaching sessions are incredibly valuable as they offer individualized coaching for the specific needs of each school in implementing their Vision for Student Learning.

TSEL

Banks School District Board of Directors

January 13, 2025

Superintendent's Report

Our district's initiative to implement the Oregon TSEL standards is progressing well. As a reminder, our focus for the 2024-2025 school year is on building staff knowledge and providing targeted training. To effectively promote students' social and emotional competence, it is crucial for schools to also foster a supportive environment for staff—one that nurtures the social and emotional skills and capacity of the adults in our buildings. If you are interested in participating in our District book study, we have extra books available.

Instructional Materials Adoption

Our first health materials have arrived and can be viewed in the district office conference room. The school based curriculum committees have also begun receiving the materials and will meet again in February to collaboratively analyze the components of each program. The health curriculum adoption process involves a limited number of programs submitted and approved by the state. As a result, the analysis may progress more quickly compared to adoptions in other content areas.

100 GENERAL FUND | Revenue & Expense Summary

Fiscal Year 2024 - 2025

For the Period Ending December 31, 2024

	Period 1 Actual Jul '24	Period 2 Actual Aug '24	Period 3 Actual Sept '24	Period 4 Actual Oct '24	Period 5 Actual Nov '24	Period 6 Actual Dec '24	Period 7 Projected Jan '25	Period 8 Projected Feb '25	Period 9 Projected Mar '25	Period 10 Projected Apr '25	Period 11 Projected May '25	Period 12 Projected Jun '25	Projected 2024-25 Totals	Adopted 2024-25 BUDGET	Year-To-Date 2024-25 Actuals	Variance Budget vs. Projected	% of Budget
REVENUES																	
STATE SCHOOL FUND FORMULA:																	
Local Taxes	-	-	8,631	4,431	894,753	2,746,773	55,622	19,819	67,683	10,357	12,863	83,415	3,904,347	3,875,000	2,931,153	29,347	76%
County School Funds	-	-	-	-	19,336	-	7,745	-	-	7,343	-	3,475	37,899	35,000	19,336	2,899	55%
State School Fund	1,535,620	767,350	767,350	767,350	767,350	767,350	767,350	767,350	767,350	767,350	767,350	-	9,209,120	9,214,000	4,605,020	(4,880)	50%
Common School Fund	72,830	-	-	-	-	-	-	77,365	-	-	-	-	150,194	151,500	72,830	(1,306)	48%
State Managed Timber	-	-	-	-	118,910	-	-	80,198	-	-	105,395	102,031	406,534	380,000	118,910	26,534	31%
SSF Formula Total	1,608,450	767,350	775,981	771,781	1,800,349	3,514,123	830,717	944,732	835,033	785,050	885,608	188,920	13,708,093	13,655,500	7,747,249	52,593	57%
Local Sources (1000)	17,272	19,538	17,035	15,389	13,650	23,754	7,756	7,771	6,807	5,670	23,369	5,253	163,264	85,000	83,039	78,264	98%
Intermediate Sources (2000)	-	-	-	-	-	-	-	-	938	-	-	806	1,744	3,000	-	(1,256)	0%
State Sources (3000)	-	-	-	-	-	-	-	-	-	-	125,000	-	125,000	125,000	-	-	0%
Federal Sources (4000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Sources (5000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Total Operating Revenue	1,625,721	786,888	793,016	787,170	1,813,999	3,537,877	838,473	952,502	842,778	790,720	1,033,977	194,979	13,998,100	13,868,500	7,830,288	129,600	56%
Beginning Fund Balance (5400)	2,468,213	-	-	-	-	-	-	-	-	-	-	-	2,468,213	2,155,000	2,468,213	313,213	115%
Total Monthly Revenues	4,093,934	786,888	793,016	787,170	1,813,999	3,537,877	838,473	952,502	842,778	790,720	1,033,977	194,979	16,466,314	16,023,500	10,298,501	442,814	64%
CUMULATIVE RESOURCES	4,093,934	4,880,823	5,673,838	6,461,009	8,275,008	11,812,885	12,651,358	13,603,860	14,446,638	15,237,358	16,271,335	16,466,314					
EXPENDITURES BY OBJECT																	
Salaries (100)	128,445	131,608	567,707	554,615	550,073	547,413	584,254	581,490	612,363	586,300	586,355	1,187,085	6,617,707	6,560,629	2,479,860	57,079	38%
Employee Benefits (200)	73,135	79,258	350,262	312,831	346,864	341,516	368,080	366,339	385,789	369,369	369,404	751,825	4,114,673	4,129,071	1,503,866	(14,399)	36%
Purchased Services (300)	85,440	236,516	90,198	126,199	361,294	260,190	298,916	217,278	286,181	203,633	340,903	372,362	2,879,110	2,804,700	1,159,837	74,410	41%
Supplies & Materials (400)	7,949	46,874	55,559	26,550	32,442	9,806	20,820	24,781	28,460	21,296	29,911	82,754	387,202	393,100	179,179	(5,898)	46%
Capital Outlay (500)	-	17,921	-	-	-	-	-	-	-	-	-	-	17,921	-	17,921	17,921	-
Insurance/Other (600)	150,352	10,068	2,541	3,716	2,460	334	946	2,092	319	354	916	2,873	176,974	185,700	169,473	(8,726)	91%
Interfund Transfers (700)	-	-	-	-	-	-	-	-	-	1,447	-	643,853	645,300	645,300	-	-	0%
Total Operating Expenditures	445,321	522,246	1,066,267	1,023,911	1,293,133	1,159,259	1,273,016	1,191,979	1,313,112	1,182,399	1,327,490	3,040,752	14,838,887	14,718,500	5,510,138	120,387	37%
Contingency (810)	-	-	-	-	-	-	-	-	-	-	-	-	-	500,000	-	(500,000)	0%
Unapprop. Ending Fund (820)	-	-	-	-	-	-	-	-	-	-	-	-	-	805,000	-	(805,000)	0%
Total Monthly Expenditures	445,321	522,246	1,066,267	1,023,911	1,293,133	1,159,259	1,273,016	1,191,979	1,313,112	1,182,399	1,327,490	3,040,752	14,838,887	16,023,500	5,510,138	(1,184,613)	34%
CUMULATIVE EXPENDITURES	445,321	967,567	2,033,835	3,057,746	4,350,878	5,510,138	6,783,154	7,975,133	9,288,246	10,470,645	11,798,134	14,838,887					
Month-end Fund Balance	3,648,613	3,913,255	3,640,004	3,403,263	3,924,130	6,302,747	5,868,204	5,628,727	5,158,392	4,766,713	4,473,200	1,627,427			4,788,364	1,627,427	
EXPENDITURES BY FUNCTION																	
Instruction (1000)	3,549	28,432	649,619	637,009	650,305	709,832	713,594	723,377	749,259	697,740	743,981	1,770,670	8,077,368	8,074,046	2,678,747	3,322	33%
Support Services (2000)	441,772	493,814	416,648	386,902	642,827	449,428	557,914	467,375	546,214	481,981	559,487	583,869	6,028,231	5,999,154	2,831,391	29,077	47%
Enterprise & Comm Svc (3000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Facilities Acq & Constr (4000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Other Uses (5000)	-	-	-	-	-	-	-	-	-	1,447	-	643,853	645,300	645,300	-	-	0%
Total Operating Expenditures	445,321	522,246	1,066,267	1,023,911	1,293,133	1,159,259	1,271,508	1,190,752	1,295,473	1,181,168	1,303,468	2,998,392	14,750,899	14,718,500	5,510,138	32,399	37%
Contingencies (6000)	-	-	-	-	-	-	-	-	-	-	-	-	-	500,000	-	(500,000)	0%
Unapprop. Ending Fund (7000)	-	-	-	-	-	-	-	-	-	-	-	-	-	805,000	-	(805,000)	0%
Total Monthly Expenditures	445,321	522,246	1,066,267	1,023,911	1,293,133	1,159,259	1,271,508	1,190,752	1,295,473	1,181,168	1,303,468	2,998,392	14,750,899	16,023,500	5,510,138	(1,272,601)	34%
CUMULATIVE EXPENDITURES	445,321	967,567	2,033,835	3,057,746	4,350,878	5,510,138	6,781,646	7,972,398	9,267,871	10,449,039	11,752,507	14,750,899					
Month-end Fund Balance	3,648,613	3,913,255	3,640,004	3,403,263	3,924,130	6,302,747	5,869,712	5,631,462	5,178,767	4,788,319	4,518,828	1,715,415			4,788,364	1,627,427	

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

FINANCIAL REPORT

FOR THE YEAR ENDED JUNE 30, 2024



12700 SW 72nd Ave.
Tigard, OR 97223

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

For the Year Ended June 30, 2024

ANNUAL FINANCIAL REPORT

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

BOARD OF EDUCATION

TERM EXPIRES

Leslee Sipp	June 30, 2025
Corissa Mazurkiewicz	June 30, 2025
Dan Streblow, Vice-Chair	June 30, 2027
Ron Frame, Chair	June 30, 2025
Will Moore	June 30, 2027

Board members receive mail at the District Office address listed below

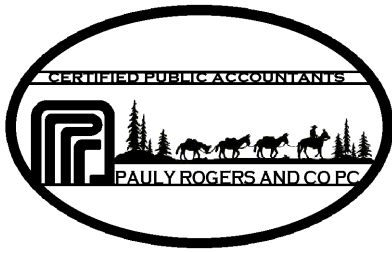
ADMINISTRATION
Brian Sica, Superintendent
Dustin Geddes, Business Manager
12950 NW Main Street
Banks, OR 97106

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON
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WASHINGTON COUNTY, OREGON
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PAULY, ROGERS, AND CO., P.C.
12700 SW 72nd Ave. ♦ Tigard, OR 97223
(503) 620-2632 ♦ (503) 684-7523 FAX
www.paulyrogersandcocpas.com

November 21, 2024

To the Board of Education
Banks School District No. 13
Washington County, Oregon

INDEPENDENT AUDITORS' REPORT

Report on the Audit of the Financial Statements

Opinions

We have audited the accompanying financial statements of the governmental activities and major fund of Banks School District as of and for the year ended June 30, 2024, and the related notes to the financial statements, which collectively comprise the basic financial statements as listed in the table of contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities and major fund as of June 30, 2024, and the respective changes in financial position for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinions

We conducted our audit in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Our responsibilities under those standards are further described in the Auditors' Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of Banks School District and to meet our other ethical responsibilities, in accordance with the relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about Banks School District's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinions. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards and *Government Auditing Standards* will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Banks School District's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Banks School District's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, and required supplementary information, as listed in the table of contents, be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained

during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

The budgetary comparison information presented as required supplementary information, is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Information

Management is responsible for the other information included in the annual report. The other information comprises the listing of board members containing their term expiration dates, located before the table of contents, but does not include the basic financial statements and our auditors' report thereon. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Report on Other Legal and Regulatory Requirements

In accordance with *Government Auditing Standards*, we have also issued our report dated November 21, 2024 on our consideration of the internal control over financial reporting and on our tests of compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering internal control over financial reporting and compliance.

In accordance with Minimum Standards for Audits of Oregon Municipal Corporations, we have issued our report dated November 21, 2024, on our consideration of compliance with certain provisions of laws and regulations, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules. The purpose of that report is to describe the scope of our testing of compliance and the results of that testing and not to provide an opinion on compliance.



Kenny Allen, CPA
PAULY, ROGERS AND CO., P.C.

**BANKS SCHOOL DISTRICT NO. 13
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE YEAR ENDED JUNE 30, 2024**

INTRODUCTION

As management of Banks School District (the District), we offer readers of the District's financial statements this narrative overview and analysis of the financial activities for the year ended June 30, 2024. It should be read in conjunction with the District's financial statements which follow this section.

FINANCIAL HIGHLIGHTS

- At June 30, 2024, the District's government-wide assets and deferred outflows exceeded its liabilities and deferred inflows by \$4,529,629.
- At June 30, 2024, the General Fund had a total fund balance of \$2,468,213. This represents 18.9% of the total General Fund expenditures and 73.2% of the total governmental funds' balance.
- The District has \$4,403,632 of long term outstanding debt as of June 30, 2024. The District's total debt decreased by approximately \$1,362,455 during the 2023-24 fiscal year due to the regular scheduled debt service payments.
- The Debt Service Fund's primary revenue source is property taxes.

OVERVIEW OF THE FINANCIAL STATEMENTS

This Management Discussion and Analysis is intended to serve as an introduction to the District's basic financial statements. The District's basic financial statements consist of three components: (1) government-wide financial statements, (2) fund financial statements, and (3) notes to the basic financial statements themselves.

Government-wide Financial Statements

The government-wide financial statements are designed to provide readers with a broad overview of the District's finances in a manner similar to a private-sector business.

The *Statement of Net Position* presents information on all of the assets and liabilities of the District at year end. Net position is what remains after the liabilities have been paid or otherwise satisfied. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the District is improving or deteriorating.

The *Statement of Activities* presents information showing how the District's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., uncollected taxes and earned but unused vacation leave).

The government-wide financial statements can be found on pages 8 through 9.

**BANKS SCHOOL DISTRICT NO. 13
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE YEAR ENDED JUNE 30, 2024**

OVERVIEW OF THE FINANCIAL STATEMENTS, continued

Fund Financial Statements

The fund financial statements provide more detailed information about the District's funds, focusing on its most significant or "major" funds – not the District as a whole. A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The District, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The District funds can be divided into two categories: governmental funds and proprietary funds.

Governmental Funds

Unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. The District has four major funds; the General Fund, the Special Projects Fund, the Debt Service Fund, and the Capital Projects Fund. The fund financial statements are on pages 10 through 13.

Proprietary Funds

The District maintains an Internal Service Fund. The Internal Service Fund is an accounting device used to accumulate and allocate costs internally among the District's various functions. The District uses an Internal Service Fund to account for its pension obligation bonds. The financial statements of the Internal Service Fund are found on pages 14 through 16.

Notes to the Financial Statements

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. They are an integral part of the basic financial statements and should be read in conjunction with them. The notes to the financial statements are on pages 17 through 48.

Other Information

Additional information is included on pages 49-56. This information presents both the Required Supplementary Information and other Supplementary Information, including the Schedule of Proportionate Share of the Net Pension Liability, Schedule of Changes in Other Post Employment Benefits Liability, required budgetary comparison information and other required financial schedules.

**BANKS SCHOOL DISTRICT NO. 13
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE YEAR ENDED JUNE 30, 2024**

GOVERNMENT-WIDE FINANCIAL ANALYSIS

Summary Statement of Net Position

	2024	2023
Assets and deferred outflows of resources		
Current assets	\$ 6,089,985	\$ 6,544,742
Capital assets	14,564,404	14,344,221
Other noncurrent assets	193,430	164,954
Deferred outflows of resources	3,108,632	3,159,841
 Total assets and deferred outflows of resources	 23,956,451	 25,213,758
 Liabilities and deferred inflows of resources		
Current liabilities	2,609,086	2,327,878
Proportionate share of net pension liability	8,853,074	7,507,846
Other noncurrent liabilities	6,036,224	7,817,473
Deferred inflows of resources	1,928,438	3,392,459
 Total liabilities and deferred inflows of resources	 19,426,822	 21,045,656
 Net Position		
Invested in capital assets, net of related debt	11,340,913	10,017,727
Restricted for OPEB	176,498	146,518
Restricted for debt service	208,745	190,231
Restricted for special projects	383,295	588,955
Unrestricted	(7,579,822)	(7,775,329)
 Total net position	 \$ 4,529,629	 \$ 3,168,102

As noted earlier, net position may serve over time as a useful indicator of a District's financial position. At June 30, 2024, the District's net assets and deferred outflows exceeded liabilities and deferred inflows by \$4,529,629.

A large portion of the District's net position reflects its investment in capital assets. Capital assets of the District include land, buildings, improvements, vehicles, and equipment, representing approximately 58.9% of total assets and deferred outflows of resources. Current assets consist mainly of cash, investments, grant and property taxes receivable. Other noncurrent assets include lease assets recognized per the provisions of GASB 87, subscription based information technology arrangements (SBITAs) assets recognized per the provisions of GASB 96, and an OPEB plan asset recognized per the provisions of GASB 75 for the Retirement Health Insurance Account (RHIA) program available to Oregon PERS retirees.

**BANKS SCHOOL DISTRICT NO. 13
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE YEAR ENDED JUNE 30, 2024**

GOVERNMENT-WIDE FINANCIAL ANALYSIS, continued

Deferred outflows and inflows of resources include pension related deferrals recognized per the provisions of GASB 68, and OPEB RHIA and Total OPEB related deferrals recognized per the provisions of GASB 75.

The District's proportionate share of the net pension liability is recognized per the provisions of GASB 68 and accounts for 45.6% of total liabilities and deferred inflows of resources. The District's liability for general obligation bonds (including bond premiums) totals \$3,010,972 and is used to finance capital asset acquisition and construction. This liability accounts for 15.5% of total liabilities and deferred inflows of resources. Current liabilities primarily consist of accounts payable, payroll withholdings, and accrued benefits. Other noncurrent liabilities include pension obligation bonds outstanding, a direct borrowing note payable, total OPEB liability recognized per the provisions of GASB 75, lease obligations recognized per the provisions of GASB 87, and SBITAs obligations per the provisions of GASB 96.

Summary Statement of Activities

	2024	2023
Revenues:		
Program Revenues:		
Instruction	\$ 1,842,793	\$ 1,908,329
Support Services	1,010,160	815,322
Community Services	335,397	302,437
Total program revenues	3,188,350	3,026,088
General revenues:		
Property taxes	5,148,109	4,917,093
State school support	8,419,525	7,529,180
State timber revenue	917,372	803,093
Earning on investments	287,329	120,529
Other	225,856	155,637
Total general revenues	14,998,191	13,525,532
Total revenues	18,186,541	16,551,620
Program expenses:		
Instruction	9,932,375	9,330,384
Support services	6,222,582	5,490,203
Community services	434,943	283,378
Total program expenses	16,589,900	15,103,965
Other expenses:		
Interest expense	235,114	310,727
Total other expenses	235,114	310,727
Total expenses	\$ 16,825,014	\$ 15,414,692

**BANKS SCHOOL DISTRICT NO. 13
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE YEAR ENDED JUNE 30, 2024**

Summary Statement of Activities, continued

	2024	2023
Change in net position	1,361,527	1,136,928
Beginning net position	3,168,102	2,031,174
Ending net position	\$ 4,529,629	\$ 3,168,102

Revenues

Since the District's mission is to provide a free and appropriate public education for kindergarten through twelfth grade students within its boundaries, the District may not charge for its core services. As expected, therefore, general revenues provide 82.5% of the funding required for governmental programs. The combination of property taxes and the state school fund combine to account for 90.5% of general revenues and 74.6% of total revenues.

Expenses

Expenses related to governmental activities are presented in several broad functional categories. Costs of direct classroom instruction and activities account for 59% of total expenses. In addition, costs of supporting services related to students, instructional staff, and school administration account for 37.0% of total expenses.

FINANCIAL ANALYSIS OF THE DISTRICT'S FUNDS

As noted earlier, the District uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements.

Government Funds

The focus of the District's governmental funds is to provide information on relatively short-term cash flow and funding for future basic services. Such information is useful in assessing the District's financial requirements. In particular, unassigned fund balance may serve as a useful measure of the District's net resources available for spending.

At June 30, 2024, the District's governmental funds reported combined ending fund balances of \$3,374,058. Of this amount, \$2,466,345 constitutes unassigned fund balance, which is available for spending at the District's discretion.

**BANKS SCHOOL DISTRICT NO. 13
MANAGEMENT'S DISCUSSION AND ANALYSIS
FOR THE YEAR ENDED JUNE 30, 2024**

FINANCIAL ANALYSIS OF THE DISTRICT'S FUNDS, continued

General Fund

The General Fund is the chief operating fund of the District. At June 30, 2024, the General Fund ending fund balance was \$2,468,213. As a measure of the fund's liquidity, it may be useful to compare total fund balance to total fund expenditures. The total ending fund balance represents about 19% percent of total General Fund expenditures for 2023-2024.

Special Projects Fund

At June 30, 2024, the Special Projects Fund had a total fund balance of \$385,950. This fund includes federal and state grants, student body activities, food service and the athletics/activities funds.

Debt Service Fund

In 2023-24, the expenditures of this fund totaled \$1,432,300 and were used for principal and interest payments on general obligation bonds.

Capital Projects Fund

In 2023-24, the expenditures of this fund totaled \$763,187 and were used for improvements to District facilities.

REQUEST FOR INFORMATION

This financial report is designed to provide a general overview of Banks School District's finances. Questions concerning any of the information provided in the report or request for additional financial information should be addressed to the Banks School District office at 12950 NW Main Street, Banks, OR 97106.

BANKS SCHOOL DISTRICT
WASHINGTON COUNTY, OREGON

BASIC FINANCIAL STATEMENTS

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

STATEMENT OF NET POSITION
June 30, 2024

	Governmental Activities
ASSETS:	
Cash and investments	\$ 4,920,071
Property taxes receivable	82,536
Accounts receivable	1,082,855
Prepaid expense	4,523
Nocurrent assets:	
OPEB RHIA	193,430
Capital assets:	
Capital assets not being depreciated	1,249,006
Capital assets, leases net of accumulated amortization	34,425
Capital assets, subscriptions net of accumulated amortization	37,805
Capital assets, net of accumulated depreciation	13,243,168
Total assets	20,847,819
DEFERRED OUTFLOWS OF RESOURCES:	
OPEB RHIA deferral	1,214
Pension related deferral	3,069,655
Total OPEB related deferral	37,763
Total deferred outflows of resources	3,108,632
LIABILITIES:	
Accounts payable	100,742
Payroll liabilities	2,307,317
Unearned revenue	201,027
Noncurrent liabilities:	
Due within one year:	
Leases payable	12,962
SBITAs payable	23,918
Bonds payable	1,332,250
Accrued bond interest payable	450,544
Note Payable	50,425
Accrued compensated absences	35,688
Due in more than one year:	
Proportionate share of net pension liability	8,853,074
Total OPEB liability	256,493
Leases payable	21,732
SBITAs payable	11,351
Bonds payable	2,928,826
Accrued bond interest payable	819,904
Note payable	92,131
Total liabilities	17,498,384
DEFERRED INFLOWS OF RESOURCES:	
OPEB RHIA deferral	18,146
Pension related deferral	1,575,351
Total OPEB related deferral	334,941
Total deferred inflows of resources	1,928,438
NET POSITION:	
Net investment in capital assets	11,340,913
Restricted for OPEB - RHIA	176,498
Restricted for debt service	208,745
Restricted for special projects	383,295
Unrestricted	(7,579,822)
Total net position	\$ 4,529,629

See accompanying notes to basic financial statements.

**BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON**

**STATEMENT OF ACTIVITIES
For the Year Ended June 30, 2024**

<u>Functions/Programs</u>	<u>Program Revenues</u>				Net Revenue (Expense) and Changes in Net Position
	<u>Expenses</u>	<u>Charges for Services</u>	<u>Operating Grants and Contributions</u>	<u>Capital Grants and Contributions</u>	
Governmental Activities:					
Instruction	\$ 9,932,375	\$ 151,527	\$ 1,691,266	\$ -	\$ (8,089,582)
Support Services	6,222,582	-	1,010,160	-	(5,212,422)
Community Services	434,943	96,643	238,754	-	(99,546)
Interest on Long Term Debt	235,114	-	-	-	(235,114)
Total Governmental Activities	\$ 16,825,014	\$ 248,170	\$ 2,940,180	\$ -	(13,636,664)
General Revenues:					
Property taxes					5,147,865
State school support					8,419,525
State Timber Revenue					917,372
Earnings on investments					287,329
Other local & intermediate					226,100
Total general revenues					<u>14,998,191</u>
Change in net position					1,361,527
Net position beginning of year					<u>3,168,102</u>
Net position end of year					<u>\$ 4,529,629</u>

See accompanying notes to basic financial statements.

**BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON**

**BALANCE SHEET – GOVERNMENTAL FUNDS
June 30, 2024**

	GENERAL FUND	SPECIAL PROJECTS FUND	DEBT SERVICE FUND	CAPITAL PROJECTS FUND	TOTAL
ASSETS:					
Cash and Investments	\$ 3,989,907	\$ 382,660	\$ 201,133	\$ 304,669	\$ 4,878,369
Receivables:					
Property Taxes	60,358	-	22,178	-	82,536
Accounts	523,922	549,055	3,397	6,481	1,082,855
Prepaid Expenses	1,868	2,655	-	-	4,523
Total Assets	4,576,055	934,370	226,708	311,150	6,048,283
LIABILITIES, DEFERRED INFLOWS OF RESOURCES, AND FUND BALANCES:					
Liabilities:					
Accounts Payable	62,437	38,305	-	-	100,742
Payroll Liabilities	1,994,799	312,518	-	-	2,307,317
Unearned Revenue	3,430	197,597	-	-	201,027
Total Liabilities	2,060,666	548,420	-	-	2,609,086
Deferred Inflows of Resources:					
Unavailable Revenue - property taxes	47,176	-	17,963	-	65,139
Total Deferred Inflows of Resources	47,176	-	17,963	-	65,139
Fund Balances:					
Nonspendable	1,868	2,655	-	-	4,523
Restricted for debt service	-	-	208,745	-	208,745
Restricted for special projects	-	383,295	-	-	383,295
Assigned for capital projects	-	-	-	311,150	311,150
Unassigned	2,466,345	-	-	-	2,466,345
Total Fund Balance	2,468,213	385,950	208,745	311,150	3,374,058
Total Liabilities, Deferred Inflows of Resources, and Fund Balances	\$ 4,576,055	\$ 934,370	\$ 226,708	\$ 311,150	\$ 6,048,283

See accompanying notes to basic financial statements.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

**Reconciliation of Balance Sheet of Governmental Funds to
Statement of Net Position**

June 30, 2024

Total Fund Balances	\$	3,374,058
Amounts reported for governmental activities in the statement of net assets are different because:		
Capital assets used in governmental activities are not financial resources and therefore are not reported as assets in the governmental funds.		
Capital Assets, net		14,492,174
Delinquent property taxes receivable will be collected this year, but are not available soon enough to pay for the current period's expenditures, and therefore are unavailable in the funds.		
		65,139
Long-term liabilities not payable in the current year are not reported as governmental fund liabilities. Interest on long-term debt is not accrued in the governmental funds, but rather is recognized as an expenditure when due. These liabilities consist of:		
Bonds Payable - net of premium/discount	\$ (4,261,076)	
Note Payable	(142,556)	
Accrued Compensated Absences	(35,688)	
Accrued Interest	<u>(1,270,448)</u>	(5,709,768)
The right-to-use asset and associated liability related to long term leases and SBITAs are not recognized in the governmental funds under GASB 87 or 96		
Lease Assets - GASB 87	\$ 34,425	
Leases Payable - GASB 87	(34,694)	
SBITA Assets - GASB 96	37,805	
SBITAs Payable - GASB 96	<u>(35,269)</u>	2,267
The proportionate share of the PERS net pension liability is not reported as a liability in the District's governmental activities.		
		(8,853,074)
The proportionate share of the OPEB RHIA asset is not reported as an asset in the governmental funds		
		193,430
The Total OPEB Liability is liability related to the other post employment benefits for health insurance premiums.		
		(256,493)
The pension related deferrals are not reported as deferred inflows or outflows in the District's governmental activities.		
Deferred Outflow - RHIA	\$ 1,214	
Deferred Inflow - RHIA	(18,146)	
Deferred Outflow - PERS	3,069,655	
Deferred Inflow - PERS	(1,575,351)	
Deferred Outflow - OPEB	37,763	
Deferred Inflow - OPEB	<u>(334,941)</u>	1,180,194
An internal service fund is used to charge the costs of repaying the pension obligation bonds to the individual funds. The assets and liabilities of the internal service fund are included in the statement net position.		
		<u>41,702</u>
Total Net Position	\$	<u><u>4,529,629</u></u>

See accompanying notes to basic financial statements.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

STATEMENT OF REVENUE, EXPENDITURES AND CHANGES IN FUND BALANCE –
GOVERNMENTAL FUNDS
For the Year Ended June 30, 2024

	GENERAL FUND	SPECIAL PROJECTS FUND	DEBT SERVICE FUND	CAPITAL PROJECTS FUND	TOTAL
REVENUES:					
Local Sources	\$ 4,028,054	\$ 450,999	\$ 1,422,316	\$ 40,794	\$ 5,942,163
Intermediate Sources	21,392	110,751	1,198	-	133,341
State Sources	9,587,444	1,356,680	-	-	10,944,124
Federal Sources	-	1,156,928	-	-	1,156,928
Total Revenues	13,636,890	3,075,358	1,423,514	40,794	18,176,556
EXPENDITURES:					
Current					
Instruction	7,751,132	2,200,326	-	-	9,951,458
Support Services	5,229,301	899,018	-	-	6,128,319
Community Services	-	417,366	-	-	417,366
Facilities Acquisition & Construction	-	-	-	15,000	15,000
Capital Outlay	54,100	137,172	-	748,187	939,459
Debt Service					
Principal	42,460	24,339	1,035,321	-	1,102,120
Interest	1,228	2,961	396,979	-	401,168
Total Expenditures	13,078,221	3,681,182	1,432,300	763,187	18,954,890
Excess of Revenues Over, (Under) Expenditures	558,669	(605,824)	(8,786)	(722,393)	(778,334)
Other Financing Sources, (Uses):					
Debt Proceeds	18,138	-	-	-	18,138
Transfers In	-	402,819	27,300	-	430,119
Transfers Out	(430,119)	-	-	-	(430,119)
Total Other Financing Sources, (Uses)	(411,981)	402,819	27,300	-	18,138
Net Change in Fund Balance	146,688	(203,005)	18,514	(722,393)	(760,196)
Beginning Fund Balance	2,321,525	588,955	190,231	1,033,543	4,134,254
Ending Fund Balance	\$ 2,468,213	\$ 385,950	\$ 208,745	\$ 311,150	\$ 3,374,058

See accompanying notes to basic financial statements.

**BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON**

**Reconciliation of Statement of Revenues, Expenditures
and Changes in Fund Balance – Governmental Funds –
To Statement of Activities**

For the Year Ended June 30, 2024

Net Change in Fund Balance	\$		(760,196)
Amounts reported for governmental activities in the statement of activities are different because:			
Capital outlays are reported in governmental funds as expenditures. However, in the Statement of Activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense. This is the amount by which fixed assets exceed depreciation:			
Capital Asset Additions	\$	991,092	
Lease and SBITA Additions		18,138	
Depreciation expense		(749,549)	
Amortization expense		(39,497)	220,184
<hr/>			
Repayment of bond principal and post retirement obligations is an expenditure in the governmental funds, but the repayment reduces long-term liabilities in the Statement of Net Position. Additions to bond principal and post retirement obligations is an other financing source in the governmental funds but reduces the liability in the Statement of Net Position. Governmental funds report the effect of premiums and discounts when debt is first issued, whereas these amounts are considered unavailable and amortized in the Statement of Activities.			
Lease and SBITA Proceeds	\$	(18,138)	
GO Bond Payment and Loan Payment		1,344,661	
Bond Premium/Discount		17,794	1,344,317
<hr/>			
Under the accrual basis of accounting, interest on long-term debt is accrued when payments are not due until after year end.			234,761
Compensated absences are accrued as earned by employees on the Statement of Activities. In the governmental funds they are expensed at the time amounts due are paid.			(35,688)
Principal and interest payments related to leases and SBITAs are recorded as expenditures in the governmental funds. On the Statement of Activities however, recorded expenditures are for interest on the debt as well as amortization of the related assets.			
Leases, GASB 87	\$	15,307	
SBITAs, GASB 96		27,153	42,460
<hr/>			
Pension expense represents the change in net pension asset (liability) from year to year due to changes in total pension liability and the fair value of the pension plan net position available to pay PERS pension benefits, and is not included in the governmental funds.			255,318
The expense related to OPEB liability represents the net changes in the liability balance from year to year and is not recorded in the governmental funds.			6,160
RHIA Expense represents the changes in RHIA Asset (Liability) from year to year due to changes in total RHIA liability (asset) and the fair value of RHIA plan net position available to pay RHIA benefits.			29,980
Property tax revenue in the Statement of Activities differs from the amount reported in the governmental funds. In the governmental funds, which are on the modified accrual basis, the District recognizes unavailable revenue for all property taxes levied but not received, however in the Statement of Activities, there is no unavailable revenue and the full property tax receivable is accrued.			4,226
An internal service fund is used to charge the costs of repaying the pension obligation bonds to the individual funds. The net revenue of the internal service fund is included in the statement of activities.			20,005
			<hr/>
Change in Net Position		\$	<u>1,361,527</u>

See accompanying notes to basic financial statements.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

STATEMENT OF PROPRIETARY NET POSITION
INTERNAL SERVICE FUND

June 30, 2024

	Internal Service Fund
	<u> </u>
ASSETS:	
Current Assets	
Cash and Investments	\$ 41,702
Total Current Assets	<u>41,702</u>
 Total Assets	 <u>41,702</u>
 LIABILITIES:	
 Current Maturities of Pension Obligation Bonds	315,000
Noncurrent Liabilities:	
Pension Obligation Bonds Payable, Net of Current Maturities	<u>935,104</u>
 Total Liabilities	 <u>1,250,104</u>
 NET POSITION:	
Unrestricted	<u>(1,208,402)</u>
 Total Net Position	 <u>\$ (1,208,402)</u>

See accompanying notes to basic financial statements.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION
For the Year Ended June 30, 2024

INTERNAL SERVICE FUND

OPERATING REVENUES:	
Assessments to other funds	\$ 385,748
Total Revenues	<u>385,748</u>
TOTAL OPERATING INCOME	<u>385,748</u>
OTHER REVENUES/(EXPENSES):	
Interest on Investments	5,759
Interest Expense	(86,502)
Amortization of bond discount	<u>(1,225)</u>
Total other revenue/expenses	<u>(81,968)</u>
Change in Net Position	303,780
Beginning Net Position	<u>(1,512,182)</u>
Ending Net Position	<u><u>\$ (1,208,402)</u></u>

See accompanying notes to basic financial statements.

BANKS SCHOOL DISTRICT
WASHINGTON COUNTY, OREGON
STATEMENT OF CASH FLOWS
INTERNAL SERVICE FUNDS
For the Year Ended June 30, 2024

	<u>Pension Obligation Bonds</u>
Cash flows from operating activities:	
Assessments received from other funds	<u>\$ 385,748</u>
Net cash provided (used) by operating activities	<u>385,748</u>
Cash flows from noncapital financing activities	
Principal paid on pension bonds	(285,000)
Interest paid on pension bonds	<u>(86,502)</u>
Net cash used by noncapital financing activities	<u>(371,502)</u>
Cash flows from investing activities	
Interest received from investments	<u>5,759</u>
Net cash provided by investing activities	<u>5,759</u>
Net increase in cash and cash equivalents	20,005
Cash and cash equivalents, beginning	<u>21,697</u>
Cash and cash equivalents, ending	<u><u>\$ 41,702</u></u>
Reconciliation of operating income to net cash provided by operating activities	
Operating income	<u>\$ 385,748</u>
Net cash provided by operating activities	<u><u>\$ 385,748</u></u>

See accompanying notes to basic financial statements.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The financial statements have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as applied to government units. The Governmental Accounting Standards Board (GASB) is the accepted standard-setting body for establishing governmental accounting and financial reporting principles. The more significant accounting policies are described below.

REPORTING ENTITY

The Banks School District No. 13 is a municipal corporation, established under the provisions of Oregon Revised Statutes 332, and is governed by an elected five-member board. As required by generally accepted accounting principles, these financial statements present Banks School District No. 13 (the primary government) and any component units. Component units, as established by the Governmental Accounting Standards Board (GASB) Statement 61, are separate organizations that are included in the District's financial statements because of the significance of their operational or financial relationships with the District and the existence of a financial benefit/burden. There are no component units.

GOVERNMENT-WIDE FINANCIAL STATEMENTS

The government-wide financial statements (the statement of net position and the statement of activities) report information on the District as a whole, excluding nonfiduciary activities, if any. For the most part, the effect of interfund activity has been removed from these statements. Exceptions to this general rule are payments-in-lieu of taxes and other charges between the various functions. Elimination of these charges would distort the direct costs and program revenues reported for the various functions concerned. Governmental activities, which normally are supported by taxes and intergovernmental revenues, are reported separately from internal service activities, which rely to a significant extent on fees and charges for support. The activities are characterized as *governmental activities and business-type activities*.

The statement of activities reports the activities by *function*. The major functions are instruction and support services; however, amounts are also reported for community services (primarily food service). The statement of activities demonstrates the degree to which the direct expenses of a given function (i.e., instruction, support services, etc.) are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function. Direct expenses are not eliminated from the various functional categories, whereas indirect expenses are eliminated from the functional categories in the statement of activities. Program revenues include 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not properly included among program revenues are reported instead as general revenues.

The government-wide financial statements are reported using the *economic resources measurement focus* and the *accrual basis of accounting*. Revenues are recorded when earned and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

MEASUREMENT FOCUS, BASIS OF ACCOUNTING, AND FINANCIAL STATEMENT PRESENTATION

Governmental fund financial statements are reported using the *current financial resources measurement focus* and the *modified accrual basis of accounting*. Under the modified accrual basis of accounting, revenues are recognized when susceptible to accrual (i.e., when they are “measurable and available”). “Measurable” means the amount of the transaction can be determined and “available” means collectible within the current period or soon enough thereafter to pay liabilities of the current period. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, revenues are considered to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

Property taxes, franchise taxes, licenses, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. All other revenue items are considered to be measurable and available only when cash is received.

The accounts are organized and operated on the basis of funds. A fund is an independent fiscal and accounting entity with a self-balancing set of accounts. Fund accounting segregates funds according to their intended purpose and is used to aid management in demonstrating compliance with finance-related legal and contractual provisions. The minimum number of funds is maintained consistent with legal and managerial requirements.

Separate fund financial statements are provided for governmental funds. The emphasis of fund financial statements is on major governmental funds, each displayed in a separate column.

The following *major governmental funds* are reported:

General Fund

This is the primary operating fund. This fund accounts for all financial resources and expenditures not required to be accounted for in another fund. The principal revenue sources are property taxes and an apportionment from the Oregon State School Fund.

Special Projects Fund

This fund consists of all grant activity, fundraising, food service, and student body activities. Grant revenue is primarily from federal and state sources, while student body, food service, and fundraising revenues are primarily from local sources.

Debt Service Fund

This fund accounts for the repayment of general obligation debt. The primary revenue source is property taxes.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

MEASUREMENT FOCUS, BASIS OF ACCOUNTING, AND FINANCIAL STATEMENT PRESENTATION (CONTINUED)

Capital Projects Fund

This fund accounts for the construction and acquisition of capital assets. The primary revenue source is interest on investments.

There is also an internal service fund:

Pension Obligation Bond Fund

This fund accounts for the repayment of the 2007 pension obligation bonds issued to advance fund the unfunded actuarial liability for the Oregon Public Employees Retirement System. The fund assesses other funds to provide the resources to pay the debt service on the pension obligation bonds.

The internal service fund uses the economic resources measurement focus and the accrual basis of accounting and distinguishes operating revenues and expenses from nonoperating items. Operating revenues consist of interfund assessments to other funds, while operating expenses include payments for debt services. All other revenues and expenses are reported as nonoperating revenues and expenses.

BUDGETS

A budget is prepared and legally adopted for each governmental fund type on the modified accrual basis of accounting in the main program categories required by Oregon Local Budget Law. The budgets for all budgeted funds are adopted on a basis consistent with generally accepted accounting principles except the property taxes received after year-end are not considered budgetary resources in the funds, inventory is expensed when purchased, debt and OPEB benefits are recorded as an expenditure when paid and a revenue when issued, capital outlay is recorded as an expenditure rather than capitalized, and depreciation and amortization are not recorded. All annual appropriations lapse at fiscal year-end.

The budget process begins early in each fiscal year with the establishment of the budget committee. Recommendations are developed through late winter with the budget committee approving the budget in early spring. Public notices of the budget hearing are generally published in spring with a public hearing being held approximately three weeks later. The Board may amend the budget prior to adoption; however, budgeted expenditures for each fund may not be increased by more than ten percent without re-publication. The budget is then adopted, appropriations are made, and the tax levy declared no later than June 30th.

Expenditure budgets are appropriated at the following levels for each fund: Instruction, Support Services, Enterprise & Community Services, Facilities Acquisition and Construction, Other Uses - Debt Service and Interfund Transfers, and Operating Contingency.

Expenditures cannot legally exceed the adopted appropriation levels except in the case of grants which could not be estimated at the time of budget adoption. Management may amend line items in the budget without Board approval as long as appropriation levels (the legal level of control) are not changed.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

MEASUREMENT FOCUS, BASIS OF ACCOUNTING, AND FINANCIAL STATEMENT PRESENTATION (CONTINUED)

Supplemental appropriations may occur if the Board approves them due to unforeseen circumstances, which could not be determined at the time the budget was adopted.

Budget amounts shown in the basic financial statements reflect the original and final budgeted appropriation amounts. Expenditures of the various funds were within authorized appropriations for the year ended June 30, 2024.

CASH AND INVESTMENTS

For financial reporting purposes, all highly liquid investments with a maturity of three months or less when purchased are considered to be cash equivalents.

Fair Value Inputs and Methodologies and Hierarchy

Fair value is defined as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. Observable inputs are developed based on market data obtained from sources independent of the reporting entity. Unobservable inputs are developed based on the best information available about the assumptions market participants would use in pricing the asset. The classification of securities within the fair value hierarchy is based up on the activity level in the market for the security type and the inputs used to determine their fair value, as follows:

Level 1 – unadjusted price quotations in active markets/exchanges for identical assets or liabilities that each Fund has the ability to access.

Level 2 – other observable inputs (including, but not limited to, quoted prices for similar assets or liabilities in markets that are active, quoted prices for identical or similar assets or liabilities in markets that are not active, inputs other than quoted prices that are observable for the assets or liabilities (such as interest rates, yield curves, volatilities, loss severities, credit risks and default rates) or other market–corroborated inputs).

Level 3 – unobservable inputs based on the best information available in the circumstances, to the extent observable inputs are not available (including each Fund’s own assumptions used in determining the fair value of investments).

The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1 measurements) and the lowest priority to unobservable inputs (Level 3 measurements). Accordingly, the degree of judgment exercised in determining fair value is greatest for instruments categorized in Level 3. The inputs used to measure fair value may fall into different levels of the fair value hierarchy. In such cases, for disclosure purposes, the fair value hierarchy classification is determined based on the lowest level input that is significant to the fair value measurement in its entirety.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

PROPERTY TAXES RECEIVABLE

Uncollected real and personal property taxes are reflected on the statement of net position and the balance sheet as receivables. Uncollected taxes are deemed by management to be substantially collectible or recoverable through liens. All property taxes receivable are due from property owners within the District.

Under state law, county governments are responsible for extending authorized property tax levies, computing tax rates, billing and collecting all property taxes, and making periodic distributions of collections to entities levying taxes. Property taxes become a lien against the property when levied on July 1 of each year and are payable in three installments due on November 15, February 15 and May 15. Property tax collections are distributed monthly except for November, when such distributions are made weekly.

ACCOUNTS RECEIVABLE

Accounts receivable consist of amounts due from intermediate sources and miscellaneous reimbursements. Accounts receivable are considered by management to be fully collectible; therefore, no allowance for uncollectible accounts has been made.

GRANTS

Unreimbursed expenditures due from grantor agencies are reflected in the basic financial statements as receivables and revenues. Grant revenues are recorded at the time eligible expenditures are incurred. Cash received from grantor agencies in excess of related grant expenditures are recorded as unearned revenue on the statement of net position and the balance sheet.

PREPAID EXPENSE

Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements.

CAPITAL ASSETS

Capital assets include land, buildings, improvements, vehicles, furniture, fixtures, and equipment. Capital assets are recorded at original cost or estimated original cost. Donated capital assets are recorded at their estimated fair market value on the date donated. Capital assets are defined as assets with an initial, individual cost of more than \$5,000 and an estimated useful life in excess of one year. Interest incurred during construction is not capitalized. The cost of routine maintenance and repairs that do not add to the value of the assets or materially extend asset lives are charged to expenditure as incurred and not capitalized. Capital assets are depreciated using the straight-line method over the following useful lives: Building and Improvements over 25 to 40 years, and Vehicles and Equipment over 3 to 20 years. Major outlays for capital assets and improvements are capitalized as projects are constructed. One-half year of depreciation is taken in the year the assets are acquired or retired. Gains or losses from sales or retirements of capital assets are included in operations of the current period.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

DEFERRED OUTFLOWS/INFLOWS OF RESOURCES

In addition to assets, the statement of financial position will sometimes report a separate section for deferred outflow of resources. This separate financial statement element represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then.

In addition to liabilities, the statement of financial position will sometimes report a separate section for deferred inflows of resources. This separate financial statement element represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time.

USE OF ESTIMATES

The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect certain reported items. These can include the amounts of assets, liabilities, disclosure of contingent assets and liabilities, and the reported amount of revenues and expense/expenditures during the reporting period. Accordingly, actual results could differ from estimates.

ACCRUED COMPENSATED ABSENCES

Certain employees are allowed to earn vacation leave. Employees accumulated unpaid vacation, at June 30, is limited to 50 percent of the amount earned during the year. All liabilities related to vacation pay are accrued in the government-wide statements.

UNAVAILABLE REVENUE

On the fund financial statements, unavailable revenue arises when resources do not satisfy both the measurable and available criteria for recognition in the current year, for example, if property taxes are received more than 60 days after year-end. In subsequent periods, when recognition criteria are met, the deferred inflow for unavailable revenue is removed and revenue is recognized.

LONG-TERM OBLIGATIONS

In the government-wide financial statements, long-term debt and other long-term obligations are reported as liabilities in the governmental activities. Bond premiums and discounts are amortized over the life of the bonds, using the straight line method in the government-wide financial statements. The straight line method does not differ significantly from the effective interest rate method. Unamortized premiums and discounts are presented as additions or subtractions from the face amount of the bonds. In the fund financial statements, governmental fund types recognize bond premiums and discounts during the current period.

The face amount of debt issued is reported as other financing sources. Premiums received on debt issuance are reported as other financing sources, while discounts on debt issuance are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

LONG-TERM OBLIGATIONS (CONTINUED)

Early retirement benefits are recognized when the District becomes obligated for the benefits (i.e., when the eligible employee retires). The amount recognized is the undiscounted estimate of the future benefits to be paid.

INTERFUND PAYABLES, RECEIVABLES AND TRANSFERS

The receipt and payment of monies through one central checking account, as well as transfers between funds, result in interfund payables and receivables until cash is transferred from one fund to the other. These amounts represent current assets and liabilities and are reported as due to or due from other funds.

RETIREMENT PLANS

Substantially all of the District's employees are participants in the State of Oregon Public Employees Retirement System (PERS). For the purpose of measuring the net position liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about fiduciary net position of PERS and additions to/deductions from PERS's fiduciary net position have been determined on the same basis as they are reported by PERS. For this purpose, benefit payments (including refunds of employee contributions) are recognized when due and payable in accordance with benefit terms. Investments are reported at fair value. GASB Statements 68 and 71 have been implemented as of July 1, 2014.

LEASE AND SUBSCRIPTION ASSETS

Lease assets and assets related to subscription-based information technology arrangements (SBITAS) are assets which the government leases for a term of more than one year. The value is determined by any initial down payments plus the net present value of the required future payments at the government's incremental borrowing rate at the time of the lease agreement, amortized over the term of the agreement. In the governmental fund financial statements, debt proceeds revenue and capital outlay expenses are recorded for all lease or SBITA agreements entered into during the year.

LEASES AND SUBSCRIPTIONS PAYABLE

In the government-wide financial statements, leases payable and payables related to subscription based information technology arrangements (SBITAS) are reported as liabilities in the Statement of Net Position. In the governmental fund financial statements, annual payments related to leases and SBITAs are recorded as debt service expenditures.

NET POSITION/FUND BALANCE

Net Position

Net position comprises the various net earnings from operations, nonoperating revenues, expenses and contributions of capital. Net position is classified in the following three categories.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

NET POSITION/FUND BALANCE (CONTINUED)

- Net investment in capital assets – consists of all capital assets, net of accumulated depreciation and reduced by the outstanding balances of any bonds or other borrowings that are attributable to the acquisition, construction, or improvement of those assets.
- Restricted – consists of external constraints placed on net position use by creditors, grantors, contributors, or laws or regulations of other governments or constraints imposed by law through constitutional provisions or enabling legislation.
- Unrestricted net position – consists of all other net position that are not included in the other categories previously mentioned.

The following order of spending is used regarding net position categories: Restricted resources are spent first when both restricted and unrestricted resources are available for expenses.

Fund Balance

In March 2009, the GASB issued Statement No. 54, *Fund Balance Reporting and Governmental Fund-type Definitions*. The objective of this statement is to enhance the usefulness of fund balance information by providing clearer fund balance classifications that can be more consistently applied and by clarifying the existing governmental fund-type definitions. This statement establishes fund balance classifications that comprise a hierarchy based primarily on the extent to which a government is bound to observe constraints imposed on the use of the resources reported in governmental funds.

Under this standard, the fund balance classifications of reserved, designated, and unreserved/undesignated were replaced with five new classifications – nonspendable, restricted, committed, assigned, and unassigned.

- Nonspendable fund balance represents amounts that are not in a spendable form. The nonspendable fund balance represents prepaid items.
- Restricted fund balance represents amounts that are legally restricted by outside parties for a specific purpose (such as debt covenants, grant requirements, donor requirements, or other governments) or are restricted by law (constitutionally or by enabling legislation).
- Committed fund balance represents funds formally set aside by the governing body for a particular purpose. The use of committed funds would be approved by resolution.
- Assigned fund balance represents amounts that are constrained by the expressed intent to use resources for specific purposes that do not meet the criteria to be classified as restricted or committed. Intent can be stipulated by the governing body or by an official to whom that authority has been given by the governing body.
- Unassigned fund balance is the residual classification of the General Fund. Only the General Fund may report a positive unassigned fund balance. Other governmental funds would report any negative residual fund balance as unassigned.

The following order of spending is used regarding fund balance categories: Restricted resources are spent first when both restricted and unrestricted (committed, assigned or unassigned) resources are available for expenditures. When unrestricted resources are spent, the order of spending is committed (if applicable), assigned (if applicable) and unassigned.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

2. CASH AND INVESTMENTS

Cash and investments at June 30, 2024 (recorded at fair value) consisted of:

	<u>2024</u>	Reported in:	<u>2024</u>
Demand Deposits:			
Checking	\$ 997,977	Governmental Funds	\$ 4,878,369
Local Government Investment Pool	<u>3,922,094</u>	Internal Service Fund	<u>41,702</u>
Total	<u>\$ 4,920,071</u>		<u>\$ 4,920,071</u>

DEPOSITS

Deposits with financial institutions include bank demand deposits. Oregon Revised Statutes require deposits to be adequately covered by federal depository insurance at an approved depository as identified by the Treasury. For the fiscal year ended June 30, 2024, the bank balance was \$1,277,798. \$500,000 of the balance was insured by FDIC and the remaining balance was collateralized in accordance with Oregon Law.

Custodial Credit Risk

In the case of deposits, this is the risk that in the event of a bank failure, the deposits may not be recovered. There is no formal deposit policy for custodial credit risk. For the fiscal year ended June 30, 2024, all deposits were collateralized in accordance with Oregon law.

INVESTMENTS

State statutes authorize the investment in banker’s acceptances, time certificates of deposit, repurchase agreements, obligations of the United States and its agencies and instrumentalities, and the Oregon State Treasurer's Local Government Investment Pool.

Investments in the Local Government Investment Pool (LGIP) are included in the Oregon Short-Term Fund, which is an external investment pool that is not a 2a-7-like external investment pool, and is not registered with the U.S. Securities and Exchange Commission as an investment company. Fair value of the LGIP is calculated at the same value as the number of pool shares owned. The unit of account is each share held, and the value of the position would be the fair value of the pool’s share price multiplied by the number of shares held. Investments in the Short-Term Fund are governed by ORS 294.135, Oregon Investment Council, and portfolio guidelines issued by the Oregon Short-Term Fund Board, which establish diversification percentages and specify the types and maturities of investments. The portfolio guidelines permit securities lending transactions as well as investments in repurchase agreements and reverse repurchase agreements. The fund appears to be in compliance with all portfolio guidelines at June 30, 2024. The LGIP seeks to exchange shares at \$1.00 per share; an investment in the LGIP is neither insured nor guaranteed by the FDIC or any other government agency. Although the LGIP seeks to maintain the value of share investments at \$1.00 per share, it is possible to lose money by investing in the pool. We intend to measure these investments at book value since it materially approximates fair value.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

2. CASH AND INVESTMENTS (CONTINUED)

INVESTMENTS (CONTINUED)

The pool is comprised of a variety of investments. These investments are characterized as a level 2 fair value measurement in the Oregon Short Term Fund's audited financial report. As of June 30, 2024, the fair value of the position in the LGIP is 100.39% of the value of the pool shares as reported in the Oregon Short Term Fund audited financial statements. Amounts in the State Treasurer's Local Government Investment Pool are not required to be collateralized.

[http://www.oregon.gov/treasury/Divisions/Investment/Pages/Oregon-Short-Term-Fund-\(OSTF\).aspx](http://www.oregon.gov/treasury/Divisions/Investment/Pages/Oregon-Short-Term-Fund-(OSTF).aspx)

If the link has expired, please contact the Oregon Short Term Fund directly.

These are the following investments and maturities:

Investment Type	Fair Value	Investment Maturities (in months)		
		Less than 3	3-17	18-19
State Treasurer's Investment Pool	\$ 3,922,094	\$ 3,922,094	\$ -	\$ -
Total	\$ 3,922,094	\$ 3,922,094	\$ -	\$ -

Interest Rate Risk

Oregon Revised Statutes require investments to not exceed a maturity of 18 months, except when the local government has adopted a written investment policy that was submitted to and reviewed by the OSTFB. There are no investments that have a maturity date of more than 3 months.

Custodial Credit Risk

Custodial credit risk for investments is the risk that, in the event of a failure of the counterparty to a transaction, the value of the investment will not be able to be recovered by collateral securities that are in the possession of an outside party. There is no formal investment policy for custodial credit risk.

Concentration Risk

At June 30, 2024, 100% of total investments were in the State Treasurer's Investment Pool. State statutes do not limit the percentage of investments in this instrument.

3. ACCOUNTS/GRANTS RECEIVABLE

Special revenue fund grants receivable are comprised of claims for reimbursement of costs under various federal and state grant programs. The receivables are considered fully collectible by management, and no allowance for doubtful accounts has been made.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

4. CAPITAL ASSETS

The changes in capital assets for the year ended June 30, 2024 are as follows:

	Balance Beginning of Year	Additions	(Deletions)	Balance End Of Year
Capital Assets				
Land*	\$ 911,815	\$ 299,455.00	\$ -	\$ 1,211,270
Buildings & Improvements	25,646,951	386,838	-	26,033,789
Equipment	1,244,501	267,063	-	1,511,564
Construction in Progress*	-	37,736	-	37,736
Total	27,803,267	991,092	-	28,794,359
Accumulated Depreciation				
Buildings & Improvements	12,541,638	626,394	-	13,168,032
Equipment	1,010,999	123,155	-	1,134,154
Total	13,552,636	749,549	-	14,302,185
Total Net Capital Assets	\$ 14,250,631	\$ 241,543	\$ -	\$ 14,492,174

*Non-Depreciable Item

Depreciation was allocated to the functions as follows:

Instruction	\$ 451,346
Support	279,278
Community	18,925
Total	\$ 749,549

NOTES TO BASIC FINANCIAL STATEMENTS

5. DEFINED BENEFIT PENSION PLAN

Plan Description – The Oregon Public Employees Retirement System (PERS) consists of a single cost-sharing multiple-employer defined benefit plan. All benefits of the system are established by the legislature pursuant to Oregon Revised Statute (ORS) Chapters 238 and 238A. Oregon PERS produces an independently audited Annual Comprehensive Financial Report which can be found at:

<https://www.oregon.gov/pers/Documents/Financials/ACFR/2023-ACFR.pdf>

If the link is expired please contact Oregon PERS for this information.

- a) **PERS Pension (Chapter 238).** The ORS Chapter 238 Defined Benefit Plan is closed to new members hired on or after August 29, 2003.
- i. **Pension Benefits.** The PERS retirement allowance is payable monthly for life. It may be selected from 13 retirement benefit options. These options include survivorship benefits and lump-sum refunds. The basic benefit is based on years of service and final average salary. A percentage (2.0 percent for police and fire employees, and 1.67 percent for general service employees) is multiplied by the number of years of service and the final average salary. Benefits may also be calculated under either a formula plus annuity (for members who were contributing before August 21, 1981) or a money match computation if a greater benefits results.
A member is considered vested and will be eligible at minimum retirement age for a service retirement allowance if he or she has had a contribution in each of five calendar years or has reached at least 50 years of age before ceasing employment with a participating employer (age 45 for police and fire members). General service employees may retire after reaching age 55. Police and fire members are eligible after reaching age 50. Tier 1 general service employee benefits are reduced if retirement occurs prior to age 58 with fewer than 30 years of service. Police and fire member benefits are reduced if retirement occurs prior to age 55 with fewer than 25 years of service. Tier 2 members are eligible for full benefits at age 60. The ORS Chapter 238 Defined Benefit Pension Plan is closed to new members hired on or after August 29, 2003.
- ii. **Death Benefits.** Upon the death of a non-retired member, the beneficiary receives a lump-sum refund of the member's account balance (accumulated contributions and interest). In addition, the beneficiary will receive a lump-sum payment from employer funds equal to the account balance, provided one or more of the following contributions are met:
- member was employed by PERS employer at the time of death,
 - member died within 120 days after termination of PERS covered employment,
 - member died as a result of injury sustained while employed in a PERS-covered job, or
 - member was on an official leave of absence from a PERS-covered job at the time of death.
- iii. **Disability Benefits.** A member with 10 or more years of creditable service who becomes disabled from other than duty-connected causes may receive a non-duty disability benefit. A disability resulting from a job-incurred injury or illness qualifies a member (including PERS judge members) for disability benefits regardless of the length of PERS-covered service. Upon qualifying for either a non-duty or duty disability, service time is computed to age 58 (55 for police and fire members) when determining the monthly benefit.

NOTES TO BASIC FINANCIAL STATEMENTS

5. DEFINED BENEFIT PENSION PLAN (CONTINUED)

iv. **Benefit Changes After Retirement.** Members may choose to continue participation in their variable account after retiring and may experience annual benefit fluctuations due to changes in the fair value of the underlying global equity investments of that account. Under ORS 238.360 monthly benefits are adjusted annually through cost-of-living changes (COLA). The COLA is capped at 2.0 percent.

b) **OPSRP Pension Program (OPSRP DB).** The ORS Chapter 238A Defined Benefit Pension Program provides benefits to members hired on or after August 29, 2003.

i. **Pension Benefits.** This portion of OPSRP provides a life pension funded by employer contributions. Benefits are calculated with the following formula for members who attain normal retirement age:

Police and fire: 1.8 percent is multiplied by the number of years of service and the final average salary. Normal retirement age for police and fire members is age 60 or age 53 with 25 years of retirement credit. To be classified as a police and fire member, the individual must have been employed continuously as a police and fire member for at least five years immediately preceding retirement.

General service: 1.5 percent is multiplied by the number of years of service and the final average salary. Normal retirement age for general service members is age 65, or age 58 with 30 years of retirement credit.

A member of the pension program becomes vested on the earliest of the following dates: the date the member completes 600 hours of service in each of five calendar years, the date the member reaches normal retirement age, and, if the pension program is terminated, the date on which termination becomes effective.

ii. **Death Benefits.** Upon the death of a non-retired member, the spouse or other person who is constitutionally required to be treated in the same manner as the spouse, receives for life 50 percent of the pension that would otherwise have been paid to the deceased member. The surviving spouse may elect to delay payment of the death benefit, but payment must commence no later than December 31 of the calendar year in which the member would have reached 70½ years.

iii. **Disability Benefits.** A member who has accrued 10 or more years of retirement credits before the member becomes disabled or a member who becomes disabled due to job-related injury shall receive a disability benefit of 45 percent of the member's salary determined as of the last full month of employment before the disability occurred.

Contributions – PERS funding policy provides for monthly employer contributions at actuarially determined rates. These contributions, expressed as a percentage of covered payroll, are intended to accumulate sufficient assets to pay benefits when due. The funding policy applies to the PERS Defined Benefit Plan and the Other Postemployment Benefit Plans. Employer contribution rates during the period were based on the December 31, 2022 actuarial valuation, which became effective July 1, 2023. The state of Oregon and certain schools, community colleges, and political subdivision have made unfunded actuarial liability payments and their rates have been reduced. Employer contributions for the year ended June 30, 2024 were \$1,460,452, excluding amounts to fund employer specific liabilities. In addition approximately \$425,480 in employee contributions were paid or picked up by the District in fiscal 2024. At June 30, 2024, the District reported a net pension liability of \$8,853,074 for its proportionate share of the net pension liability. The pension liability was measured as of June 30, 2023, and the total pension liability used to calculate the net pension liability was determined by an actuarial valuation dated December 31, 2021.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

5. DEFINED BENEFIT PENSION PLAN (CONTINUED)

The District’s proportion of the net pension liability was based on a projection of the District’s long-term share of contributions to the pension plan relative to the projected contributions of all participating employers, actuarially determined. As of the measurement date of June 30, 2023 and 2022, the District’s proportion was .047 percent and .049 percent, respectively. Pension expense for the year ended June 30, 2024 was (\$255,318).

The rates in effect for the year ended June 30, 2024 were:

- (1) Tier 1/Tier 2 – 22.17%
- (2) OPSRP general services – 19.33%

	Deferred Outflow of Resources	Deferred Inflow of Resources
Difference between expected and actual experience	\$ 432,942	\$ 35,103
Changes in assumptions	786,455	5,864
Net difference between projected and actual earnings on pension plan investments	159,126	-
Net changes in proportionate share	24,082	1,019,918
Differences between contributions and proportionate share of contributions	206,598	514,466
Subtotal - Amortized Deferrals (below)	1,609,203	1,575,351
Contributions subsequent to measuring date	1,460,452	-
Deferred outflow (inflow) of resources	\$ 3,069,655	\$ 1,575,351

The amount of contributions subsequent to the measurement date will be included as a reduction of the net pension liability in the fiscal year ended June 30, 2025.

Amounts reported as deferred outflows or inflows of resources related to pension will be recognized in pension expense as follows:

Year ending June 30,	Amount
2025	\$ (197,170)
2026	(588,643)
2027	621,634
2028	180,454
2029	17,577
Thereafter	-
Total	\$ 33,852

All assumptions, methods and plan provisions used in these calculations are described in the Oregon PERS system-wide GASB 68 reporting summary dated February 1, 2024. Oregon PERS produces an independently audited ACFR which can be found at:

<https://www.oregon.gov/pers/Documents/Financials/ACFR/2023-ACFR.pdf>

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

5. DEFINED BENEFIT PENSION PLAN (CONTINUED)

Actuarial Valuations – The employer contribution rates effective July 1, 2023 through June 30, 2025, were set using the entry age normal actuarial cost method. For the Tier One/Tier Two component of the PERS Defined Benefit Plan, this method produced an employer contribution rate consisting of (1) an amount for normal cost (estimated amount necessary to finance benefits earned by employees during the current service year), (2) an amount for the amortization unfunded actuarial accrued liabilities, which are being amortized over a fixed period with new unfunded actuarial liabilities being amortized over 20 years.

For the OPSRP Pension Program component of the PERS Defined Benefit Plan, this method produced an employer rate consisting of (a) an amount for normal cost (the estimated amount necessary to finance benefits earned by the employees during the current service year), (b) an actuarially determined amount for funding a disability benefit component, and (c) an amount for the amortization of unfunded actuarial accrued liabilities, which are being amortized over a fixed period with new unfunded actuarial accrued liabilities being amortized over 16 years.

Actuarial Methods and Assumptions:

Valuation date	December 31, 2021
Experience Study Report	2020, Published July 20, 2021
Actuarial cost method	Entry Age Normal
Amortization method	Level percentage of payroll
Asset valuation method	Fair value
Inflation rate	2.40 percent
Investment rate of return	6.90 percent
Discount rate	6.90 percent
Projected salary increase	3.40 percent
Cost of Living Adjustment	Blend of 2% COLA and graded COLA (1.25%/0.15%) in accordance with <i>Moro</i> decision; blend based on service
Mortality	Healthy retirees and beneficiaries: Pub-2010 Healthy Retiree, sex distinct, generational with Unisex, Social Security Data Scale, with job category adjustments and set-backs as described in the valuation. Active members: Pub-2010 Employee, sex distinct, generational with Unisex, Social Security Data Scale, with job category adjustments and set-backs as described in the valuation. Disabled retirees: Pub-2010 Disabled Retiree, sex distinct, generational with Unisex, Social Security Data Scale, with job category adjustments and set-backs as described in the valuation.

Actuarial valuations of an ongoing plan involve estimates of value of reported amounts and assumptions about the probability of events far into the future. Actuarially determined amounts are subject to continual revision as actual results are compared to past expectations and new estimates are made about the future. Experience studies are performed as of December 31 of even numbered years. The method and assumptions shown are based on the 2020 Experience Study which is reviewed for the four-year period ending December 31, 2020.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

5. DEFINED BENEFIT PENSION PLAN (CONTINUED)

Assumed Asset Allocation:

Asset Class/Strategy	Low Range	High Range	OIC Target
Debt Securities	20.0%	30.0%	25.0%
Public Equity	22.5%	32.5%	27.5%
Real Estate	9.0%	16.5%	12.5%
Private Equity	17.5%	27.5%	20.0%
Real Assets	2.5%	10.0%	7.5%
Diversifying Strategies	2.5%	10.0%	7.5%
Opportunity Portfolio	0.0%	5.0%	0.0%
Total			100.0%

(Source: June 30, 2023 PERS ACFR; p. 125)

Long-Term Expected Rate of Return:

To develop an analytical basis for the selection of the long-term expected rate of return assumption, in January 2023 the PERS Board reviewed long-term assumptions developed by both Milliman’s capital market assumptions team and the Oregon Investment Council’s (OIC) investment advisors. The table below shows Milliman’s assumptions for each of the asset classes in which the plan was invested at that time based on the OIC long-term target asset allocation. The OIC’s description of each asset class was used to map the target allocation to the asset classes shown below. Each asset class assumption is based on a consistent set of underlying assumptions, and includes adjustment for the inflation assumption. These assumptions are not based on historical returns, but instead are based on a forward-looking capital market economic model.

Asset Class	Target Allocation	Compound Annual (Geometric) Return
Global Equity	27.50%	7.07%
Private Equity	25.50%	8.83%
Core Fixed Income	25.00%	4.50%
Real Estate	12.25%	5.83%
Master Limited Partnerships	0.75%	6.02%
Infrastructure	1.50%	6.51%
Hedge Fund of Funds - Multistrategy	1.25%	6.27%
Hedge Fund Equity - Hedge	0.63%	6.48%
Hedge Fund - Macro	5.62%	4.83%
<i>Assumed Inflation - Mean</i>		2.35%

(Source: June 30, 2023 PERS ACFR; p. 92)

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

5. DEFINED BENEFIT PENSION PLAN (CONTINUED)

Discount Rate – The discount rate used to measure the total pension liability was 6.90 percent for the Defined Benefit Pension Plan. The projection of cash flows used to determine the discount rate assumed that contributions from the plan members and those of the contributing employers are made at the contractually required rates, as actuarially determined. Based on those assumptions, the pension plan’s fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on pension plan investments for the Defined Benefit Pension Plan was applied to all periods of projected benefit payments to determine the total pension liability.

Sensitivity of the District’s proportionate share of the net pension liability to changes in the discount rate – the following presents the District’s proportionate share of the net pension liability calculated using the discount rate of 6.90 percent, as well as what the District’s proportionate share of the net pension liability would be if it were calculated using a discount rate that is one percent lower (5.90 percent) or one percent higher (7.90 percent) than the current rate.

	1% Decrease (5.90%)	Discount Rate (6.90%)	1% Increase (7.90%)
Proportionate share of the net pension liability	\$ 14,623,611	\$ 8,853,074	\$ 4,023,746

Changes Subsequent to the Measurement Date

As described above, GASB 67 and GASB 68 require the Total Pension Liability to be determined based on the benefit terms in effect at the Measurement Date. Any changes to benefit terms that occurs after that date are reflected in amounts reported for the subsequent Measurement Date. However, Paragraph 80f of GASB 68 requires employers to briefly describe any changes between the Measurement Date and the employer’s reporting date that are expected to have a significant effect on the employer’s share of the collective Net Pension Liability, along with an estimate of the resulting change, if available.

There are no changes subsequent to the June 30, 2023 Measurement Date that meet this requirement and thus would require a brief description under the GASB standard.

Deferred Compensation Plan

A deferred compensation plan is available to employees wherein they may execute an individual agreement with the District for amounts earned by them to not be paid until a future date when certain circumstances are met. These circumstances are: termination by reason of resignation, death, disability, or retirement; unforeseeable emergency; or by requesting a de minimis distribution from inactive accounts valued less than \$5,000. Payment to the employee will be made over a period not to exceed 15 years. The deferred compensation plan is one which is authorized under IRC Section 457 and has been approved in its specifics by a private ruling from the Internal Revenue Service. The assets of the plan are held by the administrator for the sole benefit of the plan participants and are not considered assets or liabilities of the District.

NOTES TO BASIC FINANCIAL STATEMENTS

5. DEFINED BENEFIT PENSION PLAN (CONTINUED)

OPSRP Individual Account Program (OPSRP IAP)

Plan Description:

Employees of the District are provided with pensions through OPERS. All the benefits of OPERS are established by the Oregon legislature pursuant to Oregon Revised Statute (ORS) Chapters 238 and 238A. Chapter 238 Defined Benefit Pension Plan is closed to new members hired on or after August 29, 2003. Chapter 238A created the Oregon Public Service Retirement Plan (OPSRP), which consists of the Defined Benefit Pension Program and the Individual Account Program (IAP). Membership includes public employees hired on or after August 29, 2003. PERS members retain their existing defined benefit plan accounts, but member contributions are deposited into the member's IAP account. OPSRP is part of OPERS, and is administered by the OPERS Board.

Pension Benefits:

Participants in OPERS defined benefit pension plans also participate in their defined contribution plan. An IAP member becomes vested on the date the employee account is established or on the date the rollover account was established. If the employer makes optional employer contributions for a member, the member becomes vested on the earliest of the following dates: the date the member completes 600 hours of service in each of five calendar years, the date the member reaches normal retirement age, the date the IAP is terminated, the date the active member becomes disabled, or the date the active member dies. Upon retirement, a member of the OPSRP IAP may receive the amounts in his or her employee account, rollover account, and vested employer account as a lump-sum payment or in equal installments over a 5-, 10-, 15-, 20-year period or an anticipated life span option. Each distribution option has a \$200 minimum distribution limit.

Death Benefits:

Upon the death of a non-retired member, the beneficiary receives in a lump sum the member's account balance, rollover account balance, and vested employer optional contribution account balance. If a retired member dies before the installment payments are completed, the beneficiary may receive the remaining installment payments or choose a lump-sum payment.

Contributions:

Employees of the District pay six (6) percent of their covered payroll. Effective July 1, 2020, currently employed Tier 1/Tier 2 and OPSRP members earning \$2,500 or more per month (increased to \$3,333 per month in 2022) will have a portion of their 6 percent monthly IAP contributions redirected to an Employee Pension Stability Account. The Employee Pension Stability Account will be used to pay part of the member's future benefit. Of the 6 percent monthly IAP contribution, Tier 1/Tier 2 will have 2.5 percent redirected to the Employee Pension Stability Account and OPSRP will have 0.75 percent redirected to the Employee Pension Stability Account, with the remaining going to the member's existing IAP account. Members may voluntarily choose to make additional after-tax contributions into their IAP account to make a full 6 percent contribution to the IAP. The District made approximately \$425,480 of optional contributions to member IAP accounts for the year ended June 30, 2024.

Additional disclosures related to Oregon PERS not applicable to specific employers are available online, or by contacting PERS at the following address: PO Box 23700 Tigard, OR 97281-3700.

<http://www.oregon.gov/pers/EMP/Pages/GASB.aspx>

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

6. OTHER POST EMPLOYMENT BENEFIT PLAN (RHIA)

Plan Description:

As a member of Oregon Public Employees Retirement System (OPERS) the District contributes to the Retirement Health Insurance Account (RHIA) for each of its eligible employees. RHIA is a cost-sharing multiple-employer defined benefit other postemployment benefit plan administered by OPERS. RHIA pays a monthly contribution toward the cost of Medicare companion health insurance premiums of eligible retirees. Oregon Revised Statute (ORS) 238.420 established this trust fund. Authority to establish and amend the benefit provisions of RHIA reside with the Oregon Legislature. The plan is closed to new entrants after January 1, 2004. OPERS issues a publicly available financial report that includes financial statements and required supplementary information. That report may be obtained by writing to Oregon Public Employees Retirement System, PO Box 23700, Tigard, OR 97281-3700.

Funding Policy:

Because RHIA was created by enabling legislation (ORS 238.420), contribution requirements of the plan members and the participating employers were established and may be amended only by the Oregon Legislature. ORS require that an amount equal to \$60 dollars or the total monthly cost of Medicare companion health insurance premiums coverage, whichever is less, shall be paid from the Retirement Health Insurance Account established by the employer, and any monthly cost in excess of \$60 dollars shall be paid by the eligible retired member in the manner provided in ORS 238.410. To be eligible to receive this monthly payment toward the premium cost the member must: (1) have eight years or more of qualifying service in OPERS at the time of retirement or receive a disability allowance as if the member had eight years or more of creditable service in OPERS, (2) receive both Medicare Parts A and B coverage, and (3) enroll in an OPERS-sponsored health plan. A surviving spouse or dependent of a deceased OPERS retiree who was eligible to receive the subsidy is eligible to receive the subsidy if he or she (1) is receiving a retirement benefit or allowance from OPERS or (2) was insured at the time the member died and the member retired before May 1, 1991.

Participating Districts are contractually required to contribute to RHIA at a rate assessed each year by OPERS, and the District currently contributes 0.06% of annual covered OPERF payroll and 0.00% of OPSRP payroll under a contractual requirement in effect until June 30, 2024. Consistent with GASB Statement 75, the OPERS Board of Trustees sets the employer contribution rates as a measure of the proportionate relationship of the employer to all employers consistent with the manner in which contributions to the OPEB plan are determined. The basis for the employer's portion is determined by comparing the employer's actual, legally required contributions made during the fiscal year to the plan with the total actual contributions made in the fiscal year of all employers. The District has not made significant contributions to RHIA in any of the previous three fiscal years.

At June 30, 2024, the District reported a net OPEB liability/(asset) of \$193,430 for its proportionate share of the net OPEB liability/(asset). The OPEB liability/(asset) was measured as of June 30, 2023, and the total OPEB liability/(asset) used to calculate the net OPEB liability/(asset) was determined by an actuarial valuation as of December 31, 2021. Consistent with GASB Statement No. 75, paragraph 59(a), the District's proportion of the net OPEB liability/(asset) is determined by comparing the employer's actual, legally required contributions made during the fiscal year to the Plan with the total actual contributions made in the fiscal year of all employers. As of the measurement date of June 30, 2023 and 2022, the District's proportion was .05 percent and .05 percent, respectively. OPEB expense for the year ended June 30, 2024 was (\$28,850).

BANKS SCHOOL DISTRICT NO. 13
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NOTES TO BASIC FINANCIAL STATEMENTS

6. OTHER POST EMPLOYMENT BENEFIT PLAN (RHIA) (CONTINUED)

Components of OPEB Expense/(Income):

Employer's proportionate share of collective system OPEB Expense/(Income)	\$ (22,387)
Net amortization of employer-specific deferred amounts from:	
- Changes in proportionate share (per paragraph 64 of GASB 75)	(6,463)
- Differences between employer contributions and employer's proportionate share of system contributions (per paragraph 65 of GASB 75)	-
Employer's Total OPEB Expense/(Income)	\$ (28,850)

Components of Deferred Outflows/Inflows of Resources:

	Deferred Outflow of Resources	Deferred Inflow of Resources
Difference between expected and actual experience	\$ -	\$ 4,856
Changes in assumptions	-	2,086
Net difference between projected and actual earnings on pension plan investments	549	-
Net changes in proportionate share	665	11,204
Differences between contributions and proportionate share of contributions	-	-
Deferred outflow (inflow) of resources	\$ 1,214	\$ 18,146

The amount of contributions subsequent to the measurement date will be included as a reduction of the net OPEB liability/(asset) in the fiscal year ended June 30, 2025.

Amounts reported as deferred outflows or inflows of resources related to OPEB will be recognized in OPEB expense as follows:

Year ending June 30,	Amount
2025	\$ (16,784)
2026	(9,860)
2027	7,148
2028	2,564
2029	-
Thereafter	-
Total	\$ (16,932)

All assumptions, methods and plan provisions used in these calculations are described in the Oregon PERS Retirement Health Insurance Account Cost-Sharing Multiple-Employer Other Postemployment Benefit (OPEB) Plan Schedules of Employer Allocations and OPEB Amounts by Employer report, as of and for the Year Ended June 30, 2023. That independently audited report was dated February 1, 2024 and can be found at:

<https://www.oregon.gov/pers/emp/Documents/GASB/2023/Oregon%20Public%20Employees%20Retirement%20System%20-%20GASB%2075%20RHIA%20-%20YE%2006.30.2023%20-%20SECURED.pdf>

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

6. OTHER POST EMPLOYMENT BENEFIT PLAN (RHIA) (CONTINUED)

Actuarial Methods and Assumptions:

Valuation Date	December 31, 2021
Experience Study Report	2020, Published July 20, 2021
Actuarial cost method	Entry Age Normal
Inflation rate	2.40 percent
Investment rate of return	6.90 percent
Discount rate	6.90 percent
Projected salary increase	3.40 percent
Retiree healthcare participation	Healthy retirees: 27.5%; Disabled retirees: 15%
Mortality	Healthy retirees and beneficiaries: Pub-2010 Healthy Retiree, sex distinct, generational with Unisex, Social Security Data Scale, with job category adjustments and set-backs as described in the valuation. Active members: Pub-2010 Employee, sex distinct, generational with Unisex, Social Security Data Scale, with job category adjustments and set-backs as described in the valuation. Disabled retirees: Pub-2010 Disabled Retiree, sex distinct, generational with Unisex, Social Security Data Scale, with job category adjustments and set-backs as described in the valuation.

Actuarial valuations of an ongoing plan involve estimates of value of reported amounts and assumptions about the probability of events far into the future. Actuarially determined amounts are subject to continual revision as actual results are compared to past expectations and new estimates are made about the future. Experience studies are performed as of December 31 of even numbered years. The method and assumptions shown are based on the 2020 Experience Study which is reviewed for the four-year period ending December 31, 2020.

Discount Rate:

The discount rate used to measure the total OPEB liability as of the measurement date of June 30, 2023 was 6.90 percent. The projection of cash flows used to determine the discount rate assumed that contributions from contributing employers are made at the contractually required rates, as actuarially determined. Based on those assumptions, the RHIA plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members. Therefore, the long-term expected rate of return on OPEB plan investments for the RHIA plan was applied to all periods of projected benefit payments to determine the total OPEB liability.

Long-Term Expected Rate of Return:

To develop an analytical basis for the selection of the long-term expected rate of return assumption, in January 2023 the PERS Board reviewed long-term assumptions developed by both Milliman's capital market assumptions team and the Oregon Investment Council's (OIC) investment advisors. The table below shows Milliman's assumptions for each of the asset classes in which the plan was invested at that time based on the OIC long-term target asset allocation. The OIC's description of each asset class was used to map the target allocation to the asset classes shown below.

BANKS SCHOOL DISTRICT NO. 13
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NOTES TO BASIC FINANCIAL STATEMENTS

6. OTHER POST EMPLOYMENT BENEFIT PLAN (RHIA) (CONTINUED)

Each asset class assumption is based on a consistent set of underlying assumptions, and includes adjustment for the inflation assumption. These assumptions are not based on historical returns, but instead are based on a forward-looking capital market economic model.

Asset Class	Target Allocation	Compound Annual (Geometric) Return
Global Equity	27.50%	7.07%
Private Equity	25.50%	8.83%
Core Fixed Income	25.00%	4.50%
Real Estate	12.25%	5.83%
Master Limited Partnerships	0.75%	6.02%
Infrastructure	1.50%	6.51%
Hedge Fund of Funds - Multistrategy	1.25%	6.27%
Hedge Fund Equity - Hedge	0.63%	6.48%
Hedge Fund - Macro	5.62%	4.83%
<i>Assumed Inflation - Mean</i>		2.35%

(Source: June 30, 2023 PERS ACFR; p. 92)

Sensitivity of the District's proportionate share of the net OPEB liability/(asset) to changes in the discount rate – The following presents the District's proportionate share of the net OPEB liability/(asset) calculated using the discount rate of 6.90 percent, as well as what the District's proportionate share of the net pension liability would be if it were calculated using a discount rate that is one percent lower (5.90 percent) or one percent higher (7.90 percent) than the current rate.

	1% Decrease (5.90%)	Discount Rate (6.90%)	1% Increase (7.90%)
Proportionate share of the net OPEB liability (asset)	\$ (175,828)	\$ (193,430)	\$ (208,532)

Changes Subsequent to the Measurement Date

There are no changes subsequent to the June 30, 2023 Measurement Date that meet this requirement and thus would require a brief description under the GASB standard.

7. OTHER POST-EMPLOYMENT BENEFITS (GASB #75)

Plan Description: The District operates a single-employer retiree benefit plan that provides postemployment health, dental and vision insurance benefits to eligible employees and their spouses. There are active and retired members in the plan. All classes of employee are eligible to continue coverage upon retirement. Qualified spouses, domestic partners, and children may qualify for coverage. Coverage for retirees and eligible dependents continues until Medicare eligibility for each individual (or until dependent children become ineligible).

BANKS SCHOOL DISTRICT NO. 13
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NOTES TO BASIC FINANCIAL STATEMENTS

7. OTHER POST-EMPLOYMENT BENEFITS (GASB #75) (CONTINUED)

Benefits and eligibility for members are established through the collective bargaining agreements. The post-retirement healthcare plan is established in accordance with Oregon Revised Statutes (ORS) 243.303. ORS stipulated that for the purpose of establishing healthcare premiums, the rate must be based on all plan members, including both active employees and retirees. The difference between retiree claims cost, which because of the effect of age is generally higher in comparison to all plan members, and the amount of retiree healthcare premiums represents the District's implicit employer contribution. The District did not establish an irrevocable trust (or equivalent arrangement) to account for the plan

Funding Policy: The benefits from this program are paid by the District on a self-pay basis and the required contribution is based on projected pay-as-you go financing requirements. There is not obligation on the part of the District to fund these benefits in advance.

Actuarial Methods and Assumptions: The District engaged an actuary to perform an evaluation as of July 1, 2023 using entry age normal, level percent of salary Actuarial Cost Method. The Single Employer Pension Plan liability was determined using the following actuarial assumptions, applied to all periods including the measurement:

Discount Rate per year	3.65%
General Inflation Rate per year	2.40%
Salary Scale per year	3.40%

Health Care Cost Trends:

<u>Year</u>	<u>Trend</u>
2023	3.50 %
2024-25	5.75
2026	5.50
2027	5.25
2028	5.00
2029-30	4.75
2031	4.50
2032-2065	4.25
2066-2071	4.00
2072+	3.75

Mortality rates were based on rates adopted by the Oregon Public Employees Retirement System (PERS) in its valuation as of December 31, 2022.

Turnover rates were based on percentages developed for the valuation of benefits under Oregon PERS and vary by years of service.

Disability rates were not used.

Retirement rates were based on Oregon PERS assumptions. Annual rates are based on age, Tier / OPSRP, and duration of service.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

7. OTHER POST-EMPLOYMENT BENEFITS (GASB #75) (CONTINUED)

The projection of benefits for financial reporting purpose does not explicitly incorporate the potential effects of legal or contractual funding limitations.

Changes in Medical Benefit OPEB Liability:

	2024	2023
Total OPEB Liability - Beginning	\$ 451,891	\$ 473,449
Changes for the Year:		
Service Cost	31,115	38,037
Interest	16,642	10,879
Effect of Economic/Demographic gains or losses	(65,428)	-
Changes of Assumptions or Other Input	(151,701)	(54,749)
Benefit Payments	(26,026)	(15,725)
Net Changes for the Year	(195,398)	(21,558)
Total OPEB Liability - Ending	\$ 256,493	\$ 451,891

Sensitivity of the Net Other Post-Employment Benefit Liability to Changes in Discount and Trend Rates:

The following presents the net other post-employment benefit liability (NOL), calculated using the discount rate of 3.65 percent, as well as what the liability would be if it was calculated using a discount rate 1-percentage-point lower (2.65 percent) or 1-percentage-point higher (4.65 percent) than the current rate. A similar sensitivity analysis is then presented for changes in healthcare cost trend assumptions.

June 30, 2023	1% Decrease	Current Discount Rate	1% Increase
Total OPEB Liability	\$ 278,031	\$ 256,493	\$ 236,121

June 30, 2023	1% Decrease	Current Trend Rate	1% Increase
Total OPEB Liability	\$ 224,330	\$ 256,493	\$ 294,487

BANKS SCHOOL DISTRICT NO. 13
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NOTES TO BASIC FINANCIAL STATEMENTS

7. OTHER POST-EMPLOYMENT BENEFITS (GASB #75) (CONTINUED)

	Deferred Outflows of Resources	Deferred Inflows of Resources
Difference between expected and actual experience	\$ -	\$ (108,540)
Changes in assumptions	28,759	(226,401)
Benefit Payments	9,004	-
Deferred outflow (inflow) of resources	\$ 37,763	\$ (334,941)

Amounts reported as deferred outflows or inflow of resources related to pension will be recognized in pension expense as follows:

Year ending June 30,	Amount
2025	(44,913)
2026	(44,029)
2027	(41,616)
2028	(40,779)
2029	(40,930)
Thereafter	(93,915)
Total	\$ (306,182)

8. DEBT

BONDS

General Obligation Bonds

General obligation bonds were issued to provide funds for the acquisition and construction of major capital facilities. General obligation bonds have been issued for general government funds and are reported in the Governmental Activities section of the government-wide financial statements. General obligation bonds are direct obligations and pledge the full faith and credit of the District. One of three of the 2012 general obligation bonds remain. Series 2012C are deferred interest bonds issued in the amount of \$6,972,495, with interest rates ranging from 2.68% - 3.12%. The full amount of interest owed on each grouping of deferred interest bonds becomes due and payable when the bonds mature.

Upon the occurrence and continuance of any Event of Default the Owners of fifty-one (51 %) percent or more of the principal amount of Bonds then Outstanding may take whatever action may appear necessary or desirable to enforce or to protect any of the rights of the Owners of Bonds, either at law or in equity or in bankruptcy or otherwise, whether for the specific enforcement of any covenant or agreement contained in the Resolution or the Bonds or in aid of the exercise of any power granted in the Resolution or in the Bonds or for the enforcement of any other legal or equitable right vested in the Owners of Bonds by the Resolution or the Bonds or by law. However, the Bonds shall not be subject to acceleration.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

8. DEBT (CONTINUED)

Total debt service requirements to maturity for general obligation bonds, as of June 30, 2024, are as follows:

General Obligation Bonds:			
By Fiscal Year:	Principal	Interest	Total
2025	999,456	450,544	1,450,000
2026	984,786	510,214	1,495,000
2027	969,675	565,325	1,535,000
Total Debt Service Requirements for			
GO Bonds	\$ 2,953,917	\$ 1,526,083	\$ 4,480,000

Pension Obligation Bonds: In 2007, pension obligation bonds were issued to provide funds for the advance funding of the unfunded actuarial liability for the Oregon Public Employees Retirement System. The Pension Obligation Bond Fund accounts for the repayment of these bonds, and assesses other funds to provide the resources to pay the debt service on the pension obligation bonds.

There is one pension obligation bond issue of \$2,870,000 of limited tax pension bonds, series 2007, term bond, with interest at 5.617% and principal payable between 2017 and 2028. If an Event of Default occurs and is continuing, the Series 2007 Trustee may exercise any remedy available at law or in equity; however, the Pension Bond Payments will not be subject to acceleration.

Total debt service requirements to maturity for pension obligation bonds, as of June 30, 2024, are as follows:

Pension Obligation Bonds:			
By Fiscal Year:	Principal	Interest	Total
2025	315,000	70,493	385,493
2026	350,000	52,800	402,800
2027	385,000	33,140	418,140
2028	205,000	11,515	216,515
Total Debt Service Requirements			
for Pension Obligation Bonds	\$ 1,255,000	\$ 167,948	\$ 1,422,948

DIRECT BORROWING

State of Oregon Department of Energy Loan: On October 25, 2011, the District entered a loan agreement with State of Oregon Department of Energy in the amount \$636,538 to provide funds for various energy efficiency projects at the District’s school as part of the Department of Energy’s “Cool Schools Program.” Payments are made monthly. The interest rate for the loan is 3.5% and the maturity date is March 1, 2027. Collateral includes all presently existing and hereafter acquired items of machinery, equipment, improvements and related equipment and property that save energy which are located on the Premises and are a part of or related to the Project (including but not limited to those items described in Owner’s Small Scale Local Energy Loan Program loan application and any exhibits and supplementary specifications, contracts, invoices or other documents submitted to and accepted by Lender hereafter, and all accessions,

BANKS SCHOOL DISTRICT NO. 13
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NOTES TO BASIC FINANCIAL STATEMENTS

8. DEBT (CONTINUED)

parts, additions, and replacements thereto, and all proceeds of any of the foregoing. Upon the occurrence of an Event of Default or declaration of an Event of Default by Lender, Lender may:(a) Cease to make any further disbursements hereunder; Accelerate the Maturity Date and declare the unpaid principal balance of the Loan, together with all unpaid accrued: interest, immediately due and payable, together with the additional amounts, (c) Judicially foreclose Lender's lien against the Collateral, in the same manner as mortgages are foreclosed, (d) Exercise the rights provided to the State in ORS 470.180, (E) Pay, compromise or settle any liens on the Project, or pay other sums required to be paid by Borrower in connection with the Project using any undisbursed Loan proceeds and such additional money as may be reasonably required. In the event of payment by Lender of any encumbrance, lien, claim, or demand, Lender may, at its option, be subrogated to the extent of the amount of such payment to all the rights, powers, privileges, and remedies of the payer or payee, as the case may be, and any such subrogation rights shall be additional and cumulative security for this Agreement.

Total debt service requirements to maturity for the loan, as of June 30, 2024, are as follows:

State of Oregon Department of Energy Loan

By Fiscal Year:	Principal	Interest	Total
2025	50,425	4,175	54,600
2026	52,219	2,381	54,600
2027	39,912	571	40,483
Total Debt Service Requirements for Department of Energy Loan	<u>\$ 142,556</u>	<u>\$ 7,127</u>	<u>\$ 149,683</u>

Changes in long-term liabilities

Long-term liability activity for the fiscal year ended June 30, 2024, was as follows:

	Beginning Balance 7/1/23	Additions	Deletions	Ending Balance 6/30/24	Due Within One Year
Governmental Activities:					
Bonds payable:					
General Obligation Bonds	\$ 3,964,899	\$ -	\$ 1,010,982	\$ 2,953,917	\$ 999,456
Pension Obligation Bonds	1,540,000	-	285,000	1,255,000	315,000
Direct Borrowing					
Department of Energy Loan	191,235	-	48,679	142,556	50,425
Premium related to Bond					
Unamortized bond premiums and (discounts)	69,953	-	17,794	52,159	17,794
Total Liabilities	<u>\$ 5,766,087</u>	<u>\$ -</u>	<u>\$ 1,362,455</u>	<u>\$ 4,403,632</u>	<u>\$ 1,382,675</u>

During 2023-2024, \$159,257 of interest accrued on outstanding bonds and \$394,018 of previously accrued interest was paid, bringing the total balance of accrued interest at June 30, 2024 to \$1,270,448. Of this amount, \$450,544 is due and payable within one year. All General Obligation Debt is being paid by the Debt Service Fund. All Pension Obligation Debt is being paid by the Pension Obligation Bond Fund.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

9. LEASES PAYABLE AND RIGHT-TO-USE ASSETS

The District reports Leases Payable and the related Right-To-Use Assets in accordance with GASB Statement No. 87, Leases. Under GASB 87, a lessee is required to recognize a lease liability and an intangible right-to-use lease asset, and a lessor is required to recognize a lease receivable and a deferred inflow of resources. For additional information, refer to the disclosures below.

As of 06/30/2024, Banks School District had 9 active leases. The leases have payments that range from \$1,030 to \$2,388 and interest rates that range from 0.7268% to 2.6149%. As of 06/30/2024, the total combined value of the lease liability is \$34,694, the total combined value of the short-term lease liability is \$12,962. The combined value of the right to use asset, as of 06/30/2024 of \$64,974 with accumulated amortization of \$30,547 is included within the Lease Class activities table found below. The leases had \$0 of Variable Payments and \$0 of Other Payments, not included in the Lease Liability, within the Fiscal Year.

Future payments and current year activity for leases are presented in the following tables:

Principal and Interest Requirements to Maturity

Fiscal Year	Governmental Activities		
	Principal Payments	Interest Payments	Total Payments
2025	\$ 12,962	\$ 341	\$ 13,303
2026	9,402	202	9,604
2027	7,187	92	7,279
2028	3,705	25	3,730
2029	1,438	3	1,441
Total	\$ 34,694	\$ 663	\$ 35,357

GOVERNMENTAL ACTIVITIES:

	Balance as of July 1, 2023	Additions	Reductions	Balance as of June 30, 2024
Lease Liability				
Equipment				
BES Downstairs - Multifunctional Printer	\$ 5,235	\$ -	\$ 2,230	\$ 3,005
BES Upstairs - Multifunctional Printer	1,132	-	1,132	-
Middle School Downstairs - Copier	1,742	-	1,492	250
New BES Upstairs - Multifunctional Printer	-	12,140	1,000	11,140
BMS Upstairs - Multifunctional Printer	4,358	-	2,082	2,276
District Office - Color Printer	7,994	-	2,306	5,688
New Downstairs High School - Printer	1,501	-	1,501	-
Student SVCS - Color Printer	6,283	-	1,510	4,773
BHS Library - Color Printer	9,617	-	2,055	7,562
Total Equipment Lease Liability	37,862	12,140	15,308	34,694
Total Lease Liability	\$ 37,862	\$ 12,140	\$ 15,308	\$ 34,694

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

9. LEASES PAYABLE AND RIGHT-TO-USE ASSETS (CONTINUED)

	Balance as of July 1, 2023	Additions	Reductions	Balance as of June 30, 2024
Lease Assets				
Equipment				
BES Downstairs - Multifunctional Printer	\$ 9,641	\$ -	\$ -	\$ 9,641
BES Upstairs - Multifunctional Printer	5,617	-	5,617	-
Middle School Downstairs - Copier	4,697	-	-	4,697
New BES Upstairs Multifunctional Printer	-	12,140	-	12,140
BMS Upstairs - Multifunctional Printer	8,469	-	-	8,469
District Office - Color Printer	11,601	-	-	11,601
New Downstairs High School - Printer	6,605	-	6,605	-
Student SVCS - Color Printer	8,135	-	-	8,135
BHS Library - Color Printer	10,289	-	-	10,289
Total Equipment Lease Assets	65,054	12,140	12,222	64,972
Total Lease Assets	\$ 65,054	\$ 12,140	\$ 24,444	\$ 64,972

Lease Accumulated Amortization

Equipment				
BES Downstairs - Multifunctional Printer	\$ 4,419	\$ 2,209	\$ -	\$ 6,628
BES Upstairs - Multifunctional Printer	4,494	1,123	5,617	-
Middle School Downstairs - Copier	3,030	1,515	-	4,545
New BES Upstairs - Multifunctional Printer	-	1,059	-	1,059
BMS Upstairs - Multifunctional Printer	4,115	2,057	-	6,172
District Office - Color Printer	3,571	2,320	-	5,891
New Downstairs High School - Printer	5,203	1,402	6,605	-
Student SVCS - Color Printer	1,821	1,550	-	3,371
BHS Library - Color Printer	823	2,058	-	2,881
Total Equipment Lease Accumulated Amortization	27,476	15,293	12,222	30,547
Total Lease Accumulated Amortization	27,476	15,293	12,222	30,547
Total Governmental Lease Assets, Net	\$ 37,578	\$ (3,153)	\$ 12,222	\$ 34,425

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

10. SUBSCRIPTIONS PAYABLE AND RIGHT-TO-USE ASSETS

For the year ended 6/30/2024, the financial statements include the adoption of GASB Statement No. 96, Subscription-Based Information Technology Arrangements. The primary objective of this statement is to enhance the relevance and consistency of information about governments' subscription activities. This statement establishes a single model for subscription accounting based on the principle that subscriptions are financings of the right to use an underlying asset. Under this Statement, an organization is required to recognize a subscription liability and an intangible right-to-use subscription asset. For additional information, refer to the disclosures below.

As of 06/30/2024, Banks School District, OR had 3 active subscriptions. The subscriptions have payments that range from \$3,579 to \$13,860 and interest rates that range from 2.3540% to 2.7960%. As of 06/30/2024, the total combined value of the subscription liability is \$35,269, and the total combined value of the short-term subscription liability is \$23,918. The combined value of the right to use asset, as of 06/30/2024 of \$75,422 with accumulated amortization of \$37,617 is included within the Subscription Class activities table found below. The subscriptions had \$0 of Variable Payments and \$0 of Other Payments, not included in the Subscription Liability, within the Fiscal Year.

Future payments and current year activity for subscriptions are as follows:

Principal and Interest Requirements to Maturity

Fiscal Year	Governmental Activities		
	Principal Payments	Interest Payments	Total Payments
2025	\$ 23,918	\$ 539	\$ 24,457
2026	11,350	295	11,645
Total	\$ 35,268	\$ 834	\$ 36,102

GOVERNMENTAL ACTIVITIES:	Balance as of July 1, 2023	Additions	Reductions	Balance as of June 30, 2024
Subscription Liability				
Software				
DLD Web Filtering	\$ 22,481	\$ 5,998	\$ 13,302	\$ 15,177
Debtbook	23,126	-	10,424	12,702
Frontline Hiring	10,817	-	3,427	7,390
Total Software Subscription Liability	56,424	5,998	27,153	35,269
Total Subscription Liability	\$ 56,424	\$ 5,998	\$ 27,153	\$ 35,269

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

10. SUBSCRIPTIONS PAYABLE AND RIGHT-TO-USE ASSETS (CONTINUED)

	Balance as of July 1, 2023	Additions	Reductions	Balance as of June 30, 2024
Subscription Assets				
Software				
DLD Web Filtering	\$ 23,727	\$ 5,998	\$ -	\$ 29,725
Debtbook	30,018	-	-	30,018
Frontline Hiring	15,679	-	-	15,679
Total Software Subscription Assets	69,424	5,998	-	75,422
Total Subscription Assets	69,424	5,998	-	75,422
Subscription Accumulated Amortization				
Software				
DLD Web Filtering	1,170	9,717	-	10,887
Debtbook	10,005	10,005	-	20,010
Frontline Hiring	2,240	4,480	-	6,720
Total Software Subscription Accumulated	13,415	24,202	-	37,617
Total Subscription Accumulated Amortization	13,415	24,202	-	37,617
Total Subscription Assets, Net	\$ 56,009	\$ (18,204)	\$ -	\$ 37,805

11. COMMITMENTS AND CONTINGENCIES

A number of federally assisted grant programs are participated in. These programs are subject to program compliance audits by the grantors or their representatives. The federal audits for these programs for the year ended June 30, 2024 have not been conducted. Accordingly, compliance with grant requirements will be established at some future date. The amount, if any, of expenditures which may be disallowed by the granting agencies cannot be determined at this time, although management expects such amounts to be immaterial.

A substantial portion of the operating funding is received from the State of Oregon. State funding is determined through state-wide revenue projections that are paid to individual school districts based on pupil counts and other factors in the state school fund revenue formula. Since these projections and pupil counts fluctuate, they can cause increases or decreases in revenue. Due to these future uncertainties at the state level, the future effect on the operations cannot be determined.

12. PROPERTY TAX LIMITATIONS

The State of Oregon imposes a constitutional limit on property taxes for schools and non-school government operations. School operations include community colleges, local school districts, and education service districts. The limitation provides that property taxes for school operations are limited to \$5.00 for each \$1,000 of property market value. This limitation does not apply to taxes levied for principal and interest on general obligation bonded debt. The result of this requirement has been that school districts have become more dependent upon state funding and less dependent upon property tax revenues as their major

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

NOTES TO BASIC FINANCIAL STATEMENTS

12. PROPERTY TAX LIMITATIONS (CONTINUED)

source of operating revenue. The State further reduced property taxes by replacing the previous constitutional limits on tax bases with a rate and value limit in 1997. This reduction is accomplished by rolling property values back to their 1995-96 values less 10% and limiting future tax value growth of each property to no more than 3% per year, subject to certain exceptions. Taxes levied to support bonded debt are exempted from the reductions. The State Constitution sets restrictive voter approval requirements for most tax and many fee increases and new bond issues, and requires the State to minimize the impact to school districts from the impact of the tax cuts.

13. RISK MANAGEMENT

There is exposure to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters for which commercial insurance is carried to minimize the exposure to these risks. Settled claims have not exceeded this commercial coverage for the last three years.

Worker's compensation insurance is purchased from a commercial carrier. Premiums are determined based on payroll paid at various employment classification rates. Loss prevention services are available from the carrier, and there is no potential liability beyond the premiums paid.

14. INTERFUND ACTIVITY

The composition of interfund transfers for 2023-2024 is as follows:

Transfers Out:		Transfers In:	
General Fund	\$ 430,119	Special Projects	\$ 402,819
		Debt Service	27,300
Total	<u>\$ 430,119</u>	Total	<u>\$ 430,119</u>

The internal transfers are budgeted and recorded to show legal and operational commitments between funds such as cost sharing.

15. DEFICIT NET POSITION IN INTERNAL SERVICE FUND

The internal service fund had a negative net position amount of (\$1,208,402). The negative net position is expected to reverse in future years as the PERS Pension Bond approaches maturity.

16. SUBSEQUENT EVENT

On July 30, 2024, Banks School District closed on the sale of General Obligation Bonds Series 2024A (Deferred Interest Bonds) in the amount of \$31,055,193.60 (\$79,860,000 Maturity Amount) and General Obligation Bonds Series 2024B (Current Interest Bonds) in the amount of \$18,250,000. The Debt Service for both issues is to be paid over 27 years with principal payments totaling \$49,305,193.60 and interest payments totaling \$50,474,448.40. The sale included a net original issue premium of \$2,919,017.95. The sale of 2024 General Obligation Bonds was authorized by the School Board on June 18, 2024, subsequent to voter approval on May 21, 2024. The proceeds will be used to improve District safety, health, and security; repair, update, and improve District facilities; and renovate Banks High School.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

REQUIRED SUPPLEMENTARY INFORMATION

**BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON**

REQUIRED SUPPLEMENTARY INFORMATION

For the Year Ended June 30, 2024

SCHEDULE OF THE PROPORTIONATE SHARE OF THE NET PENSION LIABILITY

Year Ended June 30,	(a) Employer's proportion of the net pension liability (NPL)	(b) Employer's proportionate share of the net pension liability (NPL)	(c) District's covered payroll	(b/c) NPL as a percentage of covered payroll	Plan fiduciary net position as a percentage of the total pension liability
2024	0.05 %	\$ 8,853,074	\$ 6,422,504	137.8 %	81.3 %
2023	0.05	7,507,846	5,738,989	130.8	84.5
2022	0.05	6,418,282	5,480,029	117.1	87.6
2021	0.06	12,378,189	5,604,291	220.9	75.8
2020	0.06	10,190,405	5,425,655	187.8	80.2
2019	0.05	8,119,517	5,100,003	159.2	82.1
2018	0.06	8,277,095	5,102,393	162.2	83.1
2017	0.06	8,670,228	4,907,979	176.7	80.5
2016	0.06	3,394,703	4,562,114	74.4	91.9
2015	0.06	(1,344,125)	4,197,672	(32.0)	103.6

The amounts presented for each fiscal year were actuarial determined at 12/31 and rolled forward to the measurement date.

SCHEDULE OF CONTRIBUTIONS

Year	Statutorily required contribution	Contributions in relation to the statutorily required contribution	Contribution deficiency (excess)	Employer's covered payroll	Contributions as a percent of covered payroll
2024	\$ 1,460,452	\$ 1,460,452	\$ -	\$ 6,827,216	21.4 %
2023	1,341,443	1,341,443	-	6,422,504	20.9
2022	1,234,471	1,234,471	-	5,738,989	21.5
2021	1,235,209	1,235,209	-	5,480,029	22.5
2020	1,301,447	1,301,447	-	5,604,291	23.2
2019	1,062,672	1,062,672	-	5,425,655	19.6
2018	998,724	998,724	-	5,100,003	19.6
2017	741,306	741,306	-	5,102,393	14.5
2016	559,335	559,335	-	4,907,979	11.4
2015	690,917	690,917	-	4,562,114	15.1

The amounts presented for each fiscal year were actuarial determined at 12/31 and rolled forward to the measurement date.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

REQUIRED SUPPLEMENTARY INFORMATION
For the fiscal year ended June 30, 2024

SCHEDULE OF THE PROPORTIONATE SHARE OF THE PERS - RHIA

Year Ended June 30,	(a) Employer's proportion of the net pension liability (Asset)	(b) Employer's proportionate share of the net pension liability (Asset)	(c) Employer's covered payroll	(b/c) NPL as a percentage of covered payroll	Plan fiduciary net position as a percentage of the total pension liability
2024	0.05 %	\$ (193,430)	\$ 6,422,504	(3.0) %	201.6 %
2023	0.05	(164,954)	5,738,989	(2.9)	194.6
2022	0.05	(163,914)	5,480,029	(3.0)	183.9

The amounts presented for each fiscal year were actuarial determined at 12/31 and rolled forward to the measurement date.

These schedules are presented to illustrate the requirements to show information for 10 years. However, until a full 10-year trend has been compiled, information is presented only for the years for which the required supplementary information is available.

SCHEDULE OF CONTRIBUTIONS - PERS RHIA

Year	Statutorily required contribution	Contributions in relation to the statutorily required contribution	Contribution deficiency (excess)	Employer's covered payroll	Contributions as a percent of covered payroll
2024	\$ -	\$ -	\$ -	\$ 6,827,216	- %
2023	1,041	1,041	-	6,422,504	0.0
2022	1,100	1,100	-	5,738,989	0.0

The amounts presented for each fiscal year were actuarial determined at 12/31 and rolled forward to the measurement date.

These schedules are presented to illustrate the requirements to show information for 10 years. However, until a full 10-year trend has been compiled, information is presented only for the years for which the required supplementary information is available.

**BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON**

**SCHEDULE OF CHANGES IN OTHER POST EMPLOYMENT BENEFITS (OPEB) LIABILITY
For the fiscal year ended June 30, 2023**

Schedule of changes in the total OPEB liability

Year ended June 30	Service Cost	Interest	Changes of Benefit Terms	Effect of Economic/ Demographic Gains or Losses	Changes of Assumption or Output Input	Benefit Payments	Net Changes for the Year
2024	\$ 31,115	\$ 16,642	\$ -	\$ (65,428)	\$ (151,701)	\$ (26,026)	\$ (195,398)
2023	38,037	10,879	-	-	(54,749)	(15,725)	(21,558)
2022	50,886	13,317	-	(69,806)	(61,040)	(23,062)	(89,705)
2021	42,680	18,113	-	-	42,023	(28,722)	74,094
2020	36,687	18,682	-	(7,521)	9,870	(29,161)	28,557
2019	36,413	16,986	-	-	(10,429)	(40,683)	2,287
2018	38,690	13,949	-	-	(25,531)	(39,024)	(11,916)

Schedule of total OPEB liability and related ratios

Year ended June 30	Total OPEB Liability Beginning (asset)	Net Changes for the Year	Total OPEB Liability (asset) Ending	Covered Payroll	Net Single Employer Pension Plan as a Percentage of Covered Payroll
2024	\$ 451,891	\$ (195,398)	\$ 256,493	\$ 6,827,216	3.76%
2023	473,449	(21,558)	451,891	6,422,504	7.04%
2022	563,154	(89,705)	473,449	5,738,989	8.25%
2021	489,060	74,094	563,154	5,480,029	10.28%
2020	460,503	28,557	489,060	5,604,291	8.73%
2019	458,216	2,287	460,503	5,425,655	8.49%
2018	470,133	(11,916)	458,216	5,100,003	8.98%

Note: This schedule is presented to illustrate the requirements to show information for 10 years. However, until a full year trend has been compiled, information is presented for the years for which the required supplementary schedule information is available. The District implemented GASB 75 in the fiscal year ending June 30, 2018.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
ACTUAL AND BUDGET
For the Year Ended June 30, 2024

GENERAL FUND

	<u>ORIGINAL BUDGET</u>	<u>FINAL BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>
REVENUES:				
Taxes	\$ 3,647,000	\$ 3,647,000	\$ 3,776,765	\$ 129,765
Other Local Sources	200,000	200,000	251,289	51,289
Intermediate Sources	25,000	25,000	21,392	(3,608)
State Sources	9,170,061	9,370,061	9,587,444	217,383
Total Revenues	13,042,061	13,242,061	13,636,890	394,829
EXPENDITURES:				
Instruction	8,322,300	8,422,300 (1)	7,783,776	638,524
Support Services	5,607,973	5,667,973 (1)	5,250,757	417,216
Debt Service	43,688	43,688 (1)	43,688	-
Contingency	50,000	50,000 (1)	-	50,000
Total Expenditures	14,023,962	14,183,962	13,078,221	1,105,741
Excess of Revenues Over (Under) Expenditures	(981,901)	(941,901)	558,669	1,500,570
OTHER FINANCING SOURCES (USES)				
Debt Proceeds	-	-	18,138	18,138
Transfers Out	(391,300)	(431,300) (1)	(430,119)	1,181
Total Other Financing Sources (Uses)	(391,300)	(431,300)	(411,981)	19,319
Net Change in Fund Balance	(1,373,201)	(1,373,201)	146,688	1,519,889
Beginning Fund Balance	2,500,000	2,500,000	2,321,525	(178,475)
Ending Fund Balance	\$ 1,126,799	\$ 1,126,799	\$ 2,468,213	\$ 1,341,414

(1) - Appropriation level

**BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON**

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
ACTUAL AND BUDGET
For the Year Ended June 30, 2024**

SPECIAL PROJECTS FUND

	ORIGINAL BUDGET	FINAL BUDGET	ACTUAL	VARIANCE
REVENUES:				
Local Sources	\$ 805,300	\$ 805,300	\$ 450,999	\$ (354,301)
Intermediate Sources	-	-	110,751	110,751
State Sources	1,187,401	1,187,401	1,356,680	169,279
Federal Sources	1,235,842	1,235,842	1,156,928	(78,914)
	3,228,543	3,228,543	3,075,358	(153,185)
EXPENDITURES:				
Instruction	2,595,865	2,595,865 (1)	2,209,292	386,573
Support Services	862,078	902,078 (1)	899,018	3,060
Enterprise & Community Services	551,700	551,700 (1)	545,572	6,128
Debt Service	27,300	27,300 (1)	27,300	-
	4,036,943	4,076,943	3,681,182	395,761
Excess of Revenues Over (Under) Expenditures	(808,400)	(848,400)	(605,824)	242,576
OTHER FINANCING SOURCES (USES)				
Transfers In	360,000	400,000	402,819	2,819
	360,000	400,000	402,819	2,819
Net Change in Fund Balance	(448,400)	(448,400)	(203,005)	245,395
Beginning Fund Balance	908,400	908,400	588,955	(319,445)
Ending Fund Balance	\$ 460,000	\$ 460,000	\$ 385,950	\$ (74,050)

(1) Appropriation Level

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

SUPPLEMENTARY INFORMATION

**BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON**

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
ACTUAL AND BUDGET
For the Year Ended June 30, 2024**

DEBT SERVICE FUND

	ORIGINAL BUDGET	FINAL BUDGET	ACTUAL	VARIANCE
REVENUES:				
Local Sources				
Current Year's Taxes	\$ 1,381,000	\$ 1,381,000	\$ 1,353,900	\$ (27,100)
Prior Year's Taxes	11,905	11,905	12,974	1,069
Payments in Lieu of property taxes	100	100	244	144
Interest	11,000	11,000	55,198	44,198
Total Local Sources	1,404,005	1,404,005	1,422,316	18,311
Intermediate Sources	1,000	1,000	1,198	198
Total Revenues	1,405,005	1,405,005	1,423,514	18,509
EXPENDITURES:				
Debt Service	1,432,305	1,432,305 (1)	1,432,300	5
Total Expenditures	1,432,305	1,432,305	1,432,300	5
Excess of Revenues Over (Under) Expenditures	(27,300)	(27,300)	(8,786)	18,514
Other Financing Sources, (Uses)				
Transfers In	27,300	27,300	27,300	-
Total Other Financing Sources, (Uses)	27,300	27,300	27,300	-
Net Change in Fund Balance	-		18,514	18,514
Beginning Fund Balance	200,000	200,000	190,231	(9,769)
Ending Fund Balance	\$ 200,000	\$ 200,000	\$ 208,745	\$ 8,745

(1) Appropriation level

**BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON**

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
ACTUAL AND BUDGET
For the Year Ended June 30, 2024**

CAPITAL PROJECTS FUND

	<u>ORIGINAL BUDGET</u>	<u>FINAL BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>
REVENUES:				
Local Sources	\$ 82,000	\$ 82,000	\$ 40,794	\$ (41,206)
Total Revenues	<u>82,000</u>	<u>82,000</u>	<u>40,794</u>	<u>(41,206)</u>
EXPENDITURES:				
Facilities Acquisition & Construction	<u>776,000</u>	<u>776,000</u> (1)	<u>763,187</u>	<u>12,813</u>
Total Expenditures	<u>776,000</u>	<u>776,000</u>	<u>763,187</u>	<u>12,813</u>
Net Change in Fund Balance	(694,000)	(694,000)	(722,393)	(28,393)
Beginning Fund Balance	<u>694,000</u>	<u>694,000</u>	<u>1,033,543</u>	<u>339,543</u>
Ending Fund Balance	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 311,150</u>	<u>\$ 311,150</u>

(1) Appropriation level

**BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON**

**SCHEDULE OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE
ACTUAL AND BUDGET
For the Year Ended June 30, 2024**

PENSION OBLIGATION BONDS FUND - INTERNAL SERVICE FUND

	<u>ORIGINAL BUDGET</u>	<u>FINAL BUDGET</u>	<u>ACTUAL</u>	<u>VARIANCE</u>
REVENUES				
Local Sources:				
Interest	\$ 1,000	\$ 1,000	\$ 5,759	\$ 4,759
Assessments to Other Funds	<u>370,502</u>	<u>370,502</u>	<u>385,748</u>	<u>15,246</u>
Total Revenues	<u>371,502</u>	<u>371,502</u>	<u>391,507</u>	<u>15,246</u>
EXPENDITURES				
Debt Service	<u>371,502</u>	<u>371,502</u> (1)	<u>371,502</u>	<u>-</u>
Total Expenditures	<u>371,502</u>	<u>371,502</u>	<u>371,502</u>	<u>-</u>
Net Change in Fund Balance	-	-	20,005	20,005
Beginning Fund Balance	<u>25,000</u>	<u>25,000</u>	<u>21,697</u>	<u>(3,303)</u>
Ending Fund Balance	<u>\$ 25,000</u>	<u>\$ 25,000</u>	41,702	<u>\$ 16,702</u>

(1) Appropriation level

Reconciliation to Net Position:

Pension Obligation Bonds Payable	<u>(1,250,104)</u>
Ending Net Position	<u>\$ (1,208,402)</u>



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November 21, 2024

Independent Auditors' Report Required by Oregon State Regulations

We have audited the basic financial statements of the Banks School District as of and for the year ended June 30, 2024, and have issued our report thereon dated November 21, 2024. We conducted our audit in accordance with auditing standards generally accepted in the United States of America.

Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we performed tests of compliance with certain provisions of laws, regulations, contracts, and grants, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules 162-10-000 through 162-10-320 of the Minimum Standards for Audits of Oregon Municipal Corporations, noncompliance with which could have a direct and material effect on the determination of financial statements amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion.

We performed procedures to the extent we considered necessary to address the required comments and disclosures, but were not limited to the following:

- **Deposit of public funds with financial institutions (ORS Chapter 295)**
- **Indebtedness limitations, restrictions and repayment.**
- **Budgets legally required (ORS Chapter 294).**
- **Insurance and fidelity bonds in force or required by law.**
- **Authorized investment of surplus funds (ORS Chapter 294).**
- **Public contracts and purchasing (ORS Chapters 279A, 279B, 279C).**
- **State school fund factors and calculation.**
- **Programs funded from outside sources.**

In connection with our testing nothing came to our attention that caused us to believe the Banks School District was not in substantial compliance with certain provisions of laws, regulations, contracts, and grants, including the provisions of Oregon Revised Statutes as specified in Oregon Administrative Rules 162-10-000 through 162-10-320 of the Minimum Standards for Audits of Oregon Municipal Corporations.

OAR 162-10-0230 Internal Control

In planning and performing our audit, we considered internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of internal control over financial reporting.

This report is intended solely for the information and use of the Board, management and the Oregon Secretary of State and is not intended to be and should not be used by anyone other than these parties.

A handwritten signature in black ink, appearing to read "Kenny Allen". The signature is fluid and cursive, with a large initial "K" and a long, sweeping underline.

Kenny Allen, CPA
PAULY, ROGERS AND CO., P.C.

BANKS SCHOOL DISTRICT NO. 13
WASHINGTON COUNTY, OREGON

GRANT COMPLIANCE REVIEW

**Banks School District
Schedule of Expenditures of Federal Awards
For the Year Ended June 30, 2024**

Program Title	Pass Through Organization	Federal Number	Sub Grant Number	Grant Period	Award	Expenditures
US DEPARTMENT OF EDUCATION						
Title 1 Grants to Local Educational Agencies	Oregon Department of Education	84.010	72463	7/1/22-9/30/23	\$ 45,309	\$ 885
	Oregon Department of Education	84.010	76428	7/1/23-9/30/24	116,602	115,413 *
	Oregon Department of Education	84.010	67937	10/1/21-9/30/23	40,946	4,230
Total Title 1 Grants to Local Educational Agencies					<u>202,857</u>	<u>120,528</u>
Special Education Grants to States	Oregon Department of Education	84.027	75279	7/1/22-9/30/23	16,068	2,523
	Oregon Department of Education	84.027	77919	7/1/23-9/30/25	226,273	226,273
	Northwest Regional ESD	84.027	Fund 207	7/1/23-6/30/24	7,500	7,500
Total Special Education Grants to States					<u>249,841</u>	<u>236,296</u>
Supporting Effective Instruction State Grants	Oregon Department of Education	84.367	58711	7/1/20-9/30/23	20,642	794
	Oregon Department of Education	84.367	76625	7/1/23-9/30/24	22,248	6,560 **
Total Supporting Effective Instruction State Grants					<u>42,890</u>	<u>7,354</u>
Student Support and Academic Enrichment State Grants	Oregon Department of Education	84.424	72857	7/1/22-9/30/23	10,000	9,656
	Oregon Department of Education	84.424	77058	7/1/23-9/30/24	10,000	9,872 ***
Total Student Support and Academic Enrichment State Grants					<u>20,000</u>	<u>19,528</u>
Education Stabilization Fund (ESF)	Oregon Department of Education	84.425D	64835	3/13/20-9/30/24	598,441	559,349 ****
Total Education Stabilization Fund (ESF)					<u>598,441</u>	<u>559,349</u>
TOTAL US DEPARTMENT OF EDUCATION					<u>\$1,114,029</u>	<u>\$943,055</u>
US DEPARTMENT OF AGRICULTURE						
CNP Block National School Breakfast	Oregon Department of Education	10.553	Fund 280	7/1/23-6/30/24	\$38,117	\$38,117
CNP Block National School Lunch	Oregon Department of Education	10.555	Fund 280	7/1/23-6/30/24	153,894	153,894
Donated Commodity NSLP - Noncash assistance	Oregon Department of Education	10.555	Fund 280	7/1/23-6/30/24	21,862	21,862
TOTAL US DEPARTMENT OF AGRICULTURE					<u>\$213,873</u>	<u>\$213,873</u>
TOTAL FEDERAL FINANCIAL ASSISTANCE					<u>\$1,327,902</u>	<u>\$1,156,928</u>

* \$746 passed through to Forest Grove School District for Title I services at Visitation Catholic School. \$2,991 passed through to St. Francis of Assisi Catholic School

** \$2,160 passed through to St. Francis of Assisi Catholic School

*** \$960 passed through to St. Francis of Assisi Catholic School

**** Covid-19 Funding



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November 21, 2024

To the Board of Education
Banks School District
Washington County, Oregon

INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS PERFORMED IN ACCORDANCE WITH *GOVERNMENT AUDITING STANDARDS*

We have audited, in accordance with the auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards* issued by the Comptroller General of the United States, the financial statements of the governmental activities, each major fund, and the aggregate remaining fund information of Banks School District as of and for the year ended June 30, 2024, and the related notes to the financial statements, which collectively comprise the basic financial statements, and have issued our report thereon dated November 21, 2024.

Report on Internal Control over Financial Reporting

In planning and performing our audit of the financial statements, we considered the internal control over financial reporting (internal control) as a basis for designing audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of internal control. Accordingly, we do not express an opinion on the effectiveness of internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the financial statements will not be prevented, or detected and corrected, on a timely basis.

A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

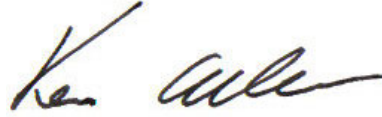
Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses or significant deficiencies may exist that have not been identified.

Report on Compliance and Other Matters

As part of obtaining reasonable assurance about whether the financial statements are free from material misstatement, we performed tests of compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the financial statements. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the internal control and compliance. Accordingly, this communication is not suitable for any other purpose.

A handwritten signature in black ink, appearing to read "Ken Allen". The signature is fluid and cursive, with a large initial "K" and "A".

Kenneth Allen, CPA
PAULY, ROGERS AND CO., P.C.



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November 21, 2024

To the Board of Education
Banks School District
Washington County, Oregon

INDEPENDENT AUDITORS' REPORT ON COMPLIANCE FOR EACH MAJOR PROGRAM
AND ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE

Report on Compliance for Each Major Federal Program

Opinion on Each Major Federal Program

We have audited Banks School District's compliance with the types of compliance requirements identified as subject to audit in the *OMB Compliance Supplement* that could have a direct and material effect on each of the major federal programs for the year ended June 30, 2024. The major federal programs are identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs.

In our opinion, Banks School District complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended June 30, 2024.

Basis for Opinion on Each Major Federal Program

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance). Our responsibilities under those standards and the Uniform Guidance are further described in the Auditors' Responsibilities for the Audit of Compliance section of our report.

We are required to be independent of Banks School District and to meet our other ethical responsibilities, in accordance with relevant ethical requirements relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion on compliance for each major federal program. Our audit does not provide a legal determination of compliance with the compliance requirements referred to above.

Responsibilities of Management for Compliance

Management is responsible for compliance with the requirements referred to above and for the design, implementation, and maintenance of effective internal control over compliance with the requirements of laws, statutes, regulations, rules, and provisions of contracts or grant agreements applicable to its federal programs.

Auditors' Responsibilities for the Audit of Compliance

Our objectives are to obtain reasonable assurance about whether material noncompliance with the compliance requirements referred to above occurred, whether due to fraud or error, and express an opinion on compliance based on our audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance

requirements referred to above is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about compliance with the requirements of each major federal program as a whole.

In performing an audit in accordance with generally accepted auditing standards, *Government Auditing Standards*, and the Uniform Guidance, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding compliance with the compliance requirements referred to above and performing such other procedures as we considered necessary in the circumstances.
- Obtain an understanding of internal control over compliance relevant to the audit in order to design audit procedures that are appropriate in the circumstances and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we identified during the audit.

Report on Internal Control over Compliance

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, noncompliance with a type of compliance requirement of a federal program on a timely basis. A *material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. A *significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the Auditors' Responsibilities for the Audit of Compliance section above and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies in internal control over compliance. Given these limitations, during our audit we did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses, as defined above. However, material weaknesses or significant deficiencies in internal control over compliance may exist that were not identified.

Our audit was not designed for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, no such opinion is expressed.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.



Kenneth Allen, CPA
PAULY, ROGERS AND CO., P.C.

BANKS SCHOOL DISTRICT
BANKS, OREGON

SCHEDULE OF FINDINGS AND QUESTIONED COSTS
For the Year Ended June 30, 2024

SECTION I – SUMMARY OF AUDITORS’ RESULTS

FINANCIAL STATEMENTS

Type of auditors' report issued: Unmodified

Internal control over financial reporting:

Material weakness(es) identified? yes no

Significant deficiency(s) identified that are not considered to be material weaknesses? yes none reported

Noncompliance material to financial statements noted? yes no

Any GAGAS audit findings disclosed that are required to be reported reported in accordance with section 515(d)(2) of the Uniform Guidance? yes no

FEDERAL AWARDS

Internal control over major programs:

Material weakness(es) identified? yes no

Significant deficiency(s) identified that are not considered to be material weaknesses? yes none reported

Type of auditors' report issued on compliance for major programs: Unmodified

Any audit findings disclosed that are required to be reported in accordance with section 200.516(a) of the Uniform Guidance? yes no

IDENTIFICATION OF MAJOR PROGRAMS

AL NUMBER **NAME OF FEDERAL PROGRAM CLUSTER**

84.425 Education Stabilization Fund (ESF)

Dollar threshold used to distinguish between type A and B programs \$750,000

Auditee qualified as low-risk auditee? yes no

BANKS SCHOOL DISTRICT
BANKS, OREGON

SCHEDULE OF FINDINGS AND QUESTIONED COSTS

For the Year Ended June 30, 2024

SECTION II – FINANCIAL STATEMENT FINDINGS

None noted

SECTION III – FEDERAL AWARD FINDINGS AND QUESTIONED COSTS

None noted

NOTES TO THE SCHEDULE OF EXPENDITURES OF FEDERAL EXPENDITURES

1. BASIS OF PRESENTATION

The accompanying schedule of expenditures of federal awards includes federal grant activity under programs of the federal government. The information in this schedule is presented in accordance with the audit requirements of Title 2 U.S. Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (Uniform Guidance). Because the schedule presents only a selected portion of the operations, it is not intended to and does not present the net position, changes in net position, or cash flows of the entity.

2. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Expenditures reported on the schedule are reported on the modified accrual basis of accounting. Such expenditures are recognized following the cost principles contained in the Uniform Guidance, wherein certain types of expenditures are not allowed or are limited as to reimbursement. Negative amounts shown on the schedule represent adjustments or credits made in the normal course of business to amounts reported as expenditures in prior years. The entity has not elected to use the ten percent de minimus indirect cost rate as allowed under Uniform Guidance, due to the fact that they already have a negotiated indirect cost rate with Oregon Department of Education, and thus is not allowed to use the de minimus rate.

1. Preliminaries

1.1. Call to Order

1.2. Flag Salute

1.3. Roll Call

1.4. Public Welcome/Recognition

1.5. Approval of Agenda

I make a motion to approve the December 9th, 2024 agenda as presented. This motion, made by Corissa Mazurkiewicz and seconded by Leslee Sipp, Carried.
Ron Frame: Yea, Corissa Mazurkiewicz: Yea, William Moore: Yea, Leslee Sipp: Yea, Daniel Streblow: Yea
Yea: 5, Nay: 0

Member Moore made a motion to move. Motion failed.

1.6. Banks High School Leadership

Robby Harris was present to give an update on the current events at the high school. Highlights included information about FFA, the recent Food Drive, the Drama Production, The Giver, as well as sports and Clubs updates.

2. Recognitions

2.1. Student Services Parent Night / Student Case Managers

Darla Waite Larkin shared a presentation on the recently held Student Services Parent Night. The evening involved special education staff and our special education student families, and covered various topics such as sensory support, understanding the brain, articulation, communication and milestones for special articulation. The evening was structured in a workshop model where parents could choose which session to attend. The event started with pizza with families, followed by sessions. The event received positive feedback and our district is proud of our special education staff for their dedication, collaboration and care for our students and for their efforts towards this event.

3. Audience Comment

Public Comment #1 - submitted via email; video presentation on the District Administration Building. Shared her feelings on the demolition versus remodeling of the building.

Public Comment #2 - Carol; asks the Board to take their time to examine all possibilities regarding the District Administration Building.

Public Comment #3 - Corey; does not want to lose the District Administration building, feels it is a historical icon.

Public Comment #4 - Laurellen - Representing the Banks Historical Society. Advocates that the District Administration Buiding isn't demolished until

further research and consideration can be completed.

Public Comment #5 - Ayla - Has questions about the seismic study and requests a full copy. Does not support a vote to demolish the District Admin building.

Public Comment #6 - Jody - Feels the Board has not succeeded in reaching the committee, nor shared the financial details of the proposals. In addition, wants to know if the appropriate companies/services have been hired to do the necessary evaluations. Brought up concerns about environmental impact, community and student engagement.

Public Comment #7 - Sue - shared her thoughts about her historical appreciation, her work with the facility and bond planning and her thoughts about utilizing the bond funds as it relates to maintaining the district administration building.

Public Comment #8 - Kristin - shared her thoughts about being involved with the Bond campaign and joining the effort to ensure that due diligence was done as it relates to saving the District Administration Building. Feels the district must follow the most fiscally responsible option, and honor what the bond was designated for.

4. Presentations/Reports

4.1. December Superintendent's Report

Dr. Sica shared the December Superintendent Report. Highlights include an increase in attendance as well as a higher graduation rate and improved math and literacy achievements. Professional development work by teachers continues within our district, and we continue to align our work with our district strategic plan. The State School Profile was shared. The full report is attached to the agenda.

4.2. November Financial Update

Jennifer Collins shared the November Financial Report. Taxes typically come in November but are late and should be received soon. The audit is complete and will be presented at an upcoming Board meeting.

5. Consent

I make a motion to approve the Consent Agenda Items as presented. This motion, made by Corissa Mazurkiewicz and seconded by Leslee Sipp, Carried.

Ron Frame: Yea, Corissa Mazurkiewicz: Yea, William Moore: Yea, Leslee Sipp: Yea, Daniel Strelow: Yea

Yea: 5, Nay: 0

5.1. Approval of 11.12.24 Regular Board Meeting Minutes

5.2. Approval of 11.12.24 Board Work Session minutes

5.3. Approval of 11.25.24 Board Work Session minutes

5.4. Routine Personnel Matters

5.5. Swimming Co-op

5.6. Adopt Resolution #2425DEC01 for the Salmonberry Trail Foundation
Endorsement -

6. Discussion Items

6.1. First readings of policies AC, AC-AR, GCBDA/GDBDA, GCBDA/GDBDA AR1, GCBDC/GDBDC AR1, GCBDF/GDBDF, GCBDF/GCBDF AR1, GBN/JBA (JBA/GBN), GCBDD/GDBDD, IKF, JBA/GBN, JFE, JHCD, JHCD-AR1, JECA and deletion of policies GBN/JBA AR1 & AR2 (JBA/GBN AR1 & AR2)

There are a number of required policy updates per recent legislative changes. Many changes are due to the changing Paid Leave Oregon laws. The Board was provided with hard copies of all policy changes for review and should send any clarifying questions to Dr. Sica. The Board will be asked to adopt these policies at the next Board meeting.

6.2. Board Discussion regarding Bond Projects

Chairman Frame opened the conversation with his thoughts about the proposed concepts. Brian will follow up with the Board

7. Action Items

8. Closing

8.1. Upcoming items

8.1.1. Interim Work Session - Monday December 30th.

8.1.2. Next Board Meeting: January 13, 2024

8.1.3. Special Board Meeting to adopt Master Plan - January 28th

8.1.4. February 18th - Board Meeting

8.2. Board Comments

Board members shared final thoughts as the meeting closed.

9. Adjourn

The meeting adjourned at 7:06. The full recording of this meeting is available anytime.

Special Recognition for the BSD Special Education Team
for their
Special Education Parent Night
November 14, 2024



5:00 - 5:30 Pizza and drinks available in the cafeteria

5:30 - 5:45 Welcome and Introduction

5:45 - 6:05 Session #1

6:05 - 6:25 Session #2

6:25 - 6:45 Session # 3

6:45 Cookies

Session #1	Exploring Sensory Supports for School		Understanding the Brain	IEP Services at the High School Level
Location	Music Room		BES DO	Rm. 107
Session #2	Exploring Sensory Supports for School	Articulation and Communication - What are the Milestones	Understanding the Brain	IEP Services at the High School Level
Location	Music Room	Rm. 108	BES DO	Rm. 107
Session #3	Exploring Sensory Supports for School	Articulation and Communication - What are the Milestones	A Simulated Experience of a Reading Disability	
Location	Music Room	Rm. 108	BES DO	

Banks School District Board of Directors

December 9, 2024

Superintendent's Report

Banks School District "At a glance" profile

The document is an "At-A-Glance District Profile" from the Oregon Department of Education for Banks School District 13 for the 2023-24 academic year. It provides an overview of the district's demographics, academic outcomes, staffing, and goals, along with metrics to evaluate performance in key areas such as student attendance, academic achievement, graduation rates, and staff experience.

Areas to Celebrate

1. **High On-Time Graduation Rate:** The district has an impressive 95% on-time graduation rate, significantly above the state average of 81%. This indicates strong support for students completing their high school education on time.
2. **Improvement in Attendance Rates:** Regular attendance increased by 6% from the previous year, surpassing the state average (68% vs. 66%), demonstrating efforts to engage students and reduce absenteeism.
3. **Academic Performance Above State Average:** The district outperforms the state in key academic benchmarks, such as Grade 3 English Language Arts (43% vs. 40%) and Grade 8 Mathematics (31% vs. 27%).

While this document does provide a high level analysis of key indicators it does require additional context, especially in the areas of math and language arts achievement. The Banks School District has an irregularly low participation rate compared to districts across the state. Students who opt out of the state exams used by this report count the same as a student taking and not passing the exam, regardless of their academic standing.

As a reminder, the Banks School District has a five year report card as well as annual quantitative goals for each school. These internal documents prove to be more useful in improving as a district.

Community Curriculum Advisory Committee (CCAC)

No Meeting in November/December

Attendance

The Banks School District is part of a state-wide learning group focused on understanding and addressing attendance challenges in our schools. We know that for students to attend regularly, they need to feel a sense of belonging, have a clear reason to come to school, feel engaged in their learning, and know that they are safe. When

Banks School District Board of Directors

December 9, 2024

Superintendent's Report

these needs are met, students are more likely to attend school at least 90% of the time. However, when these needs aren't met, attendance rates can fall below 90%, impacting students' learning and success.

This year, we've been conducting student focus groups and interviews to hear directly from our students. Their voices are providing us with valuable insights into what helps them feel motivated to attend school and succeed. One of the key things we've learned is that students need strong connections with their teachers and school staff. They've also shared that feeling engaged in their schoolwork is essential for their success.

Our goal is to work together with students and families to better understand what encourages attendance and what barriers might exist.

Instructional Leadership

The administrative team is working hard to reach their goal of least 30 classroom visits per school/per quarter. This important work is part of our action planning as well as our commitment to elevating instructional leadership in our district.

TSEL

After our TSEL staff development on November 20th, we asked the staff what strategies will they use in their classrooms to develop/expand on positive conditions for learning? Here are some of their responses:

- Talking with students about noticing things others are doing well and praising them for their accomplishments; helping to create a warm and safe classroom environment.
- Continue with SEL activities
- More one on one connections
- Consistent expectations and routines
- Focus on belonging and identity
- Check in with students and start with gratitude.
- I will be looking at strategies to improve academic mindset.
- Continue using the strategy of "Hear Hug Help" at the end of every recess...
- Working on a way to keep expectations high, while also being cognizant of A.C.E.S.
- Trying to design lessons with a little more student choice
- I would like to work on creating more resiliency with my students

Banks School District Board of Directors

December 9, 2024

Superintendent's Report

- Paying more attention to students who are experiencing challenging behaviors and give them options for ways to de-escalate rather than them "being in trouble".
- Making a point to send home positive emails to help build relationships with the whole family.
- Making a point to ask questions about students in general as relationship building before getting into content.
- Developing student centered instruction

Instructional Materials Adoption

Access to high-quality instructional materials is critical to excellent instruction. A growing body of research points to the positive impact that high-quality instructional materials have on student learning.

- High-quality instructional materials can yield improvements in student learning outcomes equal to or greater than many interventions that are often more costly.
- A high-quality [instructional material] can give educators within a school and across a school system a common foundation to organize the work they're undertaking at the classroom level and collaborate to develop together...According to Brian Pick, Chief of Teaching and Learning in DCPS, Cornerstones "are about bringing equity to the district—a shared experience creating a floor, but not a ceiling, around the teaching and learning that happens in our classrooms."
- Research shows that students in general gain months of learning when teachers use stronger instructional materials. There is ample research to show that adopting high-quality materials is not only effective but also cost-neutral. It is no more expensive than current materials and many materials are available online for free!
- High-quality instructional materials allow students to engage more deeply and meaningfully with the standards.

Banks School District is currently in the beginning stages of our Health Instructional Materials Adoption. School-based teams, district administrators and our Community

**Banks School District Board of Directors
December 9, 2024
Superintendent's Report**

Curriculum Advisory Committee will spend time reviewing options and determining what best meets the needs of our students. We are starting the process with the options that are approved by the Oregon Department of Education. There will be an opportunity for parents and caregivers to view the recommendations before final selection. This process will most likely conclude in the spring, but we may need additional time and could possibly conclude next school year.



OREGON AT-A-GLANCE DISTRICT PROFILE

Banks SD 13

SUPERINTENDENT: Brian Sica | 12950 NW Main, Banks 97106 | 503-324-8591



Students We Serve

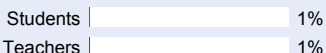


1,084

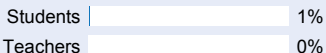
Student Enrollment

DEMOGRAPHICS

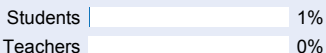
American Indian/Alaska Native



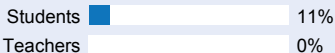
Asian



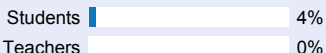
Black/African American



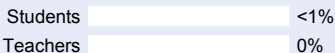
Hispanic/Latino



Multiracial



Native Hawaiian/Pacific Islander



White



6%

Ever English Learners



13

Languages Spoken

16%

Students with Disabilities

7%

Mobile Students

20%

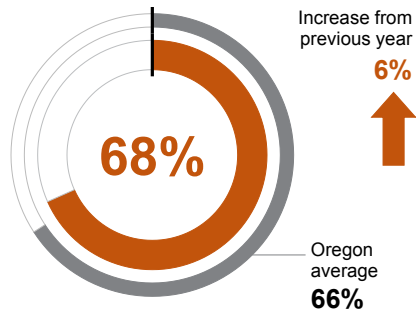
Students Experiencing Poverty

*<10 students or data unavailable

District Environment

REGULAR ATTENDERS

Students who attended more than 90% of their enrolled school days.

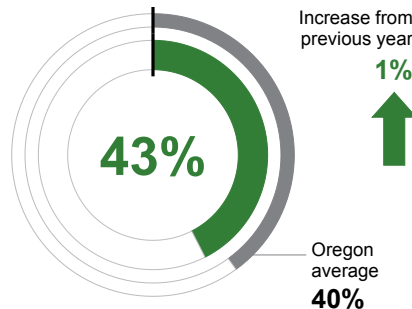


Academic Success

Grade 3

ENGLISH LANGUAGE ARTS

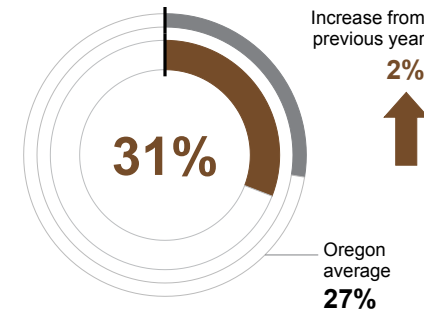
Students meeting state grade-level expectations.



Grade 8

MATHEMATICS

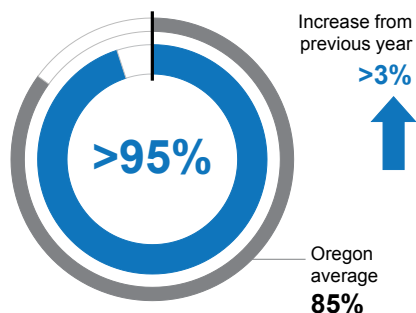
Students meeting state grade-level expectations.



High School Success

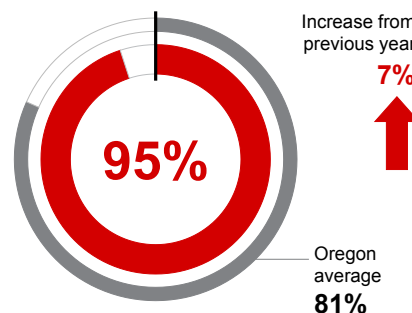
ON-TRACK TO GRADUATE

Students earning one-quarter of graduation credits in their 9th grade year.



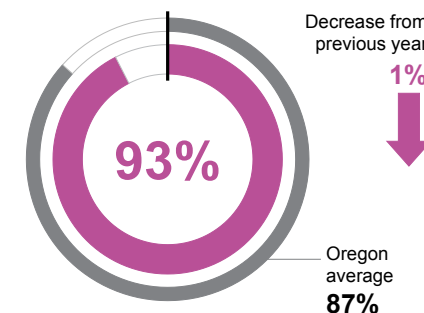
ON-TIME GRADUATION

Students earning a diploma within four years. Cohort includes students who were first-time ninth graders in 2019-20 graduating in 2022-23.



FIVE-YEAR COMPLETION

Students earning a high school diploma or GED within five years. Cohort includes students who were first-time ninth graders in 2018-19 finishing in 2022-23.



District Goals

Our district strives to ensure that our efforts produce educational excellence in all of our outcomes. We work to produce a students and staff experience that makes all members of our community happy and proud. We organize our efforts around five key areas: Empowering our Students, Enriching Our Facilities, Energizing our Team, Engaging our Community, and Aligning our Resources. By attending to those key efforts, we know that we will prepare every student for learning and life. Our specific metrics for success and intentional actions can be found on our website.

State Goals

The Oregon Department of Education is collaborating with school districts and communities across the state to achieve a 90% on-time graduation rate by 2027. Grounded in the pillars of Academic Excellence, Belonging and Wellness, and Reimagined Accountability, ODE prioritizes evidence-based practices to boost early literacy, attendance, and student engagement. We are committed to closing opportunity and achievement gaps for marginalized students and securing long-term success for all of Oregon's learners by investing in culturally responsive practices, fostering inclusive environments and always driving for continuous improvement.



OREGON AT-A-GLANCE DISTRICT PROFILE CONTINUED

Banks SD 13

Outcomes

2023-24

Our Staff (rounded FTE)



7

Administrators



59

Teachers



21

Educational assistants



3

Counselors



0

Social Workers



0

Licensed Librarians



1

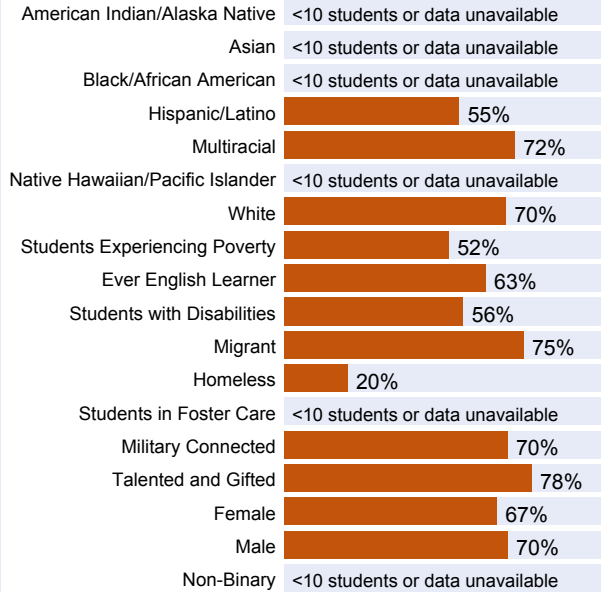
Psychologists



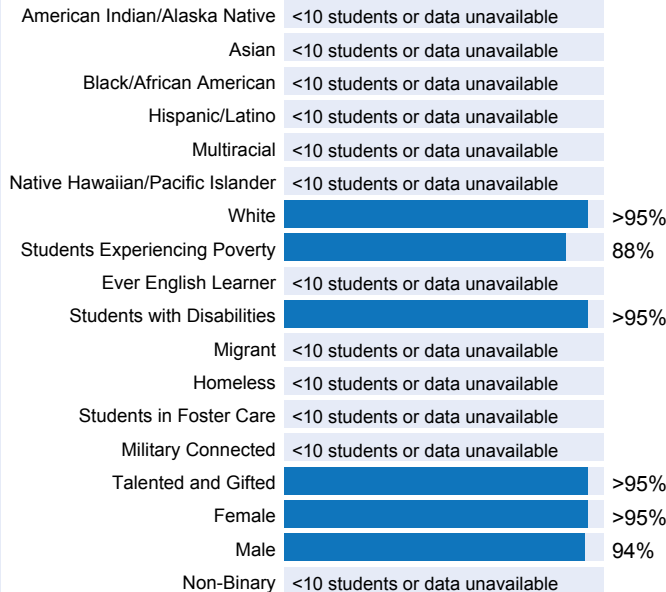
84%

% of licensed teachers with more than 3 years of experience

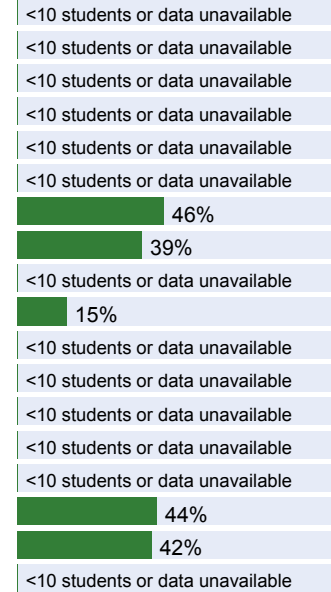
REGULAR ATTENDERS



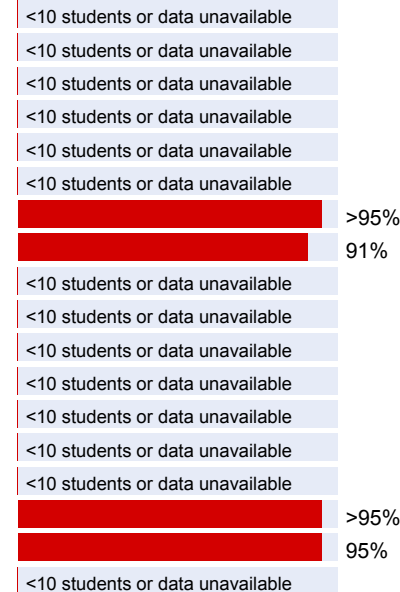
ON-TRACK TO GRADUATE



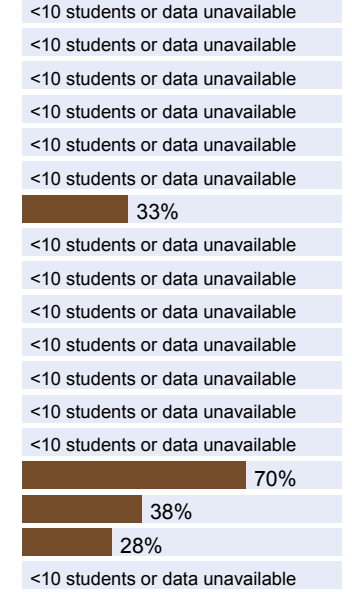
Grade 3 ENGLISH LANGUAGE ARTS



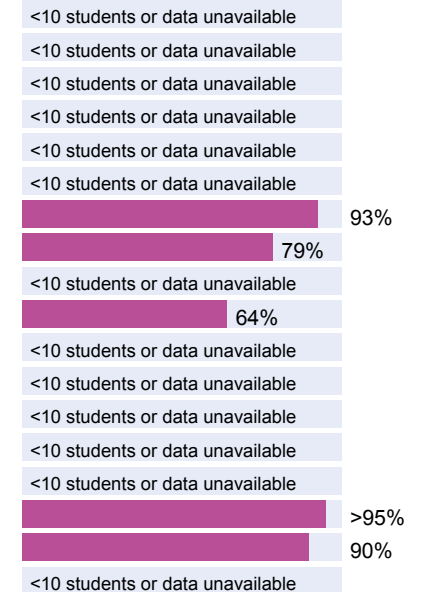
ON-TIME GRADUATION



Grade 8 MATHEMATICS



FIVE-YEAR COMPLETION



100 GENERAL FUND | Revenue & Expense Summary

Fiscal Year 2024 - 2025

For the Period Ending November 30, 2024

	Period 1 Actual Jul '24	Period 2 Actual Aug '24	Period 3 Actual Sept '24	Period 4 Actual Oct '24	Period 5 Actual Nov '24	Period 6 Projected Dec '24	Period 7 Projected Jan '25	Period 8 Projected Feb '25	Period 9 Projected Mar '25	Period 10 Projected Apr '25	Period 11 Projected May '25	Period 12 Projected Jun '25	Projected 2024-25 Totals	Adopted 2024-25 BUDGET	Year-To-Date 2024-25 Actuals	Variance Budget vs. Projected	% of Budget
REVENUES																	
STATE SCHOOL FUND FORMULA:																	
Local Taxes	-	-	8,631	4,431	894,753	2,687,426	65,623	24,819	67,683	20,357	17,863	83,415	3,875,000	3,875,000	907,815	0	23%
County School Funds	-	-	-	-	19,336	-	7,745	-	-	7,343	-	3,475	37,899	35,000	19,336	2,899	55%
State School Fund	1,535,620	767,350	767,350	767,350	767,350	767,350	767,350	767,350	767,350	767,350	767,350	-	9,209,120	9,214,000	4,605,020	(4,880)	50%
Common School Fund	72,830	-	-	-	-	-	-	77,365	-	-	-	-	150,194	151,500	72,830	(1,306)	48%
State Managed Timber	-	-	-	-	118,910	-	-	80,198	-	-	105,395	102,031	406,534	380,000	118,910	26,534	31%
SSF Formula Total	1,608,450	767,350	775,981	771,781	1,800,349	3,454,776	840,718	949,732	835,033	795,050	890,608	188,920	13,678,747	13,655,500	5,723,910	23,247	42%
Local Sources (1000)	17,272	19,538	17,035	15,386	13,651	7,868	7,756	7,771	6,807	5,670	23,369	5,253	64,493	85,000	82,882	0	98%
Intermediate Sources (2000)	-	-	-	-	-	684	-	-	938	-	-	806	2,427	3,000	-	0	0%
State Sources (3000)	-	-	-	-	-	-	-	-	-	-	125,000	-	125,000	125,000	-	0	0%
Federal Sources (4000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	0%
Other Sources (5000)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0	0%
Total Operating Revenue	1,625,721	786,888	793,016	787,167	1,814,000	3,463,328	848,474	957,502	842,778	800,720	1,038,977	194,979	13,870,667	13,868,500	5,806,792	2,167	42%
Beginning Fund Balance (5400)	2,479,698	-	-	-	-	-	-	-	-	-	-	-	2,479,698	2,155,000	2,479,698	324,698	115%
Total Monthly Revenues	4,105,419	786,888	793,016	787,167	1,814,000	3,463,328	848,474	957,502	842,778	800,720	1,038,977	194,979	16,350,365	16,023,500	8,286,490	326,865	52%
CUMULATIVE RESOURCES	4,105,419	4,892,307	5,685,323	6,472,490	8,286,490	11,749,817	12,598,291	13,555,793	14,398,571	15,199,291	16,238,268	16,433,247					
EXPENDITURES BY OBJECT																	
Salaries (100)	128,445	131,608	567,707	554,615	550,073	564,085	570,134	567,370	598,243	572,180	572,235	1,144,725	6,521,420	6,560,629	1,932,447	(39,209)	29%
Employee Benefits (200)	73,135	79,258	350,262	312,831	346,864	358,649	358,694	357,233	360,271	360,259	359,502	751,825	4,068,784	4,129,071	1,162,350	(60,287)	28%
Purchased Services (300)	85,440	236,516	90,198	126,199	361,294	203,000	298,916	217,278	286,181	203,633	340,903	372,362	2,821,920	2,804,700	899,647	17,220	32%
Supplies & Materials (400)	7,949	46,874	55,559	26,550	32,442	22,055	20,820	24,781	28,460	21,296	29,911	82,754	399,451	393,100	169,374	6,351	43%
Capital Outlay (500)	-	17,921	-	-	-	-	-	-	-	-	-	-	17,921	-	17,921	17,921	-
Insurance/Other (600)	150,352	10,068	2,541	3,555	2,029	2,573	946	2,092	319	354	916	2,873	178,620	185,700	168,546	(7,080)	91%
Interfund Transfers (700)	-	-	-	-	-	-	-	-	-	1,447	-	643,853	645,300	645,300	-	-	0%
Total Operating Expenditures	445,321	522,246	1,066,267	1,023,749	1,292,702	1,150,362	1,249,510	1,168,754	1,273,475	1,159,170	1,303,468	2,998,392	14,653,417	14,718,500	4,350,286	(65,084)	30%
Contingency (810)	-	-	-	-	-	-	-	-	-	-	-	-	-	500,000	-	(500,000)	0%
Unapprop. Ending Fund (820)	-	-	-	-	-	-	-	-	-	-	-	-	-	805,000	-	(805,000)	0%
Total Monthly Expenditures	445,321	522,246	1,066,267	1,023,749	1,292,702	1,150,362	1,249,510	1,168,754	1,273,475	1,159,170	1,303,468	2,998,392	14,653,417	16,023,500	4,350,286	(1,370,084)	27%
CUMULATIVE EXPENDITURES	445,321	967,567	2,033,835	3,057,584	4,350,286	5,500,648	6,750,158	7,918,912	9,192,387	10,351,557	11,655,024	14,653,417					
Month-end Fund Balance	3,660,098	3,924,740	3,651,488	3,414,906	3,936,204	6,249,170	5,848,133	5,636,881	5,206,184	4,847,734	4,583,243	1,779,830			3,936,204	1,696,949	

Regular Board Session
Tuesday, November 12, 2024 6:00 PM Pacific

Banks Middle School Library
12850 NW Main Street
Banks, OR 97106

Ron Frame: Present
Corissa Mazurkiewicz: Present
William Moore: Present
Leslee Sipp: Present
Daniel Streblov: Present

Present: 5.

- 1. Preliminaries
 - 1.1. Call to Order
 - 1.2. Flag Salute
 - 1.3. Roll Call
 - 1.4. Public Welcome/Recognition
 - 1.5. Approval of Agenda
 - 1.6. Banks High School Leadership
 - BHS Student and FFA Representative James Barthomolmew was present to share highlights of recent and current events at the High School including sport team accomplishments, the upcoming Drama Club show, The Giver, the BHS Lifeskills Fundraiser as well as FAD Club, Table Top Role Play and Robotics updates

 - Additional FFA members presented information on the recent FFA trip to the National Convention, where the Banks High School FFA Team placed Silver place. The team shared highlights of the many amazing places they visited as well as the key take-aways from their trip.

 - The full presentation is attached to the meeting agenda.

- 2. Recognitions
 - 2.1. National Native American Heritage Month, Grande Ronde Tribe
 - Dr. Sica shared a statement of gratitude for the contributions of the Grande Ronde Tribe for their partnership and continued commitment to our community.
 - 2.2. BHS FFA Landscape and Nursery Team - National Silver Place winner
 - FFA members introduced themselves and shared a presentation on their recent trip to the National Convention where they won Silver place. The FFA members flew to Indianapolis, where they visited many important sites, as well as participated in the Nursery/Landscape Career Development Event, where they qualified to represent Oregon at the National level for this event. Many members received bronze, silver, and gold medals.

The FFA team visited many amazing places including the Ozark Fisheries, Rising

Creek Creamery, NCAA Hall of Champions, Indianapolis Motor Speedway, Three Hills Rodeo, Indiana War Memorial, The Soldiers and Sailors Monument and the Indianapolis Zoo. Each present member shared a few highlights of the trip. The students were grateful for the support and for the opportunity to experience it.

The full presentation is attached to the meeting agenda.

3. Audience Comment

Public Comment #1 - Nina S.; Video and comment submitted via email and is regarding the Bond Master plan for the District Administration building. Shared her concerns and feedback with Board. *The submitted video is included as part of the Board meeting recording.

Public Comment #2 - Laurellen (?); presented a brief history of the District Administration Building. *Check historical info*, Feels the building should be preserved not only for the town of Banks, but for the state of Oregon.

Public Comment #3 - Jennifer: Shared her thoughts about the potential demolition of the District Administration Office. Feels the history of the Administration building is significant and crucial to the community as there are few historically significant resources available in the community.

4. Presentations/Reports

4.1. College Credit Opportunities

BHS Counsleor, Randy Rice, presented information on the High school college credit opportunities. The presentation included reasons a student would choose to earn college credit in High School, other things to consider as well as dual credit/college credit opportunities at PCC, Tillamook Bay CC, Linn Bentin CC and Willamette Promise through Western Oregon. In addition, a list of available AP courses was shared as well. Banks students have also been able to take other classes as well that are not on the list, as needed or available.

The full presentation is available in the Board meeting recording.

4.2. Superintendent's Report

Dr. Sica shared highlights of the November Superintendent's report.

- Workforce Development
- Banks Economic Development Council
- Attendance
 - attendance has increased significantly, but still lower than in the last three years
- Upcoming Dates
 - Nov. 19th - Student Leadership will review the same Bond Master Planning documents that were shaped this evening
 - Nov. 25th - Work Session - to answer any remaining questions
 - December 3rd - Community Forum
 - December 13th - Board meeting to adopt master plan.

- Dr. Sica shared information on the various conferences he's attended recently; What's Right In Education, Safe Schools Conference
 - Some "wish-list" items on Bond Planning will address the Safety and Security of our campus.

The full report is available in the Board packet.

4.3. October Financial Update

The Business Manager, Jennifer Collins, shared the October Financial update; 20% of total budget has been spent and appropriations are on track. Property taxes will come in soon, and will share a reconciliation.

PERS increases will affect the budget. With that in mind, the increase to salary expenses are incredibly significant and will need to be considered when 25-26 budget is being built.

5. Consent

I make a motion to approve the Consent Agenda Items as presented. This motion, made by Daniel Streblov and seconded by Leslee Sipp, Carried.

Ron Frame: Yea, Corissa Mazurkiewicz: Yea, William Moore: Yea, Leslee Sipp: Yea, Daniel Streblov: Yea

Yea: 5, Nay: 0

5.1. Approval of October 14th, 2024 Regular Board Meeting Minutes

5.2. Approval of October 14th, 2024 Work Session Meeting Minutes

5.3. Approval of October 30th, 202 Board Work Session Minutes

5.4. Routine Personnel Matters

6. Discussion Items

6.1. Integrated Programs - Quarter 4/Annual Progress Report for the 2023-24 School year

Dr. Sica shared the Integrated Guidance Report -

7. Action Items

7.1. OSBA Election - Position 20: **Position 20, Washington Region (1 year term)**

Nancy Thomas – Candidate Questionnaire/Resume

Nancy Thomas – Nomination Form

I move that the Banks School Board casts it's vote to support Nancy Thomas for the OSBA Board of Directors Position #20. This motion, made by Corissa Mazurkiewicz and seconded by Daniel Streblov, Carried.

Ron Frame: Yea, Corissa Mazurkiewicz: Yea, William Moore: Yea, Leslee Sipp: Yea, Daniel Streblov: Yea

Yea: 5, Nay: 0

7.2. OSBA Election - Position 15

Position 15, Washington Region

Kristy Kottkey – Candidate Questionnaire/Resume

Kristy Kottkey – Nomination Form

I move that the Banks School Board casts it's vote to support Kristy Kottkey for the OSBA Board of Directors Position #15. This motion, made by Leslee Sipp and seconded by Corissa Mazurkiewicz, Carried.

Ron Frame: Yea, Corissa Mazurkiewicz: Yea, William Moore: Yea, Leslee Sipp: Yea, Daniel Streblow: Yea
Yea: 5, Nay: 0

7.3. Cast a vote for OSBA Resolution #2425NOV01, #2425NOV02 and #2425NOV03.

I move that the Banks School Board casts a vote to support the OSBA resolutions #2425NOV01, #2425NOV02 and #2425NOV03. This motion, made by Corissa Mazurkiewicz and seconded by Leslee Sipp, Carried.

Ron Frame: Yea, Corissa Mazurkiewicz: Yea, William Moore: Yea, Leslee Sipp: Yea, Daniel Streblow: Yea
Yea: 5, Nay: 0

8. Closing

8.1. Upcoming items

8.1.1. November 19th: Student Leadership Forum & Bond Oversight Committee meeting

8.1.2. November 25th: Interim Work Session (Virtual)

8.1.3. November 25-29: Fall Break

8.1.4. December 9th: December Regular Board & Work Session Meeting

8.1.5. December 3rd: Community Forum

8.1.6. December 23rd-Jan 3rd: Winter Break

8.1.7. December TBD (likely December 30): Interim Work Session

8.1.8. January 13th: January Regular Board and Work Session Meetings

8.2. Board Comments

Member Moore - Thanks for everything tonight.

Member Maz - Gave congratulations to the Soccer team for their accomplishments and thanks to the FFA for their presentation tonight. Also thanked the audience members that shared public comment, as well as Randy Rice for sharing the college options.

Member Streblow - Thanks to the Architects for their presence and information tonight, and grateful for the historical information shared in public comment tonight. Recognizes and gives thanks for the Grand Ronde Tribes, is very grateful for the FFA members present tonight, and is excited and proud of their work they've done and for representing our school and state.

Member Sipp - Gave thanks to the public that has attended tonight and appreciates their participation and interest. Proud of our FFA team and for the Public commenter's sharing of the Banks history, which coincidentally, will be taught in the 3rd grade within our District.

Chairman Frame - The planning of the potential new buildings and construction is a task not taken lightly and he is advocating to understand the true costs of everything, to determine the best path forward and trusts that all Board members will do the same.

9. Adjourn

Adjourned at 7:22 pm



NATIONAL CONVENTION REPORT

THANK YOU!

We are so grateful for all the Sponsors, Donors, and Coaches who helped us get to the 97th National FFA Convention and Expo in Indianapolis, Indiana! Huge shout out to the Banks FFA Alumni, the Bernards Family, Rand Brown, and Ty Ochoa for all of your help!



Timeline

Tue

We went on educational tours at Ozark Fisheries and Risin' Creek Creamery

Wed

The Nursery team competed and the rest of the members continued their educational tours

Thur

We attended General Sessions and explored the Career Expo and FFA Mega Store

Fri

We attended a General Session and had fun at Three Hills Rodeo

Sat

We attended the American Degree Ceremony, went to the Indiana World War Memorial and the Indianapolis Zoo



Nursery Contest



Left to Right: Ms. Lepschat, Lily Evey, William Evans, Robby Harris, and Brayden Hamel

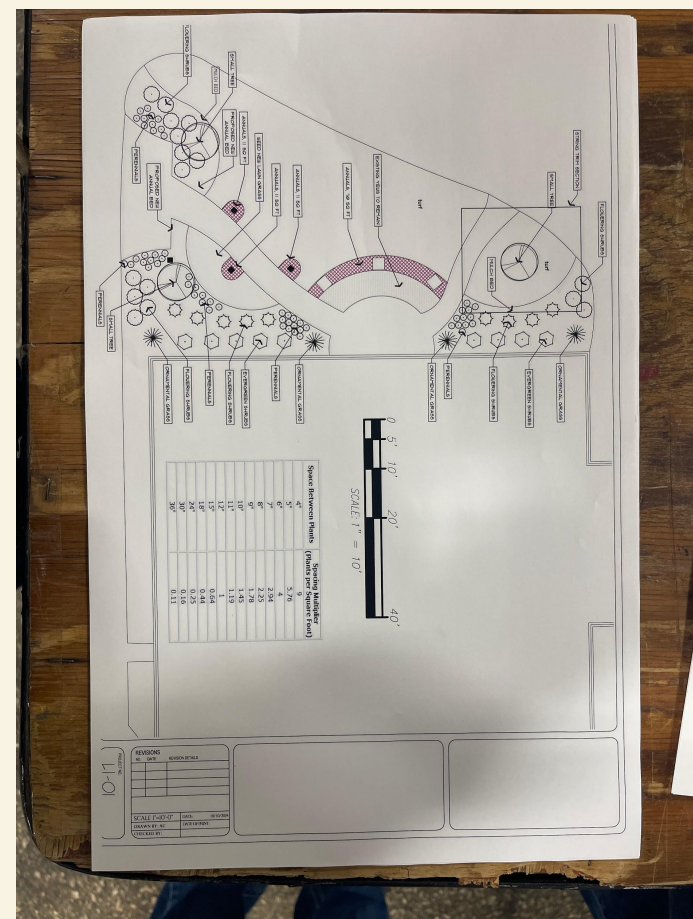
Last year these members with the help of James Bartholomew won the State Nursery/Landscape Career Development Event (CDE) and qualified to represent Oregon at the National level for this event.

These members studied for months in order to do the following practicums at the contest...

- General Knowledge and Landscape Estimating Test
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- Sod Installation
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- Intermediate Walk-Behind Mower Operation
- Skid Steer Loader Operation

We placed in the Silver ranking where we were ranked 27th out of 43 teams. As for Individual rankings; Robby Harris received Gold, Brayden Hamel and William Evans received Silver, and Lily Evey received Bronze.

Practicum Pictures





Ozark Fisheries

We learned the processes behind how ornamental fish are born, raised, and shipped around the country



Risin' Creek Creamery

We learned about the process behind breeding and milking dairy goats. We also got to try goat cheese and soaps/lotions made from goat milk



NCAA Hall of Champions

Our members had a chance to explore this museum and try the different sports simulations that they had available for use



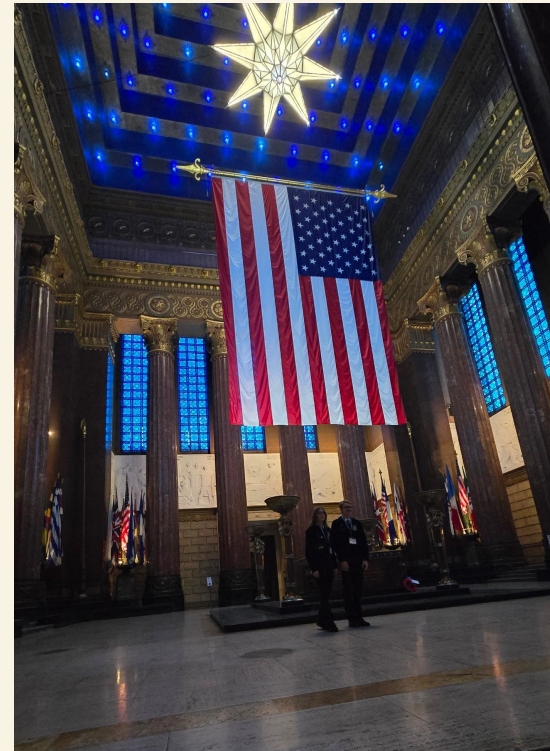
Indianapolis Motor Speedway

Our members had a chance to explore this museum and learn about the behind the scenes action of the speedway



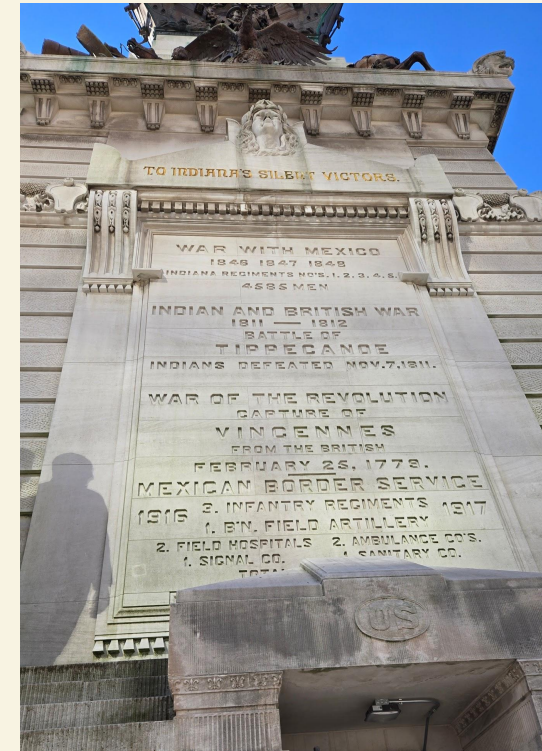
Three Hills Rodeo

We were able to watch bareback and saddle bronc riding, bull-riding, trick riders, and a very funny rodeo clown



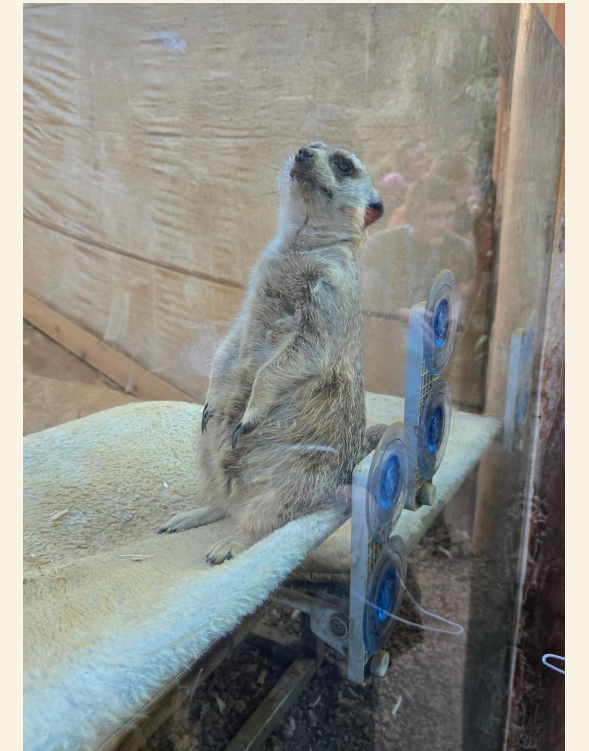
Indiana World War Memorial

We visited different exhibitions about America's history ranging from the Revolutionary War to Afghanistan



The Soldiers and Sailors Monument

We paid our respects to the fallen soldiers by climbing all 284 feet (330 steps) of the monument and took a second to enjoy the view



Indianapolis Zoo

We were able to take a look at all the different animals at the zoo, watch a dolphin show, and touch stingrays

General Sessions

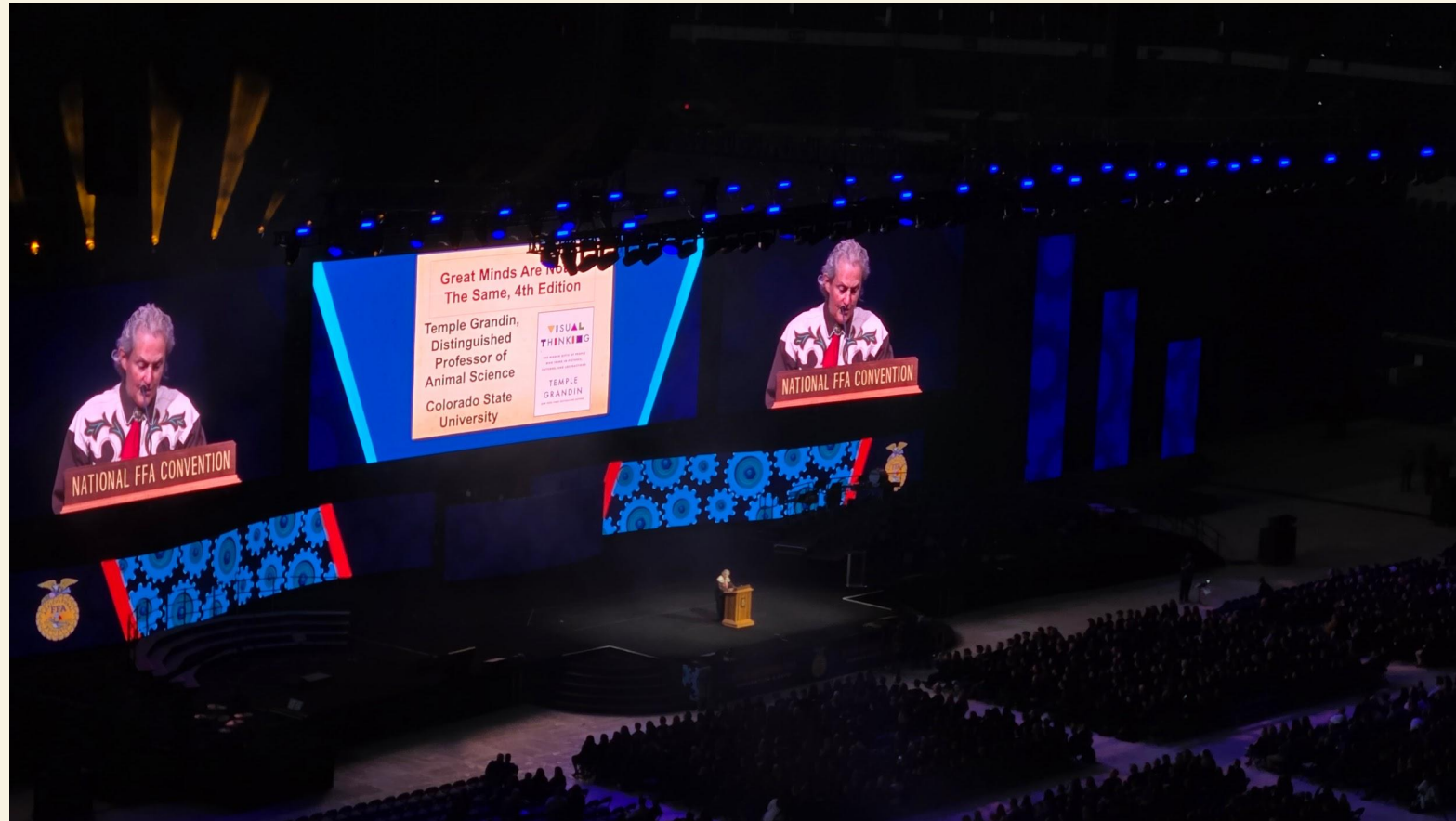


On Thursday we attended the 1st and 3rd General Sessions of the 97th National FFA Convention and Expo. During the 1st session we watched the different award presentations, watched the National FFA chorus and band perform, listened to the keynote speaker Kevin Wanzer talk about engaging through laughter

During the 3rd session we watched the different award presentations, listened to the National FFA Talent Show members perform, and listened to the Central Region Vice President, Kanyon Huntington's retiring address



General Sessions



On Friday, we attended the 4th General Session of the National FFA Convention where we got to listen to the keynote speaker, Temple Grandin talk about how great minds are not all the same, and watched the Southern Region Vice President, Carter Howell's retiring address

On Saturday, we watched the American Degree Ceremony where we watched our very own Billy Harris receive his American Degree. Less than 1% of FFA members receive this award! Congratulations Billy!





More than 300 exhibitors showed up to support FFA members with representation ranging from agriculture, colleges, fundraising, the US Armed Services, and auto and truck manufacturers. Our members had a chance to explore and greet as many of these exhibits as possible. On top of spending a little too much money at the National FFA Mega Store/Shopping Mall!





Walter Jones
Secretary
2023-2024

Mya Kelly
Secretary
2024-2025

Mya Kelly
Secretary
2024-2025

Walter Jones
Secretary
2023-2024

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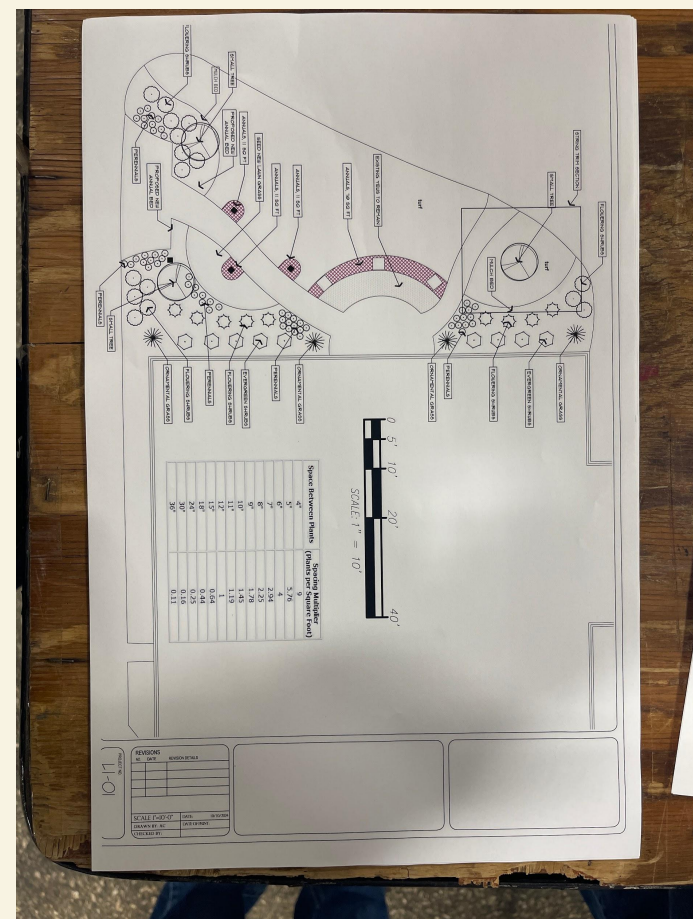
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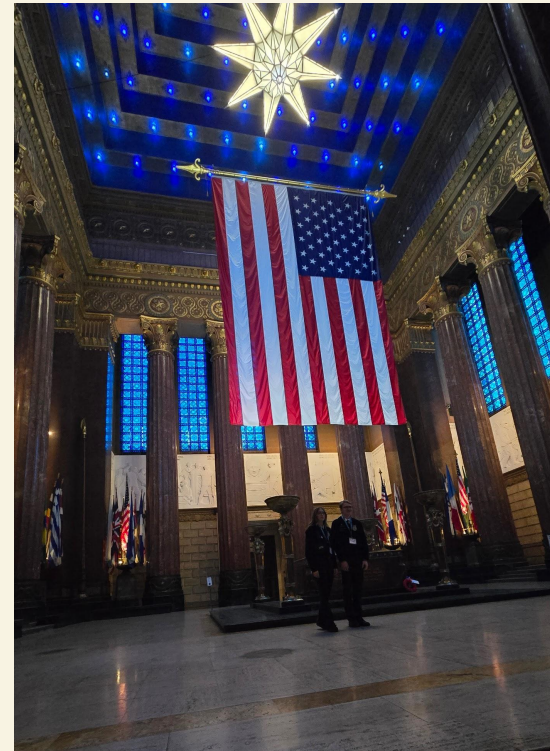
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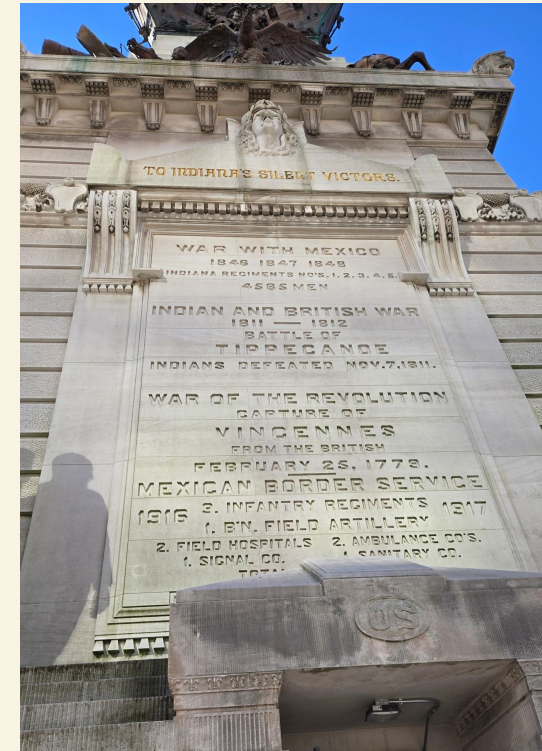
Three Hills Rodeo

We were able to watch bareback and saddle bronc riding, bull-riding, trick riders, and a very funny rodeo clown



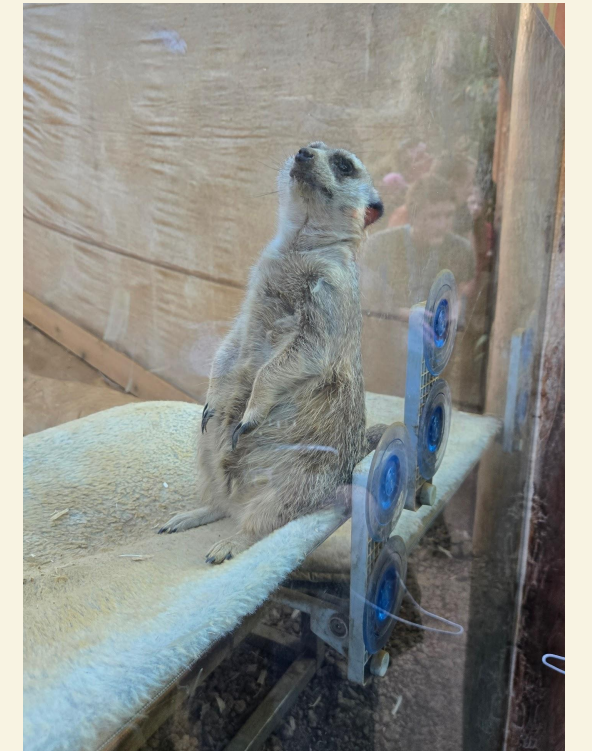
Indiana World War Memorial

We visited different exhibitions about America's history ranging from the Revolutionary War to Afghanistan



The Soldiers and Sailors Monument

We paid our respects to the fallen soldiers by climbing all 284 feet (330 steps) of the monument and took a second to enjoy the view



Indianapolis Zoo

We were able to take a look at all the different animals at the zoo, watch a dolphin show, and touch stingrays

General Sessions

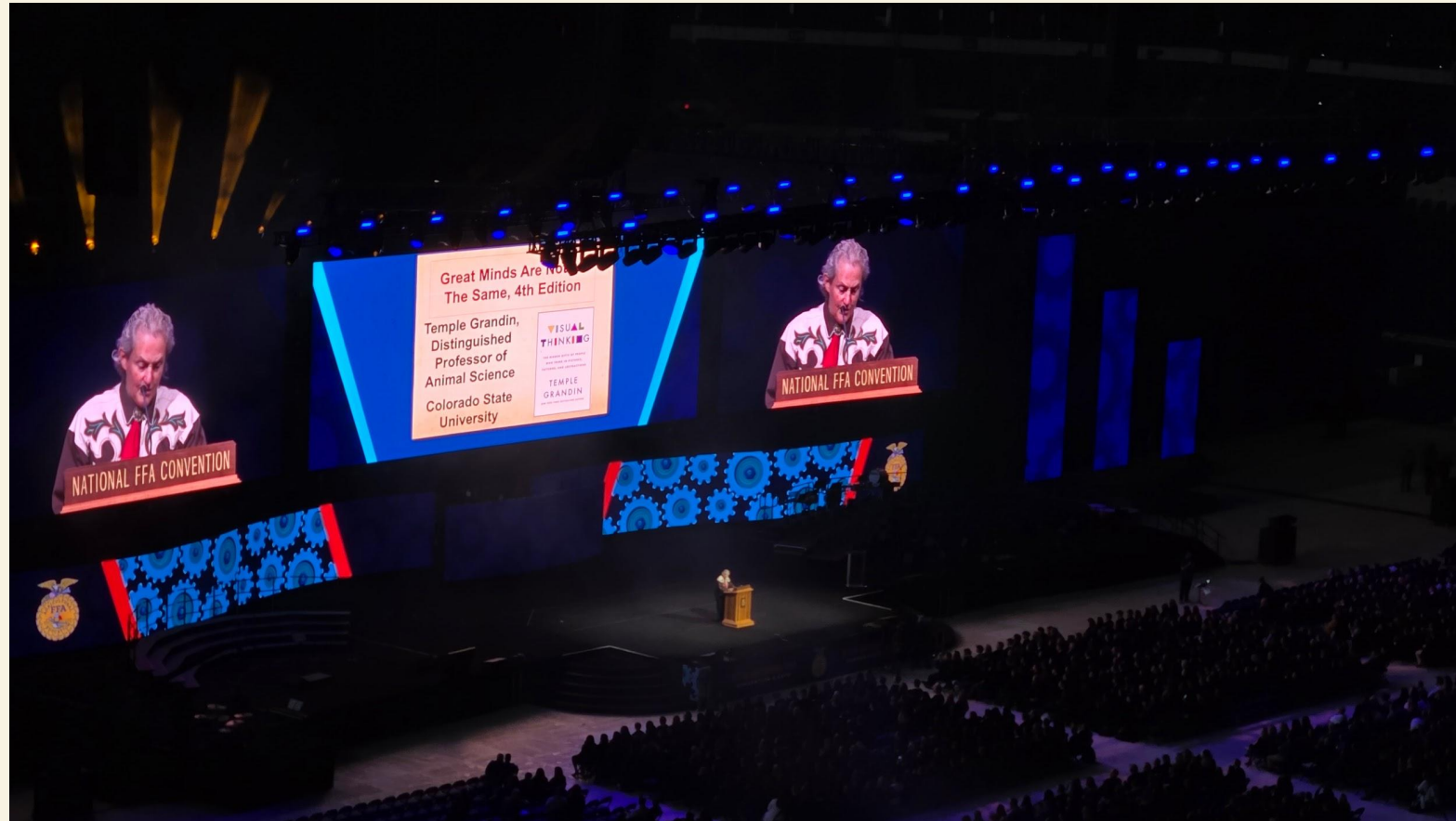


On Thursday we attended the 1st and 3rd General Sessions of the 97th National FFA Convention and Expo. During the 1st session we watched the different award presentations, watched the National FFA chorus and band perform, listened to the keynote speaker Kevin Wanzer talk about engaging through laughter

During the 3rd session we watched the different award presentations, listened to the National FFA Talent Show members perform, and listened to the Central Region Vice President, Kanyon Huntington's retiring address



General Sessions



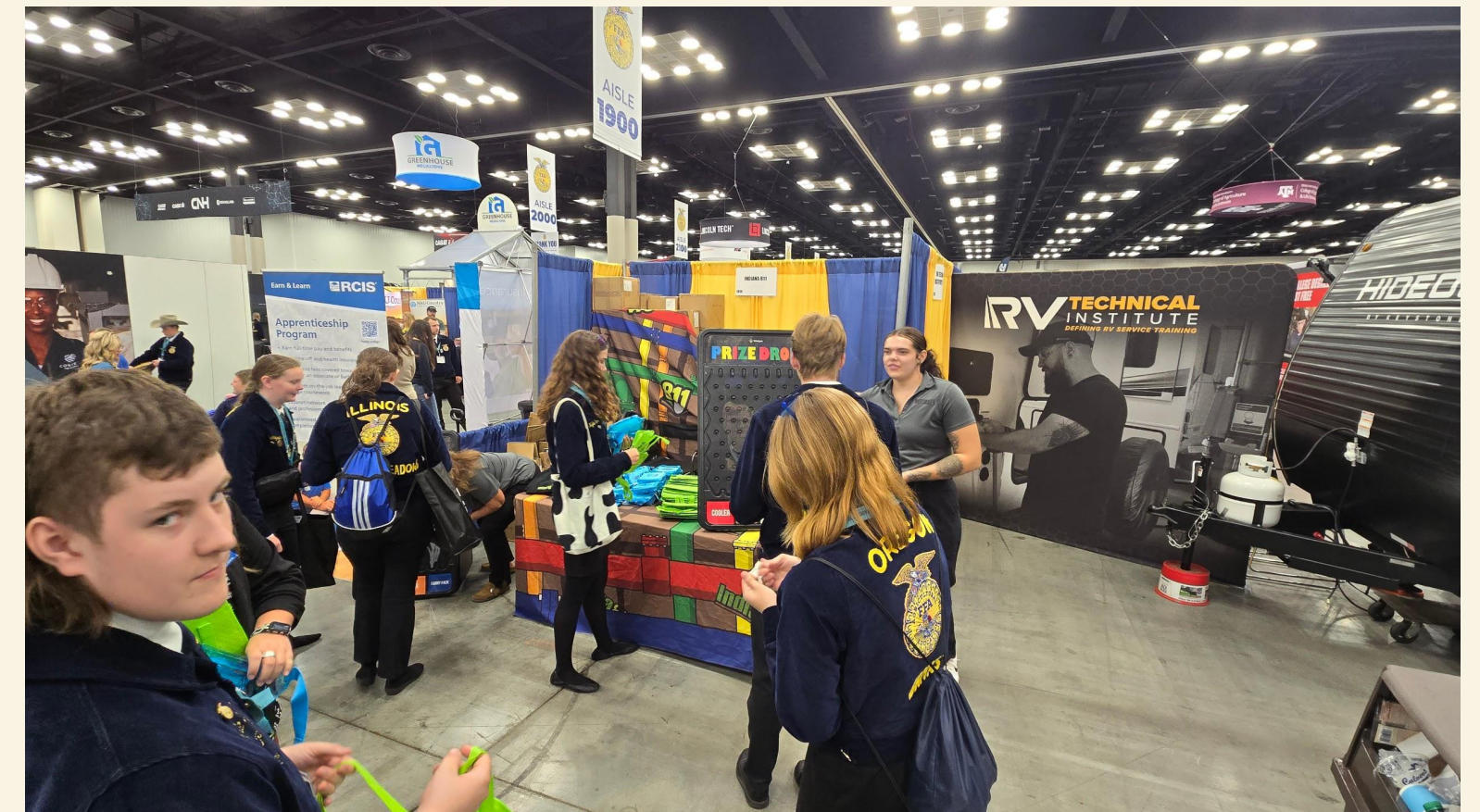
On Friday, we attended the 4th General Session of the National FFA Convention where we got to listen to the keynote speaker, Temple Grandin talk about how great minds are not all the same, and watched the Southern Region Vice President, Carter Howell's retiring address

On Saturday, we watched the American Degree Ceremony where we watched our very own Billy Harris receive his American Degree. Less than 1% of FFA members receive this award! Congratulations Billy!





More than 300 exhibitors showed up to support FFA members with representation ranging from agriculture, colleges, fundraising, the US Armed Services, and auto and truck manufacturers. Our members had a chance to explore and greet as many of these exhibits as possible. On top of spending a little too much money at the National FFA Mega Store/Shopping Mall!





Banks School District
Board of Directors
Superintendent's Report to the Board
November 12, 2024

General Updates

As we enter Native American Heritage Month, we reflect on our partnership with the Confederated Tribes of the Grand Ronde. Without their guidance, collaboration, and permission, we would not be able to continue using the Brave as our mascot. We are very thankful (hayu masi) for their commitment to our students and community.

College Credit Opportunities at BHS

During the regular meeting, you will hear from Mr. Rice, one of our high school counselors, who will present on current systems that allow students to earn college credit at BHS. We are also exploring additional opportunities, including collaboration with PCC and the Hillsboro School District, to provide students access to the Early College Program. In this program, qualifying students can progress toward a PCC degree or certificate while completing their high school requirements. Additionally, Washington County leaders are working together to expand workforce development opportunities. I recently met with John Legarza (Banks Economic Development Commissioner) and Jolynn Becker to discuss our involvement in this initiative.

District Equity Committee (Led by Caitlin Everett)

Each school team is currently planning focus groups with students to gather input on topics such as belonging, respect, and kindness. The feedback gathered will be analyzed by the District Equity Committee (DEC) when it forms this winter. These focus groups will take place from November through January.

Instructional Leadership (Led by Darla Waite-Larkin)

On October 14 and 15, Jenn McDermott, our coach from the Center for Educational Leadership at the University of Washington, met individually with each school's administrative team. This was the first of several coaching sessions focused on each team's specific goals. Jenn also conducted classroom observations with our admin team, allowing us to debrief on how these observations align with each school's Vision for Student Learning.

Our NWRES D Instructional Coach has been actively participating in several professional development sessions during late-start Wednesdays. This year, she will focus on building relationships with our teachers, understanding our district's priorities, and supporting teachers with feedback and resources.

Mentor Program

Through NWRESD's Mentor Program, three of our newer teachers are receiving support from an instructional coach. We were pleased to have our district's mentor join one of our CEL Instructional Leadership sessions to better support teachers in aligning classroom practices with our Vision for Student Learning.

Transformational Social and Emotional Learning (Led by Darla Waite-Larkin)

Our District TSEL team attended the BASES (Behavior, Attendance, and Social Emotional Systems) training at the ESD, where we recognized that our district is leading in several key areas. In addition to our progress with TSEL standards, we are implementing innovative methods to better understand student attendance. On October 9, we held our first high school Student Focus Group to amplify student voices regarding attendance and provide a platform for discussing the reasons behind absences. This initiative will expand to the middle and elementary schools. Stay tuned for further updates!

Community Curriculum Advisory Committee (Led by Darla Waite-Larkin)

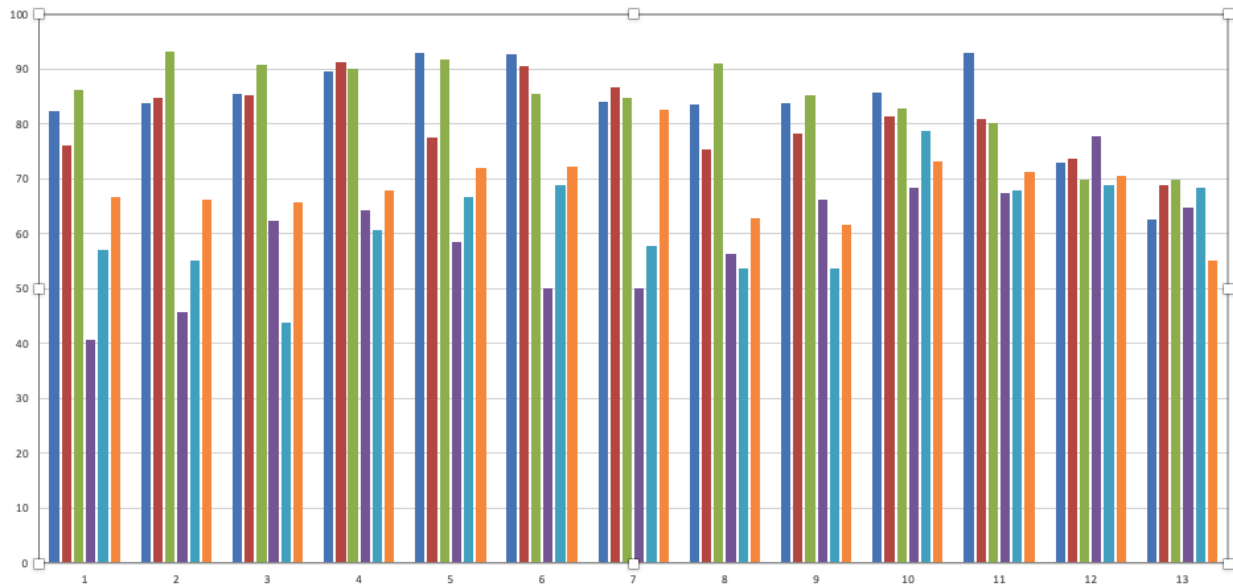
The Community Curriculum Advisory Committee (CCAC) met on October 17. Mr. Pence provided an overview of Oregon's State Standards, explaining their importance and how they guide curriculum selection. I also presented the district's timeline and process for Instructional Materials Adoption, discussing how the district committee and CCAC will collaborate. The next CCAC meeting is scheduled for January 16 at 7:00 p.m.

Attendance Efforts (Led by Darla Waite-Larkin)

Elevating student voice is a priority for us. We have introduced new opportunities to gather student feedback, including attendance focus groups and interviews focusing on questions related to belonging and respect. These efforts are being conducted across all schools, and the data collected will be shared with students.

On October 9, we held our first high school Student Focus Group, providing a space for students to share with adults the factors contributing to their absences. This focus group initiative will continue at the middle and elementary school levels.

Note: The graph below displays our historical attendance rates, indicating the percentage of "regular attenders," defined as students present for at least 90% of school days (Kinder = 1 on the X-axis, and so on).



Bond Updates

The Board will now meet in a work session twice monthly, with virtual meetings scheduled between regular sessions. The additional work session aims to keep Board members informed on progress as we approach the adoption of the long-range campus master plan. Below is a timeline leading up to the decision:

- **November 12, 2024**
The Board will receive updates on the current drafts of the Master Plan, including options for the district office. There will be no bond related action items on the agenda; however, Board members are encouraged to ask questions during the presentation or afterward via email to Brian.
- **November 19, 2024**
Student Leadership Forum regarding master plan options.
- **November 19, 2024**
Bond Oversight Committee meeting.
- **November 25, 2024**
Interim Work Session (virtual)
The Board will address follow-up items from the November 12 meeting, along with any updates on the Master Plan or bond progress.

- **December 3, 2024**
Community Forum regarding master plan options. The format will mirror previous forums, focusing exclusively on master plan reviews.
- **December 9, 2024**
Work Session and Regular Business Meeting
The Board will receive a report from the Bond Oversight Committee and any updates on the Master Plan drafts or bond progress. At this time, the district anticipates recommending that the Board take advisory action to advance a single draft by January.
- **December TBD (likely December 30)**
Interim Work Session
- **January 13, 2024**
Work Session and Regular Business Meeting
Proposed Action: Adopt a resolution for the preferred master plan.

Banks School District							
Schedule of Resources and Requirements							
October 31, 2024							
General Fund	Function	Description	2024-25 Budget	Actual through 10/31/24	% of Budget		
Resources	Local	Property taxes, rentals, interest and other miscellaneous revenues	3,960,000.00	81,092.43	2.05%		
	Intermediate	County School Funds	38,000.00	0.00	0.00%		
	State	State, common school fund and other grants in aid	9,490,500.00	3,910,499.52	41.20%		
	Timber	Timber Revenue	380,000.00	0.00	0.00%		
	Other	Interfund transfers and beginning fund balance	2,155,000.00	2,479,697.58	115.07%	Estimated 23-24 Ending Fund Balance	
	Total		\$16,023,500.00	\$6,471,289.53	40.39%		
Requirements	Salaries	Salaries for all licensed, classified, substitutes, administration and other support staff	6,560,628.59	1,382,374.54	21.07%		
	Benefits	PERS, social security, workers comp, unemployment, and other contractual employee benefits	4,129,071.41	852,056.34	20.64%		
	Purchased Services	Instructional services, rentals, travel out of district, tuition, audit fees, legal fees, copiers, utilities, cleaning, bldg repairs, reimbursable transportation	2,804,700.00	548,853.31	19.57%		
	Supplies & Depreciable Equipment	Consumable and non consumable supplies, custodian supplies, maint supplies, computer software and hardware	393,100.00	154,853.51	39.39%		
	Other	Dues and fees, insurance premiums	185,700.00	166,517.02	89.67%		
	Transfers	Transfer from GF to support athletics, food service and repay Buxton Fund	645,300.00	0.00	0.00%		
	Contingency		500,000.00	0.00	0.00%		
	Total Appropriated		15,218,500.00	\$3,104,654.72	20.40%		
	Unappropriated Balance		805,000.00				
	Total		\$16,023,500.00				

Regular Board Session
Monday, October 14, 2024 6:00 PM Pacific

District Office Board Room
12850 NW Main Street
Banks, OR 97106

Ron Frame: Present
Corissa Mazurkiewicz: Present
William Moore: Present
Leslee Sipp: Present
Daniel Streblov: Present
Present: 5.

1. Preliminaries

1.1. Call to Order

1.2. Flag Salute

1.3. Roll Call

1.4. Public Welcome/Recognition

1.5. Approval of October 14th, 2024 Agenda

I make a motion to approve the October 14th, 2024 agenda as presented. This motion, made by Corissa Mazurkiewicz and seconded by Daniel Streblov, Carried.

Ron Frame: Yea, Corissa Mazurkiewicz: Yea, William Moore: Yea, Leslee Sipp: Yea, Daniel Streblov: Yea
Yea: 5, Nay: 0

1.6. Banks High School Leadership

BHS Leadership; Kyle Nichols, ASB Vice President & James Bartholomew, FFA Chapter Sentinel, shared information about the recent Homecoming Festivities and Dance as well as upcoming events. Next week, FFA Nursery and Landscaping classes are going to Nationals in Indianapolis, where they will meet new people and learn about how other chapters operate. Kyle and James also shared updates on Fall Sports, school-wide news and details about the broadcasting.

2. Recognitions - Food Service Staff

This week is National School Lunch Week, and we want to acknowledge and formally thank our District Food Service staff. These individuals are behind the scenes, greeting students with a smile, creating a welcoming environment where students feel valued and cared for. The District's Food Service staff includes

- Sheila Dale, BES Kitchen Manager, 14 years, and Scott DeGeorge, Cook, 16 years
- Cammie Ford, BMS Kitchen Manager, 10 years
- Saddie Larson, BHS Kitchen Manager, 4 years

This year our meals are free for all students, which has led to an increase in participation by 92% for breakfast and 59% for lunch. We are grateful to our Food Service staff for happily taking on

the increased preparation and work it takes to keep our students well-fed and fueled for better health and academic performance.

3. Audience Comment

No public comments

4. Presentations/Reports

4.1. Superintendent's Report

Dr. Sica shared his October Superintendent's Report. The full report is available in the board packet.

4.2. Financial Update

Shared the September Financial update, with

5% increase to salaries

5. Consent

I make a motion to approve the Consent Agenda Items as presented. This motion, made by Leslee Sipp and seconded by Daniel Streblov, Carried.

Ron Frame: Yea, Corissa Mazurkiewicz: Yea, William Moore: Yea, Leslee Sipp: Yea, Daniel Streblov: Yea

Yea: 5, Nay: 0

5.1. Approval of 9.11.24 Regular Board Meeting Minutes

5.2. Approval of 9.11.24 Work Board Meeting Minutes

5.3. Update to the Student Code of Conduct

Brief updates have been made to the Student Code of Conduct to better align with our district policies.

5.4. Routine Personnel Matters

- Classified: Rachael Wright, .625 FTE, BMS IA2
- Licensed: None at this time
- Other: None at this time

5.5. Approval of Out of State Wrestling Tournament

The 9-12 Wrestling team is requesting to travel to California for a Wrestling tournament which requires Board approval.

5.6. Swimming Cooperative Agreement with Forest Grove School District

6. Action Items

6.1. Division 22 Assurances

I make a motion to approve the 2023-24 Division 22 Assurances as presented. This motion, made by Daniel Streblov and seconded by Corissa Mazurkiewicz, Carried.

Ron Frame: Yea, Corissa Mazurkiewicz: Yea, William Moore: Yea, Leslee Sipp: Yea, Daniel Streblov: Yea

Yea: 5, Nay: 0

Dr. Sica shared the current Division 22 Assurances. Division 22 Assurances, which is required by law to be completed each year, and is based on the prior school year. Rule categories include Teaching and Learning, Health and Safety, District Performance & Accountability, and Human Resources & Staffing. The purpose is to provide a balance of State accountability and local control, as well as details of waivers and corrective actions. For the 2023-24 year, the district is in compliance with all standards and has no corrective actions needed. The full report is attached to this agenda.

For the 2024-25 school year, a Financial Literacy course will need to be a stand-alone class. The District is developing a plan for stand-alone requirements related to this class. Curriculum Adoption will also be addressed. 2024-25 Assurances will be discussed at a later date.

6.2. Approve P&C Construction as the CM/GC

I make a motion to approve P&C Construction for CM/GC Services on the Banks High School Project utilizing 2024 Bond Funds. This motion, made by William Moore and seconded by Daniel Streblov, Carried.

Ron Frame: Yea, Corissa Mazurkiewicz: Yea, William Moore: Yea, Leslee Sipp: Yea, Daniel Streblov: Yea

Yea: 5, Nay: 0

The Banks School District solicited Construction Manager / General Contractor (CM/GC) Proposals for the Banks HS Project as part of the 2024 Bond Program with the issuance of Request for Proposals for CM/GC Services. The RFP was publicly advertised on August 16th, 2024 in the Daily Journal of Commerce. Proposals were received on September 12th, 2024 at 2pm. Nine (9) proposals were received that expressed interest in the RFP associated with the 2024 School Bond. Four firms were selected by the District Appointed Evaluation Committee for Interviews on 9/25/2024 (P&C Construction, Triplett Wellman, Kirby Nagelhout and Bremik Construction). The interview committee consisted of Board Chair Ron Frame, Board Member Will Moore, Superintendent Brian Sica, High School Principal Jacob Pence and Vice Principal Ben Buchanan, Maintenance Supervisor Dale Virden, Julie Condon of Bric Architecture, and District Owner's Representatives John Abel and Casey Cunningham. Upon completion of Interviews, the District Interview Committee is recommending P&C Construction.

The administration recommends the Banks School Board approve P&C Construction for CM/GC Services on the Banks High School Project utilizing 2024 Bond Funds. The contract for this project will be negotiated and approved by the Business Manager.

7. Closing

Dr. Sica shared a summary of a recent issue that took place in our district, and how it was handled by Administration.

7.1. Upcoming items

7.1.1. OSBA Legislative Road Show, NWRESD; October 17th, 2024

7.1.2. Conferences: November 6th & 7th, 2024

7.1.3. Next Board Meeting: November 12th, 2024

7.2. Board Comments

Member Streblov: Enjoyed hearing the update from the students tonight and is glad to hear that the recent student issue that came up was dealt with quickly and responsibly. Requests more advance notice for the Board when decisions and action need to take place.

Member Sipp: Grateful for the support after her recent husband's passing. Appreciates the District and the families involved for the swift action related to the recent student issue. Loves our Food Service staff and thinks we are lucky to have them. She is also grateful for, and feels privileged to work with our Board members.

Member Moore: Shared some kind words for Member Sipp. Stated he is also grateful for the district's swift handling of the recent student issue. He feels the FFA and the other excitement going on in our district is really cool. He is also grateful for the Board for their professionalism and for their work.

Member Mazurkiewicz: Recognizes Indigenous People's Day. Appreciates Dr. Sica's vision as he develops his own, as well as the district's goal setting. She also appreciates the district's handling of the recent student issue. She feels the district is on a positive trajectory and is grateful for our Food Service staff.

Chairman Frame: There is a lot going on in our district right now. Mentioned the recent Bond meeting had about 17 community members participate. He is encouraged by the actions of the district and reflected on his feelings about the meaning behind We Are Banks Braves.

8. Adjourn

Board Work Session
Monday, October 14, 2024 4:00 PM Pacific

District Office Board Room
12850 NW Main Street
Banks, OR 97106

Ron Frame: Present
Corissa Mazurkiewicz: Present
William Moore: Present
Leslee Sipp: Present
Daniel Streblov: Present
Present: 5.

1. Preliminaries

1.1. Call to Order

1.2. Roll Call

1.3. Approval of Agenda

I make a motion to approve the October 14th, 2024 agenda as presented. This motion, made by Corissa Mazurkiewicz and seconded by Leslee Sipp, Carried.

Ron Frame: Yea, Corissa Mazurkiewicz: Yea, William Moore: Yea, Leslee Sipp: Yea, Daniel Streblov: Yea

Yea: 5, Nay: 0

2. Discussion Items

2.1. Superintendent Goals & Evaluation

Dr. Sica reviewed the 23-24 Superintendent Goals, progress made and goals not met. For 2024-25, goal setting is aligned with the 5 criteria as outlined in the Strategic Plan, which will be used as the criteria for scoring. The board and staff will score Dr. Sica in each of the areas.

Dr. Sica shared an overview of previous year's goals, student and survey data, social emotional learning and safety concerns, community feedback and goal refinement.

The full report is attached to this meeting agenda.

2.1.1. Goal #1 - BSD will provide a positive school culture.

2.2. Kelly Field 365 Update

Dr. Sica provided an update on the Kelly Field fundraising campaign which is in the soft launch phase right now, with an overall goal of approximately \$1 million dollars. The goal is to raise 500,000 while in the private phase, before moving into the public phase. Every donor will be recognized, and ideas about what recognition will look like are being considered.

The campaign involves a committee of 13 community members trained to identify potential donors and work with them. Emphasis oif the importance of board members making a donation to demonstrate commitment to the campaign.

Some discussion regarding the need for additional funding for construction and the potential impact on the project timeline.

2.3. Bond Update

2.3.1. Master Planning

The Board made a motion to direct the Superintendent to continue working on a master plan utilizing all available district campus space and to work with consultants to further organize the evidence from the investigation from the current district office building. This motion, made by William Moore and seconded by Daniel Streblov, Carried.

Corissa Mazurkiewicz: Abstain (With Conflict), Ron Frame: Nay, William Moore: Yea, Leslee Sipp: Yea, Daniel Streblov: Yea

Yea: 3, Nay: 1, Abstain (With Conflict): 1

Ron Frame: Nay

Introductions were made.

District Administration Building Evaluation: BRIC Architecture, Cornerstone Mngt. & P&C Construction presented a memo on the status of the District Administration building including a comprehensive evaluation of the campus, including cost feedback, sequencing, etc.

Highlights were shared; discussing the potential use of this building, due diligence in understanding its structural integrity, educational and fiscal responsibility and community impact. The conversation included the need for mechanical engineering and structural evaluations to understand the true cost of renovating the building.

Cost estimates and program considerations: The revised budget estimates were shared, including higher costs for structural work and demolition. The team discussed the potential cost differences between renovating the existing building and new construction. The need for accurate cost estimates and the impact on the overall budget was emphasized. The conversation included the importance of understanding the real cost of renovating the building and the potential impact on the new high school program.

Historical Significance and Community Impact: The historical significance of the building was discussed as well as the need to balance preservation with modern educational needs. The team is considering the cost of maintaining the building's character and the impact on the overall budget. A concern was raised regarding the community's desire to preserve the building and its historical value. The conversation emphasized the need for detailed documentation and transparency in the decision-making process.

Next Steps and Decision Making: The team discussed the importance of following protocol and providing direction to the Superintendent for the master plan, as well as the need for additional documentation, and due diligence to support the decision. The potential impact on the project timeline and the importance of making the right decision for the district was also discussed.

Board members shared their thoughts and continued the discussion.

BRIC Architecture is tasked to develop 2 different master plans - one with keeping the building, one with eliminating it. Preliminary plans and costs in November so that a decision can be made in December.

In an effort to move the process forward, Member Moore proposed the motion to direct the Superintendent to continue working on a master plan utilizing all available district campus space and to work with consultants to further organize the evidence from the investigation of the current district office building.

The Superintendent reminded the Board that they would not be adopting a master plan until January.

3. Adjourn

Board Work Session
Wednesday, October 30, 2024 7:00 PM Pacific

Temporary District Office Location
42350 NW Trellis Way (BES)
Banks, Or 97106

Ron Frame: Present
Corissa Mazurkiewicz: Present
William Moore: Present
Leslee Sipp: Present
Daniel Strelbow: Present
Present: 5.

1. Preliminaries
Dr. Sica gave a brief overview of the purpose of tonight's meeting.

1.1. Call to Order
Called to order at 7:05 pm

1.2. Roll Call

1.3. Approval of Agenda
I make a motion to approve the October 30th, 2024 Work Session agenda as presented. This motion, made by Daniel Strelbow and seconded by Leslee Sipp, Carried.
Ron Frame: Yea, Corissa Mazurkiewicz: Yea, William Moore: Yea, Leslee Sipp: Yea, Daniel Strelbow: Yea
Yea: 5, Nay: 0

2. Discussion Items

2.1. Bond Progress & Upcoming Decisions
Dr. Sica shared a document that will be used for maintaining and monitoring Bond topics and progress. The Board reviewed the specifics of each item on the list
Campus Safety: BRIC completed security surveys and interviews with staff. Safety updates will be started in the middle and elementary schools in the immediate future. Although surveys and initial work has been done, reports have not been provided yet.

Community Forum: The links in the document will be live soon; Board members can view them to see the information from each event. The Bond Oversight Committee will meet for the first time on November 15th. The committee will meet quarterly and is tasked with making sure that the Bond progress follows what was conveyed and promised to the community. Cornerstone Management will facilitate the meetings and the committee will have access to as much information as the Board does; as much as they need. After each committee meeting, the Board will receive a report.

Reviewed the Ballot title language as well as the list of the potential adds/wish list. A brief overview of the budget and allocation was reviewed as well. Some discussion of HVAC costs, contingency funds and interest.

In an effort to maintain better efficiency, Dr. Sica shared a proposal for changes to the structure of the Bond meetings. The proposal suggests that the weekly Bond Management and Master Plan meetings are attended by BSD staff only, and Board members attend a Bi-Monthly Work session. The Regular Board and Work Sessions will remain the same. The Bond Oversight Committee Meetings will report to the Board on a quarterly basis.

Chairman Frame's preference is to participate directly with the consultants. Dr. Sica would like a process that is more systemic. Sipp and Mazurkiewicz are fine with this change.

The Master Plan will be created with the highest student population the campus can maintain.

At the November 12th Board meeting, BRIC will present 3 new campus plans; one plan will completely remove the current District Administration Building; one plan will keep the current building but is over the square footage; one plan will include the District Admin building unattached to the high school building. At this point, a significant change in approach will start eating into the cost of BRIC and P&C services, as well as diminish the results of the plans. The Board will need to consider what point they will want to move forward to the next phase. The plans will be shared with the Board on November 8th; the Board should review the plans and send any questions to Brian to pass along to BRIC. There will be no action item on November 12th. The Bond Oversight Committee will meet on November 19th and there will be a community forum held on December 3rd. Dr. Sica proposes that the Board is prepared to make emotion to move a draft master plan forward, for BRIC to refine a draft during December to presenting January,

Misc: Temporary housing of students will likely be a Superintendent's decision. The Auxillary gym is being planned to be built next to the middle school.

The memo from BRIC regarding the District Administration Building was shared again, as well as the BSD Board agreements. Noteworthy: any formal decision will be listed as an action item. The next interim work session was scheduled. Board members should send any clarifying questions ahead of time to Brian.

Chairman made mention of purchasing additional property. Member Moore spoke to Mr. Eggleston and will provide the Board with the specific needs and desires of the shop.

3. Adjourn

Adjourned at 8:32pm

November Progress					
Topic	Progress	Current Decisions	Upcoming Decision	Needs of the Board by the District	Needs of the District by the Board
Master Planning		<ul style="list-style-type: none"> ● Revised Bond Program (Decisions Made at BMT) - <ul style="list-style-type: none"> ○ For Example <ul style="list-style-type: none"> ■ Square Footage of the classrooms ○ We have been advised: <ul style="list-style-type: none"> ■ Recent projects are consistently over budget at the design phase due to the rate at which cost have increased ■ The cost is not due to excessive or lavish design, rather, trying to build more sq, ft than funds allow. 	First Reading of the Master Plan in December		
Campus Safety					
Site Analysis					
October Progress					
Topic	Progress	Current Decisions	Upcoming Decision	Needs of the Board by the District	

Master Planning	<ul style="list-style-type: none"> BRIC is preparing a Master Plan draft that includes options for the current DO building as part of due diligence. They are not considering additional exploration and cost are estimates based on consultant observation and experience (See memo with supporting documents). The Master Plan will show how portions of the HS program are impacted (location, omission, etc) by keeping the DO BRIC is moving forward with the details of a Master Plan that includes the removal of the District Office and maximizes the HS program that can be included in the 2024 Bond Project 	<ul style="list-style-type: none"> The more beneficial location of the aux gym is adjacent (possibly not connected) to the Middle School) Pending - Two or three story building <ul style="list-style-type: none"> Three seems to be against current city ordinance. 	<ul style="list-style-type: none"> First Reading of the Master Plan in December Master Plan updates given on November 12 	<ul style="list-style-type: none"> At the November 12 Meeting <ul style="list-style-type: none"> Provide feedback and specific questions to Cornerstone/BRIC/P&C regarding <ul style="list-style-type: none"> The DO memo and supporting documentation The Master Plans 	
Campus Safety	<ul style="list-style-type: none"> BRIC is completing a safety analysis using the CPTED Tool and interviews with building staff 		<ul style="list-style-type: none"> Perimeter Fencing and Secure Vestibule design (Details and Date TBD) 	<ul style="list-style-type: none"> Review and provide feedback when plans are available. 	
Site Analysis	<ul style="list-style-type: none"> Cornerstone is organizing survey work and initial permitting etc. Use of Wilkes and North roads for bus traffic Use of Oak Way for entrance 	None	None	None	

Banks SD 13 - 23-25 Progress Markers

Progress Marker Identifier #	Progress Marker	2023-24 Q1 Progress (7/1/23-9/30/23)
1	Start to See: Early signs of progress (3-6 months)	
2	PM1 Community engagement is authentic, consistent, and ongoing. The strengths that educators, students, families, focal groups, and tribal communities bring to the educational experience informs school and district practices and planning.	Low
3	PM2 Equity tools are utilized in continuous improvement cycles, including the ongoing use of an equity lens or decision-tool that impacts policies, procedures, people/students, resource allocation, and practices that may impact grading, discipline, and attendance.	Medium
4	PM3 Data teams are formed and provided time to meet regularly to review disaggregated student data in multiple categories (grade bands, content areas, attendance, discipline, mental health, participation in advanced coursework, formative assessment data, etc.). These teams have open access to timely student data and as a result decisions are made that positively impact district/school-wide systems and focal populations.	Medium
5	PM4 Schools and districts have an accurate inventory of literacy assessments, tools, and curriculum being used, including digital resources, to support literacy (reading, writing, listening, and speaking). The inventory includes a review of what resources and professional development are research-aligned, formative, diagnostic, and culturally responsive.	Low
6	Gaining Traction: Intermediate Changes (6-18 months)	
7	PM5 Two-way communication practices are in place, with attention to mobile students and primary family languages. Families understand approaches to engagement and attendance, literacy strategy, math vision, what "9th grade on-track" means, graduation requirements, access to advanced/college-level courses and CTE experiences, and approaches to supporting student well-being and well-rounded education.	Low
8	PM6 Student agency and voice is elevated. Educators use student-centered approaches and instructional practices that shift processes and policies that actualize student and family ideas and priorities.	Low
9	PM7 Action research, professional learning, data teams, and strengths-based intervention systems are supported by school leaders and are working in concert to identify policies, practices, or procedures informed by staff feedback to meet student needs, including addressing systemic barriers, the root-causes of chronic absenteeism, academic disparity, and student well-being. These changes and supports are monitored and adjusted as needed.	Low
10	PM8 Comprehensive, evidence-informed, culturally responsive literacy plans, including professional development for educators, are documented and communicated to staff, students (developmentally appropriate), and families. Literacy plans and instruction are evaluated and adjusted to deepen students' learning. Digital resources are being used with fidelity to advance learners' engagement with instruction.	Low
11	PM9 A review of 9th grade course scheduling, as it relates to on-track status for focal student groups, accounts for core and support core class placement. School staff ensure emerging bilingual students are enrolled in appropriate credit-bearing courses that meet graduation requirements.	Medium
12	PM10 Foundational learning practices that create a culturally sustaining and welcoming climate are visible. This includes practices that ensure safe, brave, and welcoming classrooms, schools and co/extra curricular environments. Strengths-based, equity-centered, trauma and SEL-informed practices are present and noticeable. Policies and practices prioritize health, well-being, care, connection, engagement, and relationship building. Multiple ways of being are supported through culturally affirming and sustaining practices for students, staff, and administrators.	Medium
13	Profound Progress: Substantial and Significant Changes (18 months+)	
14	PM11 Schools strengthen partnerships with active community organizations and partners, including local public health, mental health, colleges, workforce development boards, employers, labor partners, faith communities, Tribal nations, and other education partners in order to collaboratively support students' growth and well-being. Characteristics of strong partnerships include mutual trust and respect, strengths-based and collaborative approaches, clear communication around roles, and shared responsibilities and decision-making power.	High
15	PM12 Financial stewardship reflects high-quality spending with accurate and transparent use of state and federal funds in relationship to a comprehensive needs assessment, disaggregated data, and the priorities expressed by students, families, communities, business, and Tribal partners in resource allocation and review.	Low
16	PM13 Students and educators experience a well-rounded and balanced use of assessment systems that help them identify student learning in the areas of the Oregon State Standards. Educators understand how to assess emerging multilingual students' assets to inform gauging progress.	No observable change
17	PM14 Policies, practices, and learning communities address systemic barriers. Schools and districts have a process to identify, analyze, and address barriers that disconnect students from their educational goals, impact student engagement or attendance, and/or impede students from graduating on-time or transitioning to their next steps after high school. Staff members are consistently engaging in action research, guided by students strengths and interests, to improve their practice and advance professional learning.	No observable change
18	PM15 Schools create places and learning conditions where every student, family, educator and staff member is welcomed, where their culture and assets are valued and supported, and where their voices are integral to decision making. Instruction is monitored and adjusted to advance and deepen individual learners' knowledge and understanding of the curriculum. Educators are empowered with agency and creativity. Communities are alive with visions, stories, and systems of vitality, wholeness, and sustainability.	Low
19	Overall Reflection: Narrative Response For the following questions, please type your narrative response directly, ignoring the drop-down options.	

2023-24 Q2 Progress (10/1/23-12/31/23)	2023-24 Q3 Progress (1/1/24-3/31/24)	2023-24 Q4 Progress (4/1/24-6/30/24)
Medium	Medium	No observable change
Medium	Medium	No observable change
Medium	Medium	No observable change
Medium	Medium	No observable change
Low	Low	No observable change
Medium	Medium	No observable change
Medium	Medium	No observable change
Low	Low	No observable change
Medium	Medium	No observable change
Medium	Medium	No observable change
High	High	No observable change
Low	Low	No observable change
No observable change	Low	No observable change
No observable change	Low	No observable change
Medium	Medium	No observable change

2024-25 Q1 Progress
(7/1/24-9/30/24)

Medium

Low

High

Low

Low

Low

Medium

Low

No observable change

Low

Low

Low

Low

Low

Low

Progress Marker Identifier #	Progress Marker	2023-24 Q1 Progress (7/1/23-9/30/23)
20 OR1	Please share any highlights that provide additional context about the changes you have noted in your progress marker ratings above	BSD has undergone an extensive process of community engagement to create a strategic plan. As we move into our second year of the project, we have created scorecards and action plans for each of our schools that are aligned to the priorities of that plan. Some other highlights include: 1) Banks Elementary School was selected to participate in the Oregon RTI project. They have met regularly and are making steps toward full implementation. 2) We are making significant progress by partnering with the University of Washington to develop instructional visions for each of our schools. We are also implementing feedback loops to staff that are directly tied to that vision. 3) Our 9th grade success team continues to meet and make progress toward their goals. 4) Each school is represented at the Rural Development Initiative in our community to strengthen the partnerships of the entities in Banks. 5) The Banks School District has defined our vision for the educational experience of every child to be one that makes them Happy and Proud. We continue to align our actions to realizing this vision.
21 OR2	Please share other changes you've observed outside of the progress markers; for example, any observable changes made toward your outcomes when or if they don't correspond to the progress markers.	Nothing to report at this time.
22 OR3	Please share any lessons learned, constructive or critical, over this quarter, including anything surprising that has occurred that might be valuable for other leaders in your region or state leaders to understand.	We continue to strive to find assessment modes that are palatable to our community. However, it is clear that OSAS is not one. We need to reconcile the fatal flaw of allowing families to opt out while still counting those opt outs against the success rates of the school. That flawed use of data supports the false narrative of school failure.

2023-24 Q2 Progress (10/1/23-12/31/23)	2023-24 Q3 Progress (1/1/24-3/31/24)	2023-24 Q4 Progress (4/1/24-6/30/24)
<p>Banks School District continues the actions described in the Q1 report and continues to see evidence of growth. For example, the percentage of Elementary School Students Identified as Tier 3 for Literacy Intervention dropped in half by the end of December 2023. Likewise, over 50% of 6th grade students gained at least a year of literacy growth in the first semester.</p>	<p>Similar trends continue from Q2 as previously described. We believe these are indicative of successes that will be realized in Q4 with our summative indicators.</p>	
<p>Nothing to report at this time.</p>	<p>We have increased community inputs by formalizing a community curriculum committee to advise the board.</p>	
<p>We continue to work on mending the distrust our community sees in the OSAS exams. We continue to ask ODE to make progress toward fixing the obvious fatal flaw in the opt out process. However, we have built a comprehensive battery of assessments that our community trusts to demonstrate valid and reliable evidence of progress.</p>	<p>We continue to administer the OSAS exam as are analyzing results. We have observed significant increase in participation at our high school. In 2022-2023 all but one student opted out. We now have approximately 50% of our students testing.</p>	

2024-25 Q1 Progress
(7/1/24-9/30/24)

We anecdotally believe that we are making significant progress in part due to our commitment to improvement science. Each school has a clearly defined action plan that is aligned to these indicators and quantitatively evaluated for both implementation as impact each quarter. Our professional belief is that our year long indicators will continue to improve.

Our progress indicators exceed the breadth of the IG reporting tools.

While we see incremental increases to our OSAS participation, it is clear that measure is not valued by the majority of our community. We are forced to find other valid and reliable measures of student progress in order to engage our community in academic discourse.

Banks SD 13 - 2023-24 Budget

Activity ID #	Outcome and Strategy	Activity	All Reported Quarters Total Spent (autosum)	Activity Notes Q4 4/1/24-6/30/24 (Optional)	EIS Activity Spending Q4 4/1/24-6/30/24	HSS Activity Spending Q4 4/1/24 - 8/15/24	SIA Activity Spending Q4 4/1/24 - 9/30/24	Q4 Total Spent (Autosum)
1		Total Allocation 2023-24	\$0.00					\$0.00
2		Unbudgeted (Autocalculate)	\$0.00					\$0.00
3		- Total Budgeted Amounts (Autosum)	\$1,326,755.82		\$0.00	\$144,739.75	\$511,639.10	\$656,378.85
4	1 --	Indirect/Administration	\$0.00					\$0.00
5	2 A1	Salary for Certified Fine Arts Teacher at Banks High School	\$54,033.47				\$26,009.44	\$26,009.44
6	3 A1	Associated Payroll Costs for Certified Fine Arts Teacher at	\$42,961.88				\$20,807.72	\$20,807.72
7	4 A1	Salary for two Certified Social Studies Teachers. One at	\$122,761.13				\$62,574.61	\$62,574.61
8	5 A1	Associated Payroll Costs for two Certified Social Studies	\$92,742.99				\$45,999.03	\$45,999.03
9	6 A1	Salary for Certified Science Teacher at Banks Middle	\$88,071.84				\$44,248.12	\$44,248.12
10	7 A1	Associated Payroll Costs for Certified Science Teacher at	\$57,175.46				\$28,773.58	\$28,773.58
11	8 C3	Salary for counselor for the Banks Elementary School	\$52,944.56				\$25,099.04	\$25,099.04
12	9 C3	Associated Payroll Costs for counselor for the Banks	\$35,141.79				\$20,864.00	\$20,864.00
13	10 B1	Salary for counselor/dropout specialist for the Banks Middle	\$56,963.88				\$26,804.23	\$26,804.23
14	11 B1	Associated Payroll Costs for counselor/dropout specialist	\$44,810.30				\$21,200.91	\$21,200.91
15	12 C3	Salary for TOSA for Banks Elementary School for	\$107,203.33				\$49,967.76	\$49,967.76
16	13 C3	Associated Payroll Costs for TOSA for Banks Elementary	\$59,462.58				\$30,570.13	\$30,570.13
17	14 C2	Salary for two Classified Aids at Kindergarten Level	\$54,218.62				\$27,651.92	\$27,651.92
18	15 C2	Associated Payroll costs for two Classified Aids at	\$22,752.39				\$11,087.80	\$11,087.80
19	16 A5	Salary for CTE Agriculture Teacher	\$58,131.30			\$27,020.10		\$27,020.10
20	17 A5	Salary for CTE Applied Arts Teacher	\$77,031.36			\$32,045.00		\$32,045.00
21	18 A5	Associated Payroll Costs for CTE Applied Arts Teacher and	\$96,701.93			\$41,336.85		\$41,336.85
22	19 A4	Salary for Counselor at Banks High School	\$52,692.26			\$23,641.63		\$23,641.63
23	20 A4	Associated Payroll Costs for Counselor at Banks High	\$44,236.40			\$20,696.17		\$20,696.17
24	21 C1	Partnership with community organizations to provide	\$3,022.05					\$0.00
25	A5	Supplies for CTE Program Expansion	\$2,917.96					\$0.00
26	D1	Salary for Family Engagement Coordinator	\$25,635.36				\$11,522.16	\$11,522.16
27	D1	Associated Payroll Costs for Family Engagement	\$10,380.70				\$4,687.65	\$4,687.65
28	A1	Enhancing Materials Adoptions	\$53,771.00				\$53,771.00	\$53,771.00
29	A3	Instructional Coaching/Mentoring	\$10,991.28					\$0.00

Activity Notes Q3 1/1/24-3/31/24 (Optional)	EIS Activity Spending Q3 1/1/24-3/31/24	HSS Activity Spending Q3 1/1/24-3/31/24	SIA Activity Spending Q3 1/1/24-3/31/24	Q3 Total Spent (Autosum)	Activity Notes Q1 & Q2 7/1/23-12/31/23 (Optional)	EIS Activity Spending Q1 & Q2 7/1/23-12-31-23	HSS Activity Spending Q1 & Q2 7/1/23-12/31-23
				\$0.00			
				\$0.00			
	\$3,022.05	\$79,602.45	\$235,457.67	\$318,082.17		\$0.00	\$107,369.01
				\$0.00			
			\$12,810.99	\$12,810.99			
			\$10,176.82	\$10,176.82			
			\$29,998.58	\$29,998.58			
			\$22,844.31	\$22,844.31			
			\$21,943.52	\$21,943.52			
			\$14,609.86	\$14,609.86			
			\$13,779.24	\$13,779.24			
			\$7,778.09	\$7,778.09			
			\$13,211.28	\$13,211.28			
			\$10,326.88	\$10,326.88			
			\$23,198.73	\$23,198.73			
			\$14,293.85	\$14,293.85			
			\$13,456.41	\$13,456.41			
			\$6,106.93	\$6,106.93			
		\$13,379.76		\$13,379.76			\$17,731.44
		\$19,398.36		\$19,398.36			\$25,588.00
		\$24,177.91		\$24,177.91			\$31,187.17
		\$12,450.27		\$12,450.27			\$16,600.36
		\$10,089.02		\$10,089.02			\$13,451.21
	\$3,022.05			\$3,022.05	Still finalizing program	\$0.00	
		\$107.13		\$107.13			\$2,810.83
			\$7,056.60	\$7,056.60			
			\$2,874.30	\$2,874.30			
No Q3 Expenditures			\$0.00	\$0.00	No Q1 & Q2 expenditures		
			\$10,991.28	\$10,991.28	No Q1 & Q2 expenditures		

SIA Activity Spending Q1 & Q2 7/1/23-12/31/23	Q1 and Q2 Spending Totals (autosum)	Partnership	FTE	FTE Type	EIS Allowable Expenditure Area	HSS Activity Category	SIA Allowable Use Category	Object Code
	\$0.00							
	\$0.00							
\$244,925.79	\$352,294.80							
	\$0.00	--	--	--	--	--	--	690
\$15,213.04	\$15,213.04			1 Arts: Fine & Performance Arts (art/ music/			WRE	111
\$11,977.34	\$11,977.34			Arts: Fine & Performance Arts (art/ music/			WRE	2XX
\$30,187.94	\$30,187.94			2 Core: Social Sciences (civics/ history/			WRE	111
\$23,899.65	\$23,899.65			Core: Social Sciences (civics/ history/			WRE	2XX
\$21,880.20	\$21,880.20			1 Core: Science (biology/ chemistry/			WRE	111
\$13,792.02	\$13,792.02			Core: Science (biology/ chemistry/			WRE	2XX
\$14,066.28	\$14,066.28			1 Supports: School Counselor/School Social			H&S	111
\$6,499.70	\$6,499.70			Supports: School Counselor/School Social			H&S	2XX
\$16,948.37	\$16,948.37			1 Supports: School Counselor/School Social		DP MS8	H&S	111
\$13,282.51	\$13,282.51			Supports: School Counselor/School Social		DP MS8	H&S	2XX
\$34,036.84	\$34,036.84			1 Supports: Other			H&S	113
\$14,598.60	\$14,598.60			Supports: Other			H&S	2XX
\$13,110.29	\$13,110.29		1.625	Supports: Other			RCS	112
\$5,557.66	\$5,557.66			Supports: Other			RCS	2XX
	\$17,731.44			1 Arts (Applied): CTE (Approved Program of		CTE STA		111
	\$25,588.00			1 Arts (Applied): CTE (Approved Program of		CTE STA		111
	\$31,187.17			Arts (Applied): CTE (Approved Program of		CTE STA		2XX
	\$16,600.36			1 Supports: School Counselor/School Social		DP STA		111
	\$13,451.21			Supports: School Counselor/School Social		DP STA		2XX
	\$0.00	Community-Based Organization			ENG			31X
	\$2,810.83					CTE STA		4XX
\$7,056.60	\$7,056.60		0.8125	Supports: Family/Community Engagement			OCG	112
\$2,818.75	\$2,818.75			Supports: Family/Community Engagement			OCG	2XX
\$0.00	\$0.00						WRE	410
\$0.00	\$0.00						WRE	31X

EIS Activity Budget 23-24	HSS Activity Budget 23-24	SIA Activity Budget 23-24	Total Activity Budget 23-24 (autosum)	Last Updated
\$3,022.05	\$331,711.21	\$992,022.56	\$1,326,755.82	08/10/24 4:14 PM
\$0.00	\$0.00	\$0.00	\$0.00	08/10/24 4:14 PM
\$3,022.05	\$331,711.21	\$992,022.56	\$1,326,755.82	10/14/24 2:58 PM
			\$0.00	08/10/24 4:14 PM
		\$51,244.00	\$51,244.00	10/14/24 2:29 PM
		\$40,292.98	\$40,292.98	10/14/24 2:29 PM
		\$116,835.60	\$116,835.60	10/14/24 2:29 PM
		\$86,887.57	\$86,887.57	10/14/24 2:29 PM
		\$88,723.95	\$88,723.95	10/14/24 2:29 PM
		\$57,741.00	\$57,741.00	10/14/24 2:35 PM
		\$55,915.65	\$55,915.65	10/14/24 2:35 PM
		\$42,715.13	\$42,715.13	10/14/24 2:35 PM
		\$55,117.00	\$55,117.00	10/14/24 2:35 PM
		\$42,475.81	\$42,475.81	10/14/24 2:35 PM
		\$92,795.00	\$92,795.00	10/14/24 2:35 PM
		\$57,529.33	\$57,529.33	10/14/24 2:35 PM
		\$48,825.22	\$48,825.22	10/14/24 2:35 PM
		\$27,764.21	\$27,764.21	10/14/24 2:35 PM
	\$52,802.00		\$52,802.00	10/14/24 2:49 PM
	\$76,764.00		\$76,764.00	10/14/24 2:55 PM
	\$95,965.00		\$95,965.00	10/14/24 2:58 PM
	\$49,801.12		\$49,801.12	10/14/24 2:39 PM
	\$40,351.96		\$40,351.96	10/14/24 2:43 PM
\$3,022.05			\$3,022.05	08/10/24 4:14 PM
	\$16,027.13		\$16,027.13	08/10/24 4:14 PM
		\$25,875.00	\$25,875.00	10/14/24 1:59 PM
		\$10,338.00	\$10,338.00	10/14/24 1:59 PM
		\$50,947.11	\$50,947.11	10/14/24 2:35 PM
		\$40,000.00	\$40,000.00	08/10/24 4:14 PM

OSBA Board of Directors CANDIDATE QUESTIONNAIRE

Name: Nancy E Thomas

Date: 23 Sept 2024

Address: 3766 SE Mckenzie Ave

City/Zip: Hillsboro, OR 97123

Business phone: 971 813.3189

Residence phone: 503.270.7596

Cell phone: 503.270.7596

E-mail: thomasn@hsd.k12.or.us

District/ESD/CC: Hillsboro School District

Term expires: 2025 Years on board: 4

Region: Washington County



Position #: 20

I certify that if elected I will faithfully serve as a member of the OSBA Board of Directors. My nomination form has been submitted to OSBA (or is attached to this document) as evidence.

Nancy E Thomas
Name

September 23, 2024
Date

Be brief; please limit your responses to 50 words per question.

1. Describe in your own words the mission and goals of OSBA.

OSBA provides multiple supports to local school boards and their directors including but not limited to Board of Director training, attorneys specializing in education, legislative lobbying efforts for matters that impact all school districts, contracted services, eg, insurance. These resources and others are INVALUABLE to all districts and especially our smaller and rural school districts.

2. What do you want to accomplish by serving on the OSBA board of directors?

I want to see continued progress as OSBA reviews itself, revamps itself and makes the turn toward a brighter and sustainable future for itself and our state school boards. I'd like to be a part of the OSBA change and the OSBA future. Looking forward to seeing a redraft of the strategic plan as well as stabilization and accountability of our finances. Hillsboro has taught me about partnership, collaboration and accountability and I bring these values to OSBA participation.

3. What leadership skills do you believe you bring to the board of directors? Give an example of a situation in which you demonstrated these skills.

There are two skills that I bring to the OSBA. One is the ability to say what needs to be said and know when to say it, and the other is authentic servant leadership. I prioritize the organization and its mission and direct my activities to support that mission. I respect the opinions of all and value the right to express them. As an elected official on behalf of our school districts and school boards, its imperative that I listen as intently as I speak and share my own thoughts.

OSBA Board of Directors

4. What do you see as the two most challenging issues faced by OSBA?

First, we need to stabilize our budget for now and protect the endowment that supports the organization. That includes a successful increase in dues for all members. Second, we must re-brand ourselves under our new leadership and provide transparency and accountability to our members as well as maximize our value add to them and their districts.

5. What do you see as the two most challenging issues faced by your region?

First, our most challenging issues is the completion of all collective bargaining agreements of which Hillsboro is last. We must conclude and without further negative impact on students and teacher lay offs. Second, we must navigate a deficit created by lack of CSL level funding. We now face hard decisions that will impact collect bargaining as well as services delivered to our students and community.

6. What is your plan for communicating with boards in your region?

I communicate either in writing or via report out to our board of directors after every OSBA event. The OSBA board itself has provided a wealth of opportunity to share and collaborate with districts in my region. I would like to do some type of newsletter to all boards in our region collaborated by regional members of the OSBA board.

Please continue to the next section.

OSBA Board of Directors

CANDIDATE PERSONAL/PROFESSIONAL RESUME

Work or service performed for OSBA or local district (include committee name and if you were chair):

OSBA Board of Directors, 23' - '24; Hillsboro School District Board Member

Other education board positions held/dates:

HSD Board Strategic Planning Liaison '21 - '23; HSD Board Vice Chair '21 - '23

Occupation (Include at least the past five years):

Employers:

Oregon Department of Human Services

Dates:

2017 - 2020 Sr Internal Auditor

Jun 2020 - Current; Chief Operations Officer, District 2 - Multnomah County

Schools attended (Include official name of school, where and when):

High school: Parkway North High School, St. Louis, MO; graduated 1984

College: Drake University, Des Moines, IA - graduated 1988; Salmon P Chase College of Law - graduated 1996; George Washington U

Degrees earned: Bachelors - International Relations (Drake); Juris Doctorate (Salmon P Chase College of Law - Northern KY Univ); Master's

Education honors and/or awards:

Other applicable training or education:

Activities, other state and local community services:

Hobbies/special interests:

- + Dragon boat Paddling
- + Teach / Present on Leadership, Emotional Intelligence

Business/professional/civic group memberships; offices held and dates:

Additional comments:

Looking forward to continuing service to this noble organization.

NANCY E THOMAS, J.D.

nan.thomasinPDX@gmail.com * 503.270.7596

EDUCATION

Bachelor of Arts, Drake University

Jurisprudence Doctorate, Salmon P. Chase College of Law, Northern Kentucky University

Master's Certification, Commercial Contract Management, George Washington University

Lean Six Sigma, Green Belt, GE Aviation

STATE OF OREGON WORK HISTORY

OREGON DEPARTMENT OF HUMAN SERVICES (ODHS)

6/2020 - To date	Chief Operations Officer, District 2-Multnomah County <ul style="list-style-type: none">▪ First Priorities include Contracts, Facilities, Safety & Budget▪ Second Priorities include Personnel & Training▪ 1000+/- Employees▪ \$350M+/- average biennium budget for 2 programs▪ 8 branches throughout Multnomah County▪ Child Welfare & Self Sufficiency Programs▪ Leadership & Supervision of the following hybrid teams:<ul style="list-style-type: none">• District Administration & Facilities Team (1+8)<ul style="list-style-type: none">○ Business Expert & Integrity Manager○ (2) Facility Coordinators○ (1) District Office Manager○ (2) District Personnel Team○ (1) District Auditor• Contracts / Budget Team (1+6)<ul style="list-style-type: none">○ Contracts Manager○ (3) Contract Administrators○ (1) Invoice Specialist○ (2) Contract Support Specialists• Safety Specialists Team (3)<ul style="list-style-type: none">○ (2) Safety Specialists○ (1) Safety Specialist Vacancy• Continuous Quality Improvement Team (4)<ul style="list-style-type: none">○ MO○ KB○ JMK○ SN
9/2019 - 6/2020	Sr. Internal Auditor, Shared Services, ODHS Internal Audit Dept
1/2019 - 9/2019	Child Welfare Contract Optimization Consultant, Child Welfare
5/2017 - 1/2019	Sr. Internal Auditor, Shared Services, ODHS Internal Audit Dept

PRIOR WORK HISTORY

2/2017 - 5/2017 VIGOR INDUSTRIES, LEGAL CONSULTANT, Legal Department

11/2015 - 6/2016 QORVO, INC., CONTRACTS MANAGER, Legal Department

11/2008—11/2015 GE AVIATION LEGAL DEPARTMENT

COMMERCIAL ENGINE OPERATIONS LEGAL DEPARTMENT,

LEGAL SALES CONTRACT ANALYST (2012-2015)

Produced risk analysis and contract management for \$100M+ airframe contract. Oversaw legal

response for internal risk approval process for internal stakeholders. Implemented legal assistance in volatile claims settlement negotiations with strong rapport with large customers. Appointed to provide contract support to (7) site global business unit worth \$200M+.

UNISON DIVISION, LEGAL FOCAL (2010 - 2012)

GE AVIATION CONTRACT MANAGER, (2008 - 2010)

Authored and negotiated sales contracts and amendments for engine sales \$1M—\$800M+.

Established legal analysis for Sales in Executive approval matrix procedure. Formalized and drafted protocols for legal support and risk analysis to PM of 150+ engine services program. Negotiated \$850M services contract for large airline customer.

2004—2008 HARRIS CORPORATION BROADCAST COMMUNICATIONS DIVISION, LEGAL DEPARTMENT, CONTRACTS MANAGER

1999—2004 HAMILTON COUNTY FAMILY & CHILDREN FIRST COUNCIL, CONTRACTS MANAGER

1996—1999 HEALTHCARE LEGAL DEPARTMENTS

CHOICECARE, INC., ANCILLARY CONTRACTS SPECIALIST, (1996 - 1998)

MEDICA, INC., BUSINESS DEVELOPMENT SPECIALIST, (1998 -1999)

POST UNDERGRAD & GRADUATE WORK HISTORY

1993—1996 SALMON P. CHASE COLLEGE OF LAW, FULL TIME LAW STUDENT

* Harmon, Davis & Associates, LAW CLERK

Personal Injury trial preparation and research

Federal criminal investigations and defense preparation

Criminal trial preparation

* Hamilton County Court of Common Pleas, LEGAL EXTERN, 6 months

Drafted initial opinions for judge

Conducted legal research for judge opinions

Assisted judge clerk in his absence

• 6th Circuit Court of Appeals, LAW CLERK ASSOCIATE, 6 months

Authored Court of Appeals Guide to use and practice

Drafted initial court opinions for judge magistrate

1992—1993 HARRIS, BELLA & BURGIN, ASSOCIATES, WORKER'S COMPENSATION PARALEGAL

* Legal research and evidence preparation and organization

* Litigation & Worker's Comp Board Hearing preparation for attorney

1990—1992 AEON CORPORATION, INTERNATIONAL HUMANITIES SPECIALIST

* Lived and worked in Osaka, Japan

* Taught English to businessmen and relocating families

* Translated business documents and correspondence

* Achieved 4th grade level Kanji certification

PROFESSIONAL LEADERSHIP & PUBLIC SPEAKING

OREGON DEPARTMENT OF HUMAN SERVICES

- WELD Guest Speaker on Emotional Intelligence for Women Leaders Spring 2023
- In COO Role...
 - Executive Sponsor of District Employee Resource Groups
 - Member of African-American Managers Council
 - Multiple Mentor-Mentee relationships annually
- Speaker (Emotional Intelligence) at OR State Diversity Conference, 2020
- ODHS Leadership Academy, Annual curriculum speaker on Emotional Intelligence 2018 - 2019

GE AVIATION -

- Co-Chaired GE AVIATION Legal Operations ("ALO") Diversity Council;

- Orchestrated Global Diversity & Inclusion Programs at 5 global sites for Diversity Day Celebration featuring New York Times Bestselling author Dr. Mahzarin Banaji, author of Blind Spot
- Facilitated Diversity Summit for Women Engineer students being recruited to GE Aviation;
- Chaired GE Sings (internal competition for winner participation in Cincinnati Sings competition);
- Appointed to Steering Committee for GE People With Disabilities Network guiding efforts to organize and achieve 'affinity' status and corporate recognition;
- Participating member of AAF, Hispanic Forums and Women's & Veteran's Networks;
- Taught Junior Achievement to at-risk urban high school students providing personal finance awareness and career exposure
- GE Aviation SWEL (Summer Work Experience in Law), MENTOR
- GE Aviation AAF Coop & Leadership Program, MENTOR
- GE Aviation People With Disabilities Network, STEERING COMMITTEE

NON-PROFIT ADVOCACY –

- Parents For Public Schools of Greater Cincinnati; Advancing board leadership roles to President, advocating strong public schools for all students and empowering parents to engagement;
- Girls On The Run of Ohio, Inc.; Advocating for girl power, self-confidence and success in life
- Greater Cincinnati Stroke Association; "HERO AWARD" recipient advocating stroke awareness

PURPOSE DRIVEN ADVOCACY

2021 - CURRENT	Publicly Elected to Hillsboro School District ("HSD") Board of Directors 7/2023 – current Board Member 8/21 – 7/23 – Board Vice Chair
2014—2015	Parents for Public Schools of Greater Cincinnati, Inc., BOARD PRESIDENT, leading 8 member Board and agency budget of \$350K CLASS IS IN SESSION, Radio Co-host; Live Call-in talk show on education, WDBZ—AM1230
2014—2015	North Avondale Montessori School, Local School Decision Making Committee (LSDMC) Chair (12 member committee)
2013—2015	The Vineyard Cincinnati, PRAYER TEAM VOLUNTEER
2012—2014	Parents for Public Schools of Greater Cincinnati, Inc., BOARD SECRETARY North Avondale Montessori School, LSDMC PARENT REPRESENTATIVE North Avondale Montessori School, Field Day Chair, leading 125+ volunteers WCET TV, Town Hall on Education, PARENT REPRESENTATIVE participant GE Aviation Junior Achievement, VOLUNTEER teaching 9-12 urban high school
2010 - 2011	GE Aviation SWEL (Summer Work Experience in Law), MENTOR GE Aviation AAF Coop & Leadership Program, MENTOR GE Aviation People With Disabilities Network, STEERING COMMITTEE
2002—2007	Girls On The Run of Ohio, Inc., BOARD MEMBER

PUBLICATIONS -

MAGAZINE—

National Contract Management Magazine, *"The Value Proposition for Diversity vs. the 'Do Nothing' Cost & Impact", August 2015 edition*

BOOKS—

Thriving In Denial: The MS Manifesto

A Shot In the Ass!

The Other 90%: Success In & After Law School When You're Not At the Top of the Class

NOMINATION FORM

OSBA BOARD OF DIRECTORS

REGIONAL MEMBER

Date: _____

TO: Chris Cronin, OSBA President-Elect
Oregon School Boards Association
1201 Court St NE, #400
Salem, OR 97301
Fax: 503-588-2813
E-mail: OSBAelections@osba.org

**Nominations are due by 5 pm,
September 27, 2024**

Return this form and all candidate information forms to the OSBA office by email at OSBAelections@osba.org, or mail to Oregon School Boards Association, 1201 Court St. NE, #400, Salem, OR 97301

Dear Chris Cronin:

With this letter, our board nominates the candidate named below to a position on the OSBA Board of Directors for the _____ Region, Position # _____.

BOARD CANDIDATE INFORMATION

Name: _____

District/ESD/Community College: _____

Address: _____

City: _____ Oregon ZIP: _____

E-mail: _____ Phone: _____

This nomination was approved by official action of our board of directors at a duly called meeting on _____.
(date)

(Board Chair signature)

Board Chair name: _____

District: _____

Address: _____

City, State, Zip: _____

NOMINATION FORM

OSBA BOARD OF DIRECTORS

REGIONAL MEMBER

Date: 09/24/2024

TO: Chris Cronin, OSBA President-Elect
Oregon School Boards Association
1201 Court St NE, #400
Salem, OR 97301
Fax: 503-588-2813
E-mail: OSBAelections@osba.org

**Nominations are due by 5 pm,
September 27, 2024**

Return this form and all candidate information forms to the OSBA office by email at OSBAelections@osba.org, or mail to Oregon School Boards Association, 1201 Court St. NE, #400, Salem, OR 97301

Dear Chris Cronin:

With this letter, our board nominates the candidate named below to a position on the OSBA Board of Directors for the Northwest Region, Position # 15.

BOARD CANDIDATE INFORMATION

Name: Kristy Kottkey
District/ESD/Community College: Forest Grove School District
Address: 2728 Harvest Ct.
City: Forest Grove Oregon ZIP: 97116
E-mail: kkottkey@osba.org Phone: 503-810-4877

This nomination was approved by official action of our board of directors at a duly called meeting on 09/24/2024.
(date)


(Board Chair signature)

Board Chair name: Kate Grandusky, Vice Chair
District: Forest Grove School District
Address: 1728 Main St
City, State, Zip: Forest Grove, OR 97116

OSBA Board of Directors CANDIDATE QUESTIONNAIRE

Name: Kristy Kottkey

Date: 8/23/2024

Address: 2728 Harvest Ct.

City/Zip: Forest Grove, OR 97116

Business phone: _____

Residence phone: 503-810-4877

Cell phone: 503-810-4877

E-mail: kkottkey@osba.org

District/ESD/CC: 15 Washington County

Term expires: 2027 Years on board: 1.5

Region: Washington

Position #: 15

Insert your high-resolution digital photo (head shot):
1) Open this PDF in Adobe
2) Click on Tools tab
3) Click Edit PDF
4) Click on Add Image
5) Navigate to where photo is
6) Position photo in this frame

I certify that if elected I will faithfully serve as a member of the OSBA Board of Directors. My nomination form has been submitted to OSBA (or is attached to this document) as evidence.

Kristy Kottkey

08/23/2024

Name

Date

Be brief; please limit your responses to 50 words per question.

1. Describe in your own words the mission and goals of OSBA.

The mission of OSBA is to align policy, build relationships, and create advocacy pathways to make sure that all students in Oregon schools are served equitably and funded adequately to ensure a high quality education for all. Ultimately, the OSBA can and should help school board function at maximum effectiveness to be able to deliver services to all students and families.

2. What do you want to accomplish by serving on the OSBA board of directors?

I would love to build connections and relationships between board members so we can better align our policies and ideas across the state. I would also like to improve communication between the OSBA board and individual school boards to help with alignment in message to the broader community - in particular to those in our state who do not currently have children in schools. It is vital that everyone understands and commits to supporting public education for the greater good.

3. What leadership skills do you believe you bring to the board of directors? Give an example of a situation in which you demonstrated these skills.

I have recently served on city council, am currently chair of the FGSD School board, but most importantly I was a teacher and team leader for years. I helped teams of teachers create and implement curriculum that served our most at-risk population of students. I hold a current teaching license, was back teaching in the classroom this past spring, and my husband is a middle school science teacher. I have a more direct experience with what is happening in today's classrooms and can communicate that need at legislative levels effectively.

Email to OSBAelections@osba.org, or mail to: Oregon School Boards Association, 1201 Court St NE, #400, Salem, OR 97301

Materials submitted by the candidate on this form may be subject to a public information request under ORS Chapter 192.

OSBA Board of Directors

CANDIDATE PERSONAL/PROFESSIONAL RESUME

Work or service performed for OSBA or local district (include committee name and if you were chair):

OSBA board of directors 2023-24

Other education board positions held/dates:

FGSD School Board 2023-24

Occupation (Include at least the past five years):

Employers:

Semi-retired teacher

Dates:

Schools attended (Include official name of school, where and when):

High school: Mt. Vernon High School

College: Diploma

Degrees earned:

Education honors and/or awards:

Other applicable training or education:

MAT Education from Pacific University

Activities, other state and local community services:

Former City Councilor, Community Policing Advisory Committee, Forestry Committee, ODC Oregon Disability Commission

Hobbies/special interests:

Running, Gardening, Cheering for the Washington Huskies and Green Bay Packers

Business/professional/civic group memberships; offices held and dates:

Additional comments:

Meeting Minutes of September 10, 2024

CALL TO ORDER Board Chair Kristy Kottkey called the meeting to order at 5:32 p.m. and welcomed everyone; she then led the pledge of allegiance. The following were in attendance:

Board of Directors

Kristy Kottkey, Chair
Kate Grandusky, Vice-Chair
Brad Bafaro
Mark Everett
Valyrie Ingram
Paola Garcia Andrade, Student Representative

Staff

Suzanne West, Superintendent
John O'Neill, Assistant Superintendent
Kim Shearer, Director of Student Services
Ilean Clute, Director of Finance
Enrique Pinon, Technology Manager
David Warner, Director of Communications
Arturo Lomeli, Director of Teaching and Learning
Bethany Magnuson, Executive Assistant

PRELIMINARIES

Introductions

Chair Kottkey announced a change in process from previous board meetings in regards to introductions.

Approval of the Agenda

Director Ingram moved to approve the agenda as presented, Director Grandusky seconded and the agenda was approved.

Superintendent Comments | Calendar Notes

Superintendent West made comments about an excellent first week of school. Explained there were expected bumps in places, such as high school lunches. CHAMPS and PAX are taking off with over 38 staff that have already contacted our TOSAs for 1:1 coaching. Athletics and other activities are off to a strong start with Forest Grove High School winning their first game of the season. Calendar updates included Congresswoman Bonamici's visit to Neil Armstrong Middle School. Congresswoman Bonamici spoke with leadership and students about her role and answered questions. Bond Oversight Meeting on September 11, 2024 and Open House at the Elementary School were also noted calendar items.

Forest Grove Education Association

Diana Smith & Hillary Barraza presented on the topic of FGEA Contract 6.5 regarding class size. Superintendent or designee must meet with the Association President by October 15th. Explained the process when someone comes to them with concerns.

Unscheduled Public Appearance

The following person provided unscheduled public comment regarding dress code in person: Diana Smith.

CONSENT

The board engaged in a discussion regarding Consent Agenda: Personnel. Request to bring in GCPC/GDPC-AR Re-employment of PERS Retired Staff policy to work session.

2024-111 MOTION: Director Ingram moved to approve the consent agenda while pulling the retirement of Barry Berdahl and Greg Evers and the temporary hire of Barry Berdahl and Greg Evers as presented, Director Bafaro seconded, unanimously carried with a vote of 5-0.

Item 1: Board Minutes of the August 27, 2024 meeting.

Item 2: Personnel

Item 3: Accounts Payable ending August 31, 2024

PRESENTATIONS

Oath of Office for Student Representative

Chair Kottkey administered the oath of office to Paola Garcia Andrade, student representative to the school board for the 2024-2025 school year.

Student Representative Garcia Andrade introduced herself and her leadership team.

Superintendent Evaluation Process

Superintendent West shared a presentation regarding the current evaluation process of the superintendent and request for next steps. Requesting to co-create 3-5 high leveraged goals.

Following discussion, each director agreed to move the Superintendent Evaluation Process to a working session.

ACTION

2025-2026 Budget Development Calendar

The board had the opportunity to review the 2025-2026 Budget Development calendar at the August 27, 2024 meeting. There was one revision, which was to change the meetings in February and April day of the week from Monday to Tuesday. That change is reflected in the attached proposed public budget process calendar. A number of key events are outlined in the calendar.

2024-112 MOTION: Director Grandusky moved to approve the proposed 2025-2026 Budget Development Calendar as presented, Director Bafaro seconded, unanimously carried with a vote of 5-0.

2024-113 MOTION: Director Ingram moved to declare the Budget Committee vacancies. Director Everett seconded, unanimously carried with a vote of 5-0.

2024-114 MOTION: Director Bafaro moved to approve the timeline and process for the 2025-2026 budget. Director Ingram seconded, unanimously carried with a vote of 5-0.

2024-115 MOTION: Director Ingram moved to appoint Director Ingram and Director Grandusky to complete candidate interviews, Director Bafaro seconded, unanimously carried with a vote of 5-0.

Oregon School Boards Association Board of Directors Nomination

Serving on the Oregon School Boards Association Board provides an opportunity to develop leadership skills and impact issues at the state and federal levels. School board members interested in running for a position on the OSBA Board of Directors need to be nominated by a member board within their region. Nominations require official board action.

Director Kottkey is interested in running for open position 15. Included in the packet is the candidate questionnaire that she has filled out.

2024-116 MOTION: Director Grandusky moved to nominate Chair Kristy Kottkey for the Oregon School Boards Association Board of Director position #15, Director Ingram seconded, unanimously carried with a vote of 4-0.

FUTURE ACTION ITEMS

Future Board Items | Board Discussion

Chair Kottkey offered the opportunity for discussion. No items discussed at this time.

ADJOURNMENT

There being no further business the meeting adjourned at 6:32 p.m.

Bethany Magnuson, Executive Assistant

Kristy Kottkey, Board Chair

Date: _____



Resolution to Amend the OSBA Dues Schedule

WHEREAS, the Oregon School Boards Association (OSBA) dues revenue as a percentage of OSBA's total revenues is declining. OSBA's dues revenue as a percentage of OSBA's operating costs to support the services OSBA provides to members is also declining;

WHEREAS, the percentage of dues revenue as a proportion of total association revenue has fallen 19.1 percent since the 1996-97 fiscal year to 6.4 percent of total association revenue. If dues do not increase, this percentage of total association revenue will continue to decline;

WHEREAS, the OSBA dues schedule has not increased since the 1998-99 fiscal year;

WHEREAS, OSBA retained The Coraggio Group to do an in-depth analysis of the value of the programs and services OSBA offers to its members and develop a 3-5 year sustainable business plan with member engagement;

WHEREAS, based on the survey data obtained by The Coraggio Group, OSBA members overwhelmingly agree that they receive great service for what they currently pay. Current annual member dues are as low as \$250. Given the costs associated with providing no cost or highly subsidized services available to members, \$250 is very low in comparison.

WHEREAS, The Coraggio Group in collaboration with OSBA staff, has recommended a phased increase in the dues schedule. This approach aims to provide financial stability for the organization and align the dues with other state associations, thereby enabling the association to continue offering its high-quality programs and services.

WHEREAS, the proposed dues increase, which was reviewed by the OSBA Finance Committee, and approved by the OSBA Board of Directors on June 15, 2024, supports the recommendation to amend the OSBA Dues Schedule.

THEREFORE, BE IT RESOLVED in recognition of the current financial situation of Oregon districts and the need for an OSBA dues adjustment, the OSBA Board of Directors recommends that the dues schedule be amended in a manner so that OSBA member school districts and education service districts (ESDs) paying more than \$1,500 annually will experience a dues increase of 15% annually for five consecutive years beginning in the 2025-2026 fiscal year. Beginning in the 2030-31 fiscal year, the dues will increase annually as a percentage in alignment with the Consumer Price Index;

THEREFORE, BE IT FURTHER RESOLVED, the OSBA Board of Directors recommends a membership dues floor be established at \$1,500 and a maximum dues rate of \$25,000 per fiscal year. For OSBA member school districts, ESDs, and community colleges who are below this floor, dues will increase \$250 per year until the floor is reached. For school districts and ESDs that reach the floor before the 2030-31 fiscal year, dues will increase by 15% per year until the 2030-31 fiscal year. Beginning in the 2030-31 fiscal year, dues for all school districts, ESDs, and community colleges will increase annually as a percentage in alignment with the Consumer Price Index.

BE IT FURTHER RESOLVED by the OSBA Board of Directors that the proposed amendments to the OSBA Dues Schedule be submitted to the membership for consideration during the 2024 OSBA election; and

BE IT FURTHER RESOLVED by the OSBA Board of Directors that the proposed amendments to the OSBA Dues Schedule and a copy of this resolution be forwarded to all OSBA member boards in accordance with the OSBA Board of Directors' adopted elections calendar.

Submitted by: OSBA Board of Directors

DISTRICT	24-25 DUES	25-26 DUES	26-27 DUES	27-28 DUES	28-29 DUES	29-30 DUES	30-31 DUES**
District Member 01 (under 100)*	\$ 250.25	\$ 500.25	\$ 750.25	\$ 1,000.25	\$ 1,250.25	\$ 1,500.00	\$ 1,560.00
District Member 02 (100-249)*	\$ 541.25	\$ 791.25	\$ 1,041.25	\$ 1,291.25	\$ 1,541.25	\$ 1,772.44	\$ 1,843.34
District Member 03 (250-499)*	\$ 778.00	\$ 1,028.00	\$ 1,278.00	\$ 1,528.00	\$ 1,757.20	\$ 2,020.78	\$ 2,101.61
District Member 04 (500-999)	\$ 1,420.50	\$ 1,633.58	\$ 1,878.61	\$ 2,160.40	\$ 2,484.46	\$ 2,857.13	\$ 2,971.42
District Member 05 (1000-1999)	\$ 2,503.00	\$ 2,878.45	\$ 3,310.22	\$ 3,806.75	\$ 4,377.76	\$ 5,034.43	\$ 5,235.80
District Member 06 (2000-2499)	\$ 3,450.00	\$ 3,967.50	\$ 4,562.63	\$ 5,247.02	\$ 6,034.07	\$ 6,939.18	\$ 7,216.75
District Member 07 (2500-3999)	\$ 5,952.75	\$ 6,845.66	\$ 7,872.51	\$ 9,053.39	\$ 10,411.40	\$ 11,973.11	\$ 12,452.03
District Member 08 (4000-4999)	\$ 7,035.00	\$ 8,090.25	\$ 9,303.79	\$ 10,699.36	\$ 12,304.26	\$ 14,149.90	\$ 14,715.89
District Member 09 (5000-9999)	\$ 8,658.25	\$ 9,956.99	\$ 11,450.54	\$ 13,168.12	\$ 15,143.33	\$ 17,414.83	\$ 18,111.43
District Member 10 (10000-25000)	\$ 10,823.00	\$ 12,446.45	\$ 14,313.42	\$ 16,460.43	\$ 18,929.49	\$ 21,768.92	\$ 22,639.68
District Member 11 (over 25000)***	\$ 18,940.00	\$ 21,781.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 26,000.00
						\$	-
ESD Membership Dues 01 (under 1000)*	\$ 473.75	\$ 723.75	\$ 973.75	\$ 1,223.75	\$ 1,473.75	\$ 1,694.81	\$ 1,762.61
ESD Membership Dues 02 (1000-2500)*	\$ 710.50	\$ 960.50	\$ 1,210.50	\$ 1,460.50	\$ 1,679.58	\$ 1,931.51	\$ 2,008.77
ESD Membership Dues 03 (2500-5000)*	\$ 947.00	\$ 1,197.00	\$ 1,447.00	\$ 1,664.05	\$ 1,913.66	\$ 2,200.71	\$ 2,288.73
ESD Membership Dues 04 (5000-7500)*	\$ 1,082.50	\$ 1,332.50	\$ 1,582.50	\$ 1,819.88	\$ 2,092.86	\$ 2,406.78	\$ 2,503.06
ESD Membership Dues 05 (7500-10000)	\$ 1,556.00	\$ 1,789.40	\$ 2,057.81	\$ 2,366.48	\$ 2,721.45	\$ 3,129.67	\$ 3,254.86
ESD Membership Dues 06 (10000-15000)	\$ 2,029.50	\$ 2,333.93	\$ 2,684.01	\$ 3,086.62	\$ 3,549.61	\$ 4,082.05	\$ 4,245.33
ESD Membership Dues 07 (15000-25000)	\$ 2,367.75	\$ 2,722.91	\$ 3,131.35	\$ 3,601.05	\$ 4,141.21	\$ 4,762.39	\$ 4,952.89
ESD Membership Dues 08 (25000-50000)	\$ 3,111.75	\$ 3,578.51	\$ 4,115.29	\$ 4,732.58	\$ 5,442.47	\$ 6,258.84	\$ 6,509.19
ESD Membership Dues 09 (above 50000)	\$ 4,667.50	\$ 5,367.63	\$ 6,172.77	\$ 7,098.68	\$ 8,163.49	\$ 9,388.01	\$ 9,763.53
State Board of Education	\$ 67.75	\$ 77.91	\$ 89.60	\$ 103.04	\$ 118.50	\$ 136.27	\$ 141.72
Community College Association****	\$ 4,601.00	\$ 8,851.00	\$ 13,101.00	\$ 17,351.00	\$ 21,601.00	\$ 25,500.00	\$ 26,520.00

*Add \$250 annually until floor is reached, then increase 15% through year 5

**Reflects an estimated CPI increase of 4%

*** \$25,000 cap prior to CPI

****Reflects an increase of \$250 per year, per community college (17) annually until the community colleges reach the \$1,500 floor amount per college. (\$25,500)



Resolution to Amend Oregon School Boards Association's Bylaws Relating to Composition of the Board of Directors

WHEREAS, the Oregon School Boards Association (OSBA) was formed in 1946 as a volunteer association of locally elected public school boards and transitioned to a nonprofit public benefit corporation under Oregon Revised Statute Chapter 65 as of July 1, 2018;

WHEREAS, the Oregon LGBTQIA2S+ School Board Members Advisory Committee has been operating as an OSBA board appointed advisory committee since September 22, 2023; has a record of regular meetings; has draft bylaws; has identified goals that align with the mission, vision and goals of OSBA; has draft action plans; and a draft budget;

WHEREAS, the Oregon LGBTQIA2S+ School Board Members Advisory Committee is ready to elect officers and their Leadership Assembly;

WHEREAS, the Oregon LGBTQIA2S+ School Board Members Advisory Committee has articulated its mission as follows: "To promote quality education for all students with an emphasis on the unique needs of LGBTQIA2S+ students, staff and board members.";

WHEREAS, OSBA's Board of Directors recognizes the importance of the Oregon LGBTQIA2S+ School Board Members Advisory Committee's mission and goals; and

WHEREAS, the Oregon LGBTQIA2S+ School Board Members Advisory Committee has respectfully requested that the Board of Directors submit a resolution to the membership creating the Oregon School Board Members PRIDE Caucus (OSBM PRIDE) and designate a seat on the OSBA Board of Directors and Legislative Policy Committee.

THEREFORE, BE IT RESOLVED by the OSBA Board of Directors that the proposed bylaws amendment designating an Oregon School Board Members PRIDE Caucus representative as a voting member of the OSBA Board of Directors and Legislative Policy Committee be submitted to the membership for consideration during the 2024 OSBA election; and

BE IT FURTHER RESOLVED that the draft bylaws and a copy of this resolution be forwarded to all association member boards in accordance with OSBA's adopted elections calendar.

Submitted by: OSBA Board of Directors

BYLAWS

OREGON SCHOOL BOARD MEMBERS PRIDE CAUCUS
OF THE OREGON SCHOOL BOARDS ASSOCIATION

DRAFT

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ARTICLE 1

CHARTER

The Oregon School Boards Association (the “OSBA”) exists solely to perform essential governmental functions and all its income must accrue to the State of Oregon or its political subdivisions as required under IRC Section 115. OSBA’s mission is to improve student success and education equity through advocacy, leadership and service to Oregon public school boards.

OSBA is aware and acknowledges that diversity is a core value of OSBA. OSBA desires to identify areas of concern and causation, convene a caucus of stakeholders, and create a plan to better promote and support the success of students, school staff and school board members who identify as part of the LGBTQIA2S+ communities.

To this end, The OSBA Board of Directors has formally recognized the Oregon School Board Members PRIDE Caucus (the “Caucus”) to serve as a resource and provide guidance and leadership for these initiatives to the OSBA Board of Directors.

The activities of the Caucus shall align with OSBA bylaws as well as complement, not duplicate, OSBA’s efforts on behalf of all local governing boards.

ARTICLE 2

NAME, MISSION AND GOALS

2.1 Name. This organization shall be known as the Oregon School Board Members PRIDE Caucus (OSBM PRIDE) of the Oregon School Boards Association (OSBA).

2.2 Mission. To promote quality education for all students with an emphasis on the unique needs of LGBTQIA2S+ students, staff and board members.

2.3 Goals.

2.3.1 The implementation of ODE’s “Oregon LGBTQ2SIA+ Student Success Plan.”

2.3.2 Promoting positive and effective relationships among LGBTQIA2S+ school board members, their communities, political leaders, partner organizations and OSBA.

2.3.3 Building and increasing capacity of LGBTQIA2S+ school board members and support a pipeline for LGBTQIA2S+ people to run for school board seats.

2.3.4 Serving as a resource.

2.3.5 Developing, promoting, and advancing legislation to improve educational opportunities and outcomes for LGBTQIA2S+ students, staff and families.

2.3.6 Equipping and advancing LGBTQIA2S+ board members to serve in the general OSBA leadership.

2.3.7 Building capacity of the general board membership in understanding the issues of LGBTQIA2S+ people and inclusion.

ARTICLE 3

MEMBERSHIP

3.1 Qualification. All members must support the purposes and goals of the Caucus as set forth in Article 2.

3.2 Members. The Caucus members may include any elected or appointed member of any public board of education in Oregon who are active members in good standing with the Oregon School Boards Association and identify as a member of the LGBTQIA2S+ communities. Caucus members may participate in all discussions, vote, and serve as an officer of the Caucus. Members must attend the meeting in person, via telephone, or via virtual meeting platform (e.g., Zoom) to vote. Voting by proxy shall not be permitted.

3.3 Attendees. The Caucus may, in its discretion, invite to participate in any meeting or event any other individuals who support the purpose and goals of the Caucus as set forth in Article 2.

3.4 Membership List. The Membership list shall be maintained by the Secretary.

ARTICLE 4

BUDGET

4.1 Budget. The Caucus shall submit an annual budget request as outlined under the OSBA budget process, including approval by the OSBA Board of Directors. The request shall set forth the areas of concern, recommended actions, and annual goals.

ARTICLE 5

MEETINGS

5.1 Annual Meetings. An annual meeting of the Caucus shall be in conjunction with the OSBA Annual Convention at which time the Caucus shall elect officers and shall conduct other business as may properly be brought before the meeting of the Caucus.

5.2 Regular and Special Meetings.

5.2.1 Regular Meetings. The Caucus shall meet as often as required to achieve the goals outlined in its annual Work Plan. These meetings shall be scheduled for the year at the Annual Meeting.

5.2.2 Special Meetings. Special meetings of the members for any purpose may be called, either in writing or by e-mail, by the President or by a majority of the Executive Committee. Such a request shall state the purpose or purposes of the proposed meeting.

5.2.3 Place of Meetings. Regular and special meetings of the Caucus shall be held at any location within Oregon, by virtual meeting platform, or a combination of the two, as designated by the President or the Executive Committee.

5.3 Notice.

5.3.1 Notice of every annual meeting of members, stating the time and place thereof, will be provided with an agenda no less than 15 days prior to such meeting.

5.3.2 Notice of every regular or special meeting of members, stating the time and place thereof, shall be provided with an agenda no less than 10 days prior to such meeting.

5.4 Quorum. Except as otherwise provided by law, the presence at any meeting of a majority of the Executive Committee shall constitute a quorum.

5.5 Organization. The President may determine in their sole discretion whether any meeting of the Caucus shall be held in accordance with Robert's Rules of Order.

5.6 Records. The President shall see that all correspondence, minutes, agendas, and Charter be sent to and kept on file with OSBA.

5.7 OSBA Staff Liaison. The Executive Director of OSBA shall designate a staff member to serve as a liaison representative to the Caucus. The designee shall not have voting rights.

5.8 Compliance with Open Meetings Laws. The Caucus shall comply with the open meetings law requirements of ORS chapter 192 at every convening of its membership in which a quorum is required in order to make a decision or to deliberate toward a decision on any matter.

ARTICLE 6

CAUCUS LEADERSHIP COUNCIL

6.1 Composition. The Leadership Council of the Caucus shall include the President(s), Vice President, Secretary, Treasurer, Regional Directors and two Members of the Caucus.

6.2 Term. Leadership Council members shall serve a two-year term. The President may only serve one consecutive term. The Vice President, Secretary, Treasurer, Regional Members, and Members-at Large may serve any number of consecutive terms. Each officer shall hold office until the term has expired or until a successor has been duly elected and qualified for the position, or until the officer can no longer hold the position because they no longer qualify to be a member of the Caucus as defined in Article 3 above, or because of removal or death.

6.3 Nomination and Election

6.3.1 Nomination. Leadership Council members may be nominated by either the nominating committee or a caucus member at the annual meeting.

6.3.2 Election. The members shall elect the Leadership Council by majority vote at the annual meeting in even numbered years.

6.4 Designations

6.4.1 President. The President shall preside at all meetings of the Caucus and the Executive Committee. The President shall appoint all standing and special committees and shall be an ex-officio member of all committees, except the nominating committee, with voting power. The President shall sign all official reports of the Caucus. Two persons may share the position of President, or one person may serve as President and another as Vice President.

6.4.2 Vice President. In the absence of the President, the Vice President shall have and perform all the powers and duties of the President.

6.4.3 Immediate Past President. The Immediate Past President shall advise and counsel with other officers. The Immediate Past President chairs the officer succession planning process. The past president serves for two calendar years.

6.4.4 Secretary. The Secretary shall keep the minutes and records, maintain a roster of the current membership, and shall see that all notices are duly given in accordance with the provisions of law and this Charter, and such other duties as from time to time may be assigned by the Executive Committee.

6.4.5 Treasurer. The Treasurer shall have the responsibility for receiving and disbursing all funds related to the Caucus in coordination with the OSBA liaison. The Treasurer shall report regularly to the Executive Committee, shall prepare a written yearly financial

report to be distributed to the members at each annual meeting, and shall perform other duties assigned by the Executive Committee.

6.4.6 Regional Caucus Directors. There shall be one Regional Director for each congressional district apportioned to Oregon for election at the Oregon general election held in the year of the Caucus' annual meeting. (For reference, there shall be six Regional Directors starting in 2025.) The Regional Directors shall live in the region which they represent. The Regional Directors shall report issues from their region to the Caucus and shall perform other duties assigned by the Executive Committee. The regions shall be based on Oregon's congressional districts.

Future positions:

6.4.7 At-Large Members. There shall be two At-Large Directors.

6.5 Resignation. A Leadership Council member may resign by filing a written resignation with the President or Secretary of the Caucus or the President of OSBA.

6.6 Vacancies. Any vacancy in any office may be appointed for the unexpired portion of the term by a majority of the officers at the next regular or special meeting.

6.7 Removal. Any member of the Caucus who misses more than two meetings out of any four consecutive meetings, unless they are excused by the board for a valid reason, may have their office vacated by action of the board.

ARTICLE 7

EXECUTIVE COMMITTEE

7.1 Composition. There shall be an Executive Committee made up of the President(s), Vice President, Immediate Past President, Secretary, and Treasurer.

7.2 Responsibilities. The Executive Committee shall have the following responsibilities and powers:

- (a) To respond to any inquiry or question from OSBA.
- (b) To act on behalf of the Caucus when deemed necessary by the President.
- (c) To review plans and programs to be presented to the Caucus at its meetings.
- (d) To give direction to the OSBA liaison on legislative action to come before the state legislature on which there is no formal Caucus policy or resolution.

(e) The Executive Committee shall act as the Nominating Committee and nominate a candidate for each office of the Caucus. A nominating committee report will be included in the notice of the annual meeting of the membership.

7.3 Ratification. Any actions by the President shall be reported to the Executive Committee as soon as the action has taken place. All actions of the Executive Committee shall be subject to ratification by the Caucus at the next meeting of the members.

7.4 Administration. The Executive Committee may use the guidance of Robert's Rules of Order for all procedures. The Executive Committee shall keep regular minutes of its proceedings and all actions by the Executive Committee shall be reported promptly to the membership. Such actions shall be subject to review by the membership, provided that no rights of third parties shall be affected by such review.

ARTICLE 8

COMMITTEES

The President or Executive Committee may establish committees of two or more members to serve at the discretion of the President or the Executive Committee. These committees may consist of such persons and perform such duties as the President designates from time to time. The committees may not act on behalf of the Caucus but may make recommendations to the Caucus for approval. The Chair of any such committee shall be a member of the Executive Committee.

ARTICLE 9

SEAT ON THE OSBA'S BOARD OF DIRECTORS

The Caucus shall appoint one officer from the Leadership Council to serve as liaison to the OSBA Board of Directors and to be a member of the OSBA Board of Directors. The appointee must be an elected or appointed member of any public board of education in Oregon and an active member in good standing with the Association.

ARTICLE 10

GENERAL PROVISIONS

10.1 Amendment of Bylaws

10.1.1 Bylaws may be altered, amended, or replaced by the members of Caucus as approved by voting members at the annual meeting by a majority vote.

10.1.2 Notice of proposed bylaws changes shall be in the annual meeting agenda and sent to all members 15 days prior to the annual meeting.

10.1.3 Omissions from this Charter shall be governed by Robert's Rules of Order when they do not conflict with the Charter.

10.2 Seat on OSBA'S Legislative Policy Committee (LPC)

10.2.1 The Caucus shall appoint one caucus member to serve as liaison to the OSBA Legislative Policy committee and to be a member of the LPC. The appointee must be an elected or appointed member of any public board of education in Oregon who is an active member in good standing with the Association.

The foregoing charter was adopted by the active membership of OSBM PRIDE on August 10, 2024.



Resolution to Amend the OSBA 2023 Bylaws

WHEREAS, the Oregon School Boards Association (OSBA) was formed in 1946 as a volunteer association of locally elected public school boards;

WHEREAS, in 2017, through a vote of the OSBA membership, OSBA was incorporated under ORS chapter 65 as a public benefit non-profit corporation and the OSBA bylaws replaced the OSBA constitution;

WHEREAS, in 2018, through a vote of the OSBA membership, the OSBA bylaws were amended to expand the OSBA board of directors and legislative policy committee with representatives from the Oregon school board members of color caucus;

WHEREAS, in 2023, through a vote of the OSBA membership, the OSBA bylaws were amended to expand the OSBA board of directors and legislative policy committee with representatives from the Oregon rural school board members caucus and additional revisions to the bylaws;

WHEREAS, in 2024, the OSBA board of directors reviewed the OSBA bylaws and proposes to amend the OSBA bylaws as reflected in the attached draft OSBA bylaws with changes highlighted in the attached draft OSBA bylaws crosswalk document; and

WHEREAS, the substantive changes to the draft OSBA bylaws are the following:

- Allowing caucuses to have an additional director on the OSBA board of directors in the circumstance where the OSBA president or immediate past president is a director from a caucus. This revision is intended to provide the same opportunity for representation for caucuses as is currently provided to regionally elected directors.
- Clarify that OSBA board of directors must comply with the Oregon government ethics laws with respect to conflicts-of-interest.
- Require OSBA caucuses to submit an annual year end fiscal report to the OSBA board of directors.
- Create officer eligibility criteria that requires candidates for officer positions and directors in officer positions to be voting members of the OSBA board of directors.
- Expand the OSBA board of directors and legislative policy committee with representatives from the Oregon school board members PRIDE caucus.
- Edits to grammar, punctuation, and language for readability.

THEREFORE, BE IT RESOLVED by the OSBA board of directors that the proposed draft OSBA bylaws be submitted to the membership for consideration during the 2024 OSBA election; and

BE IT FURTHER RESOLVED that the proposed draft OSBA bylaws, the draft OSBA bylaws crosswalk document and a copy of this resolution be forwarded to all OSBA member boards in accordance with the OSBA board of directors' adopted elections calendar.

Submitted by: OSBA Board of Directors



BYLAWS

As Amended by the Membership: December 2023

Proposed Edits: September 14, 2024

SECTION 1 PURPOSE

The Oregon School Boards Association (the “Association” or “OSBA”) exists solely to perform essential governmental functions and all of its income accrues to the State of Oregon or its political subdivisions as required under IRC Section 115. In particular, the Association’s mission and purpose are as follows:

- A. To work for the general advancement and improvement of the education of all public school children of the State of Oregon.
- B. To gather and disseminate information pertinent to the successful operation of public schools.
- C. To work for the most efficient and effective organization of public schools of this state. “Public schools” include local school districts, education service districts, the State Board of Education, and community colleges classified as a political subdivision.
- D. To work for adequate and dependable financial support for the public schools of this state.
- E. To study all legislation which affects the public schools of Oregon and to support and work for that which appears to be desirable and to keep members informed thereof. To propose and work for the enactment of proper educational legislation.
- F. To encourage the establishment and maintenance of best practices and high standards in the conduct and operation of the public school educational system.
- G. To study and interpret educational programs and to relate them to the needs of pupils.
- H. To promote public understanding of the role of school boards and school board members in the improvement of education.
- I. To conduct seminars, conferences, and research projects in the various aspects of education for the benefit of members.
- J. To endeavor to implement the policies, beliefs, and resolutions of the Association members and board of directors.
- K. To do such other things as the member boards or board of directors may deem appropriate for the accomplishment of these and other purposes which tend to improve public education.
- L. To enter into such cooperative agreement with members for the pooling of resources and the provision of services as may result in the more efficient utilization of district resources and accrue to their financial advantage.

SECTION 2 MEMBERS

2.1 Admission. All members must qualify as (1) a “political subdivision” as defined under Treas Reg § 1.103-1(b) and Revenue Ruling 78-276, 1978-2 CB 256 and (2) as one of the following:

- 2.1.1 ~~Local~~ School District as defined under ORS Chapter 332;
- 2.1.2 Education Service District as defined under ORS Chapter 334;
- 2.1.3 Community College District as defined under ORS Chapter 341;
- 2.1.4 State Board of Education as defined under ORS Chapter 326; and

2.1.5 Any other governmental educational organization qualifying as a political subdivision, as approved by resolution of the board of directors.

2.2 Dues. Annual dues shall be set by majority vote of the members and shall be based on resident Average Daily Membership (ADMr) as of December 31 of the preceding year as reported to the Oregon Department of Education. Dues shall be payable on July 1 of each year and shall become delinquent on September 1 of each year. Member status shall automatically terminate for members failing to pay dues by September 1 unless an extension is requested and granted by the board of directors.

2.3 Reserved Powers of the Members. The following corporate actions require the consent and approval of the members:

2.3.1 Election and removal of directors except as set forth in Section 3.8;

2.3.2 Election and removal of the Legislative Policy Committee (“LPC”) members except as set forth in Section 4.1.3(g);

2.3.3 Approval of resolutions to effectuate any of the following:

(a) Adoption, amendment, or restatement of the articles of incorporation or bylaws;

(b) Modification to the region descriptions set forth in Section 2.6.1; and ~~the~~

(c) Dissolution, merger, or the sale, pledge, or transfer of all or substantially all of the Association’s assets.

2.4 Voting Power.

2.4.1 Election of Directors and LPC Members. For the purposes of nominating and electing directors and LPC members, each member shall have one vote.

2.4.2 Resolution. For the purposes of approving a resolution, each member shall have one vote on all resolutions except as follows:

(a) K-12 Local Districts with an ADMr between 15,600 and 23,400 shall have two votes.

(b) K-12 Local Districts with an ADMr between 23,400.1 and 31,200 shall have three votes.

(c) K-12 Local Districts with an ADMr between 31,200.1 and 39,000 shall have four votes.

(d) K-12 Local Districts with an ADMr of 39,000.1 or more shall have five votes.

2.5 Process of Approval of Member Resolutions.

2.5.1 Generally, members shall approve resolutions annually by ballot vote. Members or the board of directors may submit a resolution for member approval. Such resolutions shall be submitted to the board of directors no later than September 30~~th~~. The board of directors shall distribute all timely submitted resolutions, together with an official ballot, to the members no later than October 15. Members shall vote by ballot submitted to the board of directors no later than December 15.

2.5.2 ~~The board of directors may call a special meeting of the members under Section 2.9, as necessary.~~

2.6 Regional Election of Directors and LPC Members.

2.6.1 Regional Voting. For the purposes of nominating and electing the board of directors and LPC members, the Association members shall be organized into and represented by region:

- (a) Eastern Region includes all of the members located in the counties of Baker, Grant, Malheur, Union, Wallowa, and Wheeler.
- (b) Gorge Region includes all of the members located in the counties of Gilliam, Morrow, Sherman, Umatilla, and Wasco.
- (c) Central Region includes all of the members located in the counties of Crook, Deschutes, and Jefferson.
- (d) Southeast Region includes all of the members located in the counties of Harney, Klamath, and Lake.
- (e) Southern Region includes all of the members located in the counties of Jackson and Josephine.
- (f) Lane Region includes all of the members located in the county of Lane.
- (g) Clackamas Region includes all of the members located in the counties of Clackamas and Hood River.
- (h) Douglas/South Coast Region includes all of the members located in the counties of Coos, Curry, and Douglas.
- (i) Linn, Benton, Lincoln Region includes all of the members located in the counties of Benton, Lincoln, and Linn.
- (j) Marion Region includes all of the members located in the county of Marion.
- (k) Yamhill, Polk Region includes all of the members located in the counties of Polk and Yamhill.
- (l) North Coast Region includes all of the members located in the counties of Clatsop, Columbia, and Tillamook.
- (m) Washington Region includes all of the members located in the county of Washington.
- (n) Multnomah Region includes all of the members located in the county of Multnomah.

2.6.2 Members shall be assigned to the region in which their main administrative office is located. If a member's district boundaries span more than one region, the member board must declare which region it intends to vote and shall vote only in that region.

2.6.23 Regional elections shall be determined ~~taken~~ by a majority of votes cast by members within of the members within the region.

- 2.7 Modification of Regions.** A formal review of the regional organizations described in Section 2.6.1 shall be conducted by the board of directors at least every three years commencing with 2017. Any recommended changes to the regional organization shall be submitted to the members in the form of a resolution in accordance with the provisions of Section 2. ~~115.~~
- 2.8 Annual Meetings.** An annual meeting of members shall be held in November of each year unless a different date or time is fixed by the board of directors and stated in the notice of the meeting. Failure to hold an annual meeting on the stated date shall not affect the validity of any corporate action. At the annual meeting, the president and secretary-treasurer of the board of directors, and any other officer or person whom the president may designate, shall report on the state of the Association, ~~the its~~ activities, and its financial condition ~~of the Association.~~
- 2.9 Special Meetings.** A special meeting of members shall be held upon the call of the president or 25 percent of the board of directors. All members shall be officially notified of a special meeting by written notice, mailed via U.S. mail or electronic mail, to all members at least 15 days prior to the date of the meeting. Such notice shall include a description of all agenda items and any matters to be voted upon by the members, the place and time of the meeting, and instructions describing the method by which members can participate by telephone or video. Notice shall also comply with all procedures and include any information as required by ORS Chapter 192.
- 2.10 Telephonic/Video Meetings.** The board of directors may permit any member to participate in any annual or special meeting of the membership, or conduct the meetings through, the use of any means of communication by which all persons participating may simultaneously hear each other during the meeting. A member participating in the meeting by this means is deemed to be present ~~in person~~ at the meeting.
- 2.11 Place of Meetings.** Meetings of the members shall be held at any place, in ~~or out of~~ Oregon, designated by the board of directors. If a meeting place is not designated by the board of directors, the meeting shall be held at the Association's principal office.
- 2.12 Action by Written Ballot.** Any action required of the members will be taken by written ballot, and the Association will deliver a written ballot to every member entitled to vote on the matter. Once delivered, a written ballot may not be revoked.
- 2.13 Quorum.** A quorum of the members shall consist of a majority of members in good standing at the time the ballots are to be returned to the association.
- 2. ~~13.114~~ Approval:** With the exception of approving amendments to the Association's bylaws, which is as outlined in Section 7.1 ~~of these bylaws~~, and with the exception of regional elections outlined in 2.6.3, approval by written ballot is effective ~~when~~ at the end of the voting period when:
- (a) The number of votes cast by ballot equals or exceeds a quorum of the members; and
 - (b) The number of approvals equals or exceeds a majority of the number of returned ballots.

SECTION 3 DIRECTORS

- 3.1 Powers.** Except as provided under Section 2. ~~23,~~ all corporate powers shall be exercised by or under the authority of ~~and the affairs of, are managed under the direction of~~ the board of

directors. The board of directors shall adopt policies defining specific obligations of the board of directors.

3.2 Qualifications. Directors must serve on the board of a member of the Association throughout the duration of their term, with the exception of the director serving as past president.

3.3 Number. The board of directors shall consist of not fewer than three nor more than 25 persons. The number of directors may be fixed or changed periodically, within the minimum⁷ and maximum² by the members.

3.4 Term. Directors shall take office on January 1 and shall serve for a term of two calendar years or until their successors are elected and qualified. Terms shall be staggered as per the election calendar.

3.4.1 Directors who took office prior to January 1, 2018, and are re-elected may serve for any number of terms as long as they continuously remain members of the board of directors.

3.4.2 Directors taking office on or after January 1, 2018, may serve five consecutive two-year terms and, if eligible, may rerun after a two-year hiatus.

3.4.3 If a director serving as immediate past president requires additional time beyond the term limits outlined above, the term limits will be held in abeyance to allow the director to complete their term as immediate past president.

3.5 Composition. The board of directors will be comprised of up to ~~23~~²² regionally elected directors, one designated director as defined in the bylaws of the Oregon School Board Members of Color Caucus, ~~and~~ one designated director as defined in the bylaws of the Oregon Rural School Boards Members Caucus, ~~and one designated director as defined in the bylaws of the -Oregon school board members PRIDE caucus and ex-officio nonvoting members advisors as delineated in Section 3.5.4.~~

3.5.1 Regional Elected Directors. Each region, as described under Section 2.6.1, shall elect one director except as follows:

(a) Clackamas Region shall elect two directors;

(b) Marion Region shall elect two directors;

(c) Washington Region shall elect three directors; and

(d) Multnomah Region shall elect three directors.

(e) ~~Provided, however, that i~~ If the president or immediate past president of the board of directors is a representative director from a region that elects only one director, that region shall elect an additional director or directors to serve for the duration of the president and/or the immediate past president's term.

3.5.2 Regional Election.

(a) The nomination and election of directors shall be in accordance with the elections calendar annually adopted by the board. The board of directors shall distribute notice of position vacancies, candidate information packets, and official nomination forms to all incumbent directors and members in electing regions.

(b) Each regional candidate for a director position shall be nominated by a member within the region by means of a nomination form. ~~The board of directors shall distribute notice of position vacancies, candidate information packets, and official nomination forms to all incumbent directors and members in electing regions.~~ To nominate a director candidate, one or more of the members in the region must timely submit to the board of directors a formal resolution or motion of the member and the completed nomination form(s). Nominations in regions where there is more than one open director position shall indicate the numbered position for which the nomination is being submitted.

(c) Each member in a region shall have one vote in the regional elections for the board of directors. The director candidate receiving a majority of the votes ~~cast by the~~ members within the region shall be elected.

~~(a)~~(d) In cases where there are more than two candidates nominated for any position, and none receives a majority of the votes cast, a second regional ballot shall be required between the two candidates receiving the highest number of votes; the one receiving a majority of the votes is elected.

3.5.3 ~~Designated-Caucus~~ Representatives. In accordance with their bylaws, caucuses of OSBA shall appoint a representative of the Caucus to serve as a director of the Association. The representative must be an elected or appointed member of any public board of education in Oregon ~~who that~~ is an active member in good standing with the Association. All Association bylaws and policies shall apply to the designated representative serving as the Caucus' director of the Association.

If the president or immediate past president of the board of directors is a representative director from a caucus, then the caucus shall elect an additional director to serve for the duration of the president and/or the immediate past president's term.

3.5.4 Ex-Officio. The following individuals or their designee may serve as ex-officio, nonvoting, advisors to the board of directors:

(a) Any director of the National School Boards Association elected from Oregon;

~~(b) Any officer of the National School Boards Association, National School Boards Advocacy Committee, or an officer of the NSBA Pacific Region.~~

~~(c) The immediate past president of the Oregon Association of School Executives;~~

(d) The ~~immediate past president~~ Executive Director of the Confederation Coalition of School Administrators;

(e) The ~~board section president~~ Chair-Elect of the Oregon Association of Education Service Districts;

(f) The board ~~section~~ president of the Oregon Community College Association;

(g) The chair of the State Board of Education; and

(h) Any other person ~~as that~~ the board of directors may appoint.

Ex-officio advisors do not attend executive sessions of the board of directors unless they hold a separate position that entitles them to attend executive session, or they are invited to attend by the board of directors.

Ex officio advisors are not eligible for travel reimbursement from OSBA unless they hold a separate position for which travel reimbursement is provided.

3.6 Vacancies. In the event that any director position, other than the president or immediate past president serving as a second director for a region as set out in Section 3.5.1(e), is vacant during the term of office, the remaining directors may appoint an interim director from the same region to serve until December 31 of the same year.

If the board of directors cannot recruit a candidate from the region, they may appoint a person from a contiguous region to serve as director representing the open region. An individual appointed as a director from a contiguous region is not eligible to serve as an officer of the board.

All appointed interim directors must run for regional election during the next election cycle following appointment in order to be eligible to continue service on the board of directors past December 31 of the election year. The members shall elect, using the procedures in Section 3.5.2, an interim director to serve from January 1 of the next year until the end of the remaining term.

If there is a vacancy in an OSBA caucus-designated director position, then the caucus shall, as set forth in Section 3.5.3, appoint a new caucus representative to serve the remaining term.

3.7 Resignation. A director may resign at any time by delivering written notice to the president or the secretary. A resignation is effective when notice is effective under ORS 65.034 unless the notice specifies a later effective date. Once delivered, a notice of resignation is irrevocable unless revocation is permitted by the board of directors.

3.8 Removal. A director may be removed for cause by vote of two-thirds majority of the directors. A director may be removed with or without cause by a majority vote of the members who elected the director. The board may provide guidance or adopt and amend policies regarding what types of actions the board considers to be sufficient cause for removal.

3.9 Regular Meetings. An annual meeting of the board of directors shall be held immediately after, and at the same place as, the annual meeting of members. The board of directors may schedule additional regular meetings to occur during a calendar year. ~~If the time and place of any other directors' meeting is regularly scheduled by the board of directors, the meeting is a regular meeting.~~ All other meetings are special meetings.

3.10 Special Meetings. A special meeting of the board of directors may be called by the president or the president-elect or 20 percent of the board of directors. All directors shall be officially notified of a special meeting by written notice delivered personally, by telephone, or electronic mail at least 48 hours prior to the date of the meeting. Such notice shall include a description of all agenda items and any matters to be voted upon by the directors, the place and time of the meeting, and instructions describing the method by which directors can participate by telephone or video. No matter may be considered at a special meeting other than the matter(s) specified in the notice.

3.11 Place of Meetings. The board of directors may hold annual, regular, or special meetings at any location in the State of Oregon.

3.12 Telephonic/Video Meetings. The board of directors may conduct meetings through the use of any means of communication by which all persons participating may simultaneously hear each other during the meeting. A director participating in the meeting by this means is deemed to be present at the meeting.

3.1013 Notice of Meetings. All ~~members~~ directors shall be officially notified of a special meeting by written notice delivered personally, by telephone or electronic mail to all directors at least 48 hours prior to the date of the meeting. Such notice shall include a description of all agenda items and any matters to be voted upon by the directors, the place and time of the meeting, and instructions describing the method by which directors can participate by telephone or video. Notice of meetings shall ~~also~~ comply with all procedures and include any information as required by ORS Chapter 192.

3.1114 Waiver of Notice. A director may at any time waive any notice required by these bylaws. A director's attendance at or participation in a meeting waives any required notice to the director of the meeting unless the director, at the beginning of the meeting or promptly upon the director's arrival, objects to holding the meeting or transacting business at the meeting and does not thereafter vote for or assent to any action taken at the meeting. Except as provided in the preceding sentence, any waiver must be in writing, must be signed by the director entitled to the notice, must specify the meeting for which the notice is waived, and must be filed with the minutes or the corporate records.

3.1215 Quorum. A quorum of the board of directors shall consist of a majority of the number of directors in office at the time the meeting begins.

3.1316 Voting. If a quorum is present when a vote is taken, the affirmative vote of a majority of the directors present when the action is taken is the act of the board of directors except to the extent that the articles of incorporation, these bylaws, or applicable law require the vote of a greater number of directors.

3.1417 Presumption of Assent. A director who is present at a meeting of the board of directors when corporate action is taken is deemed to have assented to the action taken unless:

- (a) The director objects at the beginning of the meeting, or promptly upon the director's arrival, to holding the meeting or transacting the business at the meeting; and
- (b) The director's dissent from the action taken is entered in the minutes of the meeting.

3.1518 Compensation. Directors and members of committees may receive reimbursement of such expenses as may be determined by resolution or policy of the board of directors to be just and reasonable. Directors shall not otherwise be compensated for service in their capacity as directors.

3.1619 Director Conflict of Interest. The Association shall maintain a Conflict of Interest policy, the terms of which comply with ORS 65.361 and ORS Chapter 244. The board of directors shall annually review and notify ~~its members and the~~ directors of the current Conflict of Interest policy. ~~Each director shall annually complete and return a Conflict of Interest statement.~~

SECTION 4 COMMITTEES AND CAUCUSES

4.1 **Standing Committees.** The board of directors shall maintain the standing committees described below:

4.1.1 Executive Committee. The executive committee shall consist of the five officers of the board of directors: the president as chairman ~~and as an ex-officio voting member pursuant to section 5.5.1 of the Bylaws~~, the president-elect, the vice president, the secretary-treasurer, and the immediate past president. The executive committee ~~may act, pursuant to its delegation delegated~~ of authority to ~~such committee by the board of directors, act~~ in place and instead of the board of directors between board meetings on all matters except those specifically reserved to the board under the terms of the bylaws. Actions of the executive committee shall be reported to the board ~~of directors by mail, email, on a timeframe consistent with the seriousness and urgency of the matter and within two weeks if practicable. Additionally, executive committee actions will be reported or~~ at the next regular board meeting.

4.1.2 Finance Committee. The finance committee shall be appointed by the president and shall be composed of members from Oregon public school districts, education service districts, and community colleges with boards that meet all criteria to be Association voting members. The members shall include, but are not limited to, the President as an ex-officio voting member pursuant to section 5.5.1 of the Bylaws, the Association secretary/treasurer and vice president, one ~~Association board director trustee~~ from the PACE board, one district business official, and one at-large board member.

~~Finance committee members serve for a term of two (2) years unless they are appointed to replace a member who left the committee before finishing their two-year term, in which case the member will serve the remainder of the two-year term. The trustee from the PACE board is recommended by the PACE Board of trustees, appointed by the President, subject to approval by the Board, and will serve a two-year term, with no term limits. The district business official and the at-large board member will be recommended by OSBA staff, appointed by the President, subject to approval by the Board, will serve two-year terms, with no term limits, and staggered start dates starting in January.~~

The finance committee shall operate within the corporation's investment guidelines and the Finance Committee ~~e~~Operating gGuidelines.

4.1.3 Legislative Policy Committee. The board of directors shall maintain a Legislative Policy Committee ("LPC").

(a) Purpose. The LPC shall develop legislative policies which are recommended to and approved by the members as a resolution proposed by the board of directors and voted on by the membership in accordance with Section 2.4 and 2.5. The LPC also advises the executive director and staff during legislative sessions.

(b) Composition. The LPC shall be composed of the voting members of the board of directors, the President as an ex-officio voting member pursuant to section 5.5.1 of the Bylaws, ~~and the~~ regional representatives elected under the procedures defined in Section 4.1.3(c) and (d), ~~and~~ one designated voting member as defined in the bylaws of the Oregon School Board Members of Color Caucus, ~~and one designated~~

voting member as defined in the bylaws of the Oregon Rural School Boards Members Caucus, and one designated voting member as defined in the bylaws of the Oregon school board members PRIDE caucus. All committee members must be elected or appointed directors of a member as defined in Section 2.1. The vice president of the board of directors shall chair the LPC.

~~(b)~~(c) Qualifications. LPC representatives must serve on the board of a member of the Association throughout the duration of their term.

~~(c)~~(d) Nomination. The board of directors shall cause the nomination form to be distributed to all members in eligible regions. A member may To nominate a candidate to the LPC, and shall do so one or more of the members in the region must timely submit to the board of directors by a formal resolution or motion of the member and timely submission of the nomination form(s) to the office of the Association and the completed nomination form(s). Nominations in regions where there is more than one representative position shall indicate the numbered position for which the nomination is being submitted. The Nominations and election of the LPC representatives will be closed by a date identified in shall be in accordance with the elections calendar adopted by the board.

~~(d)~~(e) Election. Each LPC member shall be elected by majority of member boards of a region. Each member in a region shall have one vote in the regional elections for the LPC representative. The LPC representative candidate receiving a majority of the votes cast by the members within the region shall be elected. Each region shall elect the number of LPC members as described in Section 3.5, without regard to Section 3.5.1 ~~(de)~~. Such elections shall be held using the procedures described in Section 3.5.2.

(f) Term. Each committee member shall take office on January 1 in even numbered years and serve for a term of two (2) years.

~~(e)~~(g) Vacancies. In the event that there is a vacancy on the LPC, the board of directors may appoint an interim LPC member from the same region to fill the unexpired term of office. If the board of directors cannot recruit an LPC member from the region, they may appoint a person from a contiguous region to serve to represent the open region to fill the unexpired term of office.

~~4.1.4 PACE Trustees. The board of directors shall appoint the trustees of the OSBA Property and Casualty Coverage for Education Trust ("PACE"). As per the PACE Restated Trust Agreement, the PACE trustees shall nominate trustee candidate(s) to the OSBA board of directors. If the list of candidates is not acceptable by the board of directors, the PACE trustees will continue to submit nominated candidate(s) for consideration until accepted by the board of directors.~~

~~PACE trustees taking office on or after January 1, 2023, may serve three consecutive three year terms and, if eligible, may return after a one year hiatus.~~

4.2 Other Board Committees. The board of directors may create one or more committees of the board of directors and appoint directors and representatives of members to serve on such committee. The creation of a committee and the appointment of directors and member representatives to the committee must be approved by a majority of all directors in office when the action is taken. The provisions of these bylaws governing meetings, action without meetings,

notice and waiver of notice, and quorum and voting requirements of the board of directors shall apply to committees and their members as well. Committees of the board of directors may, to the extent specified by the board of directors, exercise the authority of the board of directors; provided, ~~however,~~ that no committee of the board of directors may:

- (a) Authorize distributions, provided that this restriction does not apply to payment of value for property received or services performed or payment of benefits in furtherance of the Association's purposes;
- (b) Approve or recommend dissolution, merger, or the sale, pledge, or transfer of all or substantially all of the Association's assets;
- (c) Elect, appoint, or remove directors or fill vacancies on the board or on any of its committees; or
- (d) Adopt, amend, or repeal the articles of incorporation or bylaws.

4.3 Advisory Committees. The board of directors may create one or more other committees. Members of these committees need not be members or directors, but at least one director shall serve on each such committee. These committees shall have no power to act on behalf of, or to exercise the authority of, the board of directors, but may make recommendations to the board of directors.

4.4 Caucuses. Caucuses shall exist to enhance the work of the Association by addressing the unique needs of member districts. ~~Caucuses shall:~~

4.4.1 ~~Caucuses shall~~ clearly articulate the vision, mission, and goals of the Caucus.

4.4.2 ~~Caucuses shall~~ adopt bylaws for operating, programming, and governing within the context of the Association bylaws described herein.

4.4.3 ~~Caucuses shall~~ comply with Association policies and guidelines.

4.4.4 Caucuses shall be added or eliminated to this provision through the bylaw's amendment process described in Section 8.1~~these bylaws~~.

4.4.5 Caucuses shall submit an end of fiscal year report to the Board of Directors that includes the following:

4.4.5.1 The caucus is meeting regularly;

4.4.5.2 An accounting of the prior year's budget allocation;

4.4.5.3 Identified officers and current bylaws;

4.4.5.4 A summary of the Caucus current goals, the prior year's Caucus activities that support those goals, and how the Caucus goals align with the mission, vision, and goals of OSBA.

The end of fiscal year report will be submitted at the first regularly scheduled board of directors meeting following the end of the fiscal year.

4.4.56 The Oregon School Board Members of Color Caucus was established by a vote of the membership in 2018.

4.4.57 ~~With the adoption of this section, t~~The Oregon Rural School Boards Members Caucus ~~is~~
was established by a vote of the membership in 2023.

4.4.8 The Oregon school board members PRIDE caucus was established by a vote of the membership in 2024.

4.5 **Administration.** Each committee and caucus shall prepare minutes of each of its meetings, and such minutes shall be kept on file at the Association's principal office and made available on request to any member of the board of directors. Each committee and caucus shall also report on its activities at the regular meetings of the board of directors. Each committee and caucus shall comply with the public meetings laws requirements under ORS Chapter 192.

SECTION 5 OFFICERS OF THE BOARD OF DIRECTORS

5.1 **Eligibility.** Effective January 1, 2026, to hold an officer position on the Board of Directors other than the immediate past president, candidates and officers must be a voting member of the OSBA Board of Directors.

5.12 **Appointment.** The board of directors shall elect officers by majority vote ~~at least 10 days~~ prior to the November member meeting. In cases where there are more than two candidates nominated for any position, and none receives a majority of the votes, a second ballot shall be required between the two candidates receiving the highest number of votes. The one receiving a majority of the votes is elected.

5.23 **Designation.** The officers of the Association shall be a president, president-elect, past president, vice president, a secretary-treasurer, and such other officers as the board of directors may appoint.

5.34 ~~Compensation and~~ **Term of Office.** Officer terms are one calendar year. No officer, except the secretary-treasurer, shall serve two consecutive terms in the same office, unless the director ~~completed~~completes ~~athe~~ term ~~for~~of another officer who was unable to complete ~~atheir~~ term, and is then voted into the same position the following year. The secretary-treasurer may serve up to two consecutive one-year terms.

5.5 Compensation

~~Directors and members of committees~~Officers may receive reimbursement of such expenses as may be determined by resolution of the board of directors to be just and reasonable. ~~Directors~~
Officers shall not otherwise be compensated for service in their capacity as ~~directors~~officers.

5.46 **Removal and Resignation.** Any officer may be removed, either with or without cause, at any time by action of the board of directors. An officer may resign at any time by delivering notice to the board of directors, the president, or the secretary-treasurer. A resignation is effective when the notice is effective under ORS 65.034 unless the notice specifies a later effective date. If a resignation is made effective at a later date and the Association accepts the later effective date, the board of directors may fill the pending vacancy before the effective date if the board of directors provides that the successor does not take office until the effective date. Once delivered, a notice of resignation is irrevocable unless revocation is permitted by the board of directors. No removal or resignation shall prejudice the rights of any party under a contract of employment.

5.57 Officers. The officers of the Association are as follows:

- 5.57.1 President: The president shall preside at all member meetings of the Association and of the board of directors; shall appoint, any committees positions not otherwise designated in these bylaws or OSBA adopted policy, subject to the approval of the board of directors; shall call all regular and special meetings as provided herein; shall be an ex-officio voting member of all committees established under sections 4.1 and 4.2 of these bylaws. The president shall automatically serve as immediate past president for the following term. The president serves for a term of one calendar year.
- 5.57.2 President-elect: In the absence of the president, the president-elect shall assume the powers and duties of the president, and when a vacancy occurs in the office of president, shall serve in that capacity for the remainder of the term. The president-elect shall automatically serve as president for the following term, even if required to fill an uncompleted term as president. In addition, the president-elect shall assume duties related to the oversight of Association member elections and resolutions processes and such other administrative duties as are assigned by the president. The president-elect serves for a term of one calendar year.
- 5.57.3 Vice president: In the absence of the president-elect, the vice president shall assume the powers and duties of the president-elect. The vice president shall also serve as the chair of the LPC. The vice president serves for one calendar year.
- 5.57.4 Secretary-treasurer: The secretary-treasurer shall be responsible for keeping ~~in a suitable minute book~~ accurate minutes of all board of director meetings in electronic format in accordance with OSBA's record retention schedule; shall carry on official correspondence of the Association; shall arrange for proper banking facilities; ~~and~~ shall receive, account for, and disburse funds in a businesslike manner as provided for by the board of directors; shall see that the minutes of the previous meetings are ~~read~~ approved by the board of directors; and shall give an itemized and detailed report of the financial condition of the Association at each annual meeting and at such other times as may be required by the board of directors. Such duties of the secretary-treasurer as may be specified by the board of directors may be delegated to the executive director or a designated member of the staff. The secretary-treasurer serves for a term of one calendar year.
- 5.57.5 Immediate past president: The immediate past president shall advise and counsel ~~with~~ other officers. The immediate past president chairs the officer succession planning process. The past president serves for one calendar year.
- ~~5.57.6 Assistants: The board of directors may appoint or authorize the appointment of an assistant to the secretary treasurer. Such assistant may exercise the powers of the secretary treasurer, as the case may be, and shall perform such duties as are prescribed by the board of directors.~~

SECTION 6 NONDISCRIMINATION

The Association shall not discriminate in providing services, hiring employees, or otherwise, upon the basis of gender identity, race, creed, marital status, sex, sexual orientation, religion, color, age, disability, or national origin.

SECTION 7 OSBA PROPERTY AND CASUALTY FOR EDUCATION TRUST

PACE Trustees. The board of directors shall appoint the trustees of the OSBA Property and Casualty Coverage for Education Trust ("PACE") as provided in ~~As per the PACE Restated Trust Agreement. ,the PACE trustees shall nominate trustee candidate(s) to the OSBA board of directors. If the list of candidates is not acceptable by the board of directors, the PACE trustees will continue to submit nominated candidate(s) for consideration until accepted by the board of directors.~~

It is the policy of OSBA with respect to PACE trustees taking office on or after January 1, 2023, that such trustees will be appointed to no more than ~~may serve~~ three consecutive three-year terms and, if eligible, may return after a one-year hiatus.

SECTION ~~7~~8 GENERAL PROVISIONS

~~78~~8.1 Amendment of Bylaws.

~~78~~8.1.1 Amendments to the bylaws may be initiated by the board of directors or submitted by a member to the board of directors.

~~78~~8.1.2 The board of directors shall provide written notice to the members containing a statement that the members will be asked to approve the amendment and a copy of the proposed amended bylaws.

~~78~~8.1.3 Action by Written Ballot: The Association will deliver a written ballot to every member entitled to vote on the matter. The ballot shall set forth each proposed action and provide an opportunity to vote for or against each proposed action and specify a reasonable time by which a ballot must be received by the Association in order to be counted. Once delivered, a ballot may not be revoked.

~~78~~8.1.4 Approval: Approval by written ballot shall be valid only when the number of votes cast by ballot equals or exceeds a quorum of the members, and the number of approvals equals or exceeds two-thirds majority of the number of the returned ballots.

~~78~~8.1.5 Quorum: A quorum of the members shall consist of a majority of members in good standing at the time the ballots are to be returned to the Association.

~~78~~8.1.6 Whenever an amendment or new bylaw is adopted, it shall be ~~copied in the minute book~~saved in electronic format in accordance with OSBA's record retention schedule with the original bylaws in the appropriate place. If any bylaw is repealed, the fact of repeal and the date on which the repeal occurred shall be stated in such book and place.

~~78~~8.2 **Inspection of Books and Records.** All books, records, and accounts of the Association shall be open to inspection by the directors in the manner and to the extent required by law.

- 78.3 Checks, Drafts, Etc.** All checks, drafts, and other orders for payment of money, notes, or other evidences of indebtedness issued in the name of or payable to the Association shall be signed or endorsed by such person or persons and in such manner as shall be determined by resolution of the board of directors.
- 78.4 Deposits.** All funds of the Association not otherwise employed shall be deposited to the credit of the Association in those banks, trust companies, or other depositories as the board of directors or officers of the Association designated by the board of directors select, or be invested as authorized by the board of directors.
- 78.5 Loans or Guarantees.** The Association shall not borrow money and no evidence of indebtedness shall be issued in its name unless authorized by the board of directors. This authority may be general or confined to specific instances. Except as explicitly permitted by ORS 65.364, the Association shall not make a loan, guarantee an obligation, or modify a pre-existing loan or guarantee to or for the benefit of a director or officer of the Association.
- 78.6 Execution of Documents.** The board of directors may, except as otherwise provided in these bylaws, authorize any officer or agent to enter into any contract or execute any instrument in the name of and on behalf of the Association. Such authority may be general or confined to specific instances. Unless so authorized by the board of directors, no officer, agent, or employee shall have any power or authority to bind the Association by any contract or engagement, or to pledge its credit, or to render it liable for any purpose or for any amount.
- 78.7 Insurance.** The Association may purchase and maintain insurance on behalf of an individual against liability asserted against or incurred by the individual who is or was a director, officer, employee, or agent of the Association, or who, while a director, officer, employee, or agent of the Association, is or was serving at the request of the Association as a director, officer, partner, trustee, employee, or agent of another foreign or domestic business or nonprofit corporation, partnership, joint venture, trust, employee benefit plan, or other enterprise; provided, however, that the Association may not purchase or maintain such insurance to indemnify any director, officer, or agent of the Association in connection with any proceeding charging improper personal benefit to the director, officer, or agent in which the director, officer, or agent was adjudged liable on the basis that personal benefit was improperly received by the director, officer, or agent.
- 78.8 Fiscal Year.** The fiscal year of the Association shall begin on the first day of July and end on the last day of June in each year.
- 78.9 Severability.** A determination that any provision of these bylaws is for any reason inapplicable, invalid, illegal, or otherwise ineffective shall not affect or invalidate any other provision of these bylaws.

* * * * *

The foregoing bylaws were approved by the membership of the Oregon School Boards Association on December 15, 2023. The original bylaws were duly adopted by the Board of Directors of OSBA on September 15, 2017, and approved by the membership on December 15, 2017.

Board Work Session
Tuesday, November 12, 2024 4:00 PM Pacific

Banks Middle School Library
12850 NW Main Street
Banks, OR 97106

Ron Frame: Present
Corissa Mazurkiewicz: Absent
William Moore: Present
Leslee Sipp: Present
Daniel Streblov: Present
Present: 4, Absent: 1.

1. Preliminaries

1.1. Call to Order

1.2. Roll Call

1.3. Approval of Agenda

2. Discussion Items

2.1. Salmonberry Trail Foundation

Introductions: Caroline, Sonja, Linda

Looking to partner (or endorsement) with the District; will be reaching out to all school districts along the trail. K-12 curriculum opportunities, service hours opportunities, leadership

Shared a handout and a presentation.

82 miles, 67 trestles, 5 bridges, 10 tunnels

Multi use trail that would start here in banks, move through the farm land to Nehalem Bay, down the Coastline and ends at the Tillamook Creamery.

Seeking outside funding for curriculum needs.

NHS students helped in the 23-24 year.

Partnering would make their program and group more visible,

They also have an agreement with the Grand Ronde Tribes and will be working closely with them.

The Board will consider this over the next month and will make a decision to endorse at the December meeting.

2.2. Bond Update

Ken Bell and Mark Nordeen from Bric architecture were present to present different plan options.

Community forums have been, and continue to be held to receive feedback.

1. Concept 1 - removal of the current DO

1. shared the overview

1. KEY CONSIDERATIONS:

1. Minimized disruptions
2. Budget considerations

2. Concept 2 - keeping the current DO and new construction, *Premium* 12,000 square feet

1. shared the overview

1. KEY CONSIDERATIONS

1. maintains historic exterior
2. potential need of additional funds
3. square footage of classrooms
4. open air design of the bottom floor - floor/ceiling would need to be added
5. ADA compliance - would need to be connected to the HS with potential ramping, etc.
6. disconnect of the High School classrooms.
7. more inefficiencies when working with an older building than if t
8. 7-9 million additional dollars would need to be found to keep the promises of the bond if keeping the district office.
9. The shell of the building will remain, however the inside will be different, such as the Board room would have a ceiling built to make a floor for the second room classroom.

3. Master Plan update

The board will consider the options over the next month and should make a determination by the December Board meeting.

Misc. Questions for future follow up or consideration:

- Q - Public comment - Why would a plan be developed that we know is over budget?
 - A - Because they were tasked with developing a plan with, and without the District Office. "Program" needs to be covered, and if keeping the DO, the costs far exceed. The DO is an odd shape, codes must be considered, circulation would need to be created. To develop the program the Bond committed to, we would not be in compliance
- Q - Clarification of the placement of the District Office
- Q - How many classrooms to save the space overage? A - 8 classrooms.
- Q - Can the CTE space be used?
 - A - There is not enough money in the budget to replace it. The replacement is in the master 20 year plan.
- Q - Flex space? Is it too much flex space? Double loaded corridor?
- Q - Downstairs Board room as flex space?
- Q - Extra funding available if it's considered historical?

The District is looking for feedback, guidance and questions to bring back to the planning team. An upcoming Community forum will be held where public and community feedback is welcome.

Adjourned at 5:50.

3. Adjourn

The full Board meeting recording is available at any time.

Meeting adjourned at 5:50 pm

Ron Frame: Present
Corissa Mazurkiewicz: Present
William Moore: Present
Leslee Sipp: Present
Daniel Streblow: Present
Present: 5.

1. Preliminaries

1.1. Call to Order

1.2. Roll Call

1.3. Approval of Agenda

I make a motion to approve the November 25th, 2024 Work Session agenda as presented. This motion, made by Leslee Sipp and seconded by Daniel Streblow, Carried.

Ron Frame: Yea, Corissa Mazurkiewicz: Yea, William Moore: Yea, Leslee Sipp: Yea, Daniel Streblow: Yea
Yea: 5, Nay: 0

2. Focal Student

Dr. Sica outlined the interim Work Session meeting purpose, emphasizing the need for transparency and updating the board on bond progress and the importance of aligning resources responsibly and transparently, which aligns with the Banks School District's strategic plan. A significant amount of work is being done by various people, estimated at around 50-100 hours a week, to ensure alignment between the strategic plan and the language of the bond ballot. Dr. Sica also shared the agenda and related slides, explaining the links within the slides for further details.

The Board participated in a brief engagement activity where participants thought about a focal student and envisioned their high school experience, emphasizing the importance of the bond project being for the students and the need for transparency and information sharing.

3. Bond Update

Dr. Sica outlined the key decisions the board needs to make and the importance of understanding these decisions. Due to the volume of work, a review of updated Board Bond communication was shared:

How can the Board stay updated?

- Bond Progress Document - Updated throughout the week for the benefit of the board
- Master Planning/Design Team minutes sent weekly as available
- Interim Work Sessions

- Board 1:1
- Work Sessions/Regular Meetings
- Phone calls anytime they are needed
- NEW - [Written Questions by the Board](#): In an effort to convey thorough and concise details to Board members, all Board questions need to be received in writing, and all responses will be shared in writing. When questions are received, questions are reviewed by the team each week and assigned to a staff member who will answer in writing, which will be shared in the follow up meetings. Board Members should have their written questions submitted as early this week as possible. This will hopefully be an efficient way that keeps us moving forward.
- Public Facing and internal FAQ's
- New Hire; Dr. Sica is looking into hiring someone to provide Bond's communication to the community. Some discussion of potential additional duties for this new hire to manage as well.

4. Current Progress

- Reviewed the Bond Progress Document; ongoing progress on the Bond Planning, and planning procedures.
- Reviewed the planned projects of the Bond and the requirements of the ballot language, including replacing a majority of learning space, improving campus circulation and addressing safety and security. Also reviewed was the "wish list" or alternate items that are listed. This "wish list" is certainly not all the needs we have, but what we have asked for pricing on so that if additional funds do become available, these items could potentially become funded.
- Reviewed the Bond budget information with the Board; updated funding since the passing of the Bond and current uncertainties of scope that are affecting the budget planning.
- There is a need for additional funds for safety and security, including updated cameras and panic buttons. There are several challenges to funding all needs, and there is a need for additional contingencies. There is a need to spend 80% of the bond money within three years to avoid penalties. The importance of value engineering and competitive pricing to stay within the budget was emphasized.
- Reviewed the [Draft Project Timeline](#) and the [Area Program \(Draft\)](#), [Master Plan Updates](#) (See Presentation) and Master Plan Timeline.
- Discussed the timeline and community engagement.
 - The December work session will include a discussion with staff.
 - December 3, 2024 Community Forum (Master planning) **Postponed** to Early January (DATE TBD 1/7 - 1/9)
 - December 9, 2024 - Work session
 - Q and A with architect, CM/GC, and Owners rep. Questions submitted ahead of time.
 - December 9, 2024 - Regular Meeting (May be moved to WS depending on the number of questions received)
- Stakeholder feedback will be considered from groups including the Board Oversight Committee, Community and Student Feedback and Staff survey results.

- Community Forum rescheduled for early January TBD
- January 13, 2024 Board meeting; the Board sees the final concepts and engages in discussion
- Week of January 27-30; Hold a special meeting to adopt a final concept

Next steps were reviewed;

There was discussion of Board Member concerns as it relates to master planning and decision-making. Some concerns shared by Board members include:

- Clarification of the costs; questions whether the inaccuracies in the estimate could reduce the total cost.
- The Board's role in the project and the need to trust the individuals hired by the Board to make master planning decisions.
- The need to understand the scope and decisions being made, expressing concern about potential backlash from the community.
- Acknowledgment of the complexity of the situation and the importance of knowing the pieces that Board members can speak to.
- A desire to maintain community feedback and the importance of considering voter opinions in the decision-making process.
- Community and Historical considerations of the District Administration building; reiterates the need to understand the key deciding factors and the potential impact of the decision on the community, and the financial and practical impact to the overall project.
- Layout and Phasing Concerns; concerns about the loss of The Barn and the placement of the new Auxiliary gym. The layout and the loss of field space for sports activities if the Admin Building is demolished; Questions the phasing for the new bus parking and the prioritization of funds for different projects.

The meeting is adjourned with a reminder to submit written questions.

- Meeting Adjourned at 5:39 pm.



Resolution in Support of the Salmonberry Trail Project

Whereas, the Salmonberry Trail is an 82-mile multi-use trail connecting Washington County and Tillamook County, offering opportunities to enhance education, health, and environmental stewardship for students and the community;

Whereas, the trail will provide safe and accessible outdoor spaces that promote physical activity, mental well-being, and hands-on learning opportunities, fostering healthier lifestyles and well-rounded educational experiences for students in the Banks School District;

Whereas, the trail will serve as a living classroom, supporting environmental education through opportunities to study ecosystems, conservation, and sustainability, inspiring future generations to engage in outdoor learning and stewardship;

Whereas, the project aligns with the district's commitment to fostering a supportive and enriching learning environment by integrating experiential learning and community-based education;

Whereas, the trail's economic and environmental benefits, including increased property values, tourism, and the preservation of natural landscapes, contribute to a vibrant and sustainable future for students and their families;

Be it resolved, that the Banks School Board formally expresses its support for the Salmonberry Trail project as a vital resource to enrich the educational experience, health, and well-being of students, while contributing to the district's mission of preparing students to be active, informed, and responsible citizens;

Be it further resolved, that the Banks School Board encourages all involved parties to support and contribute to the success of the Salmonberry Trail project as a tool to enhance learning and the overall quality of life for our students and community.

Adopted this 12th day of December, 2024, by the Banks School Board.

SUMMARY OF OSBA POLICY UPDATES - PROPOSED 12.9.24

TITLE IX AND CIVIL RIGHTS COORDINATORS Summary

The U.S. Department of Education recently released amendments to the Title IX regulations. These regulations went into effect on August 1, 2024 and made significant changes to complaint procedures for discrimination on the basis of sex. The previous version of these regulations primarily addressed sex-based harassment. With this change, AC-AR(2) – Discrimination Complaint Procedure has been created to provide additional guidance when handling sex-based discrimination under the Title IX regulations. Board policy GBN/JBA – Sexual Harassment still addresses sexual harassment under Oregon law, but GBN/JBA-AR(1) – Sexual Harassment Complaint Procedure and GBN/JBA-AR(2) – Federal Law (Title IX) Sexual Harassment Procedure are both recommended for deletion in lieu of revised AC- AR(1) – Discrimination or Civil Rights Complaint Procedures and new AC-AR(2) – Sex- Based Discrimination under Title IX.

There are multiple cases regarding the Title IX regulations in the federal courts, with at least one of them issuing an injunction. This injunction applies to some schools in some Oregon districts, but not all. This injunction does not prohibit the district from implementing the new regulations or these policies. Districts in which the injunction applies are encouraged to work with legal counsel on implementation.

Additionally, the Oregon State Board of Education recently adopted rules implementing ORS 332.505 regarding civil rights coordinators. These rules outline policy and practice requirements. Additional language has been added to AC – Discrimination and Civil Rights and AC-AR(1) – Discrimination or Civil Rights Complaint Procedures.

Collective Bargaining Impact

None, however, notice of nondiscrimination must be provided to unions and professional organizations holding collective bargaining or professional agreements with the district.

Local District Responsibility

The district should recommend board adoption of revised policies and reissue any updated administrative regulations to the Board for review.

Policy(ies) and ARs Impacted by these Revisions

AC – Nondiscrimination and Civil Rights, Required

AC-AR(1) – Discrimination or Civil Rights Complaint Procedure, Required AC-AR(2) – Sex-Based Discrimination Under Title IX, Highly Recommended, New GBN/JBA – Sexual Harassment, Required

GBN/JBA-AR(1) – Sexual Harassment Complaint Procedures, Delete GBN/JBA-AR(2) – Federal Law (Title IX) Sexual Harassment Procedure, Delete JBA/GBN – Sexual Harassment, Required

JBA/GBN-AR(1) – Sexual Harassment Complaint Procedures, Delete JBA/GBN-AR(2) – Federal Law (Title IX) Sexual Harassment Procedure, Delete JFE – Pregnant and/or Parenting Students, Required**

JFE-AR – Individualized Plan for Pregnant and/or Parenting Students, Optional

LEAVE Summary

There continues to be significant changes in Oregon law regarding leave. This includes changes from SB 1515 (2024) and numerous rule changes to match. The biggest change governs what conditions qualify for leave taken through the Oregon Family Leave Act (OFLA) and Paid Family and Medical Leave Insurance (PFMLI). While these leave allotments used to run concurrently in many situations, they now cannot be taken concurrently.

Included in this update are versions of GCBDA/GDBDA and GCBDA/GDBDA-AR(1) for districts with 50 or more employees (Version 1) and versions for districts with between 25 and 50 employees (Version 2).

Policy(ies) and ARs Impacted by these Revisions

GCBDA/GDBDA – Family and Medical Leave * (Version 1), Highly Recommended

GCBDA/GDBDA-AR(1) – Family and Medical Leave * (Version 1), Highly Recommended

GCBDA/GDBDA – Family Leave * (Version 2), Highly Recommended

GCBDA/GDBDA-AR(1) – Family Leave * (Version 2), Highly Recommended

GCBDC/GDBDC – Domestic Violence, Harassment, Sexual Assault, Bias, or Stalking Leave (Safe Leave) *, Highly Recommended

GCBDC/GDBDC-AR – Request for Domestic Violence, Harassment, Sexual Assault, Bias, or Stalking Leave, Highly Recommended

GCBDD/GDBDD – Sick Time *, Highly Recommended

GCBDF/GDBDF – Paid Family and Medical Leave Insurance * (Version 1), Highly Recommended

GCBDF/GDBDF-AR – Paid Family and Medical Leave Insurance (PFMLI), Highly Recommended

IIA Instructional MaterialsHR

INSTRUCTIONAL, SUPPLEMENTAL, SCHOOL LIBRARY, AND CLASSROOM LIBRARY MATERIALS

Summary

OSBA policy staff worked collaboratively with a work group comprised of school district and ESD staff and professionals from the State Library of Oregon and Intellectual Freedom Committee. The results of this work group culminated in the newly revised proposed sample policy and associated administrative regulations published in this Policy Update.

If the district has adopted policy and any associated administrative regulations on the topic of instructional materials, consider the new proposed samples.

Consider the new proposed highly recommended policy IIA – Instructional Materials** for board adoption and decide whether any of proposed administrative regulations support local practices and submit to the Board for review.

Policy(ies) and ARs Impacted by these Revisions

IIA - Instructional Materials, Highly Recommended, New**

IIA-AR(1) - Instructional Materials, Optional, New

IIA-AR(2) - Reconsideration of Core Instructional Materials, Optional, New IIA-AR(3) - Reconsideration of Supplemental Instructional Materials, Optional, New IIA-AR(4) - Reconsideration of School or Classroom Library Materials, Optional, New IIA-AR(5) - Request for Reconsideration of Instructional or Library Materials Form, Optional, New IIA-AR(6) - Independent Adoption of Core Instructional Materials, Optional, New

GRADUATION REQUIREMENTS

Summary

There are several recommended changes to policy IKF – Graduation Requirements**. Senate Bill (SB) 992 (2023) replaced the “Alternative Certificate” with a “Certificate of Attendance.”

Additionally, SB 3 (2023) added one-half credit each of higher education and career path skills and personal financial education to the diploma and the modified diploma, therefore, reducing the number of elective credits by 1 to maintain the 24 credits. Both of these are effective for students who began grade 9 in the 2023-2024 school year.

The State Board of Education adopted the half credit for civics passed in SB 513 (2021) into OAR 581-022-2000. This is effective for students who began grade 9 in the 2022-2023 school year. Additional rules adopted by the State Board affect a variety of changes in policy which include language on additional credit requirements, Essential Skills, and updated parent notice requirements. Also of note is the requirement for a district board to define criteria for the issuance of a certificate of attendance to a student in their district when they do not satisfy the requirements to receive a diploma.

OSBA still anticipates additional rules (which may affect this policy) resulting from passage of House Bill 4137 (2024) and affecting ORS 329.451; the bill creates a path for students who have completed an International Baccalaureate program to satisfy graduation requirements. Review existing policy, revise as needed, and readopt required policy IKF – Graduation Requirements**. There were minor changes in IKFB – Graduation Exercises If this policy is present in the board’s policy manual, review existing policy, revise as needed and readopt. The changes to JECA – Admission of Resident Students** are primarily the replacement of ‘alternative certificate’ with ‘certificate of attendance’.

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Policy(ies) and ARs Impacted by these Revisions

IKF - Graduation Requirements, Required**

IKFB - Graduation Exercises, Optional

JECA - Admission of Resident Students, Highly Recommended**

ARTIFICIAL INTELLIGENCE Summary

Artificial intelligence and generative artificial intelligence are the most recent additions to technology tools available to education. The purpose of this new model sample policy is to facilitate actions regarding artificial intelligence. Many OSBA members have developed

statements, policies, or positions, or have responsible use agreement language that includes related content; this policy is not intended to replace that language. The Oregon Department of Education (ODE) has Educational Technology resources which include several on artificial intelligence.

Collective Bargaining Impact

None

Local District Responsibility

Review the available optional model sample policy and decide whether it is beneficial to adopt.

Policy(ies) and ARs Impacted by these Revisions

IKJ – Artificial Intelligence, Optional, New

MEDICATIONS Summary

There were a host of changes in Oregon law and administrative rules around administration of medication to students and for student self-administration in a school/district setting. This includes changes from House Bill 2002 and 2395 passed in the 2023 Legislature; from Senate Bill 1552 passed in the 2024 Legislature affecting statute in ORS 339.866 - 339.871; and rules on administration of medication in OAR 581-021-0037 which include new rules on short-acting opioid antagonist. The resulting changes are quite extensive and therefore the model policy and administrative regulation are presented without showing tracked changes.

Policy(ies) and ARs Impacted by these Revisions:

JHCD Medications

JHCD-AR(1) Medications

Nondiscrimination and Civil Rights

The district **does not discriminate on any basis listed below and** prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual race¹, color, religion, sex², 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 Director of Student Services 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.~~

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.

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

The district will document and track:

1. All reports of discrimination received by the district and all responses to those reports issued by the district, including any investigations completed and remedies provided; and

2. The training completed by each civil rights coordinator.

Civil Rights Coordinator

[The [insert position title(s)] is the district’s civil rights coordinator.]

The civil rights coordinator(s) will:

1. Be knowledgeable of the requirements in OARs 581-021-0038, 581-021-0045, 581-021-0046, and 581-021-0660;
2. Have the independence and authority necessary to carry out the provisions of OAR 581-021-0660;
3. Monitor, coordinate, and oversee district compliance with state and federal laws prohibiting discrimination in education, including ensuring the availability of, and providing to students and staff:
 - a. The notice of nondiscrimination¹ required by OAR 581-021-0045; and
 - b. The district written complaint process for making reports of discrimination.
4. Oversee and ensure the resolution of district investigations of complaints alleging and substantiating discrimination, including the provision of remedies designed to restore or preserve equal access to an education program or activity;
5. Provide guidance to district staff on civil rights issues in the district;
6. Respond to questions and concerns about civil rights in the district;
7. Coordinate efforts to prevent civil rights violations from occurring in the district; and
8. ^{2}[Satisfy the training requirements in OAR 581-021-0660 (2)-(3)] [Satisfy the following training requirements:
 - a. Upon initial designation, a civil rights coordinator must receive the following training in accordance with a schedule established by the Oregon Department of Education (ODE):
 - (1) The meaning of discrimination under state and federal nondiscrimination law, including ORS 659.850, Title VI of the Civil Rights Act of 1964 Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990;
 - (2) The duties of districts under state and federal nondiscrimination law, including ORS 342.700 to 342.708, ORS 659.850 and 659.855, Title VI of the Civil Rights Act of 1964, Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the American’s with Disabilities Act of 1990, those statutes’ implementing rules and regulations, and determinations made by the Oregon Department of Education and the United States Department of Education’s Office for Civil Rights;

¹ The notice of nondiscrimination will include the name or title, work address, email address, and phone number of each civil rights coordinator.

² {OAR 581-021-0655(3)(a) requires the district adopt a policy including the requirements in OAR 581-021-0660, including the training requirements referenced and listed here. The district can meet this requirement by choosing either of the two bracketed options.}

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

END OF POLICY

Legal Reference(s):

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

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

³ Training must first be completed by June 30, 2025.

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).

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

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

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

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

Discrimination or Civil Rights Complaint Procedure

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

The district may have additional responsibilities addressing reports and complaints, including but not limited to, those found in the following policies and their associated administrative regulations:

1. AC-AR(2) - Sex-Based Discrimination under Title IX;
2. ACA - Americans with Disabilities Act;
3. ACB - Every Student Belongs;
4. GBEA - Workplace Harassment;
5. GBM - Staff Complaints;
6. GBMA - Whistleblower;
7. GBN/JBA - Sexual Harassment;
8. GBNA - Hazing, Harassment, Intimidation, Bullying, Menacing or Cyberbullying – Staff;
9. GBNAA/JHFF - Reporting of Suspected Sexual Conduct with Students;
10. GBNAB/JHFE - Suspected Abuse of a Child Reporting Requirements;
11. IIA - Instructional Materials**;
12. JFCF - [Hazing,]Harassment, Intimidation, Bullying, [Menacing,]Cyberbullying, Teen Dating Violence, or Domestic Violence – Student**; and
13. KL - Public Complaints.

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

- Step 1: Complaints of sex-based discrimination received by the district, in addition to the procedures outlined below, must follow additional requirements in AC-AR(2) - Sex-Based Discrimination Complaints. Complaints may be oral or in writing and **must** may be filed with the principal or civil rights coordinator. Any staff member that receives an oral or written complaint shall report the complaint to the principal. If a complaint is filed with the civil rights coordinator, the civil rights coordinator will forward it to the principal. If a complaint is filed with the principal, the principal will notify the civil rights coordinator of the complaint. The civil rights coordinator will oversee the investigation^{1} conducted by the principal or designee and ensure the investigation is resolved. The principal shall ensure that any required notices are provided.²

¹ {The investigator can be someone other than the civil rights coordinator or principal.}

² See the following for notice requirements:

1. Administrative regulation ACB-AR - Bias Incident Complaint Procedures
2. Administrative regulation AC-AR(2) - Sex-Based Discrimination Under Title IX
3. Board policy GBN/JBA - Sexual Harassment

The principal shall investigate and determine the action to be taken, if any, and reply in writing, to the complainant within 10 school days of receipt of the complaint.

Step 2: If the complainant wishes to appeal the decision of the principal, the complainant may submit a written appeal to the superintendent within five school days after receipt of the principal's response to the complaint.

The superintendent shall review the principal's decision within five school days and may meet with all parties involved. The superintendent will review the merits of the complaint and the principal's decision. The superintendent will respond in writing to the complainant within 10 school days.

Step 3^{3}: If the complainant is not satisfied with the decision of the superintendent, a written appeal may be filed with the Board within five school days of receipt of the superintendent's response to Step 2. The Board may decide to hear or deny the request for appeal at a Board meeting. If the Board decides to hear the appeal, the Board may meet with the concerned parties and their representative at a Board meeting. The Board's decision will be final and will address each allegation in the complaint and contain reasons for the Board's decision. A copy of the Board's final decision shall be sent to the complainant in writing or electronic form within 30 days of receipt of the appeal by the Board.

If the principal is the subject of the complaint, the individual may start at Step 2 and should file a complaint with the superintendent or designee. [The superintendent will notify the civil rights coordinator.](#)

If the superintendent is the subject of the complaint, the complaint may start at Step 3 and should be referred to the Board chair. The Board may refer the investigation to a third party. [The Board chair will direct notification to the civil rights coordinator.](#)

Complaints against the Board as a whole or against an individual Board member, may start at Step 3 and should be submitted to the Board chair and may be referred to district counsel. Complaints against the Board chair may start at Step 3 and be referred directly to the district counsel. [The Board chair will direct notification to the civil rights coordinator.](#)

[All complaints, including those starting at Step 2 or later, will meet all legal requirements. The civil rights coordinator will oversee these requirements.](#)

^{4} ~~The timelines established in each step of this procedure may be extended upon mutual consent of the district and the complainant in writing[, but will not be longer than 30 days from the date of the submission of the complaint at any step].~~ by the district for good cause. Any extension will be communicated to the parties and include a reason for the delay. ~~The overall timeline of this complaint~~

³ {Individuals tasked with making decisions regarding complaints for types of discrimination may be required to be trained prior to making those decisions. See July 2022 Dear Colleague letter.}

⁴ {If the extension of timelines is by mutual agreement, the ability of the complainant to appeal to the Deputy Superintendent of Public Instruction at 30 or 90 days is stalled until the end of the agreed upon extension.}

~~procedure may be extended beyond 90 days from the initial filing of the complaint upon written mutual consent of the district and the complainant.~~

The timelines established in each step of this procedure may be extended upon mutual consent of the district and the complainant in writing. The overall timeline of this complaint procedure may be extended beyond 90 days from the initial filing of the complaint upon written mutual consent of the district and the complainant.

The complainant, if a person who resides in the district, or a parent or guardian of a student who attends school in the district or a student, is not satisfied after exhausting local complaint procedures, the district fails to render a written decision within 30 days of submission of the complaint at any step (unless the district and complainant have agreed in writing to a different time period for that step) or fails to resolve the complaint within 90 days of the initialing filing of the complaint, may appeal⁵ the district's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023.

⁵ An appeal must meet the criteria found in OAR 581-~~002-0005(1)(a)~~. 075-0010 (the rules are amended by OAR 581-075-0901 until April 30, 2025).

DISCRIMINATION OR CIVIL RIGHTS COMPLAINT FORM

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

Name of Person Filing Complaint	Date	School or Activity
Student/Parent <input type="checkbox"/> Employee <input type="checkbox"/> Job applicant <input type="checkbox"/> Other <input type="checkbox"/> _____		

Type of discrimination or harassment :

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

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

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

Suggested solution/resolution/outcome: _____

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

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

Sexual Harassment

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 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.

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

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.

Additional information regarding filing of a complaint or report may be obtained through the principal, Title IX Coordinator, civil rights coordinator, or superintendent.

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

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

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.~~

~~OREGON DEFINITION AND PROCEDURES~~

Oregon Definition

Sexual harassment of students, staff members or third parties¹ shall include:

1. A demand or request for sexual favors in exchange for benefits;
2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:
 - a. Interferes with a student’s educational activity or program;
 - b. Interferes with a school or district staff member’s ability to perform their job; or
 - c. Creates an intimidating, offensive or hostile environment.
3. Assault when sexual contact occurs without consent².

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 action, offensive because of that other person’s sexual orientation or gender identity.

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

¹ “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.

² “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.

Oregon Procedures

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

Name	Position	Phone	Email
<u>Brian Sica</u>	<u>Superintendent</u>	<u>503-324-8591</u>	<u>brians@banks.k12.or.us</u>

This individual is responsible for accepting and managing complaints of sexual harassment. ~~Persons wishing to report should contact them using the above information.~~ Persons wishing to make a report should use the above contact information. The person[s] designated will coordinate the report with the procedures in administrative regulation AC-AR(1) – Discrimination or Civil Rights Complaint Procedure.

Response

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

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

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:

Interviews with those involved;

Interviews with witnesses;

Review of video surveillance;

Review of written communications, including electronic communications;

Review of any physical evidence; and

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.

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

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

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

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:

Educational assignments or educational environment of a student or other person initiating the complaint, reporting the behavior, or participating in the investigation; or

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 person 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:

Each reporting person;

If appropriate, any impacted person who is not a reporting person;

Each reported person; and

Where applicable, a parent or legal guardian of a reporting person, impacted person, or reported person.

The written notification must include:

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

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

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

The notice must:

1. Be written in plain language that is easy to understand;
 - Use print that is of a color, size and font that allows the notification to be easily read; and
 - 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.

~~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;~~

~~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 activity³;~~

~~“Sexual assault”: an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;~~

~~“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;~~

~~“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~~

³ “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))

~~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~~

~~“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.~~

~~Jacob Pence is designated as the Title IX Coordinator. The Title IX Coordinator will coordinate the district's efforts to comply with its responsibilities related to this AR. The district prominently will display the contact information for the Title IX Coordinator on the district website and in each handbook.~~

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. The district shall treat complainants and respondents equitably by providing supportive measures to the complainant and by following a grievance procedure⁴ 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.⁵~~

⁴ 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).

⁵ The Title IX Coordinator may also discuss that the Title IX Coordinator has the ability to file a formal complaint.

~~If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place. 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);~~

~~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~~

~~The grievance procedure and process, how to file a formal complaint of sex discrimination or sexual harassment, and how the district will respond.~~

No Retaliation

~~Neither the district or any person may retaliate⁶ 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 shall be prominently published in the district student handbook and on the district website. This policy shall also be made available at each school office and at the district office. The district shall post this policy on a sign in all grade 6 through 12 schools, on a sign that is at least 8.5 inches by 11 inches in size. A copy of the policy will be made available to any person upon request.

END OF POLICY

Legal Reference(s):

⁶ Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

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

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

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

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

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

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (~~2020~~2024).

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

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

Family ~~Medical~~ Leave

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

FMLA applies to districts with 50 or more employees within 75 miles of the employee's work site, based on employment during each working day during any of the 20 or more work weeks in the calendar year in which the leave is to be taken, or in the calendar year preceding the year in which the leave is to be taken. The 50 employee test does not apply to educational institutions for determining employee eligibility.

OFLA and OMFLA applies to districts that employ 25 or more part-time or full-time employees in Oregon, based on employment during each working day during any of the 20 or more work weeks in the calendar year in which the leave is to be taken, or in the calendar year immediately preceding the year in which the leave is to be taken.

In order for an employee to be eligible for the benefits under FMLA, he/she must have been employed by the district for at least 12 months and have worked at least 1,250 hours during the past 12-month period.

In order for an employee to be eligible for the benefits under OFLA, he/she must work an average of 25 hours per week and have been employed at least 180 calendar days prior to the first day of the family medical leave of absence. [Special requirements apply during public health emergencies.](#)

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

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

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

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

~~Federal and state leave entitlements generally run concurrently.~~ Leave taken under OFLA is in addition to leave taken under PFMLI and cannot be taken concurrently; however, OFLA leave or PFMLI may run concurrently with leave available under ORS 653.601 - 653.661, FMLA, and other types of leave if provided by the district. Any leave taken under PFMLI must be taken concurrently with any leave taken under FMLA when for the same purpose.

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

END OF POLICY

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

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

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

Legal Reference(s):

[ORS 332.507](#)
[ORS 342.545](#)
[ORS 659A.090](#)

[ORS 659A.093](#)
[ORS 659A.096](#)
[ORS 659A.099](#)

[ORS 659A.150 to -659A.186](#)
[OAR 839-009-0200 to -0320](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).
Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654 (2006); Family and Medical Leave Act of 1993, 29 C.F.R. Part 825 (2008).

National Defense Authorization Act of 2008, Public Law 110-181, § 585(a).

Americans with Disabilities Act Amendments Act of 2008.

National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84, § 565.

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

R4/13/17 | RS

Domestic Violence, Harassment, Sexual Assault, Bias, or Stalking Leave (Safe Leave)

(For employers who employ six or more employees)

Definitions

- ~~1. “Covered employer” means an employer who employs six or more individuals in the state of Oregon for each working day through each of 20 or more calendar workweeks in the year in which the eligible employee takes leave to address domestic violence, harassment, sexual assault or stalking, or in the year immediately preceding the year in which an eligible employee takes leave for domestic violence, harassment, sexual assault or stalking.~~
- ~~2. “Eligible employee” means an employee who is a victim of domestic violence, harassment, sexual assault or stalking or is the parent or guardian of a minor child or dependent who is a victim of domestic violence, harassment, sexual assault or stalking.~~
- ~~3. “Protective order” means an order authorized by Oregon Revised Statute (ORS) 30.866; 107.095(1)(e), 107.700 – 107.735, 124.005 – 124.040 or 163.730 – 163.750 or any other order that restrains an individual from contact with an eligible employee or the employee’s minor child or dependent.~~
- ~~4. “Victim of domestic violence” means an individual who has been a victim of abuse as defined by ORS 107.705; or any other individual designated as a victim of domestic violence by rule adopted under ORS 659A.805.~~
- ~~5. “Victim of harassment” means an individual against whom harassment has been committed as described in ORS 166.065 and any other individual designated as a victim of harassment by rule adopted under ORS 659A.805.~~
- ~~6. “Victim of sexual assault” means an individual against whom a sexual offense has been committed as described in ORS 163.467 or 163.525; or any other individual designated as a victim of sexual assault by rule adopted under ORS 659A.805.~~
- ~~7. “Victim of stalking” means an individual against whom stalking has been committed as described in ORS 163.732; or an individual designated as a victim of stalking by rule adopted under ORS 695A.805; or an individual who has obtained a court’s stalking protective order or a temporary court’s stalking protective order under ORS 30.866.~~
- ~~8. “Victim services provider” means a prosecutor-based victim assistance program or a nonprofit program offering safety planning, counseling, support or advocacy related to domestic violence, harassment, sexual assault or stalking.~~

When applicable, the district will comply with the provisions of protected leave identified in ORS 659A.272 to address domestic violence, harassment, sexual assault, bias, or stalking.

▲ The district (covered employer) shall allow an (eligible) employee to take reasonable leave from employment for any of the following reasons:

1. To seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or the employee's minor child or dependent, including preparing for and participating in protective order proceedings or other civil or criminal legal proceedings related to domestic violence, harassment, sexual assault, bias or stalking;
2. To seek medical treatment for or to recover from injuries caused by domestic violence or sexual assault to, ~~or~~ harassment or stalking of, or the commission of a bias crime against the eligible employee or the employee's minor child or dependent;
3. To obtain or to assist a minor child or dependent in obtaining counseling from a licensed mental health professional related to an experience of domestic violence, harassment, sexual assault, bias or stalking;
4. To obtain services from a victim services provider for the eligible employee or the employee's minor child or dependent;
5. To relocate or take steps to secure an existing home to ensure health and safety of the eligible employee or the employee's minor child/dependent.

The district may limit the amount of leave; if the eligible employee's leave creates an undue hardship on the district.

The district shall not deny leave to an employee or discharge, threaten to discharge, demote, suspend or in any manner discriminate or retaliate against an employee with regards to promotion, compensation or other terms, conditions or privileges of employment ~~as a result of taking such leave~~ because the employee makes inquiries about, applies for, or takes such leave.

The eligible employee shall give the district reasonable advanced notice of the employee's intention to take leave unless giving advance notice is not feasible.

The district may require the eligible employee to provide certification that:

1. The employee or employee's minor child/dependent is a victim of domestic violence, harassment, sexual assault, bias or stalking; and
2. The leave is taken for one of the identified purposes in this policy.

The eligible employee shall provide a certification within a reasonable time after receiving the district's request for the certification.

Sufficient certification to support a request for such leave includes:

1. A copy of a report from law enforcement indicating the **eligible** employee or **the employee's minor child/dependent** was a victim of domestic violence, harassment, sexual assault or stalking.
2. A copy of a protective order or other evidence from a court, administrative agency or attorney that the **eligible** employee appeared in or ~~was~~ **is** preparing for a civil, criminal or administrative proceeding related to domestic violence, harassment, sexual assault or stalking.
3. Documentation from an attorney, law enforcement officer, health care professional, licensed mental professional or counselor, member of the clergy, **employee of the Department of Justice division providing victim and survivor services** or a victim services provider that the employee, employee's **minor** child or dependent was undergoing **treatment or** counseling, obtaining services or relocating as a result of domestic violence, harassment, sexual assault, **bias** or stalking.

All records and information kept by the district regarding the employee's leave **under ORS 659A.270 - 659A.285**, including the **fact that the employee has requested** or obtained **ing** such leave **is** are confidential and may not be released without the express permission of the employee unless otherwise required by law. This information will be kept in a file separate from the employee's personnel file.

The employee may use **any ~~all~~ paid accrued leave**, including **personal, sick leave, ~~and~~ vacation leave or any other paid leave offered by the district**. The **employee District** may choose the order in which paid accrued leave is to be used when more than one type of paid leave **is available consistent with Board policies, and/or any applicable collective bargaining agreement or other agreement**.

Definitions

1. "Protective order" means an order authorized by ORS 30.866, 107.095 (1)(c), 107.700 to 107.735, 124.005 to 124.040, 163.730 to 163.750 or 163.760 to 163.777 or any other order that restrains an individual from contact with an eligible employee or the employee's minor child or dependent.
2. "Victim of bias" means an individual who has been a victim of a bias crime as defined in ORS 147.380; or any other individual designated as a victim of bias by rule adopted under ORS 659A.805.
3. "Victim of domestic violence" means an individual who has been a victim of abuse, as defined in ORS 107.705; or any other individual designated as a victim of domestic violence by rule adopted under ORS 659A.805.
4. "Victim of harassment" means an individual against whom harassment has been committed as described in ORS 166.065; or any other individual designated as a victim of harassment by rule adopted under ORS 659A.805.
5. "Victim of sexual assault" means an individual against whom a sexual offense has been committed as described in ORS 163.305 to 163.467, 163.472 or 163.525; or any other individual designated as a victim of sexual assault by rule adopted under ORS 659A.805.
6. "Victim of stalking" means an individual against whom stalking has been committed as described in ORS 163.732; an individual designated as a victim of stalking by rule adopted under ORS 659A.805;

or an individual who has obtained a court’s stalking protective order or a temporary court’s stalking protective order under ORS 30.866.

7. “Victim services provider” means a prosecutor-based victim assistance program or a nonprofit program offering safety planning, counseling, support or advocacy related to domestic violence, harassment, sexual assault, bias or stalking.

END OF POLICY

Legal Reference(s):

[ORS 192.355\(38\)](#)

[ORS 659A.270 - 659A.290](#)

**Request for Domestic Violence, Harassment,
Sexual Assault, Bias or Stalking Leave**

(For employers who employ six or more employees)

PLEASE PRINT

~~Where~~ When the need for the leave may be anticipated, a written request for leave under Oregon Revised Statute (ORS) 659A.270 - 659A.285 shall be made at least [30] days prior to the date the requested leave is to begin unless giving advance notice is not feasible. ~~In emergency situations~~ When it is not feasible, oral or written notice as soon as practical is allowed.

Name of Eligible Employee _____ Effective Date of the Leave _____

Department _____ Title _____

Status: Full-time Part-time Temporary Hire Date _____ Length of Service _____

The requested leave is for:

- Myself
- ~~My~~ A minor child or dependent for which I am a parent or guardian

The leave is for:

- To seek legal or law enforcement assistance or remedies to ensure the health and safety of the eligible employee or the eligible employee’s minor child or dependent, including preparing for and participating in protective order proceedings or other civil or criminal legal proceedings related to domestic violence, harassment, sexual assault, bias, or stalking.
- To seek medical treatment for or to recover from injuries caused by domestic violence, or sexual assault to, harassment, ~~sexual assault~~ or stalking for of or the commission of a bias crime against harassment, sexual assault or stalking for the eligible employee or the eligible employee’s minor child or dependent.
- To obtain, or to assist the eligible employee’s minor child or dependent in obtaining counseling from a licensed mental health professional related to an experience of domestic violence, harassment, sexual assault, bias or stalking.
- To obtain services from a victim services provider for the eligible employee or the eligible employee’s minor child or dependent.
- To relocate or take steps to secure an existing home to ensure the health and safety of the eligible employee or the eligible employee’s minor child or dependent.

“Relocate” is described in OAR 839-009-0345 (5).

The following has been provided ~~by the employee~~ to certify the ~~need for the requested~~ leave:

- A copy of a report from law enforcement indicating ~~that the eligible employee myself or my the eligible employee's~~ minor child or dependent ~~was is~~ a victim ~~or alleged victim~~ of domestic violence, harassment, sexual assault, ~~bias~~ or stalking.
- A copy of a protective order or ~~any other order that restrains an individual from contact with an eligible employee or the employee's minor child or dependent;~~ ~~other~~ evidence from a court, administrative agency or attorney that ~~the eligible employee I or my minor child or dependent~~ appeared in or is preparing for a civil or criminal ~~administrative~~ proceeding related to domestic violence, harassment, sexual assault, ~~bias~~ or stalking ~~or other order authorized by ORS 30.866, 107.095(1)(e), 107.700 - 107.735, 124.005 - 124.040 or 163.730 - 163.750.~~
- Documentation from an attorney, law enforcement officer, health care professional, licensed mental health professional or counselor, member of the clergy, ~~employee of the e~~ Department of Justice ~~division providing victim and survivor services~~ or victim services provider ~~with or from whom the eligible employee or the eligible employee's~~ minor child or dependent is receiving services.

I understand ~~that~~ [I may use accrued paid leave, including ~~personal and~~ sick leave ~~or accrued~~ vacation leave ~~or any other paid leave that is offered by the district [in the order specified by the [district] [applicable collective bargaining agreement] [the district requires me to use any accrued sick leave, vacation, personal leave days or other paid time established by Board policy(ies) and/or collective bargaining agreement in the order specified by the district].~~

If my request for a leave is approved, ~~it is my understanding~~ I understand that without an authorized extension when the need for an extension could be anticipated, I must report to duty on the first workday following the date my leave is scheduled to end. ~~I understand that failure to do so will constitute unequivocal notice of my intent not to return to work and the district may terminate my employment.~~ I understand if I am unable to return to work following the period of authorized leave I will notify ~~my employer~~ the District as soon as practical and provide any required information which will allow ~~my employer~~ the District to determine my eligibility for an extension of leave.

I authorize the district to deduct from my paychecks ~~or seek to recover~~ any ~~employee contributions for health insurance premiums, life insurance or long-term disability insurance~~ amounts paid for insurance coverage by the district ~~on my behalf~~ which remain unpaid after my leave, consistent with state law.

Signature of Employee: _____

Date: _____

Sick Time

“Employee” means an individual ~~who is employed by the district and who is paid on an hourly, stipend or salary basis, and for whom withholding is required under Oregon Revised Statute (ORS) 316.162-316.221.~~ renders personal services at a fixed rate to the district if the district either pays or agrees to pay for personal services or permits the individual to perform personal services. The definition does not include volunteers or independent contractors.

Employees qualify to begin earning and accruing sick time on the first day of employment with the district.

A district employing 10 or more employees and therefore shall allow an eligible employee to access up to 40 hours of paid sick time per year. Any unused sick time left over at the last day of the expiring year goes away, and paid sick time of 40 hours shall be front-loaded to an employee at the beginning of each year.

Sick time shall be taken in hourly increments and may be used for the employee’s or a family member’s¹ mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive care, or for reasons consistent with ~~qualifying the~~ Family Medical Leave Act (FMLA), Paid Family and Medical Leave Insurance (PFMLI) or Oregon Family Leave (OFLA). Sick time may also be used in the event of a public health emergency.

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

The district reserves the right after an employee uses sick time for more than five consecutive days of ~~absence~~, to require proof of personal illness or injury from an employee, including a medical ~~examination by a physician-chosen~~ verification or certification² and paid for by the district. ~~If an An~~ employee ~~refusing to submit to such an examination~~ fails to provide verification or certification or fails to provide other evidence as required by the district, shall be subject to appropriate disciplinary action, up to and including dismissal.

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

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

¹ “Family member” is defined by the Oregon Family Leave Act (OFLA).

² In the case of need for leave under ORS 659A.272, the district may not require the verification or certification to explain the nature of the illness or details related to the domestic violence, sexual assault, harassment, bias, or stalking, which necessitates the use of sick time.

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

If the reason for sick time is unforeseeable, such as an emergency, accident or sudden illness, the employee shall notify the district at least 24 hours in advance, before the start of the employee's shift, or when circumstances prevent the employee from providing notice as required, or as soon as practicable.

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

END OF POLICY

Legal Reference(s):

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

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

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

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2016); 28 C.F.R. Part 35 (2016).
Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654 (2012); Family and Medical Leave Act of 1993, 29 C.F.R. Part 825 (2016).
Americans with Disabilities Act Amendments Act of 2008.

Paid Family and Medical Leave Insurance (PFMLI)

The district participates in Paid Family and Medical Leave Insurance (PFMLI) and Paid Leave Oregon (PLO). This includes submitting employee and employer contributions to the Oregon Employment Department as required by state law. The district does not administer PFMLI or PLO. All applications and related questions should be directed to the Department.

Definitions

1. “Family leave” means leave from work taken by a covered individual:
 - a. To care for and bond with a child during the first year after the child’s birth or during the first year after the placement of the child through foster care or adoption; or
 - b. ¹To effectuate the legal process required for placement of a foster child or the adoption of a child; or
 - c. To care for a family member with a serious health condition.
2. “Family leave” does not mean:
 - a. Leave described in Oregon Revised Statute (ORS) 659A.159 (1)(a)d ~~(non-serious health condition of child or school or child care provider closure due to public health emergency)~~ (i.e., care for a child who is suffering from an illness, injury or condition that requires home care or who requires home care due to closure of the child’s school or child care provider as a result of a public health emergency) except for leave to care for a child who requires home care due to an illness, injury or condition that is a serious health condition;
 - b. Leave described in ORS 659A.159 (1)(eb) (death of a family member); or
 - c. Leave authorized under ORS 659A.093 (leave for spouses of members of the military upon deployment or call to active duty).
3. “Family member” means:

¹ This provision becomes effective on January 1, 2025.

- a. The spouse of a covered individual;
- b. A child ~~of a covered individual~~ or the child’s spouse or domestic partner;
- c. A parent ~~of a covered individual~~ or the parent’s spouse or domestic partner;
- d. A sibling or stepsibling of a covered individual or the sibling’s or stepsibling’s spouse or domestic partner;
- e. A grandparent of a covered individual or the grandparent’s spouse or domestic partner;
- f. A grandchild of a covered individual or the grandchild’s spouse or domestic partner;
- g. The domestic partner of a covered individual; or
- h. Any individual related by blood or affinity whose close association with a covered individual is the equivalent of a family relationship.

4. “Medical leave” means leave from work taken by a covered individual that is made necessary by the individual’s own serious health condition.

5. “Safe leave” means leave related to domestic violence, harassment, sexual assault, [bias](#), or stalking and relocation for health and safety reasons as provided in ORS 659A.272.

6. ~~“Serious health condition” means an illness, injury, impairment, or physical or mental condition of a claimant or their family member that:~~

~~a.—Requires inpatient care in a medical care facility such as, but not limited to, a hospital, hospice, or residential facility such as, but not limited to, a nursing home or inpatient substance abuse treatment center;~~

~~b.—In the medical judgment of the treating health care provider poses an imminent danger of death, or that is terminal in prognosis with a reasonable possibility of death in the near future;~~

~~c.—Requires constant or continuing care, including home care administered by a health care professional;~~

~~d.—Involves a period of incapacity. “Incapacity” is the inability to perform at least one essential job function, or to attend school or perform regular daily activities for more than three consecutive calendar days. A period of incapacity includes any subsequent required treatment or recovery period relating to the same condition. The incapacity must involve one of the following:~~

~~(1)—Two or more treatments by a health care provider; or~~

~~(2)—One treatment plus a regimen of continuing care.~~

~~e.—Results in a period of incapacity or treatment for a chronic serious health condition that requires periodic visits for treatment by a health care provider, continues over an extended period of time, and may cause episodic rather than a continuing period of incapacity, such as, but not limited to, asthma, diabetes, or epilepsy;~~

~~f.—Involves permanent or long-term incapacity due to a condition for which treatment may not be effective, such as, but not limited to, Alzheimer’s Disease, a severe stroke, or terminal stages of a disease. The employee or family member must be under the continuing care of a health care provider, but need not be receiving active treatment;~~

~~g.—Involves multiple treatments for restorative surgery or for a condition such as, but not limited to, chemotherapy for cancer, physical therapy for arthritis, or dialysis for kidney disease that if not treated would likely result in incapacity of more than three calendar days;~~

~~h.—Involves any period of disability due to pregnancy, childbirth, miscarriage or stillbirth, or period of absence for prenatal care; or~~

~~i.—Involves any period of absence from work for the donation of a body part, organ, or tissue, including preoperative or diagnostic services, surgery, post-operative treatment, and recovery.~~

Eligibility

To be eligible for ~~PL~~ Paid Leave Oregon benefits, an individual must:

- a. Be an employee of the district[3];
- b. Earn at least \$1,000 in the base or alternate base year[4];
- c. Contribute to the ~~PL~~ Paid Leave Oregon in accordance with state law;
- d. Experience an event qualifying the employee for:
 - (1) Family leave;
 - (2) Medical leave; or
 - (3) Safe leave.
- e. Submit an application to The Standard Insurance Company;
- f. Have not exceeded maximum paid leave ~~for~~ in the active benefit year; and
- g. Have no current disqualifications[5].

Leave

~~PL~~ **Paid Leave Oregon** can be used for family leave, medical leave or safe leave. Up to 12 weeks of paid leave can be taken per benefit year.[6] Leave can be taken in one-day increments and can be consecutive or nonconsecutive.

Any family leave or medical leave taken under ~~PL~~ **Paid Leave Oregon** must be taken concurrently with any leave taken by an eligible employee under the federal Family and Medical Leave Act of 1993 (P.L. 103-3, FMLA) for the same purposes. **Leave taken under Paid Leave Oregon is in addition to, and may not be taken concurrently with, any leave taken pursuant to ORS 659A.150 - 659A.186 (Oregon Family Leave Act (OFLA)).**

The district will maintain an employee's existing health benefits while the employee is using leave. The employee will be required to pay the employee's contribution to premiums.

END OF POLICY

Legal Reference(s):

ORS 657B

OAR 471-070

HB 912 (2023)

SB 913 (2023)

HB 999 (2023)

[1] Paid Leave Oregon is the program developed by the Oregon Department of Employment to administer Paid Family and Medical Leave Insurance. "Paid Leave Oregon" means the Paid Family and Medical Leave Insurance program described in ORS 657B.

[2] The overall contribution will be determined by Standard, and is initially set at 1 percent (up to \$132,900). The employer contribution is 40 percent and the employee contribution is 60 percent of this amount. The employee contribution is 60 percent of this amount and the employer contribution is waived.] The amount will be set annually by November 15. See ORS 657B.150.

[3] PFMLI is a state-wide benefit, and not unique to the district. An eligible individual does not need to be an employee of the district in order to be eligible for PFMLI, but this policy only applies to employees of the district.

[4] Pay could come from another Oregon employer.

[5] Disqualifications may include eligibility for Workers' Compensation or Unemployment or determination of a willful false statement or failure to report a material fact in order to obtain benefits. See OAR 471-070-1010(1)(h).

[6] In some pregnancy-related situations, employees may be able to take two additional weeks, for a total of 14 weeks.

END OF POLICY

Legal Reference(s):

[ORS 657B](#)

[OAR 471-070](#)

[HB 912 \(2023\)](#)

[SB 913 \(2023\)](#)

[HB 999 \(2023\)](#)

Paid Family and Medical Leave Insurance (PFMLI)

{This administrative regulation is for use only with Version 1 of policy GCBDF/GDBDF - Paid Family and Medical Leave Insurance and is not intended to be used with an equivalent plan. OSBA does not recommend simply replacing “Employment Department” with the name of the entity administering an equivalent plan.}

Application

Employees may submit applications for Paid Leave Oregon to the Oregon Employment Department (“Department”).¹ Applications may be submitted up to 30 days prior to the start of the leave and up to 30 days after the start of the leave.² The Department may require verification from the employee.³ The Department will make all decisions regarding acceptance and denial of an application, including determining the amount of the benefit.⁴ The district cannot accept, file, process or make decisions on applications.

An employee may appeal an approval or denial of claim, the amount of a weekly benefit or a disqualification from receipt of benefits to the Department in accordance with Oregon Revised Statute (ORS) 657B.410 and Oregon Administrative Rule (OAR) 471-070-8005.

Employee Notice to District

If the leave is foreseeable⁵, the employee must provide the district with written notice⁶ at least 30 calendar days prior to the leave. If the leave is not foreseeable⁷ the employee must give oral notice to the district within 24 hours of the start of the leave, and must provide written notice within 3 days after the start of leave.⁸ The district requests as much advanced notice as possible.

¹ For application requirements see Oregon Administrative Regulation (OAR) 471-070-1100. Applications can be submitted at <https://frances.oregon.gov/> to the Employment Department through the Paid Leave Oregon program.

² Exceptions may be granted when the applicant can demonstrate good cause for late submission.

³ See verification requirements in OAR 471-070-1110 - OAR 471-070-1130.

⁴ The benefit may be less than the employee’s salary. See ORS 657B.050.

⁵ Examples of foreseeable leave include, but are not limited to, an expected birth, planned placement of a child, or a scheduled medical treatment for a serious health condition of the eligible employee or a family member of the eligible employee. See OAR 471-070-1310.

⁶ Written notice includes, but it not limited to, handwritten or typed notices, and electronic communication such as text messages and email.

⁷ Leave circumstances that are not foreseeable include, but are not limited to, an unexpected serious health condition of the eligible employee or a family member of the eligible employee, a premature birth, an unexpected adoption, an unexpected foster placement by or with the eligible employee, or for safe leave.

⁸ An eligible employee who takes safe leave shall give the employer reasonable advance notice of the individual’s intention to take safe leave, unless giving the advance notice is not feasible. If other leave also applies, notice requirements for those types of leave may also apply.

The notice must include:

1. The employee's first and last name;
2. Type of leave;
3. Explanation of the need for leave; and
4. Anticipated timing and duration of leave, including if it is continuous or intermittent.

Notice need only be given one time, but the employee shall notify the district as soon as practicable if dates of scheduled leave change, are extended, or were initially unknown. This notice does not need to mention PFMLI or Paid Leave Oregon to satisfy the notice requirements. Notice may be provided by another party on behalf of the employee in accordance with state law.

Failure to comply with these notice requirements may result in a penalty imposed by the Department. The Department may reduce the amount of the benefit by 25 percent in accordance with OAR 471-070-1310(10).

Concurrent Use of District-Provided Paid Leave

The employee will be allowed to use available district-provided accrued paid leave (e.g., sick, vacation or otherwise) for days that Paid Leave Oregon is received. The total combined amount received by using accrued leave and Paid Leave Oregon may exceed the employee's full wage replacement during the period of leave. The district will determine the particular order in which accrued leave is used when more than one type of accrued leave is available to the employee.

Return to Work

Upon completion of leave, the employee is entitled to return to the position held in the district prior to the leave, if that position still exists and if the employee had been employed in the district for 90 days prior to taking leave. If the position no longer exists, the employee is entitled to be restored to any available equivalent position with equivalent employment benefits, pay and other terms and conditions of employment.

Communications Between the District and the Department

Upon receipt of an application or update in information from a district employee for Paid Leave Oregon, the Department will notify the district. The district may provide additional information to the Department within 10 days. This information may include, but is not limited to, information about the employee's notice to the district or verification of the employee's continued employment with the district. If the district does not report such information to the Department, the Department will proceed using available information. The district can provide additional information to the Department as it becomes available.

If the Department requests additional information from the district, the district will respond within 10 calendar days.

Once the Department has issued a decision regarding an application submitted by an employee of the district, the Department will notify the district regarding the approval or denial and any applicable dates and periods of leave.

District Notice to Employees

At the time of hire and each time the policy or procedure changes, the district must provide notice to employees. This notice must be in the language that the employer typically uses to communicate with employees and will include:

1. The right of an eligible employee to claim and receive family and medical leave insurance benefits;
2. The procedure for filing a claim for benefits;
3. That an eligible employee must provide notice to the district before the employee commences leave, and a description of the penalties for failure to comply with the notice requirements;
4. The right of an eligible employee to job protection and benefits continuation;
5. The right of an eligible employee to appeal a decision or determination made by the Department director;
6. That discrimination and retaliatory personnel actions against an employee for inquiring about the PFMLI or Paid Leave Oregon program, giving notification of leave under the program, taking leave under the program or claiming PFMLI or Paid Leave Oregon benefits are prohibited;
7. The right of an employee to bring a civil action or to file a complaint for violation of ORS 657B.060 or 657B.070; and
8. That any health information related to family leave, medical leave or safe leave provided to the district by an employee is confidential and may not be released without the permission of the employee unless state or federal law or a court order permits or requires disclosure.⁹

The district will display the Department’s notice poster in an area that is accessible to and regularly frequented by employees in each building or worksite. The district will provide this notice poster to employees working remotely by hand delivery, regular mail or through an electronic delivery method at the time of hire or assignment to remote work.

District Filings

The district will file the Oregon Quarterly Tax Report, the Oregon Employee Detail Report and any other reports required by law. If the district fails to submit required filings or report, or fails to pay all required contributions, the district may be penalized in accordance with OAR 471-070-8520.

Employee Protections

⁹

No employee or prospective employee will be discriminated or retaliated against for inquiring about PFMLI or Paid Leave Oregon, giving notification of leave under Paid Leave Oregon, taking such leave or claiming such benefits. Eligible employees have a right to file a complaint and/or bring a civil action for violations of ORS 657B.060 or ORS 657B.070.

Any health information related to family leave, medical leave or safe leave provided to the district by an employee is confidential and may not be released without the permission of the employee unless state or federal law or a court order permits or requires disclosure.

Graduation Requirements

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

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

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

1. ~~A foster child~~ In foster care;
2. ~~Homeless~~ Experience houselessness;
3. A runaway;
4. A child in a military family covered by the Interstate Compact on Educational Opportunity for Military Children;
5. A child of a migrant worker; or
6. Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education Program;
or
7. ¹Enrolled in an approved recovery school under ORS 336.680.

¹As "Foster child" is defined in ORS 30.297.

{ORS 329.451(2) and OAR 581-022-use the term "homeless."} See OAR 581-022-2000 for additional information.

Applies to high school diplomas awarded on or after January 1, 2026.

"Educational program in this state" means an educational program that is provided by a school district, a public charter school, an approved recovery school (applies to diplomas awarded on or after January 1, 2026), the Youth Corrections Education

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

Diploma

A high school diploma will be awarded to students in grades 9 through 12 who complete a minimum of 24 credits which include at least:

1. Three credits in mathematics (shall include one unit at the Algebra I level and two units that are at a level higher than Algebra I);
2. Four credits in language arts (shall include the equivalent of one unit in written composition);
3. Three credits in science;
4. Three credits in social sciences shall include 0.5 unit of US civics credit in addition to at least 2.5 units of credit aligned to the Oregon State Board adopted standards for US and world history, geography, and financial literacy ~~, civics,~~ economics (including personal finance);
5. One credit in health education;
6. One-half credit of higher education and career path skills;
7. One-half credit of personal financial education;
8. One credit in physical education; and
9. Three credits in career and technical education, the arts or world languages (units shall be earned in any one or a combination).

The district shall offer students credit options provided the method for obtaining such credits is described in the student's personal education plan and the credit is earned by meeting requirements described in Oregon Administrative Rule (OAR) 581-022-2025.

To receive a diploma, in addition to credit requirements outlined above in OAR 581-022-2000, a student must:

1. Demonstrate proficiency in the Essential Skills of reading, writing and apply mathematics in a variety of settings;
2. Develop an education plan and build an education profile;
3. Demonstrate extended application of standards through a collection of evidence (or include evidence in existing collection(s)); and
4. Participate in career-related learning experiences.

Modified Diploma

A modified diploma will be awarded only to students who have demonstrated the inability to meet the full set of academic [content](#) standards adopted by the State Board of Education for a [high school](#) diploma while receiving reasonable modifications and accommodations. A modified diploma may only be awarded to a student who meets the eligibility criteria below and other criteria, if applicable, outlined in OAR 581-022-2010(3):

1. [The student has](#) a documented history of an inability to maintain grade level achievement due to significant learning and instructional barriers; or
2. [The student has](#) a documented history of a medical condition that creates a barrier to achievement.

Having met the above eligibility criteria, a modified diploma will be awarded to students who, while in grade nine through completion of high school, complete 24 credits [with at least 13 of those credits to](#) which include:

1. Three credits in language arts;
2. Two credits in mathematics;
3. Two credits in science;
4. Two credits in social sciences (which may include history, civics, geography and economics (including personal finance));
5. One credit in health education;
6. One credit in physical education;
7. [One-half credit in personal financial education;](#)
8. [One-half credit in higher education and career path skills.](#)
9. One credit in career technical education, the arts or world languages (units may be earned in any one or a combination).

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

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

1. [Demonstrate proficiency in the Essential Skills of reading, writing and apply mathematics in a variety of settings;](#)
2. Develop an education plan and build an education profile; and
3. Demonstrate extended application [of standards](#) through a collection of evidence.

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

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

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

A student's school team (**which must include an adult student, parent/guardian of the student**) shall decide **if that** a student **will ~~should~~** work toward a modified diploma no earlier than the end of grade six and no later than two years before the student's anticipated exit from high school.

A student's school team may decide to revise a modified diploma decision.

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

For students with a documented history as described above, the district shall annually provide the parents or guardians of students, beginning in grade five or after such documented history has been established, the following:

1. **Information about the availability of high school diplomas, modified diplomas and the requirements for such diplomas; and**
2. **A disclosure that students awarded a certificate of attendance will not be counted as a high school graduate in any reporting for the State or district and that such students awarded a certificate of attendance may not indicate they received a high school diploma on applications for employment, military service, financial aid, admittance to an institution of higher education or any other purpose.**

Essential Skills

The district [will] [will not] allow English Language Learner (ELL) students to demonstrate proficiency in Essential Skills in the student's language of origin for a high school diploma or a modified diploma.

The district will develop procedures to provide local performance assessment options as described in the *Local Performance Assessment Manual*, in the ELL student's language of origin, and will develop procedures to ensure that locally scored assessment options administered in an ELL student's language of origin are scored by a qualified rater.

Essential Skills Appeal

The district will follow Board policy KL - Public Complaints in the event of an appeal for the denial of a diploma based on the Essential Skills graduation requirement. The district will retain student work samples and student performance data to ensure that sufficient evidence is available in the event of an appeal.

Extended Diploma

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

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

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

For students with a documented history, the district shall annually provide the parents or guardians of such students, beginning in grade five or after such documented history has been established, the following:

1. Information about the availability of high school diplomas, modified diplomas and the requirements for such diplomas; and
2. A disclosure that students awarded a certificate of attendance will not be counted as a high school graduate in any reporting for the state or district and that such students awarded a certificate of attendance may not indicate they received a high school diploma on applications for employment, military service, financial aid, admittance to an institution of higher education or any other purpose.

Certificate of Attendance

A certificate of attendance will be awarded to students who:

1. Have maintained regular full-time attendance for at least four years beginning in grade nine;
2. Do not satisfy requirements for a high school diploma, modified diploma or extended diploma; and
3. Have a documented history.

For students with a documented history, the district shall annually provide the parents or guardians of such students, beginning in grade five or after such a documented history has been established, the following:

1. Information about the availability of high school diplomas, modified diplomas and the requirements for the diplomas; and
2. A disclosure that students awarded a certificate of attendance will not be counted as a high school graduate in any required reporting for the State or district and that such students awarded a certificate of attendance may not indicate they received a high school diploma on applications for employment, military service, financial aid, admittance to an institution of higher education or any other purpose.

Alternative Certificates

~~Alternative certificates will be awarded to students who do not satisfy the requirements for a diploma, a modified diploma, or an extended diploma if the students meet minimum requirements established by the district.~~

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

Other District Responsibilities

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

The district may not deny a student who ~~the opportunity to pursue a diploma with more stringent requirements than a modified diploma or an extended diploma for the sole reason the student has the documented history listed under the above modified diploma or extended diploma requirements:~~ has the documented history listed under the above modified diploma or extended diploma requirements outlined above the opportunity to pursue a diploma with more stringent requirements, for the sole reason the student has the document history.

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

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

A student may ~~satisfy complete~~ satisfy complete the requirements for a modified diploma, an extended diploma or an ~~alternative certificate~~ certificate of attendance in less than four years but not less than three years. To satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in less than four years, the student's parent or guardian or a student who is emancipated or has reached the age of 18 must provide written consent which clearly states the parent, guardian or student is waiving the fourth year and/or years until the student reaches the age of 21. A copy of the consent will be forwarded to the district superintendent who will annually report to the Superintendent of Public Instruction the number of such consents.

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

A student who receives a modified diploma, an extended diploma, or an ~~alternative certificate~~ certificate of attendance shall have access to instructional hours, hours of transition services and hours of other services that are designed to meet the unique needs of the student. ~~and~~ When added together, the district will provide a total number of hours of instruction and services to the student that equals at least the total number of instructional hours that are required to be provided to students who are attending a public high school. The district may not unilaterally decrease the total number of hours of instruction and services to which the student has access regardless of the age of the student.

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

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

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

The district may not deny a diploma to a student who has opted out of statewide assessments if the student is able to satisfy all other requirements for the diploma. Students may opt-out of the ~~Smarter-Balanced-or alternate-Oregon-Extended-Assessment~~ Oregon statewide assessments in language arts and/or mathematics by completing the Oregon Department of Education's Opt-out Form² and submitting the form to the district.

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

The act of student-initiated test impropriety is prohibited. A student that participates in an act of student-initiated test impropriety will be subject to discipline. "Student-initiated test impropriety" means student conduct that is inconsistent with the *Test Administration Manual* or accompanying guidance; or results in a score that is invalid.

The Board shall define criteria for a certificate of attendance. OAR 581-022-2200 (3). See the Oregon Department of Education's [Certificates for School Completion: Questions and Answers Related to the Implementation of SB 992](#).

A student who began grade 9 before July 1, 2020, may be awarded an alternative certificate if the student satisfies the requirements for an alternative certificate which are in effect on the day before July 1, 2024.

There is no established definition of "regular full-time attendance. The district should review any existing attendance definitions, consider the needs of students in the district and establish clear criteria. This should include how excused and unexcused absences are counted. A few options are provided.

²Oregon Department of Education page for: [30-day notice and opt-out form](#)

“Regular full-time attendance” means not being absent for more than 10 percent of school days that the student is enrolled in a school year. See OAR 581-020-0631 for definition of chronic absenteeism. Excused absences [are considered absences for this purpose] [will not be counted against a student.]

“Regular full-time attendance” means not having eight or more unexcused absences in any four-week period during which school is in session. See ORS 339.065 for definition of irregular attendance. This will be calculated on an annual basis and equates to having unexcused absences for less than 20 percent of the days or class periods during which school is in session.

“Documented history” means evidence in the cumulative record and education plans of a student that demonstrates the inability over time to maintain grade level achievement even with appropriate modifications and accommodations.

END OF POLICY

Legal Reference(s):

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

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

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

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

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

Sexual Harassment

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 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.

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

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.

Additional information regarding filing of a complaint or report may be obtained through the principal, Title IX Coordinator, civil rights coordinator, or superintendent.

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

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

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.~~

~~OREGON DEFINITION AND PROCEDURES~~

Oregon Definition

Sexual harassment of students, staff members or third parties¹ shall include:

1. A demand or request for sexual favors in exchange for benefits;
2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:
 - a. Interferes with a student’s educational activity or program;
 - b. Interferes with a school or district staff member’s ability to perform their job; or
 - c. Creates an intimidating, offensive or hostile environment.
3. Assault when sexual contact occurs without consent².

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 action, offensive because of that other person’s sexual orientation or gender identity.

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

¹ “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.

² “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.

Oregon Procedures

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

Name	Position	Phone	Email
<u>Brian Sica</u>	<u>Superintendent</u>	<u>503-324-8591</u>	<u>brians@banks.k12.or.us</u>

This individual is responsible for accepting and managing complaints of sexual harassment. ~~Persons wishing to report should contact them using the above information.~~ Persons wishing to make a report should use the above contact information. The person[s] designated will coordinate the report with the procedures in administrative regulation AC-AR(1) – Discrimination or Civil Rights Complaint Procedure.

Response

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

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

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:

Interviews with those involved;

Interviews with witnesses;

Review of video surveillance;

Review of written communications, including electronic communications;

Review of any physical evidence; and

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.

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

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

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

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:

Educational assignments or educational environment of a student or other person initiating the complaint, reporting the behavior, or participating in the investigation; or

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 person 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:

Each reporting person;

If appropriate, any impacted person who is not a reporting person;

Each reported person; and

Where applicable, a parent or legal guardian of a reporting person, impacted person, or reported person.

The written notification must include:

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

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

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

The notice must:

1. Be written in plain language that is easy to understand;
 - Use print that is of a color, size and font that allows the notification to be easily read; and
 - 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.

~~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;~~

~~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 activity³;~~

~~“Sexual assault”: an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;~~

~~“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;~~

~~“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~~

³ “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))

~~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~~

~~“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.~~

~~Jacob Pence is designated as the Title IX Coordinator. The Title IX Coordinator will coordinate the district's efforts to comply with its responsibilities related to this AR. The district prominently will display the contact information for the Title IX Coordinator on the district website and in each handbook.~~

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. The district shall treat complainants and respondents equitably by providing supportive measures to the complainant and by following a grievance procedure⁴ 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.⁵~~

⁴ 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).

⁵ The Title IX Coordinator may also discuss that the Title IX Coordinator has the ability to file a formal complaint.

~~If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place. 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);~~

~~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~~

~~The grievance procedure and process, how to file a formal complaint of sex discrimination or sexual harassment, and how the district will respond.~~

No Retaliation

~~Neither the district or any person may retaliate⁶ 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 shall be prominently published in the district student handbook and on the district website. This policy shall also be made available at each school office and at the district office. The district shall post this policy on a sign in all grade 6 through 12 schools, on a sign that is at least 8.5 inches by 11 inches in size. A copy of the policy will be made available to any person upon request.

END OF POLICY

Legal Reference(s):

⁶ Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

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

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

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

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

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

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (~~2020~~2024).

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

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

Admission of Resident Students

Resident students may be admitted under the following conditions:

1. A school-age student who lives within the district attendance area between the ages of 5 and 19 shall be allowed to attend school without paying tuition.
2. A student who turns 19 years of age during the school year shall continue to be eligible for a free and appropriate public education for the remainder of the school year.
3. The Board may admit an otherwise eligible student who is not receiving special education and who has not yet attained 21 years of age prior to the beginning of the current school year if the student is shown to be in need of additional education in order to receive a diploma or a modified diploma. This student may attend school without paying tuition for the remainder of the school year.
4. The Board shall admit an otherwise eligible student who has not yet attained age 21 prior to the beginning of the current school year if the student is receiving special education services and:
 - a. Has not yet received a regular high school diploma; or
 - b. Has received a modified diploma, an extended diploma or an **alternative certificate of attendance**.
5. Students whose parent or guardian voluntarily placed the child outside the child’s home with a public or private agency and who is living in a licensed, certified or approved substitute care program, and whose residency is established pursuant to Oregon Revised Statute (ORS) 339.134.
6. Students who are military children¹ are considered resident of the district, if the district is the district of military residence² for the military child. Parents of military students must provide proof of residency within 10 days after the date of military transfer or pending transfer indicated on the official military order.
7. The **Board district** may, based on district criteria, deny regular school admission to a student who has become a resident student and who is under expulsion from another district for reasons other than a weapons policy violation.

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.

² “School district of military residence” means the school district in which 1) the family of a military child intends to reside as the result of a military transfer; or 2) if the school district in which the family intends to reside is unknown, the school district in which the military installation identified in the official military order is located.

8. The **Board district** shall deny, for at least one calendar year from the date of the expulsion, regular school admission to a student who has become a resident student and who is under expulsion from another district for a weapons policy violation.
9. The **Board district** may, based on district criteria, provide alternative programs of instruction to a student **expelled who has become a resident student and who is under expulsion from another district** for a weapons policy violation.

END OF POLICY

Legal Reference(s):

[ORS 109.056](#)
[ORS 327.006](#)
[ORS 339.115](#)

[ORS 339.133](#)
[ORS 339.134](#)
[ORS 339.139](#)

[ORS 433.26](#)

Banks School District No. 13

Code: JFE-AR
Revised/Reviewed: 12.9.24

Individualized Plan for Pregnant and/or Parenting **Teens** **Students**

District _____ Date _____

School _____

Student Information

Student name: _____

Age: _____ Date of birth: _____

Pregnant? Yes No Due date: _____

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

Living situation: _____

Sources of financial support: _____

Education status: Grade completed 6 7 8 9 10 11 12

On track for graduation? Yes No Number of credits **behind** needed to be on track? _____

Date of enrollment in individualized plan: _____

Program Information

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

Education

Description

Provided by:

Family

School

Agency

Paid for by:

Family

School

Agency

Transportation

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Child Care

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Life Skills Training

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Parenting Education

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Career Development

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Health and Nutrition Services

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Counseling

Description

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

Other Social Services

Description

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

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

Signature of student Date

Signature of parent/guardian Date

Signature of school representative Date

Termination Data

Date of termination from program: _____

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

Comments: _____

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

Pregnant and/or Parenting Students

The district shall not discriminate in its education program or activity against any student based on their current, potential, or past pregnancy, parenting, or related conditions. No pregnant or parenting student shall be excluded from the public schools on the basis of pregnancy or parenthood. A pregnant and/or parenting student shall be encouraged to continue with an educational program and to participate in all district-sponsored activities ~~unless physically unable~~. The district shall ensure that pregnant and/or parenting students receive special services as necessitated by their condition.

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

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

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

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

When a district employee is notified of a student's pregnancy or related condition by the student or a person who has a legal right to act on behalf of the student, the employee will provide notice to that person. The notice will include:

1. The Title IX Coordinator's contact information;
2. That the Title IX Coordinator can coordinate specific actions to prevent discrimination and ensure the student's equal access to the district's education program or activity;

Banks School District No. 13

4. The district's notice of nondiscrimination.

The student will be allowed access to a lactation space¹ [described in Board policy GBDA – Expression of Milk [or Breastfeeding]].

The superintendent or designee will develop guidelines^{2} necessary to ensure compliance with the provisions of state and federal law.

END OF POLICY

Legal Reference(s):

¹ A lactation space must be a space other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used by a student for expressing breast milk or breastfeeding as needed. (34 CFR 106.40(b)(3)(v))

² {Guidelines are required according to ORS 336.640 but does not rise to the level of an administrative regulation. A sample form is available to support developing a student's required individual written plan (OAR 581-023-0100(3)).}

Banks School District No. 13

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

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 (2024).

Medications

The district recognizes administering a medication to a student and/or permitting a student to administer a medication to themselves, may be necessary to allow the student to attend school. Therefore, the district allows medication, including injectable medications, to be administered to a student by designated personnel and the administration of medication by a student to themselves without assistance from designated personnel, subject to criteria established by the district and in accordance with Oregon law.

The district shall designate personnel authorized to administer medications to students. Medications, including injectable medications, may be administered by designated district personnel as part of a formal delegation by a registered nurse. Annual training shall be provided to designated personnel in accordance with law. The training will align with the ODE Medication Administration Training and include discussion of this policy, procedures and materials, including but not limited to, procedures outlined in administrative regulation JHCD-AR - Medications.

When a licensed health care professional is not immediately available, trained personnel designated by the district may administer epinephrine, glucagon, treatment for adrenal insufficiency, or another medication to a student as prescribed and/or as otherwise allowed by Oregon law.

A current first-aid/CPR/AED card is required for designated personnel.

The district reserves the right to reject a request for administration of medication at school, either by district personnel or student self-administration, if the medication is not necessary for the student to remain in school.

The district may revoke permission given to a student to self-administer medication if the student does not responsibly self-administer the medication or abuses the use of the medication, as determined by district personnel.

Medications will be handled, stored, monitored, disposed of and records maintained in accordance with law and established district procedures governing the administration of prescription or nonprescription medications to students, including procedures for the disposal of sharps and glass.

A process shall be established by which, upon parent or guardian written request, a backup medication is kept at a reasonably, secure location in the student's classroom as provided by state law.

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on district premises who the person believes in good faith is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

[{[1]} A non-injectable short-acting opioid antagonist may be administered to any student or other individual by district personnel (whether or not they have received training on administering medications) on district premises who the individual administering the short-acting opioid antagonist believes in good faith is experiencing an opioid overdose.

A school administrator, teacher or other school employee, may administer a short-acting opioid antagonist to a student who experienced or is experiencing an opioid overdose without written permission and instructions of the student’s parents or guardian.]

This policy shall not prohibit, in any way, the administration of recognized first aid to a student by district employees in accordance with established state law, Board policy and administrative regulation.

The superintendent shall develop administrative regulations to meet the requirements of law and the implementation of this policy.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#) [ORS 339.866 - 339.871](#) [ORS 433.800 - 433.830](#) [ORS 689.800](#)

[OAR 166-400-0010\(17\)](#) [OAR 166-400-0060\(29\)](#) [OAR 333-055-0000 - 0035](#) [OAR 581-021-0037](#)

[OAR 581-022-2220](#) [OAR 851-047-0000 - 0030](#)

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).

OREGON HEALTH AUTHORITY AND OREGON DEPARTMENT OF EDUCATION, *Medication Administration: A Manual for School Personnel*.

House Bill 1552 (2024).

[1] {The district is not required to provide or administer this medication. If the district is going to provide for, and administer this medication, this policy language is required. If the district does not intend to provide or administer this medication, there is no requirement to include this language in this policy.}

Medications

The district recognizes that administering a medication to a student and/or permitting a student to administer a medication to them self, may be necessary when the failure to take such medication during school hours would prevent the student from attending school, and recognizes a need to ensure the health and well-being of a student who requires regular doses or injections of a medication as a result of experiencing a life-threatening allergic reaction or adrenal crisis¹, or a need to manage hypoglycemia, asthma or diabetes. Accordingly, the district may administer or a student may be permitted to administer to them self prescription (injectable and noninjectable) and/or nonprescription (noninjectable) medication at school.

The district shall designate personnel authorized to administer medications to students. Annual training shall be provided to designated personnel as required by law in accordance with guidelines approved by the Oregon Department of Education (ODE). When a licensed health care professional is not immediately available, trained personnel designated by the district may administer epinephrine, glucagon or another medication to a student as prescribed and/or allowed by Oregon law.

Current first-aid and CPR cards are strongly encouraged for designated personnel.

The district reserves the right to reject a request for administration of medication at school, either by district personnel or student self-administration, if the medication is not necessary for the student to remain in school.

The superintendent and/or designee will require that an individualized health care plan and allergy plan is developed for every student with a known life-threatening allergy or a need to manage asthma, and an individualized health care plan for every student for whom the district has been given proper notice of a diagnosis of adrenal insufficiency. Such a plan will include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity.

A student may be allowed to self-administer a medication for asthma, diabetes, hypoglycemia or severe allergies as prescribed by an Oregon licensed health care professional, upon written and signed request of the parent or guardian and subject to age-appropriate guidelines. This self-administration provision also requires a written and signed confirmation the student has been instructed by the Oregon licensed health care professional on the proper use of and responsibilities for the prescribed medication. A request to the

¹ Under proper notice given to the district by a student or student's parent or guardian.

district to administer or allow a student to self-administer prescription medication shall include a signed prescription and treatment plan from a prescriber².

A request to the district to administer or allow a student to self-administer nonprescription that is not approved by the Food and Drug Administration (FDA) shall include a written order from the student's prescriber that meets the requirements of law.

A written request and permission form signed by a student's parent or guardian, unless the student is allowed to access medical care without parental consent under state law³, is required and will be kept on file.

If the student is deemed to have violated Board policy or medical protocol by the district, the district may revoke the permission given to a student to self-administer medication.

Prescription and nonprescription medication will be handled, stored, monitored, disposed of and records maintained in accordance with established district administrative regulations governing the administration of prescription or nonprescription medications to students, including procedures for the disposal of sharps and glass.

A process shall be established by which, upon parent or guardian written request, a backup prescribed autoinjectable epinephrine is kept at a reasonably, secure location in the student's classroom as provided by state law.

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

Naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing an overdose of an opioid drug.

This policy shall not prohibit, in any way, the administration of recognized first aid to a student by district employees in accordance with established state law, Board policy and administrative regulation.

A school administrator, teacher or other district employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration, in good faith and pursuant to state law, of prescription and/or nonprescription medication.

A school administrator, school nurse, teacher or other district employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of a student's

² A registered nurse who is employed by a public or private school, ESD or local public health authority to provide nursing services at a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

³ Subject to ORS 109.610, 109.640 and 109.675.

self-administration of medication, as described in Oregon Revised Statute (ORS) 339.866, if that person in good faith and pursuant to state law, assisted the student in self-administration of the medication.

A school administrator, school nurse, teacher or other district employee designated by the school administration is not liable in a criminal action or for civil damages as a result of the use of medication if that person in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who that person believes in good faith is experiencing an overdose of an opioid drug].

The district and the members of the Board are not liable in a criminal action or for civil damages as a result of the use of medication if any person in good faith, on school premises, including at a school, on school property under the jurisdiction of the district or at an activity under the jurisdiction of the district, administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who the person believes in good faith is experiencing an overdose of an opioid drug].

The superintendent shall develop administrative regulations as needed to meet the requirements of law and the implementation of this policy.

END OF POLICY

Legal Reference(s):

[ORS 109.610](#)

[ORS 109.640](#)

[ORS 109.675](#)

[ORS 332.107](#)

[ORS 339.866 - 339.871](#)

[ORS 433.800 - 433.830](#)

[ORS 475.005 - 475.285](#)

[OAR 166-400-0010\(17\)](#)

[OAR 166-400-0060\(29\)](#)

[OAR 333-055-0000 -055-0115](#)

[OAR 581-021-0037](#)

[OAR 581-022-2220](#)

[OAR 851-047-0030](#)

[OAR 851-047-0040](#)

Senate Bill 665 (2019)

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).

OREGON HEALTH AUTHORITY AND OREGON DEPARTMENT OF EDUCATION, *Medication Administration: A Manual for School Personnel*.

Medications

Students may, subject to the provisions of this administrative regulation, have prescription or nonprescription medication administered by designated district personnel, or may be permitted to administer prescription or nonprescription medication to themselves.

1. Definitions¹

- a. “Administer” means the direct application of a drug or device whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by: (1) a practitioner or the practitioner’s authorized agent; or (2) the patient or research subject at the direction of the practitioner. (ORS 689.005)
- b. “Adrenal crisis” means a sudden, severe worsening of symptoms associated with adrenal insufficiency, such as severe pain in the lower back, abdomen or legs, vomiting, diarrhea, dehydration, low blood pressure or loss of consciousness. (ORS 433.800)
- c. “Adrenal insufficiency” means a hormonal disorder that occurs when the adrenal glands do not produce enough adrenal hormones. (ORS 433.800)
- d. “Asthma” means a chronic inflammatory disorder of the airways that requires ongoing medical intervention. (ORS 339.866)
- e. “Delegation” means a formal delegation of a nursing procedure by a registered nurse to district personnel in accordance with the Oregon Nurse Practice Act. (OAR Chapter 851)
- f. “Designated personnel” means the school personnel designated and trained to administer medication pursuant to district policy and procedure.
- g. “Medication” means medication that is not injected; premeasured doses of epinephrine that are injected; medication that is available for treating adrenal insufficiency; and Naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug. “Medication” also means any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student’s Oregon licensed health care professional for asthma or severe allergies. “Medication” does not include nonprescription sunscreen. (ORS 339.866; ORS 339.867)
- h. “Nonprescription medication” means nonprescription drugs as defined in ORS 689.005, which means drugs that may be sold without prescription and that are prepackaged for use by the consumer and labeled in accordance with the requirements of the statutes and regulations of this state and the federal government. (OAR 581-021-0037)
- i. “Notice of a diagnosis of adrenal insufficiency” means written notice to the district from the parent or guardian of a student who has been diagnosed as adrenal insufficient with a copy of an order from the student’s primary care provider that includes the student’s diagnosis, description of symptoms indicating the student is in crisis, prescription for medication to treat

¹ There are several laws that apply to medications in schools. Some of these laws have unique definitions that may apply in specific situations. If the applicable law uses a definition that varies from the definition here, use the definition in the law.

adrenal insufficiency crisis, and instructions for follow-up care after medication to treat adrenal insufficiency crisis has been administered. (OAR 581-021-0037)

- j. [“Opioid overdose” means a medical condition that causes depressed consciousness, depressed respiratory function or the impairment of vital bodily functions as a result of ingesting opioids. (ORS 689.800)]
- k. “Prescriber²” means a “practitioner” as defined in ORS 689.005, which means a person licensed and operating within the scope of such license to prescribe, dispense, conduct research with respect to or administer drugs in the course of professional practice or research: (a) in this state; or (b) in another state or territory of the U.S. if the person does not reside in Oregon and is registered under the federal Controlled Substances Act. (OAR 581-021-0037)
- l. “Prescription medication” means a “prescription drug” as defined in ORS 689.005, which means a drug that is: required by federal law, prior to being dispensed or delivered, to be labeled with “Caution: Federal law prohibited dispensing without prescription” or “Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian”; or required by any applicable federal or state law or regulation to be dispensed on prescription only or is restricted to use by practitioners only.
- m. “Severe allergy” means a life-threatening hypersensitivity to a specific substance such as food, pollen, or dust. (ORS 339.866)
- n. “Short-acting opioid antagonist” means any short-acting drug approved by the U.S. Food and Drug Administration for the complete or partial reversal of an opioid overdose. (ORS 689.800)

2. Designated Staff/Training

- a. Medications, including injectable medications, may be administered by trained personnel as part of a formal delegation by a registered nurse.
- b. The principal, in consultation with the school nurse, will designate district personnel authorized to administer prescription or nonprescription medication to a student which takes into account when the student is in school, at a district-sponsored activity, under the supervision of district personnel, or in transit to or from school-or district-sponsored activities, and may include when a student is in a before-school or after-school care program on school-owned property when required by law. The principal will supervise and ensure building and activity practices and procedures are consistent with the requirements of law, rules, policy and this administrative regulation.
- c. The district will provide staff who are designated personnel to administer prescription or nonprescription medication access to a school nurse.
- d. The principal will ensure the annual training required by Oregon law is provided to designated district personnel. Training must be conducted by a qualified trainer, which is a person who is familiar with the delivery of health services in a school setting and who is either a registered nurse licensed by the Oregon State Board of Nursing or a prescriber. District personnel designated to administer epinephrine, glucagon, and medication to treat adrenal insufficiency shall be trained using related training developed by the Oregon Health Authority (OHA). The first training and every third training thereafter shall be provided in-person³. During

² A registered nurse who is employed by a district or local public health authority to provide nursing services at a district may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the district for not more than 90 days.

³ An online training may qualify as “in-person” when these measures are met: content is provided via synchronous, interactive online sessions with a trainer and learners visible on screen; trainers must be licensed and work within their scope of practice;

- subsequent years, designated district personnel may complete an online training so long as a trainer is available following the training to answer questions and provide clarification.
- e. The training for district personnel will provide an overview of applicable provisions of Oregon law, administrative rules, district policy and administrative regulations and include, but not be limited to, discussion of the following: safe storage, administration, handling and disposing of medications; accessibility of medication during an emergency; record keeping; whether response to medication should be monitored by designated personnel and the role of designated personnel in such monitoring; emergency medical response procedures following administration of the medication; confidentiality of health information; and assessment of gained knowledge. Training as recommended and/or approved by ODE will be used.
 - f. The district shall maintain documentation of district personnel's completion of training in accordance with OAR 166-400-0010.

3. Administering Premeasured Doses of Epinephrine to a Student or Other Individual

A premeasured dose of epinephrine may be administered by trained district personnel to any student or other individual on district premises who the person believes in good faith is experiencing a severe allergic response, regardless of whether the student or individual has a prescription for epinephrine.

4. Administering Short-Acting Opioid Antagonists

A short-acting opioid antagonist may be administered by any district personnel⁴ to any student or other individual, on school premises who the individual administering the short-acting opioid antagonist believes in good faith is experiencing an overdose of an opioid drug.

The principal or school district designee shall immediately notify the parent or guardian of a minor student enrolled in a school within the district when a short-acting opioid antagonist is administered to the student while at school, on school property under the jurisdiction of the district or at any activity under the jurisdiction of the district.

The district shall provide to the parent or legal guardian of each minor student enrolled in a school in the district information regarding short-acting opioid antagonists. The information will include at least:

- a. A description of short-acting opioid antagonists and their purpose;
- b. A statement regarding, in an emergency situation, the risks of administering to an individual a short-acting opioid antagonist and the risks of not administering to an individual a short-acting opioid antagonist;
- c. A statement identifying which schools in the district, if any, have short-acting opioid antagonists, and the necessary medical supplies to administer short-acting opioid antagonists, onsite and available for emergency situations; and

and include in-person, skills demonstration for training developed by the Oregon Health Authority for epinephrine, glucagon, and for medication to treat adrenal insufficiency.

⁴ Including district personnel who have not received medication administration training.

- d. A statement that a representative of the district may administer a short-acting opioid antagonist to a student in an emergency if the student appears to be unconscious and experiencing an opioid overdose.

5. Administering of Medication to a Student Experiencing Symptoms of Adrenal Crisis

A student experiencing symptoms of adrenal crisis while the student is in school, at a district-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and/or in transit to or from a school or a district-sponsored activity, may be treated by designated personnel and shall be subject to the following:

- a. Upon notice of a diagnosis of adrenal insufficiency, as defined in Oregon Administrative Rule (OAR) 581-021-0037, the building principal of the school the student attends will designate one or more district personnel to receive training and be responsible for administering the medication to treat adrenal insufficiency to a student in the event the student exhibits symptoms the district personnel believe in good faith indicate the student is experiencing symptoms of adrenal crisis;
- b. The designated personnel will successfully complete required training to administer medication to treat a student who has adrenal insufficiency and is experiencing symptoms of adrenal crisis;
- c. The student's parent or guardian must provide adequate supply of the student's prescribed medication to the district;
- d. The district will develop an individualized health care plan for the student;
- e. In the event that a student experiences symptoms of adrenal crisis and the designated personnel determines the medication to treat adrenal insufficiency should be administered, any available district staff member will immediately call 911 and the student's parent or guardian.

6. Administering Medication to a Student

- a. A request to permit designated personnel to administer medication to a student may be approved by the district and is subject to the following:
 - (1) A written request for designated personnel to administer prescription medication to a student, if because of the prescribed frequency or schedule, the medication must be given while the student is in school, at a school-sponsored activity, while under the supervision of school personnel and in transit to or from school or a school-sponsored activity, must be submitted to the school office and shall include:
 - (a) The written permission of the student's parent or guardian; and
 - (b) The written instruction from the prescriber for the administration of the medication to the student that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instructions from the prescriber, if any; and

(vii) Signature of the prescriber.

The prescription medication is provided in the original prescription packaging by the student's parent or guardian. The prescription label prepared by a pharmacist at the direction of the prescriber, will be sufficient to meet this requirement if it contains the information listed in (i)-(vi) above.

- (2) A written request for designated personnel to administer nonprescription medication to a student must be submitted to the school office and is subject to the following:
- (a) The nonprescription medication is necessary for the student to remain in school;
 - (b) The nonprescription medication is:
 - (i) Provided in the original manufacturer's container by the student's parent or guardian; or
 - (ii) Is part of the district's stock medication program in compliance with the Oregon Board of Pharmacy rules including OAR 855-035-0005.
 - (c) The written instruction and permission from the student's parent or guardian for the administration of the nonprescription medication⁵ includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instructions, if any; and
 - (vii) Signature of the student's parent or guardian.

If the written instruction is not consistent with the manufacturer's guidelines for the nonprescription medication, the written instruction must also include a written order allowing the inconsistent administration signed by a prescriber.

- (d) If the nonprescription medication is not approved by the Food and Drug Administration (FDA), a written order from the student's prescriber is required and will include:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school;
 - (vii) Other special instructions, if any; and

⁵ For nonprescription medication that is not approved by the Food and Drug Administration (FDA), see requirements in 6.a.(2)(d).

(viii) Signature of the prescriber.

- b. The principal or designee will require an individualized health care plan or allergy plan be developed for every student with a need to manage asthma or a known life-threatening allergy. A plan will include protocols for preventing exposures to allergens and procedures for responding to life-threatening allergic responses, and include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity;
- c. A student being administered a medication may be monitored by designated personnel to monitor the student's response to the medication;
- d. A determination will be made by the district on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;
- e. It is the student's parent or guardian's responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
- f. It is the student's parent or guardian's responsibility to ensure that the school is informed in writing of any changes in medication instructions;
- g. In the event a student refuses medication, the parent or guardian will be notified immediately. No attempt will be made to administer medication to a student who refuses a medication;
- h. Any error in administration of a medication will be reported to the parent or guardian immediately and documented on a medication administration record. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dose, frequency of administration or method of administration;
- i. Medication shall not be administered until the necessary permission form and written instructions have been submitted and received as required by the district.

7. Administration of Medication by a Student to Themselves

- a. A student, including a student in grade K through 12 with asthma or severe allergies, may be permitted to administer prescription or nonprescription medication to themselves without assistance from designated personnel and is subject to the following:
 - (1) A student must demonstrate the ability, developmentally and behaviorally, to self-administer prescription medication and must have:
 - (a) The written permission from a parent or guardian and other documentation requested by the district must be submitted for self-medication of all prescription medications;
 - (b) If the student has asthma or a severe allergy, a medication that is prescribed by a prescriber and a written treatment plan developed by a prescriber or other Oregon licensed health care professional for managing of the student's asthma, diabetes and/or severe allergy, and directs use by the student while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity. The prescriber will include acknowledgment that the student has been instructed in the correct and responsible use of the prescribed medication;

- (c) The permission to self-administer the medication from a building administrator and a prescriber or registered nurse practicing in a district setting.
- (2) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication⁶ and must have:
- (a) The written permission of the student’s parent or guardian;
 - (b) The student’s name affixed to the manufacturer’s original container; and
 - (c) The permission to self-administer medication from a building administrator.
- (3) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication that is not approved by the FDA and must have:
- (a) The written permission of the student’s parent or guardian; and
 - (b) A written order from the student’s prescriber that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school, at a district-sponsored activity, under the supervision of district personnel, or in transit to or from school or district-sponsored activities;
 - (vii) Other special instructions, if any; and
 - (viii) Signature of the prescriber.
- b. A determination will be made by the district on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;
 - c. A student may have in their possession only the amount of medication needed for that school day, except for manufacturer’s packaging that contains multiple dosage, the student may carry one package, such as, but not limited to, autoinjectable epinephrine or bronchodilators/inhalers;
 - d. The sharing and/or borrowing by a student of any medication with another student is strictly prohibited⁷;
 - e. The district personnel will request backup medication, when the medication is to treat a student’s asthma or severe allergy emergency, from the student’s parent or guardian. Backup medication, if provided by a student’s parent or guardian, will be kept at the student’s school in a location to which the student has immediate access in the event the student has an asthma and/or severe allergy emergency;
 - f. A student shall not administer medication to themselves until the necessary permission form and written instructions have been submitted as required by the district;

⁶ For nonprescription medication that is not approved by the Food and Drug Administration (FDA), see requirements in 7.a.(3).

⁷ [Except for short-acting opioid antagonists.]

- g. The permission for a student to administer medication to themselves may be revoked if the student does not responsibly self-administer the medication or abuses the use of the medication as determined by district personnel;
 - h. A student may be subject to discipline, up to and including expulsion, as appropriate for violations of these procedures;
 - i. A student permitted to administer medication to themselves may be monitored by designated personnel to monitor the student's response to the medication[.] [;]
 - j. [The district allows the application of and use by students of nonprescription sunscreen, including sunscreen that contains para-aminobenzoic acid, without any required documentation from a licensed health care professional per ORS 339.874.]
8. Handling, Monitoring and Safe Storage of Medication Supplies for Administration of Medication
- a. Any medication must be delivered to the school in its original manufacturer's or current prescription container, accompanied by the permission form and written instructions, as required above.
 - b. Prescription medication must always be the most current prescription and kept in the original, labeled container.
 - c. Nonprescription medication must be kept in original manufacturer's bottle or box.
 - d. [Never administer medication sent to school in unlabeled containers.]
 - e. [Never repackage medication into a plastic bag or other container for any reason.]
 - f. [Medication in any form categorized as a sedative, stimulant, anti-convulsive, narcotic analgesic or psychotropic medication will be counted or measured by designated personnel or parent or guardian in the presence of another district employee upon receipt [and initialed by the two individuals who counted or witnessed the procedure], documented in the student's medication administration record (MAR) and routinely monitored during storage and administration. Any discrepancies will be reported to the [school] [district] nurse or principal immediately and documented in the student's MAR. For such medication not in capsule or tablet form, standard measuring and monitoring procedures will apply.]
 - g. Designated personnel will follow the written instructions of the prescriber and the student's parent or guardian, and training guidelines as may be recommended by ODE for administering all forms of prescription and/or nonprescription medications.
 - h. [Medication will be secured as follows:
 - (1) Nonrefrigerated medications will be stored in a locked cabinet, drawer or box in a secure area;
 - (2) Medications requiring refrigeration will be stored in a locked box in a refrigerator or in a separate refrigerator used solely for the storage of medication in a secure area;
 - (3) Access to medication storage keys will be limited to the principal and designated personnel.]
 - i. [Designated personnel will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering and that the medication container is properly sealed and returned to storage.]
 - j. When medication is running low or an inadequate dosage is on hand to administer the medication, the designated personnel will notify the student's parent or guardian immediately.

9. Emergency Response

- a. Designated personnel will immediately call 911 or other appropriate emergency medical response systems and administer first aid, as necessary, in the event of life-threatening side effects and allergic reactions, including the administration of epinephrine. The parent or guardian[, [school] [district] nurse] and principal will be notified immediately.
- b. Adverse reactions which result from district-administered medication or from student self-medication will be reported to the parent or guardian immediately.
- c. Any available district staff will immediately call 911 and the student's parent or guardian if the designated personnel believes the student is experiencing symptoms of adrenal crisis and plans to administer medication.
- d. Any available staff will immediately call 911 when a short-acting opioid antagonist is administered to any student or other individual on district premises.

10. Disposal of Medications

- a. [Medication not picked up by the student's parent or guardian, at the end of the school year or within [five] school days of the end of the medication period, whichever is earlier, will be disposed of by designated personnel in the presence of another school employee. The medication may be disposed through a designated drug take-back collection program or in a nonrecoverable fashion as follows:
 - (1) Medication will be removed from its original container and personal information will be destroyed;
 - (2) Mix with an undesirable substance, e.g., coffee grounds, used cat litter;
 - (3) Place in a plastic bag or other sealable container, e.g., such as an empty plastic container; and
 - (4) Place the sealed container with the mixture in the trash as close to garbage pickup time as possible, to prevent theft and misuse.]
- b. [Prescriptions will never be flushed down the toilet or drain or burnt with other waste.]
- c. [Sharps and glass will be disposed of in accordance with state guidelines.]
- d. [All medication will be disposed of by designated personnel following DEQ guidelines and documented on the student's MAR as described below.]

11. Transcribing, Recording and Record Keeping

- a. A medication administration record (MAR) will be maintained for each student administered medication by the district. [The MAR will be in paper⁸ or electronic form and will include, but not be limited to:
 - (1) The full name of the student, date of birth, name of medication, dosage, method of administration, date and time of administration, frequency of administration and the name of the person administering the medication;
 - (2) Student refusals of medication;
 - (3) Errors in administration of medication;
 - (4) Incidents of emergency and minor adverse reaction by a student to medication;
 - (5) Discrepancies in medication supply;

⁸ If a paper record is kept, the record will be documented in blue or black ink, and never in pencil or with use of white-out.

- (6) Disposal of medication including date, quantity, manner in which the medication was destroyed and the signature of the staff involved.]
- b. A MAR for medication administered as part of an IEP goal should be maintained in the IEP record at the end of each school year.
- c. All records relating to administration of medications, including permissions and written instructions, will be maintained. Records will be retained in accordance with applicable provisions of OAR 166-400-0010(17) and OAR 166-400-0060(29).
- d. All records relating to the training of designated district personnel will be maintained by the district in accordance with applicable provisions of OAR 166-400-0010.
- e. Student health information will be kept confidential. Access shall be limited to those designated personnel authorized to administer medication to students, the student and their parent or guardian. Information may be shared with school personnel with a legitimate educational interest in the student or others authorized by the parent or guardian in writing or others as allowed under state and federal law.

[Non-liability Provisions for Administration of Prescription and Nonprescription Medications and Short-Acting Opioid Antagonists

A school administrator, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration of nonprescription medication, if the school administrator, teacher or other school employee in good faith administers nonprescription medication to a student pursuant to written permission and instructions of the student's parents or guardian.

A school administrator, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration of prescription medication, if the school administrator, teacher or other school employee in compliance with the instructions of a physician, physician assistant, nurse practitioner, naturopathic physician or clinical nurse specialist, in good faith administers prescription medication to a student pursuant to written permission and instructions of the student's parents or guardian.

A person may not maintain an action for injury, death or loss that results from acts or omissions of a school administrator, teacher or other school employee during the administration of a short-acting opioid antagonist unless it is alleged and proved by the complaining party that the school administrator, teacher or other school employee was grossly negligent in administering the short-acting opioid antagonist unless other conditions exist and which are outlined in Oregon law in ORS 339.870.

The civil and criminal immunities provided for above do not apply to an act or omission accounting to gross negligence or willful and wanton misconduct.

Non-Liability Provisions for Self-Administration and Autoinjectable Epinephrine

A school administrator, school nurse, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of a student's self-administration of medication, as described in ORS 339.866, if the school administrator, school nurse, teacher or other school employee, in compliance with the instructions of the student's Oregon licensed health care professional, in good faith assists the student's self-administration of the

medication, if the medication is available to the student pursuant to written permission and instructions of the student's parent, guardian or Oregon licensed health care professional.

A school administrator, school nurse, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the use of medication if the school administrator, school nurse, teacher or other school employee in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication regardless of whether the student or individual has a prescription for epinephrine.

The district and the members of a district Board are not liable in a criminal action or for civil damages as a result of the use of medication if any person in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine; and the person administered the autoinjectable epinephrine on school premises, including at a school, on school property under the jurisdiction of the district or at an activity under the jurisdiction of the district.

The civil and criminal immunities described above (which are identified in ORS 339.871) do not apply to an act or omission to gross negligence or willful and wanton misconduct.]

Medications

Students may, subject to the provisions of this administrative regulation, have prescription or nonprescription medication administered by designated personnel, or may be permitted to administer prescription or nonprescription medication to himself.

1. Definitions

- a. "Medication" means any drug, chemical compound, suspension or preparation in suitable form for use as a curative or remedial substance taken internally or externally but not injected except for premeasured doses of epinephrine, medication to treat adrenal insufficiency and glucagon to treat severe hypoglycemia. Medication includes any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student's Oregon licensed health care professional for asthma or severe allergies. Medication also includes naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug.
- b. "Prescription medication" means any medication that under federal or state law requires a prescription by a prescriber.
- c. "Nonprescription medication" means medication that under federal law does not require a prescription from a prescriber.
- d. "Adrenal crisis" means adrenal crisis as defined in Oregon Revised Statute (ORS) 433.800.
- e. "Adrenal insufficiency" means adrenal insufficiency as defined in ORS 433.800.
- f. "Notice of a diagnosis of adrenal insufficiency" means written notice to the district from a student's parent or guardian of a student who has been diagnosed as adrenal insufficiency with a copy of an order from the student's primary care provider that includes the student's diagnosis, description of symptoms indicating the student is in crisis, prescription for medication to treat adrenal insufficiency crisis and instructions for follow-up care after medication to treat adrenal insufficiency crisis has been administered.
- g. "Prescriber" means a doctor of medicine or osteopathy, a physician assistant licensed to practice by the Board of Medical Examiners for the state of Oregon, an Oregon-licensed, advance practice registered nurse with prescriptive authority, a dentist licensed by the Board of Dentistry for the state of Oregon, an optometrist licensed by the Board of Optometry for the

¹ A registered nurse who is employed by a public or private school, ESD or local public health authority to provide nursing services at a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

state of Oregon, a naturopathic physician licensed by the Board of Naturopathy for the state of Oregon or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.

- h. “Qualified trainer” means a person who is familiar with the delivery of health services in a school setting and who is a registered nurse licensed by the Oregon State Board of Nursing, a doctor of medicine or osteopathy or a physician assistant licensed by the Board of Medical Examiners for the state of Oregon or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.
- i. “Severe allergy” means a life-threatening hypersensitivity to a specific substance such as food, pollen, dust or insect sting.
- j. “Asthma” means a chronic inflammatory disorder of the airways that requires ongoing medical intervention.
- k. “Designated personnel” means the school personnel designated to administer medication pursuant to district policy and procedure.

2. Designated Staff/Training

- a. The principal will designate personnel authorized to administer prescription or nonprescription medication to a student while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or school-sponsored activity, as required by Oregon law. The principal will supervise and ensure handling and activity practices and procedures are consistent with the requirements of law, rules, and this administrative regulation.
- b. The principal will ensure the training required by Oregon law is provided to designated personnel. Training must be conducted by a qualified trainer. Training will be provided annually to designated personnel authorized to administer medication to students. The first year and every third year of training requires in-person instruction; during the intervening years, designated personnel may complete an online training that has been approved by the Oregon Department of Education (ODE) so long as a trainer is available within a reasonable amount of time following the training to answer questions and provide clarification.
- c. Training will provide an overview of applicable provisions of Oregon law, administrative rules, district policy and administrative regulations and include, but not be limited to, the following: safe storage, handling, monitoring medication supplies, disposing of medications, record keeping and reporting of medication administration and errors in administration, emergency medical response for life-threatening side effects, allergic reactions or adrenal insufficiency and student confidentiality. Materials as recommended and/or approved by the ODE will be used.
- d. A copy of the district’s policy and administrative regulation will be provided to all staff authorized to administer medication to students and others, as appropriate.
- e. A statement that the designated personnel has received the required training will be signed by the staff member and filed in the district office.

3. Administering Premeasured Doses of Epinephrine to a Student or Other Individual

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on school premises who the person believe in good faith is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

4. Administering Naloxone or Other Similar Medication to a Student or Other Individual

Naloxone or any other similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing an opioid overdose.

5. Administering of Medication to a Student Experiencing Symptoms of Adrenal Crisis

A student experiencing symptoms of adrenal crisis while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, may be treated by designated personnel and shall be subject to the following:

- a. Upon notice of a diagnosis of adrenal insufficiency, as defined in Oregon Administrative Rule (OAR) 581-021-0037, the building principal will designate one or more school personnel to be responsible for administering the medication to treat adrenal insufficiency;
- b. The designated personnel will successfully complete training to administer medication to treat a student who has adrenal insufficiency and is experiencing symptoms of adrenal crisis in accordance with the rules adopted by the Oregon Health Authority;
- c. The student or the student's parent or guardian must provide an adequate supply of the student's prescribed medication to the district;
- d. The district will require the development of an individualized health care plan for the student that includes protocols for preventing exposures to allergens, and establishes if or when a student may self-carry prescription medication when the student has not been approved to self-administer medication;
- e. In the event that a student experiences symptoms of adrenal crisis and the designated personnel determines that medication to treat adrenal insufficiency should be administered, any available staff member will immediately call 911 and the student's parent or guardian.

6. Administering Medication to a Student

- a. A request to permit designated personnel to administer medication to a student may be approved by the district and is subject to the following:
 - (1) A written request for designated personnel to administer prescription medication to a student, if because of the prescribed frequency or schedule, the medication must be given while the student is in school, at a school-sponsored activity, while under the supervision of school personnel and in transit to or from school or a school-sponsored activity, must be submitted to the school office and shall include:
 - (a) The written permission of the student's parent or guardian or the student if the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
 - (b) The written instruction from the prescriber for the administration of the medication to the student that includes:
 - (i) Name of the student;

- (ii) Name of the medication;
- (iii) Method of administration;
- (iv) Dosage;
- (v) Frequency of administration;
- (vi) Other special instructions from the prescriber, if any; and
- (vii) Signature of the prescriber.

The prescription label prepared by a pharmacist at the direction of the prescriber, will be considered to meet this requirement if it contains the information listed in (i)-(vi) above.

(2) A written request for designated personnel to administer nonprescription medication to a student must be submitted to the school office and is subject to the following:

- (a) The nonprescription medication is necessary for the student to remain in school;
- (b) The nonprescription medication is provided in the original manufacturer's container by the parent or guardian of the student;
- (c) The written instruction from the student's parent or guardian for the administration of the nonprescription medication includes:

- (i) Name of the student;
- (ii) Name of the medication;
- (iii) Method of administration;
- (iv) Dosage;
- (v) Frequency of administration;
- (vi) Other special instructions, if any; and
- (vii) Signature of the student's parent or guardian.

If the written instruction is not consistent with the manufacturer's guidelines for the nonprescription medication, the written instruction must also include a written order allowing the inconsistent administration signed by a prescriber.

(d) If the nonprescription medication is not approved by the Food and Drug Administration (FDA), a written order from the student's prescriber is required and will include:

- (i) Name of the student;
- (ii) Name of the medication;
- (iii) Dosage;
- (iv) Method of administration;
- (v) Frequency of administration;
- (vi) A statement that the medication must be administered while the student is in school;
- (vii) Other special instructions, if any; and
- (viii) Signature of the prescriber.

b. An individualized health care and allergy plan will be developed for a student with a known life-threatening allergy and will include protocols for preventing exposures to allergens and procedures for responding to life-threatening allergic reactions while the student is in school,

at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, and will include a determination on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;

- c. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
- d. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that the school is informed in writing of any changes in medication instructions;
- e. In the event a student refuses medication, the parent or guardian will be notified immediately, except where a student is allowed to seek medical care without parental consent. No attempt will be made to administer medication to a student who refuses a medication;
- f. Any error in administration of a medication will be reported to the parent or guardian immediately, except where a student is allowed to seek medical care without parental consent. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dose, frequency, administration or method of administration;
- g. Medication shall not be administered until the necessary permission form and written instructions have been submitted as required by the district.

7. Administration of Medication by a Student to Themselves

- a. A student, including a student in grade K through 12 with asthma or severe allergies, may be permitted to administer medication to themselves without assistance from designated personnel and is subject to the following:
 - (1) A student must demonstrate the ability developmentally and behaviorally, to self-administer prescription medication and must have:
 - (a) A permission form from a parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 and 109.675, and other documentation requested by the district must be submitted for self-medication of all prescription medications;
 - (b) If the student has asthma, diabetes and/or a severe allergy, a medication that is prescribed by a prescriber and a written treatment plan developed by a prescriber or other Oregon licensed health care professional for managing of the student's asthma, diabetes and/or severe allergy, and directs use by the student while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity. The prescriber will include acknowledgment that the student has been instructed in the correct and responsible use of the prescribed medication;
 - (c) The permission to self-administer the medication from a building administrator and a prescriber or registered nurse practicing in a school setting.

- (2) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication and must have:
- (a) The written permission of the student’s parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675;
 - (b) The student’s name affixed to the manufacturer’s original container; and
 - (c) The permission to self-administer medication from a building administrator.
- (3) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication that is not approved by the FDA and must have:
- (a) The written permission of the student’s parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
 - (b) A written order from the student’s prescriber that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school;
 - (vii) Other special instructions, if any;
 - (viii) Signature of the prescriber.
- b. The student may have in their possession only the amount of medication needed for that school day, except for manufacturer’s packaging that contains multiple dosage, the student may carry one package, such as but not limited to, autoinjectable epinephrine or bronchodilators/inhalers.
 - c. Sharing and/or borrowing of any medication with another student is strictly prohibited;
 - d. For a student who has been prescribed bronchodilators or epinephrine, the designated personnel will request that the parent or guardian provide backup medication for emergency use by that student. Backup medication, if provided, will be kept at the student’s school in a location to which the student has immediate access in the event the student has an asthma and/or severe allergic emergency;
 - e. Upon written request from a parent or guardian, and with a prescriber’s written statement that the lack of immediate access to a backup autoinjectable epinephrine may be life threatening to a student, and the location the school stores backup medication is not located in the student’s classroom, a process shall be established to allow the backup autoinjectable epinephrine to be kept in a reasonably secure location in the student’s classroom;
 - f. A student shall not administer medication to themselves until the necessary permission form and written instructions have been submitted as required by the district;
 - g. Permission for a student to administer medication to themselves may be revoked if the student violates the Board policy and/or this administrative regulation;
 - h. A student may be subject to discipline, up to and including expulsion, as appropriate;

- i. A student permitted to administer medication to themselves may be monitored by designated personnel to monitor the student's response to the medication.

8. Handling, Monitoring and Safe Storage of Medication Supplies for Administering Medication to Students

- a. Medication administered by designated personnel to a student or self-administered by a student, must be delivered to the school in its original container, accompanied by the permission form and written instructions, as required above.
- b. Medication in capsule or tablet form and categorized as a sedative, stimulant, anticonvulsant, narcotic analgesic or psychotropic medication will be counted by designated personnel in the presence of another district employee upon receipt, documented in the student's medication log and routinely monitored during storage and administration. Discrepancies will be reported to the principal immediately and documented in the student's medication log. For such medication not in capsule or tablet form, standard measuring and monitoring procedures will apply.
- c. Designated personnel will follow the written instructions of the prescriber and the student or the student's parent or guardian, and training guidelines as may be recommended by the ODE for administering all forms of prescription and/or non-prescription medications.
- d. Medication will be secured as follows:
 - (1) Nonrefrigerated medications will be stored in a locked cabinet, drawer or box;
 - (2) Medications requiring refrigeration will be stored in a locked box in a refrigerator;
 - (3) Access to medication storage keys will be limited to the principal and designated personnel.
- e. Designated personnel will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering and that the medication container is properly sealed and returned to storage.
- f. In the event medication is running low or an inadequate dosage is on hand to administer the medication, the designated personnel will notify the student's parent or guardian or the student (in situations involving ORS 109.610, 109.640 and 109.675) immediately.

9. Emergency Response

- a. Designated personnel will notify 911 or other appropriate emergency medical response systems and administer first aid, as necessary, in the event of life-threatening side effects that result from district-administered medication or from student self-medication or allergic reactions. The parent or guardian, and principal will be notified immediately.
- b. Minor adverse reactions that result from district-administered medication or from student self-medication will be reported to the parent or guardian immediately, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675.
- c. Any available district staff will immediately call 911 and the student's parent or guardian if the designated personnel believes the student is experiencing symptoms of adrenal crisis and plans to administer medication.

10. Disposal of Medications

- a. Medication not picked up by the student's parent or guardian, or the student when allowed pursuant to ORS 109.610, 109.640 and 109.675, at the end of the school year or within five school days of the end of the medication period, whichever is earlier, will be disposed of by designated personnel in a nonrecoverable fashion as follows:
 - (1) Medication will be removed from its original container and personal information will be destroyed;
 - (2) Solid medications will be crushed, mixed or dissolved in water, liquid medications will be mixed or dissolved in water; and
 - (3) Mixed with an undesirable substance, e.g., coffee grounds, kitty litter, flour; and
 - (4) Placed in impermeable non-descriptive containers, e.g., empty cans or sealable bags, and placed in the trash.

Prescriptions will be flushed down the toilet **only** if the accompanying patient information specifically instructs it is safe to do so.

Other medication will be disposed of in accordance with established training procedures including sharps and glass.

- b. All medication will be disposed of by designated personnel in the presence of another school employee and documented as described in Section 10, below.

11. Transcribing, Recording and Record Keeping

- a. A medication log will be maintained for each student administered medication by the district. The medication log will include, but not be limited to:
 - (1) The name of the student, name of medication, dosage, method of administration, date and time of administration, frequency of administration and the name of the person administering the medication;
 - (2) Student refusal of medication;
 - (3) Errors in administration of medication;
 - (4) Incidents of emergency and/or minor adverse reaction by a student to medication;
 - (5) Discrepancies in medication supply;
 - (6) Disposal of medication including date, quantity, manner in which the medication was destroyed and the signature of the staff involved.
- b. All records relating to administration of medications, including permissions and written instructions, will be maintained in a separate medical file apart from the student's education record file unless otherwise related to the student's educational placement and/or individualized education program. Records will be retained in accordance with applicable provisions of OAR 166-400-0010(17) and OAR 166-400-0060(29).
- c. Student health information will be kept confidential. Access shall be limited to those designated personnel authorized to administer medication to students, the student and their parent or guardian. Information may be shared with other staff with a legitimate educational interest in the student or others as may be authorized by the parent or guardian in writing or others as allowed under state and federal law.

Sexual Harassment Complaint Procedure

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

Name	Position	Phone	Email
Jeff Leo	Superintendent	503-324-8591	jeffl@banks.k12.or.us

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

Step 1 The district official receiving the report or complaint shall promptly initiate an investigation using procedures and standards, including but not limited to, those identified in Board policy GBN/JBA - Sexual Harassment and will notify the complainant or reporting person, any impacted person who is not a reporting person (if appropriate), each reported person, and where applicable the parents of a reporting person, impacted person, or reported person, when such investigation is initiated. The official will arrange such meetings as may be necessary to discuss the issue with all concerned parties within five working days after receipt of the report or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings of the investigation shall be reduced to writing. The official conducting the investigation shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law within 30 days of receipt of the report or complaint.

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

Step 2 If a complainant is not satisfied with the decision at Step 1, the complainant may submit a written appeal to the superintendent. Such appeal must be filed within 10 working days after receipt of the Step 1 decision. The superintendent will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal within 5 working days of receipt of the appeal. The superintendent shall provide a written decision to the complainant within 10 working days.

Step 3 If a complainant is not satisfied with the decision at Step 2, the complainant may submit a written appeal to the Board. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The Board will review the decision of the superintendent in a public meeting to determine what action is appropriate. The Board may use executive session if the subject matter qualifies under Oregon law. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, and adopting the superintendent’s decision. All parties involved, including the school administration, may be asked to attend a hearing for the purposes of making further explanations and clarifying the issues. The Board

shall provide a written decision to the complainant within 30 working days following receipt of the appeal.

If the Board chooses not to hear the complaint, the superintendent's decision in Step 2 is final.

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

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

Complaints against the superintendent or a Board member (other than the Board chair) may start at Step 3 and should be referred to the Board chair on behalf of the Board. The Board chair will cause required notices to be provided. The Board chair shall present the complaint to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 20 days, in open session what action, if any, is warranted. The Board chair shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law.

Complaints against the Board chair may start at Step 3 and should be referred to the Board vice chair on behalf of the Board. The Board vice chair will cause required notices to be provided. The Board vice chair shall present the complaint to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 20 days, in open session what action, if any, is warranted. The Board vice chair shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law.

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

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.

Additional information regarding filing of a complaint or report may be obtained through the principal, compliance officer or superintendent.

All documentation related to sexual harassment complaints may become part of the student's education record or employee's personnel file, as appropriate. Additionally, a copy of all sexual harassment

complaints or reports and documentation will be maintained as a confidential file and stored in the district office.

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

DELETED

Banks School District
12950 NW Main St. Banks, OR 97106
503-324-8591

SEXUAL HARASSMENT COMPLAINT FORM

Name of complainant: _____

Position of complainant: _____

Date of complaint: _____

Name of alleged harasser: _____

Date and place of incident or incidents: _____

Description of misconduct: _____

Name of witnesses (if any): _____

Evidence of sexual harassment, i.e., letters, photos, etc. (attach evidence if possible): _____

Any other information: _____

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____

**Banks School District
12950 NW Main St. Banks, OR 97106
503-324-8591**

WITNESS DISCLOSURE FORM

Name of Witness: _____

Position of Witness: _____

Date of Testimony/Interview: _____

Description of Instance Witnessed: _____

Any Other Information: _____

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: _____ Date: _____

Federal Law (Title IX) Sexual Harassment Complaint Procedure

Additional Definitions

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

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent¹ and requesting that the district investigate the allegation of sexual harassment.

“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.² The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures.

Formal Complaint Procedures

Upon receipt of a formal complaint, the district will provide the parties³ written notice of the following:

1. Notice of the district’s grievance process, including any informal resolution process.
2. Notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview.

¹ “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

² Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

³ Parties include the complainant and the respondent, if known.

3. That the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility be made at the conclusion of the grievance process.
4. That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
5. The parties may inspect and review evidence.
6. A reference to any provision in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

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

Investigation

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

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

9. Create an investigative report that fairly summarizes relevant evidence and is sent to each party and party's advisor in electronic format or hard copy at least 10 days prior to any hearing (if required or provided) or other time of determination of responsibility. The party and advisor will be allowed to review and provide a written response.

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

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

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

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

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

Determination of Responsibility

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

The standard to be used for formal complaints in determining whether a violation has occurred is the preponderance of the evidence standard.

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

1. Identification of the allegations potentially constituting sexual harassment;
10. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
11. Findings of fact supporting the determination;
12. Conclusions regarding the application of the district's code of conduct to the facts;

13. A statement of, and rationale for, the result as to each allegation, including:
 - a. A determination regarding responsibility;
 - b. Any disciplinary sanctions the district imposes on the respondent; and
 - c. Whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and
14. The district's procedures and permissible bases for the complainant and respondent to appeal.

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

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

Remedies

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

Dismissal of a Formal Complaint

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

1. Would not constitute sexual harassment, even if proved;
1. Did not occur in the district's education program or activity; or
2. Did not occur against a person in the United States.

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

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

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

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

Consolidation of Complaints

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

Informal Resolution

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

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

Appeals

Either party may file an appeal from a determination regarding responsibility or from a dismissal of a formal complaint, within 15 days of the decision, on the following bases:

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

When an appeal is filed, the district must:

1. Notify the other party in writing;
6. Implement appeal procedures equally for both parties;

7. Ensure the decision-maker(s) for the appeal is not the same person as the decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
8. Ensure the decision-maker for the appeal is free from conflicts of interest and bias;
9. Give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging the outcome;
10. Issue a written decision describing the result of the appeal and the rationale for the result; and
11. Provide the written decision simultaneously to both parties.

Timelines

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

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

Temporary delays of the grievance process, or limited extensions of time will be allowed for good cause⁴ with written notice to the parties.

Records

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

Training

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

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

⁴ Good cause may include considerations such as the absence of a party, a party's advisor or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. (Title 34 C.F.R. § 106.45(b)(1)(v))

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

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

TO DELETE

Federal Law (Title IX) Sexual Harassment Complaint Procedure

Additional Definitions

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

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent¹ and requesting that the district investigate the allegation of sexual harassment.

“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.² The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures.

Formal Complaint Procedures

Upon receipt of a formal complaint, the district will provide the parties³ written notice of the following:

1. Notice of the district’s grievance process, including any informal resolution process.
2. Notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview.

¹ “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

² Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

³ Parties include the complainant and the respondent, if known.

3. That the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility be made at the conclusion of the grievance process.
4. That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
5. The parties may inspect and review evidence.
6. A reference to any provision in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

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

Investigation

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

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

9. Create an investigative report that fairly summarizes relevant evidence and is sent to each party and party's advisor in electronic format or hard copy at least 10 days prior to any hearing (if required or provided) or other time of determination of responsibility. The party and advisor will be allowed to review and provide a written response.

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

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

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

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

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

Determination of Responsibility

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

The standard to be used for formal complaints in determining whether a violation has occurred is the preponderance of the evidence standard.

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

1. Identification of the allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
3. Findings of fact supporting the determination;

4. Conclusions regarding the application of the district's code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including:
 - a. A determination regarding responsibility;
 - b. Any disciplinary sanctions the district imposes on the respondent; and
 - c. Whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and
6. The district's procedures and permissible bases for the complainant and respondent to appeal.

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

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

Remedies

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

Dismissal of a Formal Complaint

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

1. Would not constitute sexual harassment, even if proved;
10. Did not occur in the district's education program or activity; or
11. Did not occur against a person in the United States.

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

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

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

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

Consolidation of Complaints

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

Informal Resolution

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

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

Appeals

Either party may file an appeal from a determination regarding responsibility or from a dismissal of a formal complaint, within 15 days of the decision, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
14. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
15. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

When an appeal is filed, the district must:

1. Notify the other party in writing;
16. Implement appeal procedures equally for both parties;

17. Ensure the decision-maker(s) for the appeal is not the same person as the decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
18. Ensure the decision-maker for the appeal is free from conflicts of interest and bias;
19. Give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging the outcome;
20. Issue a written decision describing the result of the appeal and the rationale for the result; and
21. Provide the written decision simultaneously to both parties.

Timelines

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

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

Temporary delays of the grievance process, or limited extensions of time will be allowed for good cause⁴ with written notice to the parties.

Records

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

Training

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

⁴ Good cause may include considerations such as the absence of a party, a party's advisor or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. (Title 34 C.F.R. § 106.45(b)(1)(v))

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

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

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

TO DELETE

Sexual Harassment Complaint Procedure

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

Name	Position	Phone	Email
Jeff Leo	Superintendent	503-324-8591	jeffl@banks.k12.or.us

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

Step 1 The district official receiving the report or complaint shall promptly initiate an investigation using procedures and standards, including but not limited to, those identified in Board policy GBN/JBA - Sexual Harassment and will notify the complainant or reporting person, any impacted person who is not a reporting person (if appropriate), each reported person, and where applicable the parents of a reporting person, impacted person, or reported person, when such investigation is initiated. The official will arrange such meetings as may be necessary to discuss the issue with all concerned parties within five working days after receipt of the report or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings of the investigation shall be reduced to writing. The official conducting the investigation shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law within 30 days of receipt of the report or complaint.

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

Step 2 If a complainant is not satisfied with the decision at Step 1, the complainant may submit a written appeal to the superintendent. Such appeal must be filed within 10 working days after receipt of the Step 1 decision. The superintendent will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal within 5 working days of receipt of the appeal. The superintendent shall provide a written decision to the complainant within 10 working days.

Step 3 If a complainant is not satisfied with the decision at Step 2, the complainant may submit a written appeal to the Board. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The Board will review the decision of the superintendent in a public meeting to determine what action is appropriate. The Board may use executive session if the subject matter qualifies under Oregon law. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, and adopting the superintendent’s decision. All parties involved, including the school administration, may be asked to attend a hearing for the purposes of making further explanations and clarifying the issues. The Board

shall provide a written decision to the complainant within 30 working days following receipt of the appeal.

If the Board chooses not to hear the complaint, the superintendent's decision in Step 2 is final.

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

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

Complaints against the superintendent or a Board member (other than the Board chair) may start at Step 3 and should be referred to the Board chair on behalf of the Board. The Board chair will cause required notices to be provided. The Board chair shall present the complaint to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 20 days, in open session what action, if any, is warranted. The Board chair shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law.

Complaints against the Board chair may start at Step 3 and should be referred to the Board vice chair on behalf of the Board. The Board vice chair will cause required notices to be provided. The Board vice chair shall present the complaint to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 20 days, in open session what action, if any, is warranted. The Board vice chair shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law.

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

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.

Additional information regarding filing of a complaint or report may be obtained through the principal, compliance officer or superintendent.

All documentation related to sexual harassment complaints may become part of the student's education record or employee's personnel file, as appropriate. Additionally, a copy of all sexual harassment

complaints or reports and documentation will be maintained as a confidential file and stored in the district office.

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

TO DELETE

Banks School District
12950 NW Main St. Banks, OR 97106
503-324-8591

SEXUAL HARASSMENT COMPLAINT FORM

Name of complainant: _____

Position of complainant: _____

Date of complaint: _____

Name of alleged harasser: _____

Date and place of incident or incidents: _____

Description of misconduct: _____

Name of witnesses (if any): _____

Evidence of sexual harassment, i.e., letters, photos, etc. (attach evidence if possible): _____

Any other information: _____

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____

**Banks School District
12950 NW Main St. Banks, OR 97106
503-324-8591**

WITNESS DISCLOSURE FORM

Name of Witness: _____

Position of Witness: _____

Date of Testimony/Interview: _____

Description of Instance Witnessed: _____

Any Other Information: _____

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: _____ Date: _____

Federal Family and Medical Leave/State Family Medical Leave

Coverage

The federal Family and Medical Leave Act (FMLA) applies to districts with 50 or more employees within 75 miles of the employee's work site, based on employment during each working day during any of the 20 or more workweeks in the calendar year in which the leave is to be taken, or in the calendar year preceding the year in which the leave is to be taken. The 50 employee test does not apply to educational institutions for determining employee eligibility.

The Oregon Family Leave Act (OFLA) and the Oregon Military Family Leave Act (OMFLA) applies to districts that employ 25 or more part-time or full-time employees in Oregon, based on employment during each working day during any of the 20 or more workweeks in the calendar year in which the leave is to be taken, or in the calendar year immediately preceding the year in which the leave is to be taken.

Employee Eligibility

FMLA applies to employees who have worked for the district for at least 12 months (not necessarily consecutive) and worked for at least 1,250 hours during the 12-month period immediately preceding the start of the leave.

An employee who has previously qualified for and has taken some portion of FMLA leave may request additional FMLA leave within the same leave year. In such instances, the employee need not requalify as an eligible employee, if the additional leave applied for is in the same leave year and for the same condition.

OFLA applies to employees who work an average of 25 hours or more per week during the 180 calendar days or more immediately prior to the first day of the start of the requested leave.

An employee who has previously qualified for and has taken some portion of OFLA leave, may request additional OFLA leave within the same leave year. In such instances, the employee must requalify as an eligible employee for each additional leave requested.

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

In determining if an employee has been employed for the preceding 180 calendar days, when applicable, the employer must consider days, e.g., paid or unpaid, an employee is maintained on payroll for any part of a work week. Full-time public school teachers who have been maintained on payroll by a district for

180 consecutive calendar days are thereafter deemed to have been employed for an average of at least 25 hours per week during the 180 days immediately preceding the start date of the OFLA leave. This provision is eligible for rebuttal if for example, the employee was on a nonpaid sabbatical.

In determining average workweek, the employer must count the actual hours worked using the Fair Labor Standards Act (FLSA) guidelines.

Qualifying Reason

Eligible employees may access FMLA leave for the following reasons:

1. Serious health condition of the employee or the employee's covered family member:
 - a. Inpatient care;
 - b. Continuing treatment;
 - c. Chronic conditions;
 - d. Permanent, long-term or terminal conditions;
 - e. Multiple treatments;
 - f. Pregnancy and prenatal care.
2. Parental leave¹ (separate from eligible leave as a result of a child's serious health condition):
 - a. Bonding with and the care for the employee's newborn (within 12 months following birth);
 - b. Bonding with and the care for a newly adopted or newly placed foster child under the age of 18 (within 12 months of placement);
 - c. Care for a newly adopted or newly placed foster child over 18 years of age who is incapable of self-care because of a physical or mental impairment (within 12 months of placement);
 - d. Time to effectuate the legal process required for placement of a foster child or the adoption of a child.
3. Military Caregiver Leave: leave for the care for spouse, son, daughter or next-of-kin who is a covered servicemember/veteran with a serious injury or illness;
4. Qualifying Exigency Leave: leave arising out of the foreign deployment of the employee's spouse, son, daughter or parent.

Eligible employees may access OFLA for the following reasons:

1. Pregnancy disability leave (up to 12 weeks)
2. Parental leave
 - a. Time to effectuate the legal process required for placement of a foster child or the adoption of a child. *OFLA provides 2 weeks

¹ Parental leave must be taken in one continuous block of time within 12 months of the triggering event.

3. Sick Child Leave: leave for non-serious health conditions of the employee’s child. For OFLA, sick child leave includes absence to care for an employee’s child whose school or child care provider has been closed² in conjunction with a statewide public health emergency declared by a public health official.³
4. Bereavement Leave: leave related to the death of a covered family member.⁴
5. Eligible employees may access OMFLA for the purpose of spending time with a spouse or same-gender domestic partner who is in the military and has been notified of an impending call or order to active duty, or who has been deployed during a period of military conflict.
6. The eligibility of an employee who takes multiple leaves for different qualified reasons during the same district designated leave period may be reconfirmed at the start of each qualified leave requested.

Definitions

1. Family member:
 - a. For the purposes of FMLA, “family member” means:
 - (1) Spouse⁵;
 - (2) Parent;
 - (3) Child; or
 - (4) Persons who are “in loco parentis”.
 - b. For the purposes of OFLA, “family member” means:
 - (1) Spouse;
 - (2) Registered, same-gender domestic partner;
 - (3) Parent;
 - (4) Parent-in-law;
 - (5) Parent of employee’s registered, same-gender domestic partner;

² “Closure” for the purpose of sick child leave during a statewide public health emergency declared by a public health official means a closure that is ongoing, intermittent, or recurring and restricts physical access to the child’s school or child care provider. OAR 839-009-0210(4).

³ The district may request verification of the need for sick child leave due to a closure during a statewide emergency. Verification may include:

1. The name of the child being cared for;
2. The name of the school or child care provider that has closed or become unavailable; and
3. A statement from the employee that no other family member of the child is willing and able to care for the child. With the care of a child older than 14, a statement that special circumstances exist requiring the employee to provide care to the child during daylight hours.

⁴ Bereavement leave under OFLA must be completed within 60 days of when the employee received notice of the death.

⁵ “Spouse” means individuals in a marriage, including “common law” marriage and same-sex marriage. For OFLA, spouse also includes same-sex individuals with a Certificate of Registered Domestic Partnership.

- (6) Child;
- (7) Child of employee's registered, same-gender domestic partner;
- (8) Grandchild;
- (9) Grandparent; or
- (10) Persons who are "in loco parentis".

2. Child:

- a. For the purposes of FMLA, "child" means a biological, adopted or foster child, a stepchild, a legal ward or a child of a person standing "in loco parentis", who is either under the age of 18, or who is 18 years of age or older and who is incapable of self-care because of a physical or mental impairment.
- b. For the purposes of Military Caregiver Leave and Qualifying Exigency Leave under FMLA, "child" means the employee's son or daughter on covered active duty regardless of that child's age.
- c. For the purposes of OFLA, "child" means a biological, adopted, foster child or stepchild of the employee, the child of the employee's same-gender domestic partner, or a child with whom the employee is or was in a relationship of "in loco parentis".
- d. For the purposes of parental and sick child leave under OFLA, the child must be under the age of 18 or an adult dependent child substantially limited by a physical or mental impairment.

3. In loco parentis:

- a. For the purposes of FMLA, "in loco parentis" means persons with day-to-day responsibility to care for and financially support a child, or, in the case of an employee, who had such responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.
- b. For the purposes of OFLA, "in loco parentis" means person in the place of the parent having financial or day-to-day responsibility for the care of a child. A legal or biological relationship is not required.

4. Next of kin:

For the purposes of FMLA and Military Caregiver Leave under FMLA, "next of kin" means the nearest blood relative other than the servicemember's spouse, parent, son or daughter in the following order of priority (unless otherwise designated in writing by the servicemember):

- a. Blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions;
- b. Brothers or sisters;
- c. Grandparents;
- d. Aunts and uncles; and
- e. First cousins.

5. Covered servicemembers:

For the purposes of Military Caregiver Leave under FMLA, "covered servicemember" means a current member of the Armed Forces, including a member of the National Guard or Reserves, who is

receiving medical treatment, recuperation or therapy, or is in outpatient status, or is on the temporary disability retire list for a serious injury or illness.

6. Covered veteran:

For the purposes of Military Caregiver Leave under FMLA, “covered veteran” means a veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness provided they were:

- a. A member of the Armed Forces (including a member of the National Guard or Reserves);
- b. Discharged or released under conditions other than dishonorable; and
- c. Discharged within the five-year period before the eligible employee first takes FMLA, Military Caregiver Leave.

Leave Period

For the purposes of calculating an employee’s leave period, the district will use a “rolling” 12-month period measured backward from the date the employee uses any family and medical leave. The same method for calculating the 12-month period for FMLA and OFLA leave entitlement shall be used for all employees. However, in all instances, the leave period for the purposes of OMFLA and Military Caregiver Leave under FMLA shall be dependent on the start of any such leave regardless of the district’s designated 12-month leave period described above.

Leave Duration

For the purposes of FMLA, an eligible employee is generally entitled to a total of 12 weeks of qualified leave during the district’s designated leave period⁶. Spouses who work for the district may be limited to a combined 12 weeks of FMLA leave during the district’s designated leave period when the purpose of the leave is for the birth of a child or to care for a child after birth, placement of an adopted or foster child or the care for an adopted or foster child after placement, or to care for the employee’s parent’s serious medical condition. Except in specific and unique instances, all qualified leave under FMLA counts toward an employee’s leave entitlement within the district’s designated leave period.

For the purposes of OFLA, an eligible employee is generally entitled to a total of 12 weeks of qualified leave during the district’s designated leave period. Unlike FMLA, OFLA does not combine the leave

⁶ An eligible employee taking Military Caregiver Leave under FMLA is entitled to up to 26 weeks of leave in the 12-month period beginning with the first day of such leave and regardless of any FMLA leave taken previously during the district’s leave period. However, once the 12-month period begins for the purposes of Military Caregiver Leave under FMLA, any subsequent FMLA qualified leave, regardless of reason for such leave, will count toward the employee’s 26-week entitlement under Military Caregiver Leave under FMLA.

entitlement for spouses working for the district. However, under OFLA, family members who work for the district may be restricted from taking concurrent OFLA qualified leave.⁷

For the purposes of OMFLA, an eligible employee is entitled to 14 days of leave per call or order to active duty or notification of a leave from deployment. When an employee also meets the eligibility requirements of OFLA, the duration of the OMFLA leave counts toward that employee's leave entitlement during the district's designated leave period.

Except as otherwise noted above, qualified leave under FMLA and OFLA for an eligible employee will run concurrently during the district's designated leave period.

For the purpose of tracking the number of leave hours an eligible employee is entitled and/or has used during each week of the employee's leave, leave entitlement is calculated by multiplying the number of hours the eligible employee normally works per week by 12. If an employee's schedule varies from week-to-week, a weekly average of the hours worked over the 12 weeks worked prior to the beginning of the leave period shall be used for calculating the employee's normal workweek. If an employee takes intermittent or reduced work schedule leave, only the actual number of hours of leave taken may be counted toward the 12 weeks of leave to which the employee is entitled.

Intermittent Leave

With the exception of parental leave which must be taken in one continuous block of time, an eligible employee is permitted under FMLA and OFLA to take intermittent leave for any qualifying reason.

Intermittent leave is taken in multiple blocks of time (i.e., hours, days, weeks, etc.) rather than in one continuous block of time and/or requires a modified or reduced work schedule. For OFLA this includes but not limited to sick child leave taken requiring an altered or reduced work schedule because the intermittent or recurring closure of a child's school or child care provider due to a statewide public health emergency declared by a public health official.

When an employee is eligible for OFLA leave, but not FMLA leave, the employer:

1. May allow an exempt employee, as defined by state and federal law, with accrued paid time off to take OFLA leave in blocks of less than a full day; but
2. May not reduce the salary of an employee who is taking intermittent leave when they do not have accrued paid leave available. To do so would result in the loss of exemption under state law.

An employee's FMLA and/or OFLA intermittent leave time is determined by calculating the difference between the employee's normal work schedule and the number of hours the employee actually works

⁷ Exceptions to the ability to require family members from taking OFLA qualified leave at different times are when 1) employee is caring for the other employee who has a serious medical condition; 2) one employee is caring for a child with a serious medical condition when the other employee is suffering a serious medical condition; 3) each family member is suffering a serious medical condition; 4) each family member wants to take Bereavement Leave under OFLA; and 5) the employer allows the family members to take concurrent leave.

during the leave period. The result of such calculation is credited against the eligible employee's leave entitlement.

Holidays or days in which the district is not in operation, are not counted against the eligible employee's intermittent OFLA leave period unless the employee was scheduled and expected to work on any such day.

Alternate Work Assignment

The district may transfer an employee recovering from a serious health condition to an alternate position which accommodates the serious health condition provided:

1. The employee accepts the position voluntarily and without coercion;
2. The transfer is temporary, lasts no longer than necessary and has equivalent pay and benefits;
3. The transfer is compliant with any applicable collective bargaining agreement;
4. The transfer is compliant with state and federal law, including but not limited to the protections provided for in FMLA and/or OFLA; and
5. The transfer is not used to discourage the employee from taking FMLA and/or OFLA leave for a serious health condition or to create a hardship for the employee.

The district may transfer an eligible employee who is on a foreseeable intermittent FMLA and/or OFLA leave to another position with the same or different duties to accommodate the leave, provided:

1. The employee accepts the transfer position voluntarily and without coercion;
2. The transfer is temporary, lasts no longer than necessary and has equivalent pay and benefits;
3. The transfer is compliant with any applicable collective bargaining agreements;
4. The transfer is compliant with state and federal law, including but not limited to the protections provided for in FMLA and/or OFLA;
5. The transfer to an alternate position is used only when there is no other reasonable option available that would allow the employee to use intermittent leave or reduced work schedule; and
6. The transfer is not used to discourage the employee from taking intermittent or reduced work schedule leave, or to create a hardship for the employee.

If an eligible employee is transferred to an alternative position, and as a result the employee works fewer hours than the employee was working in the original position, the employee's FMLA and/or OFLA leave time is determined by calculating the difference between the employee's normal work schedule and the number of hours the employee actually works during the leave period. The result of such calculation is credited against the eligible employee's leave entitlement.

When an employee is transferred to alternate position as described above but such transfer does not result in a reduced schedule, time worked in any such alternate position shall not be considered for the purpose of FMLA and/or OFLA leave. An employee working in an alternate position retains the right to return to the employee's original position unless all FMLA and/or OFLA leave taken in that leave year plus the period of time worked in the alternate position exceeds 12 weeks.

Special Rules for School Employees

For the purposes of FMLA, "school employee" means those whose principal function is to teach and instruct students in a class, a small group or an individual settlement. Athletic coaches, driving instructors and special education assistants, such as interpreters for the hearing impaired, are included in this definition. This definition does not apply to teacher assistants or aides, counselors, psychologist, curriculum specialists, cafeteria workers, maintenance workers or bus drivers.

For the purposes of OFLA, "school employee" means employees employed principally as instructors in public kindergartens, elementary schools, secondary schools or education service districts.

FMLA and/or OFLA leave that is taken for a period that ends with the school year and begins with the next semester is considered consecutive rather than intermittent. In any such situation, the eligible school employee will receive any benefits during the break period that employees would normally receive if they had been working at the end of the school year.

1. Foreseeable Intermittent Leave Exceeding 20 Percent of Working Days

When the qualified leave is foreseeable, will encompass more than 20 percent of the eligible school employee's regular work schedule during the leave period, and the purpose of such leave is to care for a family member with a serious medical condition, for a servicemember with a serious medical condition or because of the employee's own serious medical condition, the district may require the eligible school employee to:

- a. Take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
- b. Temporarily transfer the eligible school employee to an alternate position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave than the employee's original position.

2. Limitation on Leave Near the End of the School Year

When an eligible school employee requests leave near the end of the school year, the district may require the following:

- a. When the qualified leave begins more than five weeks before the end of the school year:
 - (1) For the purposes of FMLA leave, the eligible school employee may be required to continue taking leave until the end of the school year provided:

- (a) The leave will last at least three weeks; and
 - (b) The employee would return to work during the three-week period before the end of the term.
- (2) For the purposes of OFLA leave, if the reason for the leave is because of the eligible school employee's own serious health condition, the eligible school employee may be required to remain in leave until the end of the school year, provided:
 - (a) The leave will last at least three weeks; and
 - (b) The employee's return to work would occur within three weeks of the end of the school year.
- b. For the purposes of FMLA and/or OFLA leave, when the qualified leave begins within five weeks of the end of the school year and the purpose of such leave is parental leave, for the serious health condition of a family member or for the serious health condition of a servicemember, the eligible school employee may be required to remain on leave until the end of the school year provided:
 - (1) The leave will last more than two weeks; and
 - (2) The employee would return to work during the two-week period before the end of the school year.
- c. For the purposes of FMLA and/or OFLA leave, when the qualified leave begins within three weeks of the end of the school year and the purpose of such leave is parental leave, for the serious health condition of a family member or for the serious health condition of a servicemember, the eligible school employee may be required to remain on leave until the end of the school year provided the length of the leave will last more than five working days.

If the district requires an eligible school employee to remain on leave until the end of the school year as described above, additional leave required by the employer until the end of the school year shall not count against the eligible school employee's leave entitlement.

Paid/Unpaid Leave

FMLA and OFLA do not require the district to pay an eligible employee who is on a qualified leave. Subject to any related provisions in any applicable collective bargaining agreement, the district requires the eligible employee to use any available accrued sick leave, vacation or personal leave days (or other available paid time established by Board policy(ies) and/or collective bargaining agreement) in the order specified by the district and before taking FMLA and/or OFLA leave without pay during the leave period.

The district will notify the eligible employee that the requested leave has been designated as FMLA and/or OFLA leave and, if required by the district, that available accrued paid leave shall be used during the leave period. In the event the district is aware of an OFLA or FMLA qualifying exigency, the district shall notify the eligible employee of its intent to designate the leave as such regardless of whether a request has been made by the eligible employee. Such notification will be given to the eligible employee prior to the commencement of the leave or within two working days of the employee's notice of an unanticipated or emergency leave, whichever is sooner.

When the district does not have sufficient information to make a determination of whether the leave qualifies as FMLA or OFLA leave, the district will provide the required notice promptly when the information is available but no later than two working days after the district has received the information. Oral notices will be confirmed in writing no later than the following payday. If the payday is less than one week after the oral notice is given, written notice will be provided no later than the subsequent payday.

Eligible employees who request OMFLA leave shall not be required to use any available accrued paid time off during the OMFLA leave period.

Benefits and Insurance

When an eligible employee returns to work following a FMLA or OFLA qualified leave, the employee must be reinstated to the same position the employee held when the leave commenced, or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

During an OFLA qualified leave an eligible employee does not accrue seniority or other benefits that would have accrued while the employee was working. The eligible employee is also subject to layoff to the same extent similarly situated employees not taking OFLA leave are subject unless the terms of an applicable collective bargaining agreement, other agreement or the district's policies provide otherwise.

For the purposes of FMLA and OFLA, the district will continue to pay the employer portion of the eligible employee's group health insurance contribution (if applicable) during the qualified leave period. The eligible employee is required to pay the employee portion of any such group health insurance contribution as a condition of continued coverage.

For the purposes of FMLA qualified leave, the district's obligation to maintain the employee's group health insurance coverage will cease if the employee's contribution is remitted more than 30 calendar days late. The district will provide written notice that the premium payment is more than 30 calendar days late. Such notice will be provided within 15 calendar days before coverage is to cease.

For the purposes of OMFLA, the eligible employee is entitled to a continuation of benefits.

Fitness-for-Duty Certification

Prior to the reinstatement of an employee following a leave which was the result of the employee's own serious health condition, the district may require the employee to obtain and present a Fitness-for-Duty Certification. The certification will specifically address the employee's ability to perform the essential functions of the employee's job as they relate to the health condition that was the reason for the leave. If the district is going to require a fitness-for-duty certification upon return to work, the district must notify the employee of such requirement when the leave is designated as FMLA and/or OFLA leave. Failure to provide the certification may result in a delay or denial of reinstatement.

For the purposes of FMLA qualified leave, any costs associated with obtaining the fitness-for-duty certification shall be borne by the employee.

For the purposes of OFLA qualified leave, any out-of-pocket costs associated with obtaining the fitness-for-duty certification shall be borne by the district.

If the leave is qualified under both FMLA and OFLA, any out-of-pocket costs associated with obtaining the fitness-for-duty certification shall be borne by the district.

Application

Under federal and state law, an eligible employee requesting FMLA and/or OFLA leave shall provide at least 30 days' notice prior to the leave date if the leave is foreseeable. The notice shall be written and include the anticipated start date, duration and reasons for the requested leave. When appropriate, the eligible employee must make a reasonable effort to schedule treatment, including intermittent leave and reduced leave, so as not to unduly disrupt the operation of the district.

The district may request additional information to determine that the requested leave qualifies as FMLA and/or OFLA leave. The district may designate the employee as provisionally on FMLA and/or OFLA leave until sufficient information is received to properly make a determination. An eligible employee able to give advance notice of the need to take FMLA and/or OFLA leave must follow the employer's known, reasonable and customary procedures for requesting any kind of leave.

For the purposes of FMLA, if advance notice is not possible, an employee eligible for FMLA leave must provide notice as soon as practicable. "As soon as practicable," for the purpose of FMLA leave, means the employee must comply with the employer's normal call-in procedures except in limited and under unique circumstances. Failure of an employee to provide the required notice for FMLA leave may result in the district delaying the employee's leave up to 30 days after the notice is ultimately given.

For the purposes of OFLA, an eligible employee is required to provide oral or written notice within 24 hours of commencement of the leave in unanticipated or emergency leave situations. The employee may designate a family member or friend to notify the district during that period of time. Failure of an employee to provide the required notice for leave covered by OFLA may result in the district deducting up to three weeks from the employee's unused OFLA leave in that one-year leave period. The employee may be subject to disciplinary action for not following the district's notice procedures.

When an employee fails to give advance notice for both the FMLA and OFLA above, the district must choose the remedy that is most advantageous to the employee.

In all cases, proper documentation must be submitted no later than three working days following the employee's return to work.

Medical Certification

The district shall require an eligible employee to provide medical documentation, when appropriate, to support the stated reason for such leave. The district will provide written notification to an employee of this requirement within five working days of the employee's request for leave. If the employee provides less than 30 days' notice, the employee is required to submit such medical certification no later than 15 calendar days after receipt of the district's notification that medical certification is required.

The district may request re-certification of a condition when the minimum duration of a certification expires if continued leave is requested. If the certification does not indicate a duration or indicates that it is ongoing, the district may request re-certification at least every six months in connection with an absence.

Under federal law, a second medical opinion may be required whenever the district has reason to doubt the validity of the initial medical opinion. The health care provider may be selected by the district. The provider shall not be employed by the district on a regular basis. Should the first and second medical certifications differ, a third opinion may be required. The district and the employee will mutually agree on the selection of the health care provider for a third medical certification. The third opinion will be final. Second and third opinions and the actual travel expenses for an employee to obtain such opinions will be paid for by the district.

Second and Third Opinions

1. For the purposes of FMLA, the district may designate a second health care provider, but that person cannot be utilized by the district on a regular basis except in rural areas where health care is extremely limited. If the opinions of the employee's and the district's designated health care provider(s) differ, the district may require a third opinion at the district's expense. The third health care provider must be designated or approved jointly by the employee and the district. This third opinion shall be final and binding.
2. For the purposes of OFLA, and except for leave related to sick child leave under OFLA, the district may require the employee to obtain a second opinion from a health care provider designated by the district. If the first and second verifications conflict, the employer may require the two health care providers to jointly designate a third health care provider for the purpose of providing a verification. This third verification shall be final and binding.

Notification

Any notice required by federal and state laws explaining employee rights and responsibilities will be posted in all staff rooms and the district office. Additional information may be obtained by contacting the superintendent.

Record Keeping/Posted Notice

The district will maintain all records as required by federal and state laws including dates leave is taken by employees, identified separately from other leave; hours/days of leave; copies of general and specific notices to employees, including Board policy(ies) and regulations; premium payments of employee health benefits while on leave and records of any disputes with employees regarding granting of leave.

Medical documentation will be maintained separately from personnel files as confidential medical records.

The district will post notice of FMLA and OFLA leave requirements.

Federal vs. State Law

Both federal and state law contain provisions regarding leave for family illness. Federal regulations state an employer must comply with both laws; that the federal law does not supersede any provision of state law that provides greater family leave rights than those established pursuant to federal law; and that OFLA and FMLA leave entitlements run concurrently. State law requires that FMLA and OFLA leave entitlements run concurrently when possible.

For example, due to differences in regulations, an eligible employee who takes OFLA leave after 180 days of employment, but before they are eligible for FMLA leave, is still eligible to take a full 12 workweeks of FMLA leave after meeting FMLA's eligibility requirements. Thereafter, any eligible leave period will run concurrently, when appropriate.

TO BE DELETED

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness*.

***The FMLA definition of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".**

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing

treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.

For additional information:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627

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U.S. Department of Labor | Wage and Hour Division

Board Work Session
Monday, December 9, 2024 4:00 PM Pacific

BANKS HIGH SCHOOL CAFETERIA
13050 NW Main Street
Banks, Or 97116

Ron Frame: Present
Corissa Mazurkiewicz: Present
William Moore: Present
Leslee Sipp: Present
Daniel Strelbow: Present
Present: 5.

1. Preliminaries

1.1. Call to Order

1.2. Roll Call

1.3. Approval of Agenda

Approve agenda. This motion, made by Corissa Mazurkiewicz and seconded by Leslee Sipp, Carried.

Ron Frame: Yea, Corissa Mazurkiewicz: Yea, William Moore: Yea, Leslee Sipp: Yea, Daniel Strelbow: Yea

Yea: 5, Nay: 0

2. Discussion Items

Dr. Sica gave a brief overview of the night's agenda and handouts were shared.

2.1. Bond Update

2.1.1. Community Listening & Learning Report

Mark with BRIC Architecture was present to share the information and feedback that was gathered through the various bond-related forums and sessions that have been held. Eight feedback meetings have been held thus far and focus groups included members of community, staff, students and families.

Staff feedback highlights include:

- Current classrooms undersized
- Safety and Security concerns
- More areas for STEAM and CTE activities
- Outdated restrooms (difficult to monitor as well as access)
- Deficiencies in the Lifeskills classrooms

October 8th Community Forum highlights include:

- Safety & Security
- Buildings that hold up over time and are functional
- Finishing on time and on budget
- Buildings that community can be proud of
- Creating campus buildings
- Ensuring that the community and staff are involved in decision making.

October 165h Coffee Chat with Lifeskills Families:

- A building that is healthy and safe for all students
- Making sure all students needs are met by the building,
- A place that all students feel like they belong
- Parents and Specialists (OTs, PT's, etc) have the opportunity to review design
- Reflects community involvement
- Single occupant bathrooms
 - October 28th - Community Forum:
 - Safety & Security
 - Traffic Flow/Parking
 - On time and on budget
 - Budget over esthetics
 - Community informed and engaged
 - November 12th - Work Session
 - Reviewed plan and gained feedback from Board resulting in key questions for later review
 - November 14th - Multilingual Families Forum
 - Improvements in campus fields and sports facilities
 - Spaces for electives
 - Improved cafeteria areas
 - Traffic/Parking
 - Improved drop off/pick-up areas
 - November 19th - High School Leadership Class
 - Loved the open design & flex areas
 - Excited about the bus and parent drop off, exits, locker rooms
 - Liked the idea of more parking and new exit area through Wilkes
 - Current locker rooms are scary
 - Did not want classes in the District Office

Dr. Sica continued with details of the survey results.

2.1.2. Staff Survey Results

Dr. Sica shared the feedback from the Staff Survey that was conducted in which staff ranked the level of priority for each question. The full results and comments are available in the agenda packet.

Facilities and Structure Planning
 Budget and Resource Allocation
 Safety and transition logistics.

2.1.3. Bond Promise Concepts

Dr. Sica gave an overview of Concept 1 and Concept 2 and shared a presentation outlining the details, baseline budgets, pros and cons and scope of each concept. The full presentation is attached to this agenda.

2.1.4. Bond Oversight Committee Report

The Bond Oversight Committee (BOC) consists of about 12 people and is and Advisory Board is tasked with ensuring oversight for Bond planning prudency. The committee will reports back to the Board after each BOC meeting.

- The committee is concerned about the timeline of the project and has asked for a XXX monitoring tool XXX, but feels like everything is moving along well.
- Appreciates the work being done to consider all the options as it relates to the District Administration Building
- Option 2 does seem like it would involve substantial costs and there are concerns it may be counter-productive.

There does seem to be two approaches - cost and net outcome. The committee will meet next month.

2.1.5. Board Discussion

The Board has submitted questions which have been assigned to a member of the Bond Planning team. There will be 1 (possibly 2) FAQ documents to share with the Board.

- Board members shared final thoughts as the meeting closed.
- Discussion among Board members. Highlights include:
Mark shared his thoughts about the discussion points made by the Board members.

Some additional discussion of the Auxillary gym placement took place.

3. Adjourn

Meeting adjourned at 5:41 pm.



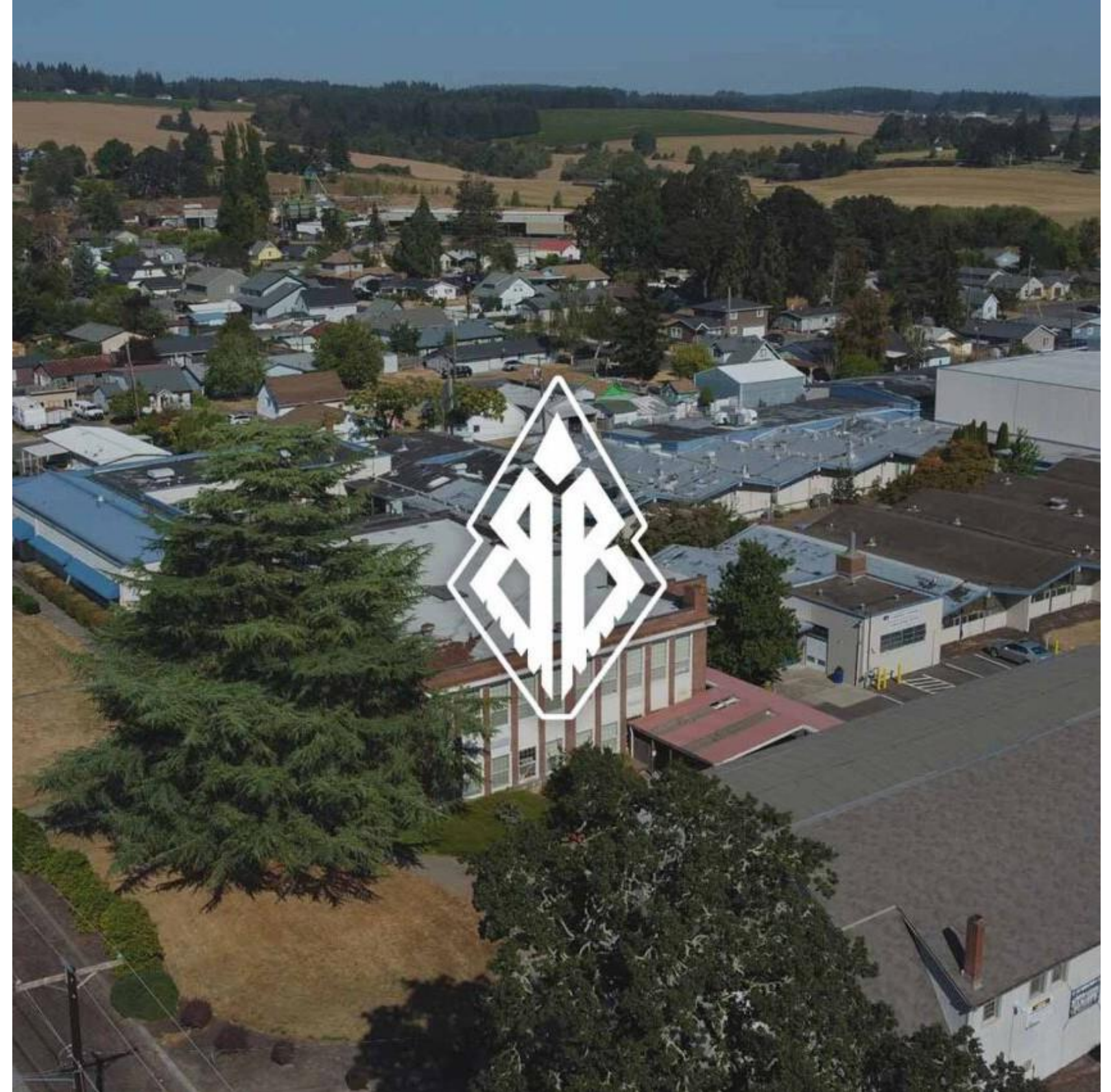
Banks School District

Campus Planning

Listening and Learning Report

Sessions Conducted

- **Sep. 18** – Banks High School Staff Focus Groups #1 (programming)
- **Sep. 19** – Banks High School Staff Focus Groups #2 (programming)
- **Oct. 8** – Banks School District Community Forum #1
- **Oct. 15** – Banks School District Special Education Families
- **Oct. 28** – Banks School District Community Forum #2
- **Nov. 12** – Banks School Board Work Session
- **Nov. 14** – Banks School District Multilingual Families
- **Nov. 19** – Banks High School Leadership Class



Sep. 18/19 – Banks High School Staff Focus Group

KEY THEMES

- Many more facilities needs than can be addressed under the current bond scope. Much of what was discussed will need to be addressed as part of long-term campus master plan.
- Current classrooms are undersized; larger classrooms are desired to accommodate range of class sizes, different teaching/ learning approaches, and flexible room configurations.
- Notable safety and security concerns around the lack of a single main entry or secure vestibule and porous building that is difficult to supervise. Strong need for main office to be placed adjacent to main entry.
- Locker rooms are very outdated with major ventilation issues and significant Title IX concerns. Only one team room is present (boys' side).



Sep. 18/19 – Banks High School Staff Focus Group (Cont'd)

KEY THEMES

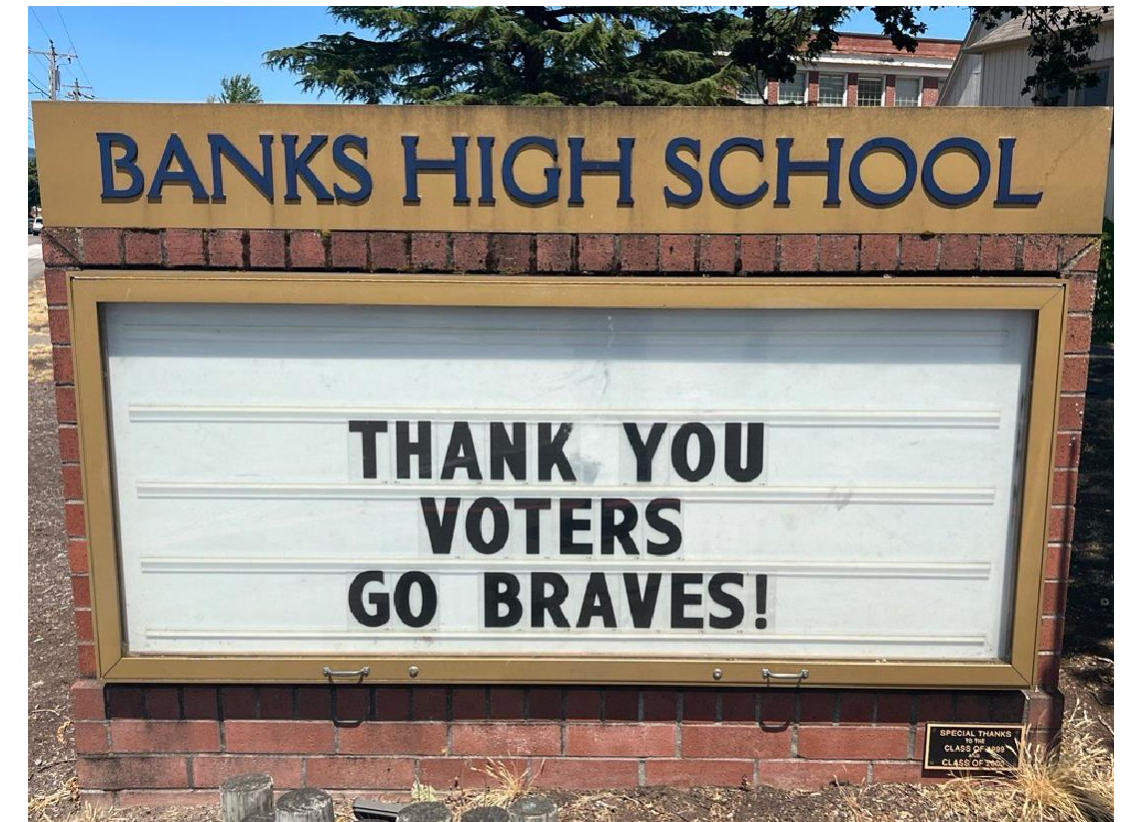
- Need for more purposely designed spaces to support STEAM and CTE activities.
- Lack of spaces for students to congregate informally.
- Outdated restrooms with solid doors difficult to monitor and not ADA accessible.
- Life skills classroom is in a small general classroom without an ADA restroom, sensory room, or sufficient space to support different activity zones or the program's student-run coffee business.
- District office needs center mostly around providing sufficient offices / workstations and a conference room. Dedicated space for School Board Meetings is not necessary (can be held in new BHS Library).



Oct. 8 – Banks School District Community Forum #1

KEY THEMES

- Safety... Safety... Safety and Security and a healthy, modern school were the top priorities.
- Buildings that hold up over time and are functional.
- Finishing on time and on budget stretching taxpayer dollars are far as possible.
- Creating a campus and buildings that the students and town can be proud of.
- Ensure there is community and staff involvement in decision making.



Oct. 15 – Banks School District Special Education Families

KEY THEMES

- A new building that is healthy, safe and updated for all students.
- A school building that represents the needs that students, staff, and community members have expressed.
- Parents and specialists like PT, OT, Speech pathology, and vision have an opportunity to weigh in on design needs to support all students (community involvement).
- Design that reflects that all students are valued...those with special needs, in the arts, etc...
- More single occupant bathrooms.



Oct. 28 – Banks School District Community Forum #2

KEY THEMES

- Safety was a huge priority...#1 by a long way (particularly at ES, fencing / entrance).
- Fixing the traffic flow and parking issues at MS/HS.
- Ensure that it is completed on time and on budget... budget over aesthetics.
- Keep the community informed and real engagement with the community.
- Facilities that offer the best settings for learning and growth.



Nov. 12 – Banks School Board Work Session

KEY THEMES

- Appreciate the development of two master plan options.
- Questions about open areas and the use of space.
- Questions about whether CTE and SPED classrooms could be relocated to the old District Office Building or old Art room
- Questions about ROM pricing for two scenarios.
- Would like square footages and other details to be accurate to spaces.
- Conflicting viewpoints on how to utilize the district office if it is kept (renovate or preserve).



Nov. 14 – Banks School District Multilingual Families

KEY THEMES

- The biggest challenges faced are language, their inability to assist their students with their homework, bullying of their children, concern about clearer paths defined for their children beyond high school and the financial ability to support them.
- Magali Benson (Student & Family Engagement Manager) has been an invaluable resource to these families and they are grateful to have her to work with.
- They would like to see improvements to campus fields and sports facilities, spaces for electives, and larger cafeterias.
- They have concerns about the safety of pick up and drop off at the HS/MS site.
- Exposure to opportunities for college, CTE, and other options need to be available earlier and it would be great if families could have resources in Spanish to understand these opportunities.



Nov. 19 – Banks High School Leadership Class

KEY THEMES

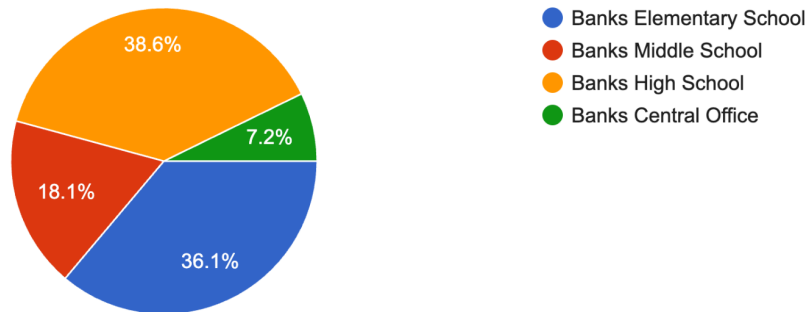
- Love the open design with places for students to gather and sit (flex areas, open stairs).
- Excited about separating buses, parent drop-off/pick-up, and students.
- Like the back entrance/exit of Wilkes for students.
- Excited about remodeled locker rooms.
- Like more parking for students and everyone.
- Do not want classes out in the district office if the building is kept.



Thank You

What is your primary work location

83 responses

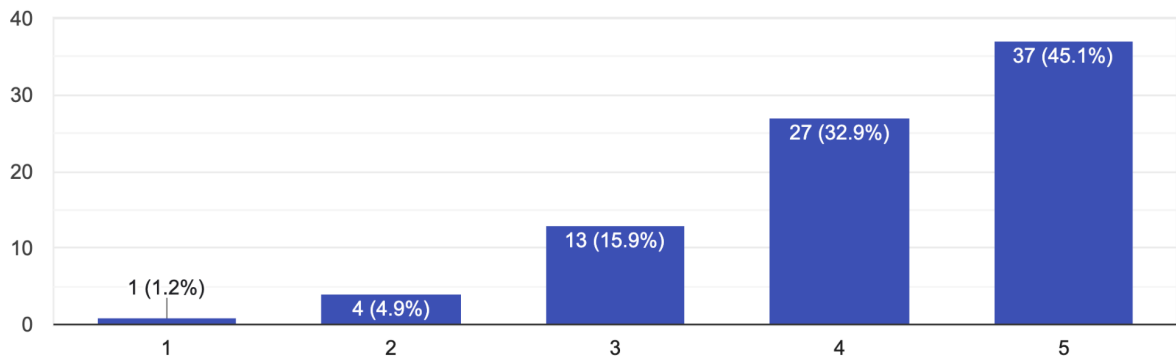


The following instructions were given (both verbally and in writing) for staff to respond to each of the prompts below:

Use the following scale when answering questions in section one: (1 Star = No Priority Should Be Given, 2 Star = Low Priority should be given, 3 Star = Neutral, 4 star some priority, 5 star - = high priority. Please note, you can assign the same value to multiple questions (e.g. multiple topics can be "high priority")

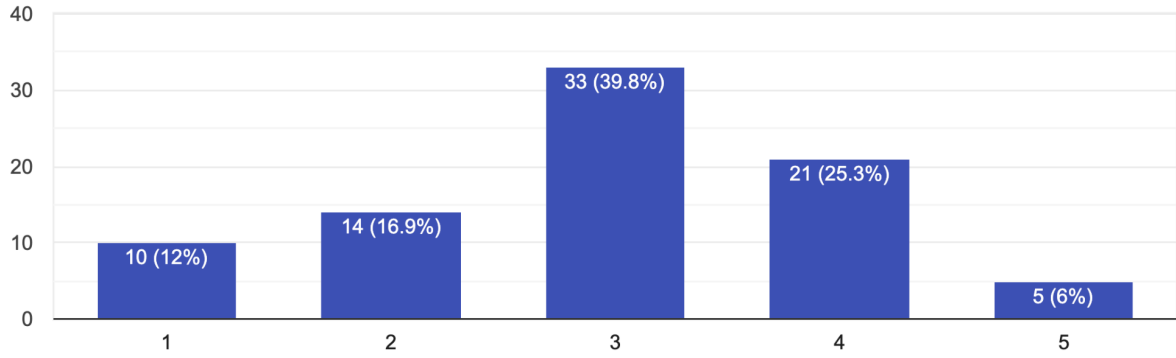
Maximizing the size of individual classrooms

82 responses



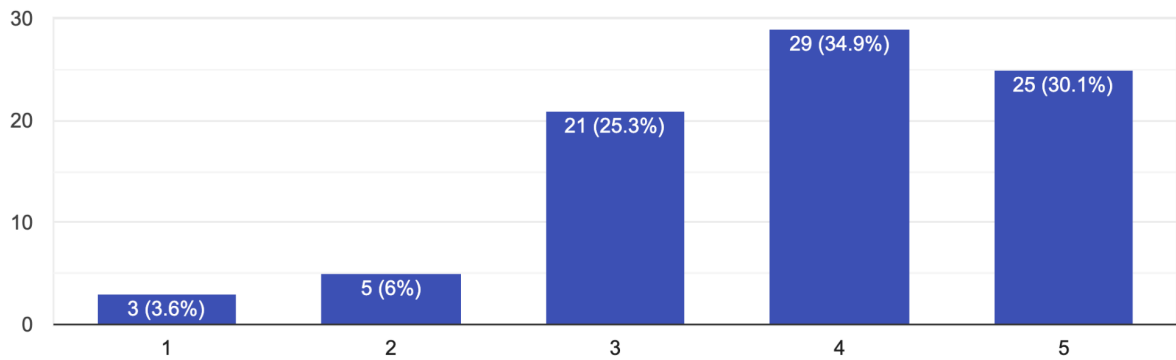
Increasing the amount of flexible learning space (unassigned areas usually in a hallway or common area)

83 responses



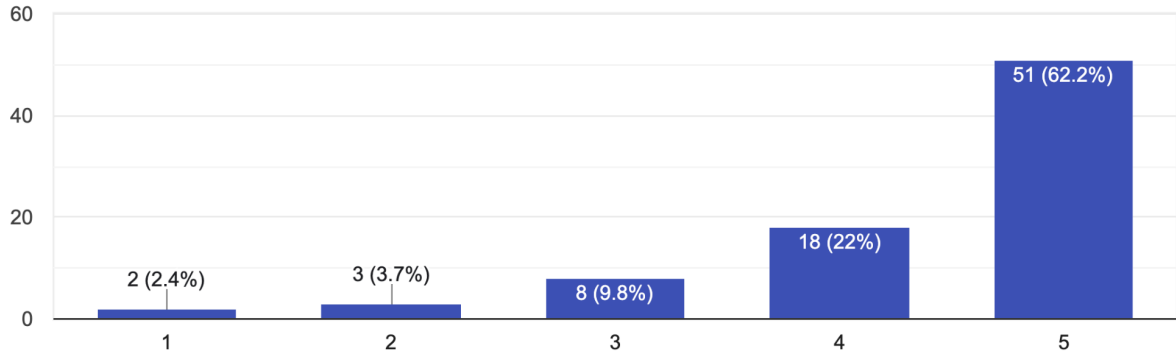
Completing as many projects on the differed maintenance list as possible.

83 responses



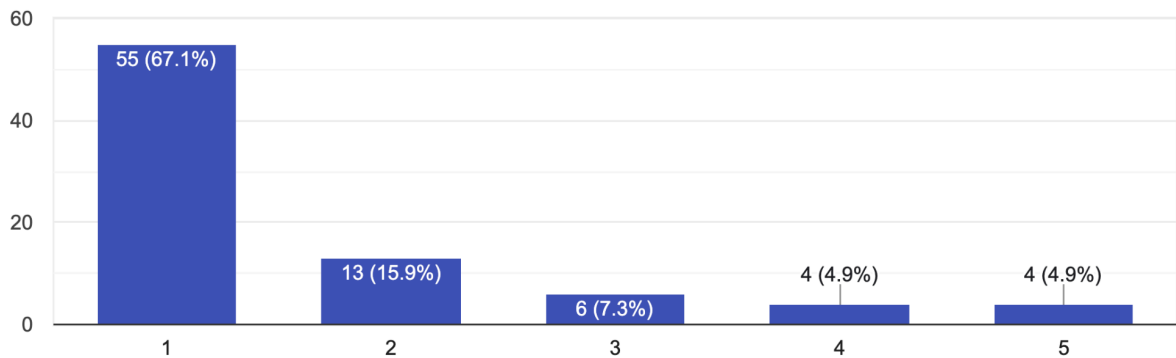
Increasing our ability to control access to our campus. (e.g. use of secure vestibules and automated door locks, etc)

82 responses



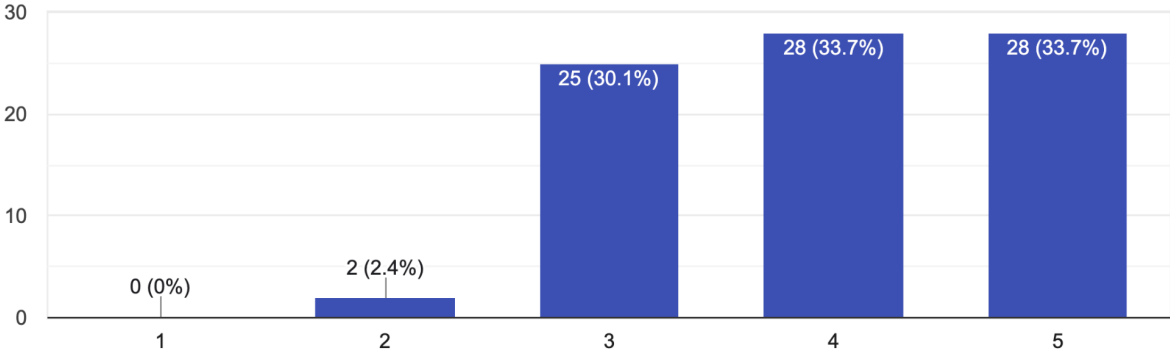
Restore the existing District Office building to be used as part of the high school.

82 responses



Improve the campus circulation for drop off and pick up (both cars and busses)

83 responses



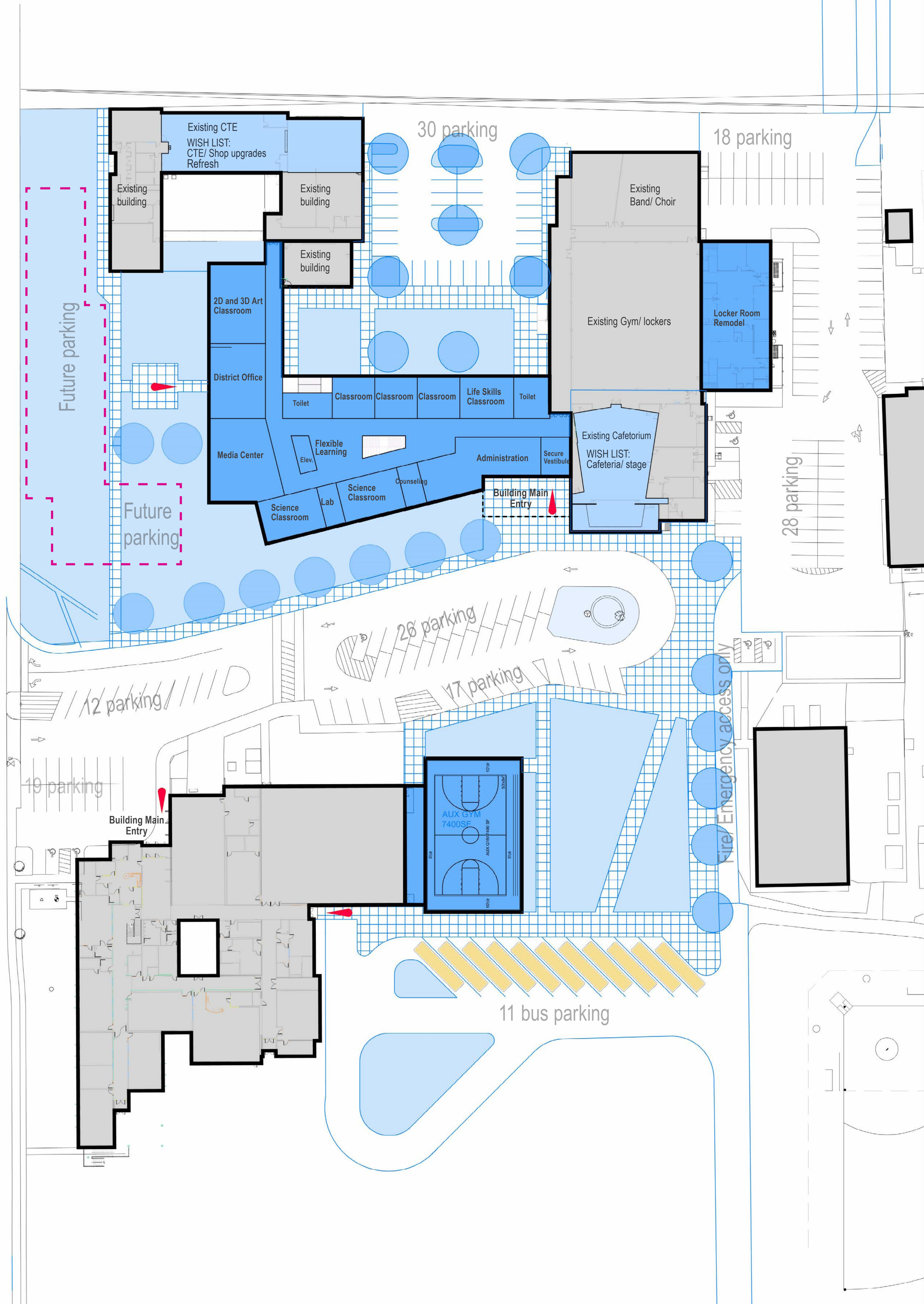
(Prompt) What questions do you have?	(Prompt) What further comments would you like to share?
Are there estimates currently for student enrollment growth over the next 10-20 years?	An idea I have would be to use the bricks from the District Office (when the take it down) to make a feature wall in the new High School.
Are we going to have a place that is permanently set up to have staff and board meetings? Such as a place with a projector / TV's, audio, etc.	As much as I would like to keep the district office building for its historical value, it is not safe and it is unfair to our students to direct our funding towards that over giving them a safe, secure and proper learning environment. Let's save what we can of the building, such as the mural, to use in other places. But we should not be trying to save buildings purely because they are old. The purpose of public schools is to serve the children of the community and provide them with an education, not to be a historical society. The kids are the future of this community. I don't want to see them negatively impacted because we chose to save an old building instead of keeping them safe and giving them the best environment we can for learning. We need to prioritize people, not buildings.
Are you going to try to save any of the old buildings? I know some of the public was talking about wanting to save some. I personally don't think we should spend any money on restoring any of the old buildings. (Possibly save some bricks, or make some "memorial" out of something)	Be prepared to explain to voters an deviation from the objectives presented in voting pamphlet that the people voted for.
How can we make sure we stay on timeline and budget!	Can we just save a brick from the Admin Building or make a plaque in its honor, and move on with the demolition?
How does the board justify spending bond money on the District Office when no such improvements/restoration measures are mentioned no where on the voters pamphlet and can not be indicated that the voters consented to such a expenditure?	I feel it does a disservice to our staff and students to spend a large portion of our budget saving a building that isn't connected to the learning environment we are hoping to build.
HS classroom sizes vs. adding more classrooms - As our district potentially grows, would the goal be to add more classrooms to allow for more class offerings (requiring more classrooms and therefore teachers) or would the plan be to increase class sizes (requiring larger classrooms)?	I have often been an advocate of preserving historical structures, and while I appreciate the conviction of those wanting to restore the district office building, I don't think it is in the best interest of our students. The money that would be spent to restore this building is money taken away from practical and higher priority needs of this district such as usable space, classroom sizes, technology and safety upgrades to name a few. The cost of saving this particular building has a detrimental effect on too many people, and would not exhibit a wise stewardship of the funds provided by the taxpayers.
I couldn't quite see this on the graphic: Will the existing band and choir rooms be remodeled or rebuilt as part of the new 2-story building?	<p>I think it would be a waist of tax payer money to renovate/redo the district office. Tax payers are expecting a new HS not a renovation project that costs a ton of money and takes away from hallway space and most importantly classroom space!</p> <p>I can understand the sentimental piece to the equation however we must realize that a lot of our kids are not long time Banks families and that connection is not there! Also, if we are looking into the future, the incoming families will not have any connection to the DO building. Sure some may but a majority of families moving into our new homes will not be long time residents.</p> <p>I think it is best for our students, community, tax payers and teachers to destroy the DO and create larger classrooms and maximize our new space.</p>
I don't have any at this time.	I want to just reiterate the need for prioritizing separate classroom spaces within the special education classroom at the high school (similar to how we currently have it). Every other week we have at least 4-5 classes out here testing at the same time, during the same class periods on the same days...with not enough available space to provide the necessary legal accommodations written in the IEP. This often leads to crowding, sharing spaces with other small groups that are testing,etc. These spaces are necessary and imperative for providing these accommodations along with safe spaces for students with social emotional/behavioral difficulties to decompress when needed. Just wanted to keep this on our radar. Thank you for all you do!!

<p>I don't have any questions. Thank you for the update.</p>	<p>I was on the design committee for the MS - my biggest regret is not getting a staff restroom upstairs. The student restroom design upstairs, with the shared sink area and no outside door, has worked really, really well. The interior stairway needs to be wide enough to accommodate the huge flow of students during passing time (ours is too narrow). The science room design with half lab space/half classroom would have been a great idea IF it had been a much larger room. As is, neither space is big enough for the intended purpose. Our architects didn't think we needed space for lockers - they thought everything education would be digital so no lockers needed (because who needs a coat/lunch/etc.?). That's why our hallway is narrower than it should have been. Little details need multiple reviews.</p>
<p>I would like more information about the flexible learning areas. What are some examples of how this would be used? What supervision would be given in these spaces?</p>	<p>I would just like to make sure that when safety/security is discussed, that it will also include the areas that are not being replaced: SPED, CTE, Music, etc. Currently, some of those areas are kind of on an island by themselves, and partially due to that, and partially due to the current condition of those facilities are currently the least secure in probably the whole district.</p>
<p>If no additional classrooms are being built for the new high school, how are we planning for increased enrollment? Is it possible to put the new admin. building off campus? Other surrounding district admin. building are not on a school campus.</p>	<p>I would love to save the district office, however I feel the cost of it just would take away a lot of money that is needed for the new school. It would be nice to maybe use the bricks if possible, for a courtyard or using old photos to show the history of the school, something to keep the feel of our small community</p>
<p>In the long-term plan it shows an increased number of access points directly to Main Street/Highway 47. This increases the number of conflict zones between pedestrians and vehicles and gives pedestrians and drivers many more moving targets to keep track of. How does this in any way improve safety and traffic flow? This is the main walkway between the old part of Banks and the schools, and is also the main walkway between buildings. We need to reduce, not increase the number of conflict zones and improve the lines-of-sight for drivers. We already have incredibly dangerous traffic flow patterns. Why are we planning on spending money to make it worse?</p>	<p>I would not waste money on the old District Bldg anymore. It has served it's purpose and it's time is up.</p>
<p>Is it more cost effective to demolish the district office or to restore it? If it's considered a historical site can funding to save it come from elsewhere?</p>	<p>I'm confused as to why this district would consider devoting so much money (who knows truly how much it would be) to a facility that does not function well (Admin office building)? When the voters in this community voted for the bond, did they in fact vote on keeping the admin building? Was this a part of the plan originally? I don't remember that being the case? Regardless, if we keep that old rundown building, it sounds like we will be cutting down the HS, and some of the additional needs that this district desperately needs. Someone on the board needs to make sense of the reasoning behind this. With the potential cut being the aux gym to keep the admin building, there is no possible way this district can function with just two gyms between the HS and MS. Not for classes nor for extracurricular activities. It's truly incredible this is even being considered and it sounds like it is slowing down the plans for the new state of the art building and set up, that our kids and teachers/coaches deserve! I was hopeful the Barn would be demolished late spring and a new aux gym be in it's place by winter time of next school year. Teaching in that cramped building, with no bathrooms, no drinking fountain, and no heat has been a challenge to say the least. Running a practice in there for our kids is just as difficult.</p> <p>Bottom line, I truly hope the committee puts this nonsense of toying with the idea of wasting money on the admin building to bed, and we can plan for a proper building and facilities that the majority of this community wants!</p> <p>Thanks for listening.</p>

<p>Is there a working bathroom in the barn?</p>	<p>I'm not only an employee, but a community member who voted yes for the bond. I attended some of the pre bond meetings and in no way felt it was even an option to keep the district office. Besides a very small group trying to push to keep it, I truly believe the majority of the community didn't vote for that. We need to focus on the big picture and that's growth of our city. Limiting plans for all students for just a concept to keep the district office would not benefit or advance our space and would go against what the voters voted on. I would hope that the administration and our school board would fight to protect what is right for the whole district and that is to take the district office building down. We have limited space to work with and our duty is for the kids in the district to provide them with a safe and sizable learning space where we can protect them everyday when they come to learn. Use the bricks and wood from the building to enhance a plaza space with the history, but to keep something that isn't functional would not be in the best interest of our students. I hope the board comes to the same conclusion and votes to maximize the space for our future Braves.</p>
<p>N/A</p>	<p>If the board wants to save the district office, I encourage them to find different funding. The school district should not be responsible for historical preservation. Talk to the city or form a group or coalition to fund the saving of the district office.</p> <p>Please include more single room bathroom options. Please strategically place them so that "the bathroom is too far away" can't be an excuse for being tardy, and that staff have bathroom options in their limited opportunity. A staff bathroom on every floor, the middle school currently has no staff or single room bathroom options upstairs.</p> <p>Please include more visitor parking that is clearly labeled in the lot. The current spots are not labeled well and we need more of them. Any thoughts on a parking structure?</p> <p>Please ensure that the classrooms are large enough for when cuts inevitably happen in the future. I worry about class sizes creeping higher as enrollment increases, and state budget shifts happen. No one wants class sizes up in the 38-40 range, but it was our reality for many years. We still currently have study lab classes in that enrollment range.</p>
<p>none</p>	<p>It doesn't seem responsible to try to restore the existing admin. building. It's too old and costly to get it up to code. The money could be better spent to serve our students.</p>
<p>None</p>	<p>Listening to the voices of staff and teachers is crucial because we are on the front lines, understanding the needs of students and the challenges they face. Decisions about the bond should be student-focused, as this sets the foundation for better learning environments and outcomes. Let's hope the school board prioritizes the insights of district teachers, staff, and students for the benefit of everyone in the district!</p>
<p>None at this time</p>	<p>N/A</p>
<p>None at this time, thank you!</p>	<p>none</p>
<p>None right now, you were pretty thorough with where we are. I know so many things are in progress and will change.</p>	<p>None</p>
<p>The Cafeteria/stage need plumbing and electrical updates as well as added storage - where does this fall on the timeline/priority list?</p>	<p>Not follow other districts and spend so much money over budget. Keeping contractors responsible for mishaps.</p>
<p>what exactly is the purpose of flexible learning space? With our current vaping and behavior problems, these spaces could/would turn into spaces where nefarious activities happen unless supervised.</p>	<p>One permanent audio/video setup on each campus (in cafeteria, gym, library or similar large non-classroom space) would be great.</p> <p>In reviewing the wish list it would be great if we could (at least) add a permanent audio/video presentation area for Brd meetings/community meetings, etc (replacement for current Brd Room) in one of the schools.</p>
<p>What happens to the ES's HVAC and roof needs if the money runs out?</p>	<p>Prioritizing student learning spaces is essential for shaping the future of education. While restoration projects preserve heritage, investing in modern, forward-thinking environments directly supports student success and growth, ensuring spaces meet the needs of tomorrow's world.</p>

What is the plan for the mural in the district office currently? I am assuming that it is dependent on whether or not the district office is refurbished or torn down.	Thank you for all of your hard work with this process. I appreciate that even though you live in a different area, you are still taking into account all the emotions of people in the community that have been here for generations and making sure their voices are heard. Thank you!
When can we expect to learn about the plans for relocating teachers during the construction of the new high school?	Thank you for all your hard work on this project! We all appreciate you and the board keeping the kids and budget at the forefront of all the decisions.
When does the Barn go? We need that 3rd gym between the HS and MS for both PE classes and extracurricular activities. This is crucial to learning.	Thank you for the information and for all the work you all are doing.
When will the HS staff know the transition plans for classrooms while construction is underway?	Thank you so much for making us all part of the process, it really strengthens the team!
Why are we spending so much time and resources on the decision to keep or tear down the district office building, when those funds and efforts could be better directed toward priorities that directly impact student learning and our educational environment?	Thanks for all your hard work!
Will the High School staff be teaching in portables for the completion of the project? Is there a way to incorporate parts of the district office into the new buildings?	The community wants the DO saved. They are paying a lot of money for this project. I think it should be a priority.
	The district office must go
	The District office needs to be torn down, not restored and we need to utilize the space.
	The effort to "save" the District Office at the expense of ANYTHING else is unbelievably offensive to me as a parent and as a staff member. Our legacy is in our students, not in our buildings. To devote any resources to this effort while staff and students are working in dangerously substandard facilities is a moral failing on the part of District Leadership.
	The old high school building is beautiful and of course sentimental but I really think the priority needs to be in providing the best possible facilities for the current and future students of Banks. That building was made for a different time and would need too much renovation and up keep to make it worth saving.
	The priority needs to be replacing the current high school built in 1958. Heating not working, roofs leaking, classrooms are not functional. We should not consider spending any additional money on Admin building.
	The students, and meeting their needs for learning, should be our priority, not historical preservation that takes away from our student's experience and safety. We have critical maintenance, security and safety needs, as well as aspirations to make our new high school the best it can be to serve our students. Smaller classrooms and hallways would negatively affect teaching and learning, and would be a huge sacrifice for a historical building. It just doesn't feel right to take away from our student's safety and experience for the sake of historical building. We can save the mural and other historical elements of the building without saving the entire building. Additionally, if saving the district office jeopardizes the auxilliary gym, we are setting ourselves up for a serious lack of gym space that would affect both the middle school's ability to have enough PE classes as well as community use of the gym that is in high demand.
	We don't need "collaborative" hallway space; we need wider hallways and more toilets.
	Whatever the district does, don't cut any corners just to have something. Do it the right way or not at all please.
	With the push for increased PE minutes in the last few years- safe gym space is vital! The historical value of the admin building does not outweigh the safety needs of current and future students, visiting athletes, and other events hosted by our district. PE is a considered a core class for all BMS students- the conditions of the barn for a teaching space would not be adequate for any other core class. The Banks community has long history of valuing athletics, health and activities for its students- safe gym space will demonstrate that.

Wow! I had no idea how complex this all is. Appreciate the update!



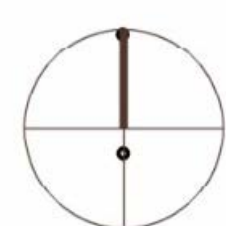
Building - 1st Level



Building - 2nd Level

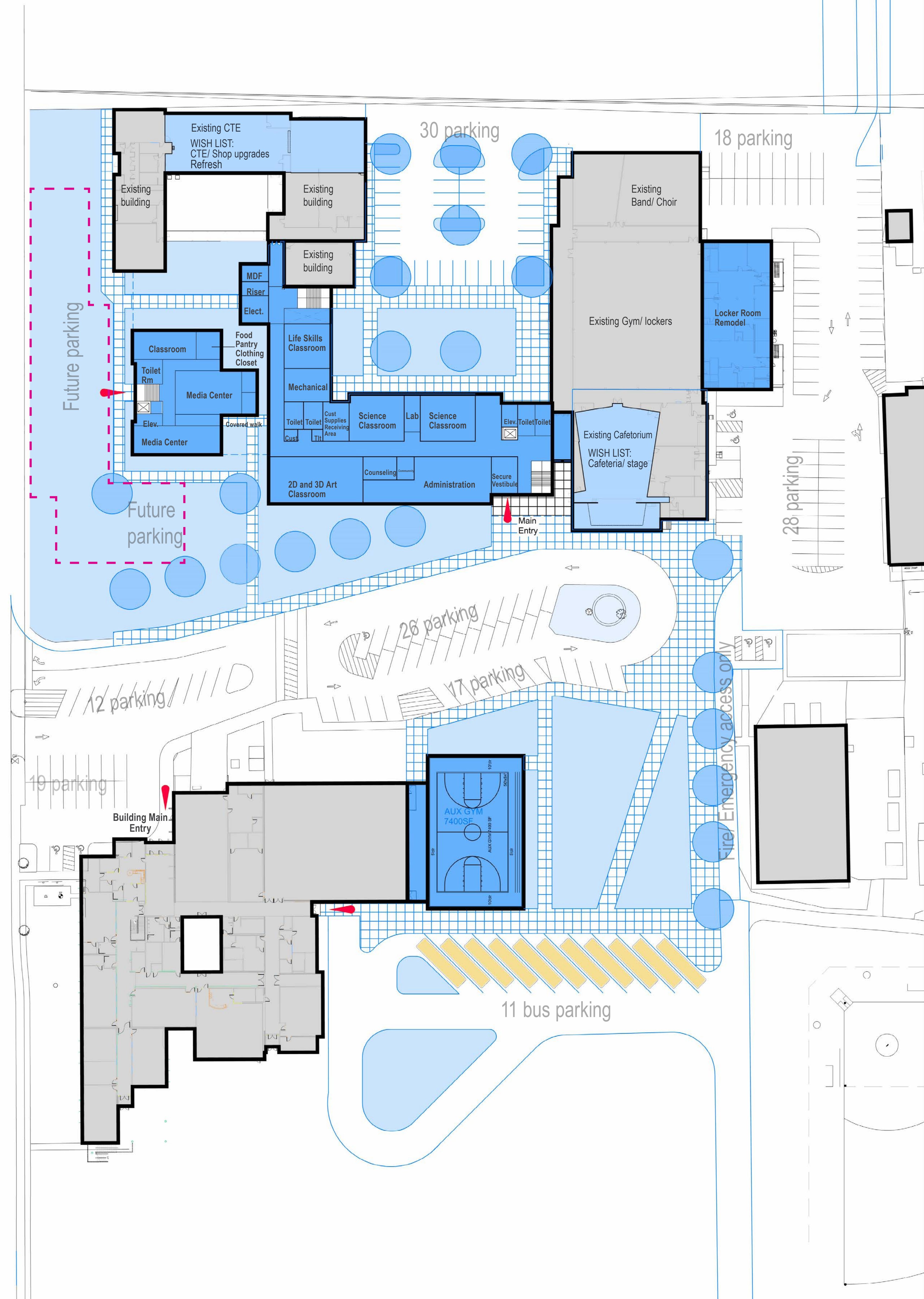
Proposed Concept 1

BR|IC — Banks School District



December 9, 2024



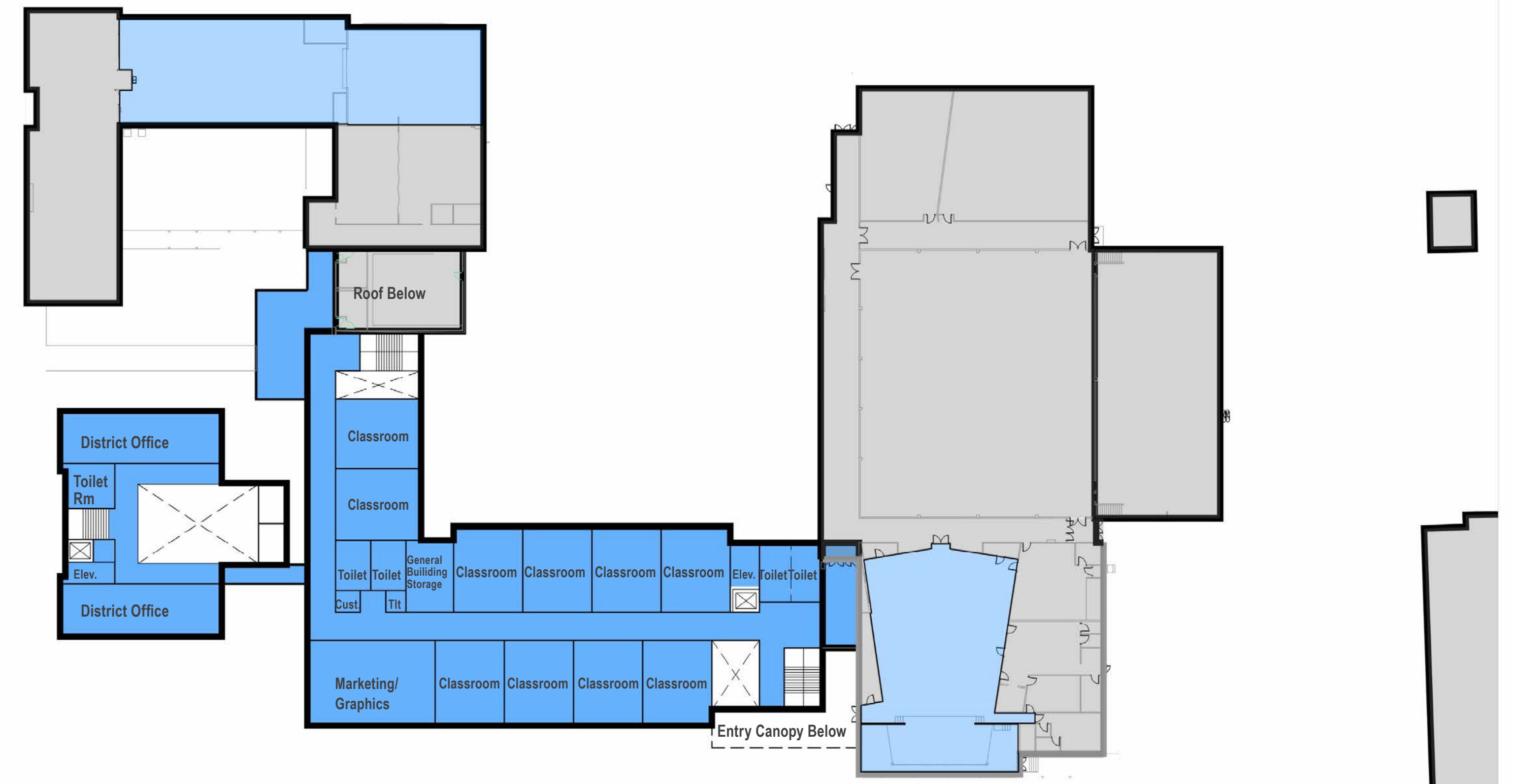


Building - 1st Level

4582

Proposed Concept 2

BR | IC — Banks School District



Building - 2nd Level

December 9, 2024



Report to the Banks School District Board of Directors

Submitted by: Banks School District Community Bond Oversight Committee

Date: November 20, 2024

1. Introduction

This report is presented on behalf of the Community Bond Oversight Committee (BOC) by Deb Mott and Matt Vandehey, representing the full committee. The BOC plans to rotate its spokespeople throughout the duration of its work to ensure diverse representation.

2. Committee Responsibilities

The BOC has two core responsibilities:

1. **Oversight and Accountability:** Ensuring the district is fulfilling the commitments of the Bond Election while maintaining financial prudence.
2. **Regular Reporting:** Delivering updates to the Banks School District Board of Directors following every BOC meeting.

3. Committee Role in the Community

The committee seeks to serve as a bridge between the information gathered during its meetings and the broader Banks community. This ensures transparency and enhances trust in the district's handling of the bond projects.

4. Clarification of Scope

The BOC operates in an advisory and oversight capacity only and does not have decision-making authority.

5. Overview of the First Committee Meeting

Date: November 19, 2024

Attendees:

- Brian Sica, District Superintendent
- Marc Nordean, Architect/Designer
- John Abel, Owner's Representative

Key Discussion Points:

1. **Budget Management:**

- The committee noted that while the budget is carefully planned, it is tight. This will require close and consistent oversight.
- Concerns were raised about the contingency amounts appearing too low. The committee requested:
 - A graph of risk over time used by P&C Construction.
 - An outline of the monitoring tools that will be utilized throughout the project.

2. **Timeline Considerations:**

- The proposed timeline is aggressive but deemed achievable with strategic planning, particularly regarding permitting processes.

3. **District Office Investigation:**

- The committee appreciated the thorough diligence already undertaken to evaluate the existing district office.
- Consensus was reached that no additional funds should be allocated for further investigation.
- Concept 2 (retaining the existing District Office) was deemed infeasible as it does not align with:
 - The bond promise.
 - Financial prudence.

Next Steps:

The next BOC meeting is scheduled for mid-January 2025, to coincide with the schematic design phase's initiation.

Conclusion

The committee acknowledges the thoughtful planning and diligence demonstrated thus far in the bond process. However, key areas such as contingency planning, risk monitoring, and permitting require careful oversight to ensure success. The BOC remains committed to its role in promoting transparency, accountability, and community engagement throughout the bond project's lifecycle.

Submitted by: Banks School District Community Bond Oversight Committee

Board Interim Work Session
Monday, December 30, 2024 4:15 PM Pacific

Virtual only
12850 NW Main Street
Banks, OR 97106

Ron Frame: Present
Corissa Mazurkiewicz: Present
William Moore: Present
Leslee Sipp: Present
Daniel Streblov: Present
Present: 5.

1. Bond Update

1.1. Historical Architecture

Maya Foty, a historic architect with Architectural Resources, was present to provide an objective perspective to the Board for consideration around the bond planning of the District Administration Building.

Maya provided examples of her experience with seismic upgrades and the complexities of restoring historic buildings, as well as similar projects, including Jefferson and Cleveland High school, to illustrate the challenges and costs of retaining historic buildings.

Additionally, Maya offered her time for tours of similar sites, or to provide reports or assessments of other similar projects if helpful. The importance of understanding the character-defining features of the historic building to ensure proper preservation was also emphasized.

1.2. Master Planning and Bond Promise Updates

Dr. Sica shared an update on the current Bond Planning, timeline, budget revenue and expenses and conceptual plans.

Feedback from the Steering Committee was shared which included a recommendation to move forward with Proposed Concept 1. Additionally, the committee feels the risk of not meeting the promises of the bond language, if the Board determines to keep the DO Administration building, is too high.

The Board reviewed the State Historic Preservation Office (SHPO) guidelines as part of their typical consultation process:

1. Does the Building have value?
2. Is the buildings eligible for historic lists?
3. What is the effect of the decision/action on the building? Is it adverse?
4. Collaborative MOU's to mitigate adverse effects?

Moore: Q. Didn't the BOC weigh in already? A. Yes, the BOC presented at a Board meeting. Their recommendation is to select Concept 1.

Board members asked questions and clarification was given on the plans and expenses. Questions that were unanswered will be relayed to the Architects for further clarification.

Member Streblov shared his thoughts that the new Auxiliary gym will better serve the community if it's closer to the high school.

Member Moore shared his thoughts emphasized the desire for transparency with the community and public.

The Board engaged in discussion regarding the current master planning.

The plans and feedback will be shared at the community forum on January 7th. No deliberation will take place at the forum.

Final comments were shared and the meeting adjourned at 6:03 pm.

Federal Family and Medical Leave/State Family Medical Leave

Coverage

The federal Family and Medical Leave Act (FMLA) applies to districts with 50 or more employees within 75 miles of the employee's work site, based on employment during each working day during any of the 20 or more workweeks in the calendar year in which the leave is to be taken, or in the calendar year preceding the year in which the leave is to be taken. The 50 employee test does not apply to educational institutions for determining employee eligibility.

The Oregon Family Leave Act (OFLA) and the Oregon Military Family Leave Act (OMFLA) applies to districts that employ 25 or more part-time or full-time employees in Oregon, based on employment during each working day during any of the 20 or more workweeks in the calendar year in which the leave is to be taken, or in the calendar year immediately preceding the year in which the leave is to be taken.

Employee Eligibility

FMLA applies to employees who have worked for the district for at least 12 months (not necessarily consecutive) and worked for at least 1,250 hours during the 12-month period immediately preceding the start of the leave.

An employee who has previously qualified for and has taken some portion of FMLA leave may request additional FMLA leave within the same leave year. In such instances, the employee need not requalify as an eligible employee, if the additional leave applied for is in the same leave year and for the same condition.

OFLA applies to employees who work an average of 25 hours or more per week during the 180 calendar days or more immediately prior to the first day of the start of the requested leave.

An employee who has previously qualified for and has taken some portion of OFLA leave, may request additional OFLA leave within the same leave year. In such instances, the employee must requalify as an eligible employee for each additional leave requested.

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

In determining if an employee has been employed for the preceding 180 calendar days, when applicable, the employer must consider days, e.g., paid or unpaid, an employee is maintained on payroll for any part of a work week. Full-time public school teachers who have been maintained on payroll by a district for

180 consecutive calendar days are thereafter deemed to have been employed for an average of at least 25 hours per week during the 180 days immediately preceding the start date of the OFLA leave. This provision is eligible for rebuttal if for example, the employee was on a nonpaid sabbatical.

In determining average workweek, the employer must count the actual hours worked using the Fair Labor Standards Act (FLSA) guidelines.

Qualifying Reason

Eligible employees may access FMLA leave for the following reasons:

1. Serious health condition of the employee or the employee's covered family member:
 - a. Inpatient care;
 - b. Continuing treatment;
 - c. Chronic conditions;
 - d. Permanent, long-term or terminal conditions;
 - e. Multiple treatments;
 - f. Pregnancy and prenatal care.
2. Parental leave¹ (separate from eligible leave as a result of a child's serious health condition):
 - a. Bonding with and the care for the employee's newborn (within 12 months following birth);
 - b. Bonding with and the care for a newly adopted or newly placed foster child under the age of 18 (within 12 months of placement);
 - c. Care for a newly adopted or newly placed foster child over 18 years of age who is incapable of self-care because of a physical or mental impairment (within 12 months of placement);
 - d. Time to effectuate the legal process required for placement of a foster child or the adoption of a child.
3. Military Caregiver Leave: leave for the care for spouse, son, daughter or next-of-kin who is a covered servicemember/veteran with a serious injury or illness;
4. Qualifying Exigency Leave: leave arising out of the foreign deployment of the employee's spouse, son, daughter or parent.

Eligible employees may access OFLA for the following reasons:

1. Pregnancy disability leave (up to 12 weeks)
2. Parental leave
 - a. Time to effectuate the legal process required for placement of a foster child or the adoption of a child. *OFLA provides 2 weeks

¹ Parental leave must be taken in one continuous block of time within 12 months of the triggering event.

3. Sick Child Leave: leave for non-serious health conditions of the employee’s child. For OFLA, sick child leave includes absence to care for an employee’s child whose school or child care provider has been closed² in conjunction with a statewide public health emergency declared by a public health official.³
4. Bereavement Leave: leave related to the death of a covered family member.⁴
5. Eligible employees may access OMFLA for the purpose of spending time with a spouse or same-gender domestic partner who is in the military and has been notified of an impending call or order to active duty, or who has been deployed during a period of military conflict.
6. The eligibility of an employee who takes multiple leaves for different qualified reasons during the same district designated leave period may be reconfirmed at the start of each qualified leave requested.

Definitions

1. Family member:
 - a. For the purposes of FMLA, “family member” means:
 - (1) Spouse⁵;
 - (2) Parent;
 - (3) Child; or
 - (4) Persons who are “in loco parentis”.
 - b. For the purposes of OFLA, “family member” means:
 - (1) Spouse;
 - (2) Registered, same-gender domestic partner;
 - (3) Parent;
 - (4) Parent-in-law;
 - (5) Parent of employee’s registered, same-gender domestic partner;

² “Closure” for the purpose of sick child leave during a statewide public health emergency declared by a public health official means a closure that is ongoing, intermittent, or recurring and restricts physical access to the child’s school or child care provider. OAR 839-009-0210(4).

³ The district may request verification of the need for sick child leave due to a closure during a statewide emergency. Verification may include:

1. The name of the child being cared for;
2. The name of the school or child care provider that has closed or become unavailable; and
3. A statement from the employee that no other family member of the child is willing and able to care for the child. With the care of a child older than 14, a statement that special circumstances exist requiring the employee to provide care to the child during daylight hours.

⁴ Bereavement leave under OFLA must be completed within 60 days of when the employee received notice of the death.

⁵ “Spouse” means individuals in a marriage, including “common law” marriage and same-sex marriage. For OFLA, spouse also includes same-sex individuals with a Certificate of Registered Domestic Partnership.

- (6) Child;
- (7) Child of employee's registered, same-gender domestic partner;
- (8) Grandchild;
- (9) Grandparent; or
- (10) Persons who are "in loco parentis".

2. Child:

- a. For the purposes of FMLA, "child" means a biological, adopted or foster child, a stepchild, a legal ward or a child of a person standing "in loco parentis", who is either under the age of 18, or who is 18 years of age or older and who is incapable of self-care because of a physical or mental impairment.
- b. For the purposes of Military Caregiver Leave and Qualifying Exigency Leave under FMLA, "child" means the employee's son or daughter on covered active duty regardless of that child's age.
- c. For the purposes of OFLA, "child" means a biological, adopted, foster child or stepchild of the employee, the child of the employee's same-gender domestic partner, or a child with whom the employee is or was in a relationship of "in loco parentis".
- d. For the purposes of parental and sick child leave under OFLA, the child must be under the age of 18 or an adult dependent child substantially limited by a physical or mental impairment.

3. In loco parentis:

- a. For the purposes of FMLA, "in loco parentis" means persons with day-to-day responsibility to care for and financially support a child, or, in the case of an employee, who had such responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.
- b. For the purposes of OFLA, "in loco parentis" means person in the place of the parent having financial or day-to-day responsibility for the care of a child. A legal or biological relationship is not required.

4. Next of kin:

For the purposes of FMLA and Military Caregiver Leave under FMLA, "next of kin" means the nearest blood relative other than the servicemember's spouse, parent, son or daughter in the following order of priority (unless otherwise designated in writing by the servicemember):

- a. Blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions;
- b. Brothers or sisters;
- c. Grandparents;
- d. Aunts and uncles; and
- e. First cousins.

5. Covered servicemembers:

For the purposes of Military Caregiver Leave under FMLA, "covered servicemember" means a current member of the Armed Forces, including a member of the National Guard or Reserves, who is

receiving medical treatment, recuperation or therapy, or is in outpatient status, or is on the temporary disability retire list for a serious injury or illness.

6. Covered veteran:

For the purposes of Military Caregiver Leave under FMLA, “covered veteran” means a veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness provided they were:

- a. A member of the Armed Forces (including a member of the National Guard or Reserves);
- b. Discharged or released under conditions other than dishonorable; and
- c. Discharged within the five-year period before the eligible employee first takes FMLA, Military Caregiver Leave.

Leave Period

For the purposes of calculating an employee’s leave period, the district will use a “rolling” 12-month period measured backward from the date the employee uses any family and medical leave. The same method for calculating the 12-month period for FMLA and OFLA leave entitlement shall be used for all employees. However, in all instances, the leave period for the purposes of OMFLA and Military Caregiver Leave under FMLA shall be dependent on the start of any such leave regardless of the district’s designated 12-month leave period described above.

Leave Duration

For the purposes of FMLA, an eligible employee is generally entitled to a total of 12 weeks of qualified leave during the district’s designated leave period⁶. Spouses who work for the district may be limited to a combined 12 weeks of FMLA leave during the district’s designated leave period when the purpose of the leave is for the birth of a child or to care for a child after birth, placement of an adopted or foster child or the care for an adopted or foster child after placement, or to care for the employee’s parent’s serious medical condition. Except in specific and unique instances, all qualified leave under FMLA counts toward an employee’s leave entitlement within the district’s designated leave period.

For the purposes of OFLA, an eligible employee is generally entitled to a total of 12 weeks of qualified leave during the district’s designated leave period. Unlike FMLA, OFLA does not combine the leave

⁶ An eligible employee taking Military Caregiver Leave under FMLA is entitled to up to 26 weeks of leave in the 12-month period beginning with the first day of such leave and regardless of any FMLA leave taken previously during the district’s leave period. However, once the 12-month period begins for the purposes of Military Caregiver Leave under FMLA, any subsequent FMLA qualified leave, regardless of reason for such leave, will count toward the employee’s 26-week entitlement under Military Caregiver Leave under FMLA.

entitlement for spouses working for the district. However, under OFLA, family members who work for the district may be restricted from taking concurrent OFLA qualified leave.⁷

For the purposes of OMFLA, an eligible employee is entitled to 14 days of leave per call or order to active duty or notification of a leave from deployment. When an employee also meets the eligibility requirements of OFLA, the duration of the OMFLA leave counts toward that employee's leave entitlement during the district's designated leave period.

Except as otherwise noted above, qualified leave under FMLA and OFLA for an eligible employee will run concurrently during the district's designated leave period.

For the purpose of tracking the number of leave hours an eligible employee is entitled and/or has used during each week of the employee's leave, leave entitlement is calculated by multiplying the number of hours the eligible employee normally works per week by 12. If an employee's schedule varies from week-to-week, a weekly average of the hours worked over the 12 weeks worked prior to the beginning of the leave period shall be used for calculating the employee's normal workweek. If an employee takes intermittent or reduced work schedule leave, only the actual number of hours of leave taken may be counted toward the 12 weeks of leave to which the employee is entitled.

Intermittent Leave

With the exception of parental leave which must be taken in one continuous block of time, an eligible employee is permitted under FMLA and OFLA to take intermittent leave for any qualifying reason.

Intermittent leave is taken in multiple blocks of time (i.e., hours, days, weeks, etc.) rather than in one continuous block of time and/or requires a modified or reduced work schedule. For OFLA this includes but not limited to sick child leave taken requiring an altered or reduced work schedule because the intermittent or recurring closure of a child's school or child care provider due to a statewide public health emergency declared by a public health official.

When an employee is eligible for OFLA leave, but not FMLA leave, the employer:

1. May allow an exempt employee, as defined by state and federal law, with accrued paid time off to take OFLA leave in blocks of less than a full day; but
2. May not reduce the salary of an employee who is taking intermittent leave when they do not have accrued paid leave available. To do so would result in the loss of exemption under state law.

An employee's FMLA and/or OFLA intermittent leave time is determined by calculating the difference between the employee's normal work schedule and the number of hours the employee actually works

⁷ Exceptions to the ability to require family members from taking OFLA qualified leave at different times are when 1) employee is caring for the other employee who has a serious medical condition; 2) one employee is caring for a child with a serious medical condition when the other employee is suffering a serious medical condition; 3) each family member is suffering a serious medical condition; 4) each family member wants to take Bereavement Leave under OFLA; and 5) the employer allows the family members to take concurrent leave.

during the leave period. The result of such calculation is credited against the eligible employee's leave entitlement.

Holidays or days in which the district is not in operation, are not counted against the eligible employee's intermittent OFLA leave period unless the employee was scheduled and expected to work on any such day.

Alternate Work Assignment

The district may transfer an employee recovering from a serious health condition to an alternate position which accommodates the serious health condition provided:

1. The employee accepts the position voluntarily and without coercion;
2. The transfer is temporary, lasts no longer than necessary and has equivalent pay and benefits;
3. The transfer is compliant with any applicable collective bargaining agreement;
4. The transfer is compliant with state and federal law, including but not limited to the protections provided for in FMLA and/or OFLA; and
5. The transfer is not used to discourage the employee from taking FMLA and/or OFLA leave for a serious health condition or to create a hardship for the employee.

The district may transfer an eligible employee who is on a foreseeable intermittent FMLA and/or OFLA leave to another position with the same or different duties to accommodate the leave, provided:

1. The employee accepts the transfer position voluntarily and without coercion;
2. The transfer is temporary, lasts no longer than necessary and has equivalent pay and benefits;
3. The transfer is compliant with any applicable collective bargaining agreements;
4. The transfer is compliant with state and federal law, including but not limited to the protections provided for in FMLA and/or OFLA;
5. The transfer to an alternate position is used only when there is no other reasonable option available that would allow the employee to use intermittent leave or reduced work schedule; and
6. The transfer is not used to discourage the employee from taking intermittent or reduced work schedule leave, or to create a hardship for the employee.

If an eligible employee is transferred to an alternative position, and as a result the employee works fewer hours than the employee was working in the original position, the employee's FMLA and/or OFLA leave time is determined by calculating the difference between the employee's normal work schedule and the number of hours the employee actually works during the leave period. The result of such calculation is credited against the eligible employee's leave entitlement.

When an employee is transferred to alternate position as described above but such transfer does not result in a reduced schedule, time worked in any such alternate position shall not be considered for the purpose of FMLA and/or OFLA leave. An employee working in an alternate position retains the right to return to the employee's original position unless all FMLA and/or OFLA leave taken in that leave year plus the period of time worked in the alternate position exceeds 12 weeks.

Special Rules for School Employees

For the purposes of FMLA, "school employee" means those whose principal function is to teach and instruct students in a class, a small group or an individual settlement. Athletic coaches, driving instructors and special education assistants, such as interpreters for the hearing impaired, are included in this definition. This definition does not apply to teacher assistants or aides, counselors, psychologist, curriculum specialists, cafeteria workers, maintenance workers or bus drivers.

For the purposes of OFLA, "school employee" means employees employed principally as instructors in public kindergartens, elementary schools, secondary schools or education service districts.

FMLA and/or OFLA leave that is taken for a period that ends with the school year and begins with the next semester is considered consecutive rather than intermittent. In any such situation, the eligible school employee will receive any benefits during the break period that employees would normally receive if they had been working at the end of the school year.

1. Foreseeable Intermittent Leave Exceeding 20 Percent of Working Days

When the qualified leave is foreseeable, will encompass more than 20 percent of the eligible school employee's regular work schedule during the leave period, and the purpose of such leave is to care for a family member with a serious medical condition, for a servicemember with a serious medical condition or because of the employee's own serious medical condition, the district may require the eligible school employee to:

- a. Take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
- b. Temporarily transfer the eligible school employee to an alternate position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave than the employee's original position.

2. Limitation on Leave Near the End of the School Year

When an eligible school employee requests leave near the end of the school year, the district may require the following:

- a. When the qualified leave begins more than five weeks before the end of the school year:
 - (1) For the purposes of FMLA leave, the eligible school employee may be required to continue taking leave until the end of the school year provided:

- (a) The leave will last at least three weeks; and
 - (b) The employee would return to work during the three-week period before the end of the term.
- (2) For the purposes of OFLA leave, if the reason for the leave is because of the eligible school employee's own serious health condition, the eligible school employee may be required to remain in leave until the end of the school year, provided:
 - (a) The leave will last at least three weeks; and
 - (b) The employee's return to work would occur within three weeks of the end of the school year.
- b. For the purposes of FMLA and/or OFLA leave, when the qualified leave begins within five weeks of the end of the school year and the purpose of such leave is parental leave, for the serious health condition of a family member or for the serious health condition of a servicemember, the eligible school employee may be required to remain on leave until the end of the school year provided:
 - (1) The leave will last more than two weeks; and
 - (2) The employee would return to work during the two-week period before the end of the school year.
- c. For the purposes of FMLA and/or OFLA leave, when the qualified leave begins within three weeks of the end of the school year and the purpose of such leave is parental leave, for the serious health condition of a family member or for the serious health condition of a servicemember, the eligible school employee may be required to remain on leave until the end of the school year provided the length of the leave will last more than five working days.

If the district requires an eligible school employee to remain on leave until the end of the school year as described above, additional leave required by the employer until the end of the school year shall not count against the eligible school employee's leave entitlement.

Paid/Unpaid Leave

FMLA and OFLA do not require the district to pay an eligible employee who is on a qualified leave. Subject to any related provisions in any applicable collective bargaining agreement, the district requires the eligible employee to use any available accrued sick leave, vacation or personal leave days (or other available paid time established by Board policy(ies) and/or collective bargaining agreement) in the order specified by the district and before taking FMLA and/or OFLA leave without pay during the leave period.

The district will notify the eligible employee that the requested leave has been designated as FMLA and/or OFLA leave and, if required by the district, that available accrued paid leave shall be used during the leave period. In the event the district is aware of an OFLA or FMLA qualifying exigency, the district shall notify the eligible employee of its intent to designate the leave as such regardless of whether a request has been made by the eligible employee. Such notification will be given to the eligible employee prior to the commencement of the leave or within two working days of the employee's notice of an unanticipated or emergency leave, whichever is sooner.

When the district does not have sufficient information to make a determination of whether the leave qualifies as FMLA or OFLA leave, the district will provide the required notice promptly when the information is available but no later than two working days after the district has received the information. Oral notices will be confirmed in writing no later than the following payday. If the payday is less than one week after the oral notice is given, written notice will be provided no later than the subsequent payday.

Eligible employees who request OMFLA leave shall not be required to use any available accrued paid time off during the OMFLA leave period.

Benefits and Insurance

When an eligible employee returns to work following a FMLA or OFLA qualified leave, the employee must be reinstated to the same position the employee held when the leave commenced, or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

During an OFLA qualified leave an eligible employee does not accrue seniority or other benefits that would have accrued while the employee was working. The eligible employee is also subject to layoff to the same extent similarly situated employees not taking OFLA leave are subject unless the terms of an applicable collective bargaining agreement, other agreement or the district's policies provide otherwise.

For the purposes of FMLA and OFLA, the district will continue to pay the employer portion of the eligible employee's group health insurance contribution (if applicable) during the qualified leave period. The eligible employee is required to pay the employee portion of any such group health insurance contribution as a condition of continued coverage.

For the purposes of FMLA qualified leave, the district's obligation to maintain the employee's group health insurance coverage will cease if the employee's contribution is remitted more than 30 calendar days late. The district will provide written notice that the premium payment is more than 30 calendar days late. Such notice will be provided within 15 calendar days before coverage is to cease.

For the purposes of OMFLA, the eligible employee is entitled to a continuation of benefits.

Fitness-for-Duty Certification

Prior to the reinstatement of an employee following a leave which was the result of the employee's own serious health condition, the district may require the employee to obtain and present a Fitness-for-Duty Certification. The certification will specifically address the employee's ability to perform the essential functions of the employee's job as they relate to the health condition that was the reason for the leave. If the district is going to require a fitness-for-duty certification upon return to work, the district must notify the employee of such requirement when the leave is designated as FMLA and/or OFLA leave. Failure to provide the certification may result in a delay or denial of reinstatement.

For the purposes of FMLA qualified leave, any costs associated with obtaining the fitness-for-duty certification shall be borne by the employee.

For the purposes of OFLA qualified leave, any out-of-pocket costs associated with obtaining the fitness-for-duty certification shall be borne by the district.

If the leave is qualified under both FMLA and OFLA, any out-of-pocket costs associated with obtaining the fitness-for-duty certification shall be borne by the district.

Application

Under federal and state law, an eligible employee requesting FMLA and/or OFLA leave shall provide at least 30 days' notice prior to the leave date if the leave is foreseeable. The notice shall be written and include the anticipated start date, duration and reasons for the requested leave. When appropriate, the eligible employee must make a reasonable effort to schedule treatment, including intermittent leave and reduced leave, so as not to unduly disrupt the operation of the district.

The district may request additional information to determine that the requested leave qualifies as FMLA and/or OFLA leave. The district may designate the employee as provisionally on FMLA and/or OFLA leave until sufficient information is received to properly make a determination. An eligible employee able to give advance notice of the need to take FMLA and/or OFLA leave must follow the employer's known, reasonable and customary procedures for requesting any kind of leave.

For the purposes of FMLA, if advance notice is not possible, an employee eligible for FMLA leave must provide notice as soon as practicable. "As soon as practicable," for the purpose of FMLA leave, means the employee must comply with the employer's normal call-in procedures except in limited and under unique circumstances. Failure of an employee to provide the required notice for FMLA leave may result in the district delaying the employee's leave up to 30 days after the notice is ultimately given.

For the purposes of OFLA, an eligible employee is required to provide oral or written notice within 24 hours of commencement of the leave in unanticipated or emergency leave situations. The employee may designate a family member or friend to notify the district during that period of time. Failure of an employee to provide the required notice for leave covered by OFLA may result in the district deducting up to three weeks from the employee's unused OFLA leave in that one-year leave period. The employee may be subject to disciplinary action for not following the district's notice procedures.

When an employee fails to give advance notice for both the FMLA and OFLA above, the district must choose the remedy that is most advantageous to the employee.

In all cases, proper documentation must be submitted no later than three working days following the employee's return to work.

Medical Certification

The district shall require an eligible employee to provide medical documentation, when appropriate, to support the stated reason for such leave. The district will provide written notification to an employee of this requirement within five working days of the employee's request for leave. If the employee provides less than 30 days' notice, the employee is required to submit such medical certification no later than 15 calendar days after receipt of the district's notification that medical certification is required.

The district may request re-certification of a condition when the minimum duration of a certification expires if continued leave is requested. If the certification does not indicate a duration or indicates that it is ongoing, the district may request re-certification at least every six months in connection with an absence.

Under federal law, a second medical opinion may be required whenever the district has reason to doubt the validity of the initial medical opinion. The health care provider may be selected by the district. The provider shall not be employed by the district on a regular basis. Should the first and second medical certifications differ, a third opinion may be required. The district and the employee will mutually agree on the selection of the health care provider for a third medical certification. The third opinion will be final. Second and third opinions and the actual travel expenses for an employee to obtain such opinions will be paid for by the district.

Second and Third Opinions

1. For the purposes of FMLA, the district may designate a second health care provider, but that person cannot be utilized by the district on a regular basis except in rural areas where health care is extremely limited. If the opinions of the employee's and the district's designated health care provider(s) differ, the district may require a third opinion at the district's expense. The third health care provider must be designated or approved jointly by the employee and the district. This third opinion shall be final and binding.
2. For the purposes of OFLA, and except for leave related to sick child leave under OFLA, the district may require the employee to obtain a second opinion from a health care provider designated by the district. If the first and second verifications conflict, the employer may require the two health care providers to jointly designate a third health care provider for the purpose of providing a verification. This third verification shall be final and binding.

Notification

Any notice required by federal and state laws explaining employee rights and responsibilities will be posted in all staff rooms and the district office. Additional information may be obtained by contacting the superintendent.

Record Keeping/Posted Notice

The district will maintain all records as required by federal and state laws including dates leave is taken by employees, identified separately from other leave; hours/days of leave; copies of general and specific notices to employees, including Board policy(ies) and regulations; premium payments of employee health benefits while on leave and records of any disputes with employees regarding granting of leave.

Medical documentation will be maintained separately from personnel files as confidential medical records.

The district will post notice of FMLA and OFLA leave requirements.

Federal vs. State Law

Both federal and state law contain provisions regarding leave for family illness. Federal regulations state an employer must comply with both laws; that the federal law does not supersede any provision of state law that provides greater family leave rights than those established pursuant to federal law; and that OFLA and FMLA leave entitlements run concurrently. State law requires that FMLA and OFLA leave entitlements run concurrently when possible.

For example, due to differences in regulations, an eligible employee who takes OFLA leave after 180 days of employment, but before they are eligible for FMLA leave, is still eligible to take a full 12 workweeks of FMLA leave after meeting FMLA's eligibility requirements. Thereafter, any eligible leave period will run concurrently, when appropriate.

TO DELETE

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness*.

***The FMLA definition of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".**

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing

treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.

For additional information:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627

WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Wage and Hour Division

Sexual Harassment Complaint Procedure

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

Name	Position	Phone	Email
Jeff Leo	Superintendent	503-324-8591	jeffl@banks.k12.or.us

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

Step 1 The district official receiving the report or complaint shall promptly initiate an investigation using procedures and standards, including but not limited to, those identified in Board policy GBN/JBA - Sexual Harassment and will notify the complainant or reporting person, any impacted person who is not a reporting person (if appropriate), each reported person, and where applicable the parents of a reporting person, impacted person, or reported person, when such investigation is initiated. The official will arrange such meetings as may be necessary to discuss the issue with all concerned parties within five working days after receipt of the report or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings of the investigation shall be reduced to writing. The official conducting the investigation shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law within 30 days of receipt of the report or complaint.

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

Step 2 If a complainant is not satisfied with the decision at Step 1, the complainant may submit a written appeal to the superintendent. Such appeal must be filed within 10 working days after receipt of the Step 1 decision. The superintendent will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal within 5 working days of receipt of the appeal. The superintendent shall provide a written decision to the complainant within 10 working days.

Step 3 If a complainant is not satisfied with the decision at Step 2, the complainant may submit a written appeal to the Board. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The Board will review the decision of the superintendent in a public meeting to determine what action is appropriate. The Board may use executive session if the subject matter qualifies under Oregon law. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, and adopting the superintendent’s decision. All parties involved, including the school administration, may be asked to attend a hearing for the purposes of making further explanations and clarifying the issues. The Board

shall provide a written decision to the complainant within 30 working days following receipt of the appeal.

If the Board chooses not to hear the complaint, the superintendent's decision in Step 2 is final.

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

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

Complaints against the superintendent or a Board member (other than the Board chair) may start at Step 3 and should be referred to the Board chair on behalf of the Board. The Board chair will cause required notices to be provided. The Board chair shall present the complaint to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 20 days, in open session what action, if any, is warranted. The Board chair shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law.

Complaints against the Board chair may start at Step 3 and should be referred to the Board vice chair on behalf of the Board. The Board vice chair will cause required notices to be provided. The Board vice chair shall present the complaint to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 20 days, in open session what action, if any, is warranted. The Board vice chair shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law.

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

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.

Additional information regarding filing of a complaint or report may be obtained through the principal, compliance officer or superintendent.

All documentation related to sexual harassment complaints may become part of the student's education record or employee's personnel file, as appropriate. Additionally, a copy of all sexual harassment

complaints or reports and documentation will be maintained as a confidential file and stored in the district office.

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

TO DELETE

Banks School District
12950 NW Main St. Banks, OR 97106
503-324-8591

SEXUAL HARASSMENT COMPLAINT FORM

Name of complainant: _____

Position of complainant: _____

Date of complaint: _____

Name of alleged harasser: _____

Date and place of incident or incidents: _____

Description of misconduct: _____

Name of witnesses (if any): _____

Evidence of sexual harassment, i.e., letters, photos, etc. (attach evidence if possible): _____

Any other information: _____

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____

**Banks School District
12950 NW Main St. Banks, OR 97106
503-324-8591**

WITNESS DISCLOSURE FORM

Name of Witness: _____

Position of Witness: _____

Date of Testimony/Interview: _____

Description of Instance Witnessed: _____

Any Other Information: _____

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: _____ Date: _____

Federal Law (Title IX) Sexual Harassment Complaint Procedure

Additional Definitions

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

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent¹ and requesting that the district investigate the allegation of sexual harassment.

“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.² The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures.

Formal Complaint Procedures

Upon receipt of a formal complaint, the district will provide the parties³ written notice of the following:

1. Notice of the district’s grievance process, including any informal resolution process.
2. Notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview.

¹ “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

² Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

³ Parties include the complainant and the respondent, if known.

3. That the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility be made at the conclusion of the grievance process.
4. That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
5. The parties may inspect and review evidence.
6. A reference to any provision in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

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

Investigation

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

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

9. Create an investigative report that fairly summarizes relevant evidence and is sent to each party and party's advisor in electronic format or hard copy at least 10 days prior to any hearing (if required or provided) or other time of determination of responsibility. The party and advisor will be allowed to review and provide a written response.

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

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

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

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

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

Determination of Responsibility

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

The standard to be used for formal complaints in determining whether a violation has occurred is the preponderance of the evidence standard.

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

1. Identification of the allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
3. Findings of fact supporting the determination;

4. Conclusions regarding the application of the district's code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including:
 - a. A determination regarding responsibility;
 - b. Any disciplinary sanctions the district imposes on the respondent; and
 - c. Whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and
6. The district's procedures and permissible bases for the complainant and respondent to appeal.

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

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

Remedies

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

Dismissal of a Formal Complaint

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

1. Would not constitute sexual harassment, even if proved;
10. Did not occur in the district's education program or activity; or
11. Did not occur against a person in the United States.

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

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

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

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

Consolidation of Complaints

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

Informal Resolution

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

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

Appeals

Either party may file an appeal from a determination regarding responsibility or from a dismissal of a formal complaint, within 15 days of the decision, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
14. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
15. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

When an appeal is filed, the district must:

1. Notify the other party in writing;
16. Implement appeal procedures equally for both parties;

17. Ensure the decision-maker(s) for the appeal is not the same person as the decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
18. Ensure the decision-maker for the appeal is free from conflicts of interest and bias;
19. Give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging the outcome;
20. Issue a written decision describing the result of the appeal and the rationale for the result; and
21. Provide the written decision simultaneously to both parties.

Timelines

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

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

Temporary delays of the grievance process, or limited extensions of time will be allowed for good cause⁴ with written notice to the parties.

Records

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

Training

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

⁴ Good cause may include considerations such as the absence of a party, a party's advisor or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. (Title 34 C.F.R. § 106.45(b)(1)(v))

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

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

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

TO DELETE

Federal Law (Title IX) Sexual Harassment Complaint Procedure

Additional Definitions

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

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent¹ and requesting that the district investigate the allegation of sexual harassment.

“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.² The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures.

Formal Complaint Procedures

Upon receipt of a formal complaint, the district will provide the parties³ written notice of the following:

1. Notice of the district’s grievance process, including any informal resolution process.
2. Notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details known at the time and with sufficient time to prepare a response before any initial interview.

¹ “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

² Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

³ Parties include the complainant and the respondent, if known.

3. That the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility be made at the conclusion of the grievance process.
4. That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
5. The parties may inspect and review evidence.
6. A reference to any provision in the district's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

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

Investigation

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

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

9. Create an investigative report that fairly summarizes relevant evidence and is sent to each party and party's advisor in electronic format or hard copy at least 10 days prior to any hearing (if required or provided) or other time of determination of responsibility. The party and advisor will be allowed to review and provide a written response.

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

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

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

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

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

Determination of Responsibility

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

The standard to be used for formal complaints in determining whether a violation has occurred is the preponderance of the evidence standard.

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

1. Identification of the allegations potentially constituting sexual harassment;
10. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
11. Findings of fact supporting the determination;
12. Conclusions regarding the application of the district's code of conduct to the facts;

13. A statement of, and rationale for, the result as to each allegation, including:
 - a. A determination regarding responsibility;
 - b. Any disciplinary sanctions the district imposes on the respondent; and
 - c. Whether remedies designed to restore or preserve equal access to the district's education program or activity will be provided by the district to the complainant; and
14. The district's procedures and permissible bases for the complainant and respondent to appeal.

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

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

Remedies

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

Dismissal of a Formal Complaint

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

1. Would not constitute sexual harassment, even if proved;
1. Did not occur in the district's education program or activity; or
2. Did not occur against a person in the United States.

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

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

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

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

Consolidation of Complaints

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

Informal Resolution

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

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

Appeals

Either party may file an appeal from a determination regarding responsibility or from a dismissal of a formal complaint, within 15 days of the decision, on the following bases:

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

When an appeal is filed, the district must:

1. Notify the other party in writing;
6. Implement appeal procedures equally for both parties;

7. Ensure the decision-maker(s) for the appeal is not the same person as the decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
8. Ensure the decision-maker for the appeal is free from conflicts of interest and bias;
9. Give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging the outcome;
10. Issue a written decision describing the result of the appeal and the rationale for the result; and
11. Provide the written decision simultaneously to both parties.

Timelines

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

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

Temporary delays of the grievance process, or limited extensions of time will be allowed for good cause⁴ with written notice to the parties.

Records

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

Training

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

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

⁴ Good cause may include considerations such as the absence of a party, a party's advisor or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. (Title 34 C.F.R. § 106.45(b)(1)(v))

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

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

TO DELETE

Sexual Harassment Complaint Procedure

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

Name	Position	Phone	Email
Jeff Leo	Superintendent	503-324-8591	jeffl@banks.k12.or.us

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

Step 1 The district official receiving the report or complaint shall promptly initiate an investigation using procedures and standards, including but not limited to, those identified in Board policy GBN/JBA - Sexual Harassment and will notify the complainant or reporting person, any impacted person who is not a reporting person (if appropriate), each reported person, and where applicable the parents of a reporting person, impacted person, or reported person, when such investigation is initiated. The official will arrange such meetings as may be necessary to discuss the issue with all concerned parties within five working days after receipt of the report or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings of the investigation shall be reduced to writing. The official conducting the investigation shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law within 30 days of receipt of the report or complaint.

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

Step 2 If a complainant is not satisfied with the decision at Step 1, the complainant may submit a written appeal to the superintendent. Such appeal must be filed within 10 working days after receipt of the Step 1 decision. The superintendent will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal within 5 working days of receipt of the appeal. The superintendent shall provide a written decision to the complainant within 10 working days.

Step 3 If a complainant is not satisfied with the decision at Step 2, the complainant may submit a written appeal to the Board. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The Board will review the decision of the superintendent in a public meeting to determine what action is appropriate. The Board may use executive session if the subject matter qualifies under Oregon law. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, and adopting the superintendent’s decision. All parties involved, including the school administration, may be asked to attend a hearing for the purposes of making further explanations and clarifying the issues. The Board

shall provide a written decision to the complainant within 30 working days following receipt of the appeal.

If the Board chooses not to hear the complaint, the superintendent's decision in Step 2 is final.

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

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

Complaints against the superintendent or a Board member (other than the Board chair) may start at Step 3 and should be referred to the Board chair on behalf of the Board. The Board chair will cause required notices to be provided. The Board chair shall present the complaint to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 20 days, in open session what action, if any, is warranted. The Board chair shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law.

Complaints against the Board chair may start at Step 3 and should be referred to the Board vice chair on behalf of the Board. The Board vice chair will cause required notices to be provided. The Board vice chair shall present the complaint to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 20 days, in open session what action, if any, is warranted. The Board vice chair shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law.

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

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.

Additional information regarding filing of a complaint or report may be obtained through the principal, compliance officer or superintendent.

All documentation related to sexual harassment complaints may become part of the student's education record or employee's personnel file, as appropriate. Additionally, a copy of all sexual harassment

complaints or reports and documentation will be maintained as a confidential file and stored in the district office.

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

DELETED

Banks School District
12950 NW Main St. Banks, OR 97106
503-324-8591

SEXUAL HARASSMENT COMPLAINT FORM

Name of complainant: _____

Position of complainant: _____

Date of complaint: _____

Name of alleged harasser: _____

Date and place of incident or incidents: _____

Description of misconduct: _____

Name of witnesses (if any): _____

Evidence of sexual harassment, i.e., letters, photos, etc. (attach evidence if possible): _____

Any other information: _____

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: _____

Date: _____

**Banks School District
12950 NW Main St. Banks, OR 97106
503-324-8591**

WITNESS DISCLOSURE FORM

Name of Witness: _____

Position of Witness: _____

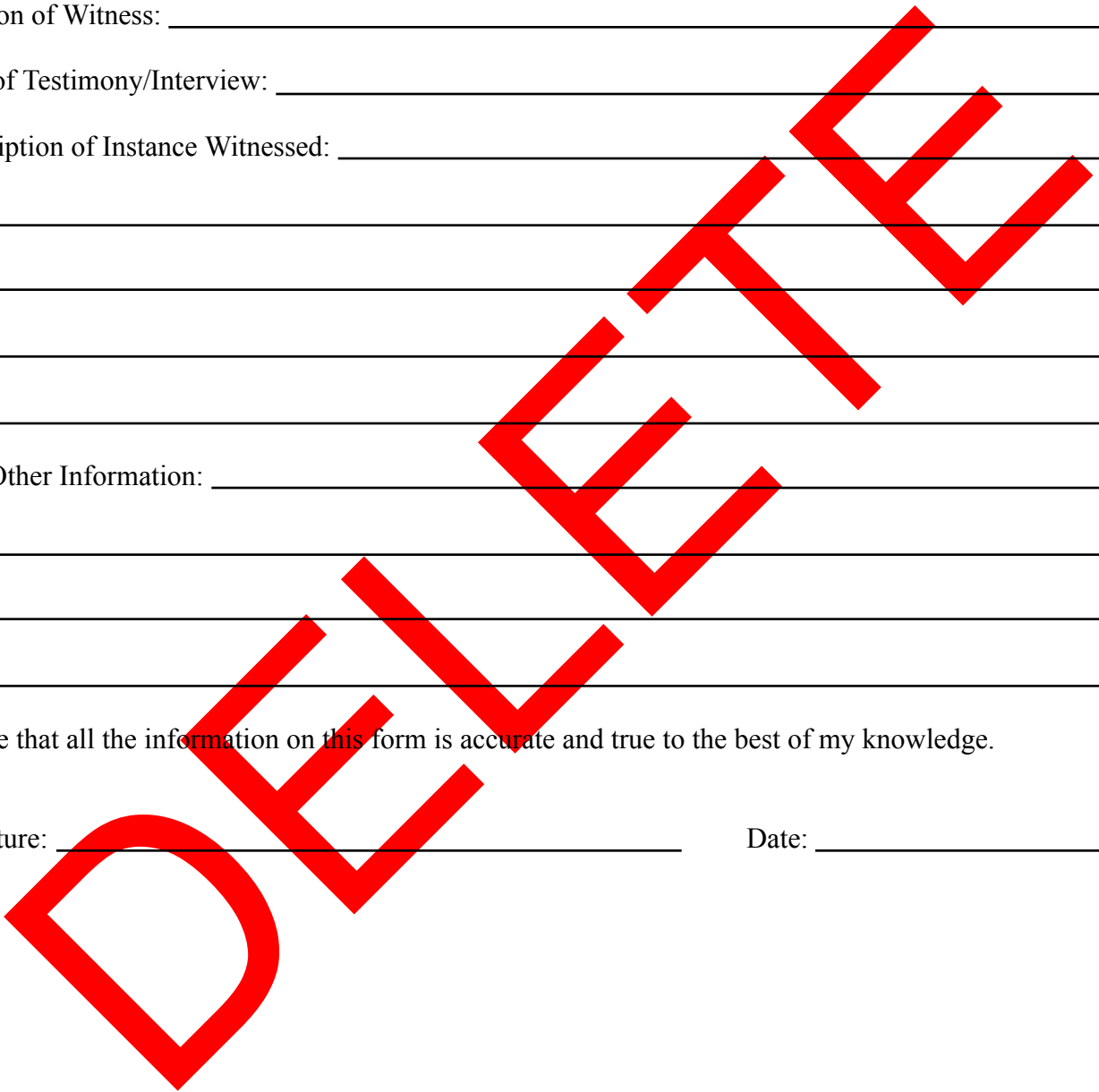
Date of Testimony/Interview: _____

Description of Instance Witnessed: _____

Any Other Information: _____

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: _____ Date: _____



Medications

Students may, subject to the provisions of this administrative regulation, have prescription or nonprescription medication administered by designated personnel, or may be permitted to administer prescription or nonprescription medication to himself.

1. Definitions

- a. "Medication" means any drug, chemical compound, suspension or preparation in suitable form for use as a curative or remedial substance taken internally or externally but not injected except for premeasured doses of epinephrine, medication to treat adrenal insufficiency and glucagon to treat severe hypoglycemia. Medication includes any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student's Oregon licensed health care professional for asthma or severe allergies. Medication also includes naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug.
- b. "Prescription medication" means any medication that under federal or state law requires a prescription by a prescriber.
- c. "Nonprescription medication" means medication that under federal law does not require a prescription from a prescriber.
- d. "Adrenal crisis" means adrenal crisis as defined in Oregon Revised Statute (ORS) 433.800.
- e. "Adrenal insufficiency" means adrenal insufficiency as defined in ORS 433.800.
- f. "Notice of a diagnosis of adrenal insufficiency" means written notice to the district from a student's parent or guardian of a student who has been diagnosed as adrenal insufficiency with a copy of an order from the student's primary care provider that includes the student's diagnosis, description of symptoms indicating the student is in crisis, prescription for medication to treat adrenal insufficiency crisis and instructions for follow-up care after medication to treat adrenal insufficiency crisis has been administered.
- g. "Prescriber" means a doctor of medicine or osteopathy, a physician assistant licensed to practice by the Board of Medical Examiners for the state of Oregon, an Oregon-licensed, advance practice registered nurse with prescriptive authority, a dentist licensed by the Board of Dentistry for the state of Oregon, an optometrist licensed by the Board of Optometry for the

¹ A registered nurse who is employed by a public or private school, ESD or local public health authority to provide nursing services at a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

state of Oregon, a naturopathic physician licensed by the Board of Naturopathy for the state of Oregon or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.

- h. “Qualified trainer” means a person who is familiar with the delivery of health services in a school setting and who is a registered nurse licensed by the Oregon State Board of Nursing, a doctor of medicine or osteopathy or a physician assistant licensed by the Board of Medical Examiners for the state of Oregon or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.
- i. “Severe allergy” means a life-threatening hypersensitivity to a specific substance such as food, pollen, dust or insect sting.
- j. “Asthma” means a chronic inflammatory disorder of the airways that requires ongoing medical intervention.
- k. “Designated personnel” means the school personnel designated to administer medication pursuant to district policy and procedure.

2. Designated Staff/Training

- a. The principal will designate personnel authorized to administer prescription or nonprescription medication to a student while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or school-sponsored activity, as required by Oregon law. The principal will supervise and ensure handling and activity practices and procedures are consistent with the requirements of law, rules, and this administrative regulation.
- b. The principal will ensure the training required by Oregon law is provided to designated personnel. Training must be conducted by a qualified trainer. Training will be provided annually to designated personnel authorized to administer medication to students. The first year and every third year of training requires in-person instruction; during the intervening years, designated personnel may complete an online training that has been approved by the Oregon Department of Education (ODE) so long as a trainer is available within a reasonable amount of time following the training to answer questions and provide clarification.
- c. Training will provide an overview of applicable provisions of Oregon law, administrative rules, district policy and administrative regulations and include, but not be limited to, the following: safe storage, handling, monitoring medication supplies, disposing of medications, record keeping and reporting of medication administration and errors in administration, emergency medical response for life-threatening side effects, allergic reactions or adrenal insufficiency and student confidentiality. Materials as recommended and/or approved by the ODE will be used.
- d. A copy of the district’s policy and administrative regulation will be provided to all staff authorized to administer medication to students and others, as appropriate.
- e. A statement that the designated personnel has received the required training will be signed by the staff member and filed in the district office.

3. Administering Premeasured Doses of Epinephrine to a Student or Other Individual

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on school premises who the person believe in good faith is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

4. Administering Naloxone or Other Similar Medication to a Student or Other Individual

Naloxone or any other similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing an opioid overdose.

5. Administering of Medication to a Student Experiencing Symptoms of Adrenal Crisis

A student experiencing symptoms of adrenal crisis while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, may be treated by designated personnel and shall be subject to the following:

- a. Upon notice of a diagnosis of adrenal insufficiency, as defined in Oregon Administrative Rule (OAR) 581-021-0037, the building principal will designate one or more school personnel to be responsible for administering the medication to treat adrenal insufficiency;
- b. The designated personnel will successfully complete training to administer medication to treat a student who has adrenal insufficiency and is experiencing symptoms of adrenal crisis in accordance with the rules adopted by the Oregon Health Authority;
- c. The student or the student's parent or guardian must provide an adequate supply of the student's prescribed medication to the district;
- d. The district will require the development of an individualized health care plan for the student that includes protocols for preventing exposures to allergens, and establishes if or when a student may self-carry prescription medication when the student has not been approved to self-administer medication;
- e. In the event that a student experiences symptoms of adrenal crisis and the designated personnel determines that medication to treat adrenal insufficiency should be administered, any available staff member will immediately call 911 and the student's parent or guardian.

6. Administering Medication to a Student

- a. A request to permit designated personnel to administer medication to a student may be approved by the district and is subject to the following:
 - (1) A written request for designated personnel to administer prescription medication to a student, if because of the prescribed frequency or schedule, the medication must be given while the student is in school, at a school-sponsored activity, while under the supervision of school personnel and in transit to or from school or a school-sponsored activity, must be submitted to the school office and shall include:
 - (a) The written permission of the student's parent or guardian or the student if the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
 - (b) The written instruction from the prescriber for the administration of the medication to the student that includes:
 - (i) Name of the student;

- (ii) Name of the medication;
- (iii) Method of administration;
- (iv) Dosage;
- (v) Frequency of administration;
- (vi) Other special instructions from the prescriber, if any; and
- (vii) Signature of the prescriber.

The prescription label prepared by a pharmacist at the direction of the prescriber, will be considered to meet this requirement if it contains the information listed in (i)-(vi) above.

(2) A written request for designated personnel to administer nonprescription medication to a student must be submitted to the school office and is subject to the following:

- (a) The nonprescription medication is necessary for the student to remain in school;
- (b) The nonprescription medication is provided in the original manufacturer's container by the parent or guardian of the student;
- (c) The written instruction from the student's parent or guardian for the administration of the nonprescription medication includes:

- (i) Name of the student;
- (ii) Name of the medication;
- (iii) Method of administration;
- (iv) Dosage;
- (v) Frequency of administration;
- (vi) Other special instructions, if any; and
- (vii) Signature of the student's parent or guardian.

If the written instruction is not consistent with the manufacturer's guidelines for the nonprescription medication, the written instruction must also include a written order allowing the inconsistent administration signed by a prescriber.

(d) If the nonprescription medication is not approved by the Food and Drug Administration (FDA), a written order from the student's prescriber is required and will include:

- (i) Name of the student;
- (ii) Name of the medication;
- (iii) Dosage;
- (iv) Method of administration;
- (v) Frequency of administration;
- (vi) A statement that the medication must be administered while the student is in school;
- (vii) Other special instructions, if any; and
- (viii) Signature of the prescriber.

b. An individualized health care and allergy plan will be developed for a student with a known life-threatening allergy and will include protocols for preventing exposures to allergens and procedures for responding to life-threatening allergic reactions while the student is in school,

at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, and will include a determination on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;

- c. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
- d. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that the school is informed in writing of any changes in medication instructions;
- e. In the event a student refuses medication, the parent or guardian will be notified immediately, except where a student is allowed to seek medical care without parental consent. No attempt will be made to administer medication to a student who refuses a medication;
- f. Any error in administration of a medication will be reported to the parent or guardian immediately, except where a student is allowed to seek medical care without parental consent. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dose, frequency, administration or method of administration;
- g. Medication shall not be administered until the necessary permission form and written instructions have been submitted as required by the district.

7. Administration of Medication by a Student to Themselves

- a. A student, including a student in grade K through 12 with asthma or severe allergies, may be permitted to administer medication to themselves without assistance from designated personnel and is subject to the following:
 - (1) A student must demonstrate the ability developmentally and behaviorally, to self-administer prescription medication and must have:
 - (a) A permission form from a parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 and 109.675, and other documentation requested by the district must be submitted for self-medication of all prescription medications;
 - (b) If the student has asthma, diabetes and/or a severe allergy, a medication that is prescribed by a prescriber and a written treatment plan developed by a prescriber or other Oregon licensed health care professional for managing of the student's asthma, diabetes and/or severe allergy, and directs use by the student while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity. The prescriber will include acknowledgment that the student has been instructed in the correct and responsible use of the prescribed medication;
 - (c) The permission to self-administer the medication from a building administrator and a prescriber or registered nurse practicing in a school setting.

- (2) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication and must have:
- (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675;
 - (b) The student's name affixed to the manufacturer's original container; and
 - (c) The permission to self-administer medication from a building administrator.
- (3) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication that is not approved by the FDA and must have:
- (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
 - (b) A written order from the student's prescriber that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school;
 - (vii) Other special instructions, if any;
 - (viii) Signature of the prescriber.
- b. The student may have in their possession only the amount of medication needed for that school day, except for manufacturer's packaging that contains multiple dosage, the student may carry one package, such as but not limited to, autoinjectable epinephrine or bronchodilators/inhalers.
 - c. Sharing and/or borrowing of any medication with another student is strictly prohibited;
 - d. For a student who has been prescribed bronchodilators or epinephrine, the designated personnel will request that the parent or guardian provide backup medication for emergency use by that student. Backup medication, if provided, will be kept at the student's school in a location to which the student has immediate access in the event the student has an asthma and/or severe allergic emergency;
 - e. Upon written request from a parent or guardian, and with a prescriber's written statement that the lack of immediate access to a backup autoinjectable epinephrine may be life threatening to a student, and the location the school stores backup medication is not located in the student's classroom, a process shall be established to allow the backup autoinjectable epinephrine to be kept in a reasonably secure location in the student's classroom;
 - f. A student shall not administer medication to themselves until the necessary permission form and written instructions have been submitted as required by the district;
 - g. Permission for a student to administer medication to themselves may be revoked if the student violates the Board policy and/or this administrative regulation;
 - h. A student may be subject to discipline, up to and including expulsion, as appropriate;

- i. A student permitted to administer medication to themselves may be monitored by designated personnel to monitor the student's response to the medication.

8. Handling, Monitoring and Safe Storage of Medication Supplies for Administering Medication to Students

- a. Medication administered by designated personnel to a student or self-administered by a student, must be delivered to the school in its original container, accompanied by the permission form and written instructions, as required above.
- b. Medication in capsule or tablet form and categorized as a sedative, stimulant, anticonvulsant, narcotic analgesic or psychotropic medication will be counted by designated personnel in the presence of another district employee upon receipt, documented in the student's medication log and routinely monitored during storage and administration. Discrepancies will be reported to the principal immediately and documented in the student's medication log. For such medication not in capsule or tablet form, standard measuring and monitoring procedures will apply.
- c. Designated personnel will follow the written instructions of the prescriber and the student or the student's parent or guardian, and training guidelines as may be recommended by the ODE for administering all forms of prescription and/or non-prescription medications.
- d. Medication will be secured as follows:
 - (1) Nonrefrigerated medications will be stored in a locked cabinet, drawer or box;
 - (2) Medications requiring refrigeration will be stored in a locked box in a refrigerator;
 - (3) Access to medication storage keys will be limited to the principal and designated personnel.
- e. Designated personnel will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering and that the medication container is properly sealed and returned to storage.
- f. In the event medication is running low or an inadequate dosage is on hand to administer the medication, the designated personnel will notify the student's parent or guardian or the student (in situations involving ORS 109.610, 109.640 and 109.675) immediately.

9. Emergency Response

- a. Designated personnel will notify 911 or other appropriate emergency medical response systems and administer first aid, as necessary, in the event of life-threatening side effects that result from district-administered medication or from student self-medication or allergic reactions. The parent or guardian, and principal will be notified immediately.
- b. Minor adverse reactions that result from district-administered medication or from student self-medication will be reported to the parent or guardian immediately, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675.
- c. Any available district staff will immediately call 911 and the student's parent or guardian if the designated personnel believes the student is experiencing symptoms of adrenal crisis and plans to administer medication.

10. Disposal of Medications

- a. Medication not picked up by the student's parent or guardian, or the student when allowed pursuant to ORS 109.610, 109.640 and 109.675, at the end of the school year or within five school days of the end of the medication period, whichever is earlier, will be disposed of by designated personnel in a nonrecoverable fashion as follows:
 - (1) Medication will be removed from its original container and personal information will be destroyed;
 - (2) Solid medications will be crushed, mixed or dissolved in water, liquid medications will be mixed or dissolved in water; and
 - (3) Mixed with an undesirable substance, e.g., coffee grounds, kitty litter, flour; and
 - (4) Placed in impermeable non-descriptive containers, e.g., empty cans or sealable bags, and placed in the trash.

Prescriptions will be flushed down the toilet **only** if the accompanying patient information specifically instructs it is safe to do so.

Other medication will be disposed of in accordance with established training procedures including sharps and glass.

- b. All medication will be disposed of by designated personnel in the presence of another school employee and documented as described in Section 10, below.

11. Transcribing, Recording and Record Keeping

- a. A medication log will be maintained for each student administered medication by the district. The medication log will include, but not be limited to:
 - (1) The name of the student, name of medication, dosage, method of administration, date and time of administration, frequency of administration and the name of the person administering the medication;
 - (2) Student refusal of medication;
 - (3) Errors in administration of medication;
 - (4) Incidents of emergency and/or minor adverse reaction by a student to medication;
 - (5) Discrepancies in medication supply;
 - (6) Disposal of medication including date, quantity, manner in which the medication was destroyed and the signature of the staff involved.
- b. All records relating to administration of medications, including permissions and written instructions, will be maintained in a separate medical file apart from the student's education record file unless otherwise related to the student's educational placement and/or individualized education program. Records will be retained in accordance with applicable provisions of OAR 166-400-0010(17) and OAR 166-400-0060(29).
- c. Student health information will be kept confidential. Access shall be limited to those designated personnel authorized to administer medication to students, the student and their parent or guardian. Information may be shared with other staff with a legitimate educational interest in the student or others as may be authorized by the parent or guardian in writing or others as allowed under state and federal law.

Medications

Students may, subject to the provisions of this administrative regulation, have prescription or nonprescription medication administered by designated district personnel, or may be permitted to administer prescription or nonprescription medication to themselves.

1. Definitions¹

- a. “Administer” means the direct application of a drug or device whether by injection, inhalation, ingestion, or any other means, to the body of a patient or research subject by: (1) a practitioner or the practitioner’s authorized agent; or (2) the patient or research subject at the direction of the practitioner. (ORS 689.005)
- b. “Adrenal crisis” means a sudden, severe worsening of symptoms associated with adrenal insufficiency, such as severe pain in the lower back, abdomen or legs, vomiting, diarrhea, dehydration, low blood pressure or loss of consciousness. (ORS 433.800)
- c. “Adrenal insufficiency” means a hormonal disorder that occurs when the adrenal glands do not produce enough adrenal hormones. (ORS 433.800)
- d. “Asthma” means a chronic inflammatory disorder of the airways that requires ongoing medical intervention. (ORS 339.866)
- e. “Delegation” means a formal delegation of a nursing procedure by a registered nurse to district personnel in accordance with the Oregon Nurse Practice Act. (OAR Chapter 851)
- f. “Designated personnel” means the school personnel designated and trained to administer medication pursuant to district policy and procedure.
- g. “Medication” means medication that is not injected; premeasured doses of epinephrine that are injected; medication that is available for treating adrenal insufficiency; and Naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug. “Medication” also means any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student’s Oregon licensed health care professional for asthma or severe allergies. “Medication” does not include nonprescription sunscreen. (ORS 339.866; ORS 339.867)
- h. “Nonprescription medication” means nonprescription drugs as defined in ORS 689.005, which means drugs that may be sold without prescription and that are prepackaged for use by the consumer and labeled in accordance with the requirements of the statutes and regulations of this state and the federal government. (OAR 581-021-0037)
- i. “Notice of a diagnosis of adrenal insufficiency” means written notice to the district from the parent or guardian of a student who has been diagnosed as adrenal insufficient with a copy of an order from the student’s primary care provider that includes the student’s diagnosis, description of symptoms indicating the student is in crisis, prescription for medication to treat

¹ There are several laws that apply to medications in schools. Some of these laws have unique definitions that may apply in specific situations. If the applicable law uses a definition that varies from the definition here, use the definition in the law.

adrenal insufficiency crisis, and instructions for follow-up care after medication to treat adrenal insufficiency crisis has been administered. (OAR 581-021-0037)

- j. [“Opioid overdose” means a medical condition that causes depressed consciousness, depressed respiratory function or the impairment of vital bodily functions as a result of ingesting opioids. (ORS 689.800)]
- k. “Prescriber²” means a “practitioner” as defined in ORS 689.005, which means a person licensed and operating within the scope of such license to prescribe, dispense, conduct research with respect to or administer drugs in the course of professional practice or research: (a) in this state; or (b) in another state or territory of the U.S. if the person does not reside in Oregon and is registered under the federal Controlled Substances Act. (OAR 581-021-0037)
- l. “Prescription medication” means a “prescription drug” as defined in ORS 689.005, which means a drug that is: required by federal law, prior to being dispensed or delivered, to be labeled with “Caution: Federal law prohibited dispensing without prescription” or “Caution: Federal law restricts this drug to use by or on the order of a licensed veterinarian”; or required by any applicable federal or state law or regulation to be dispensed on prescription only or is restricted to use by practitioners only.
- m. “Severe allergy” means a life-threatening hypersensitivity to a specific substance such as food, pollen, or dust. (ORS 339.866)
- n. “Short-acting opioid antagonist” means any short-acting drug approved by the U.S. Food and Drug Administration for the complete or partial reversal of an opioid overdose. (ORS 689.800)

2. Designated Staff/Training

- a. Medications, including injectable medications, may be administered by trained personnel as part of a formal delegation by a registered nurse.
- b. The principal, in consultation with the school nurse, will designate district personnel authorized to administer prescription or nonprescription medication to a student which takes into account when the student is in school, at a district-sponsored activity, under the supervision of district personnel, or in transit to or from school-or district-sponsored activities, and may include when a student is in a before-school or after-school care program on school-owned property when required by law. The principal will supervise and ensure building and activity practices and procedures are consistent with the requirements of law, rules, policy and this administrative regulation.
- c. The district will provide staff who are designated personnel to administer prescription or nonprescription medication access to a school nurse.
- d. The principal will ensure the annual training required by Oregon law is provided to designated district personnel. Training must be conducted by a qualified trainer, which is a person who is familiar with the delivery of health services in a school setting and who is either a registered nurse licensed by the Oregon State Board of Nursing or a prescriber. District personnel designated to administer epinephrine, glucagon, and medication to treat adrenal insufficiency shall be trained using related training developed by the Oregon Health Authority (OHA). The first training and every third training thereafter shall be provided in-person³. During

² A registered nurse who is employed by a district or local public health authority to provide nursing services at a district may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the district for not more than 90 days.

³ An online training may qualify as “in-person” when these measures are met: content is provided via synchronous, interactive online sessions with a trainer and learners visible on screen; trainers must be licensed and work within their scope of practice;

- subsequent years, designated district personnel may complete an online training so long as a trainer is available following the training to answer questions and provide clarification.
- e. The training for district personnel will provide an overview of applicable provisions of Oregon law, administrative rules, district policy and administrative regulations and include, but not be limited to, discussion of the following: safe storage, administration, handling and disposing of medications; accessibility of medication during an emergency; record keeping; whether response to medication should be monitored by designated personnel and the role of designated personnel in such monitoring; emergency medical response procedures following administration of the medication; confidentiality of health information; and assessment of gained knowledge. Training as recommended and/or approved by ODE will be used.
 - f. The district shall maintain documentation of district personnel's completion of training in accordance with OAR 166-400-0010.

3. Administering Premeasured Doses of Epinephrine to a Student or Other Individual

A premeasured dose of epinephrine may be administered by trained district personnel to any student or other individual on district premises who the person believes in good faith is experiencing a severe allergic response, regardless of whether the student or individual has a prescription for epinephrine.

4. Administering Short-Acting Opioid Antagonists

A short-acting opioid antagonist may be administered by any district personnel⁴ to any student or other individual, on school premises who the individual administering the short-acting opioid antagonist believes in good faith is experiencing an overdose of an opioid drug.

The principal or school district designee shall immediately notify the parent or guardian of a minor student enrolled in a school within the district when a short-acting opioid antagonist is administered to the student while at school, on school property under the jurisdiction of the district or at any activity under the jurisdiction of the district.

The district shall provide to the parent or legal guardian of each minor student enrolled in a school in the district information regarding short-acting opioid antagonists. The information will include at least:

- a. A description of short-acting opioid antagonists and their purpose;
- b. A statement regarding, in an emergency situation, the risks of administering to an individual a short-acting opioid antagonist and the risks of not administering to an individual a short-acting opioid antagonist;
- c. A statement identifying which schools in the district, if any, have short-acting opioid antagonists, and the necessary medical supplies to administer short-acting opioid antagonists, onsite and available for emergency situations; and

and include in-person, skills demonstration for training developed by the Oregon Health Authority for epinephrine, glucagon, and for medication to treat adrenal insufficiency.

⁴ Including district personnel who have not received medication administration training.

- d. A statement that a representative of the district may administer a short-acting opioid antagonist to a student in an emergency if the student appears to be unconscious and experiencing an opioid overdose.

5. Administering of Medication to a Student Experiencing Symptoms of Adrenal Crisis

A student experiencing symptoms of adrenal crisis while the student is in school, at a district-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and/or in transit to or from a school or a district-sponsored activity, may be treated by designated personnel and shall be subject to the following:

- a. Upon notice of a diagnosis of adrenal insufficiency, as defined in Oregon Administrative Rule (OAR) 581-021-0037, the building principal of the school the student attends will designate one or more district personnel to receive training and be responsible for administering the medication to treat adrenal insufficiency to a student in the event the student exhibits symptoms the district personnel believe in good faith indicate the student is experiencing symptoms of adrenal crisis;
- b. The designated personnel will successfully complete required training to administer medication to treat a student who has adrenal insufficiency and is experiencing symptoms of adrenal crisis;
- c. The student's parent or guardian must provide adequate supply of the student's prescribed medication to the district;
- d. The district will develop an individualized health care plan for the student;
- e. In the event that a student experiences symptoms of adrenal crisis and the designated personnel determines the medication to treat adrenal insufficiency should be administered, any available district staff member will immediately call 911 and the student's parent or guardian.

6. Administering Medication to a Student

- a. A request to permit designated personnel to administer medication to a student may be approved by the district and is subject to the following:
 - (1) A written request for designated personnel to administer prescription medication to a student, if because of the prescribed frequency or schedule, the medication must be given while the student is in school, at a school-sponsored activity, while under the supervision of school personnel and in transit to or from school or a school-sponsored activity, must be submitted to the school office and shall include:
 - (a) The written permission of the student's parent or guardian; and
 - (b) The written instruction from the prescriber for the administration of the medication to the student that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instructions from the prescriber, if any; and

(vii) Signature of the prescriber.

The prescription medication is provided in the original prescription packaging by the student's parent or guardian. The prescription label prepared by a pharmacist at the direction of the prescriber, will be sufficient to meet this requirement if it contains the information listed in (i)-(vi) above.

- (2) A written request for designated personnel to administer nonprescription medication to a student must be submitted to the school office and is subject to the following:
- (a) The nonprescription medication is necessary for the student to remain in school;
 - (b) The nonprescription medication is:
 - (i) Provided in the original manufacturer's container by the student's parent or guardian; or
 - (ii) Is part of the district's stock medication program in compliance with the Oregon Board of Pharmacy rules including OAR 855-035-0005.
 - (c) The written instruction and permission from the student's parent or guardian for the administration of the nonprescription medication⁵ includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instructions, if any; and
 - (vii) Signature of the student's parent or guardian.

If the written instruction is not consistent with the manufacturer's guidelines for the nonprescription medication, the written instruction must also include a written order allowing the inconsistent administration signed by a prescriber.

- (d) If the nonprescription medication is not approved by the Food and Drug Administration (FDA), a written order from the student's prescriber is required and will include:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school;
 - (vii) Other special instructions, if any; and

⁵ For nonprescription medication that is not approved by the Food and Drug Administration (FDA), see requirements in 6.a.(2)(d).

(viii) Signature of the prescriber.

- b. The principal or designee will require an individualized health care plan or allergy plan be developed for every student with a need to manage asthma or a known life-threatening allergy. A plan will include protocols for preventing exposures to allergens and procedures for responding to life-threatening allergic responses, and include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity;
- c. A student being administered a medication may be monitored by designated personnel to monitor the student's response to the medication;
- d. A determination will be made by the district on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;
- e. It is the student's parent or guardian's responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
- f. It is the student's parent or guardian's responsibility to ensure that the school is informed in writing of any changes in medication instructions;
- g. In the event a student refuses medication, the parent or guardian will be notified immediately. No attempt will be made to administer medication to a student who refuses a medication;
- h. Any error in administration of a medication will be reported to the parent or guardian immediately and documented on a medication administration record. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dose, frequency of administration or method of administration;
- i. Medication shall not be administered until the necessary permission form and written instructions have been submitted and received as required by the district.

7. Administration of Medication by a Student to Themselves

- a. A student, including a student in grade K through 12 with asthma or severe allergies, may be permitted to administer prescription or nonprescription medication to themselves without assistance from designated personnel and is subject to the following:
 - (1) A student must demonstrate the ability, developmentally and behaviorally, to self-administer prescription medication and must have:
 - (a) The written permission from a parent or guardian and other documentation requested by the district must be submitted for self-medication of all prescription medications;
 - (b) If the student has asthma or a severe allergy, a medication that is prescribed by a prescriber and a written treatment plan developed by a prescriber or other Oregon licensed health care professional for managing of the student's asthma, diabetes and/or severe allergy, and directs use by the student while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity. The prescriber will include acknowledgment that the student has been instructed in the correct and responsible use of the prescribed medication;

- (c) The permission to self-administer the medication from a building administrator and a prescriber or registered nurse practicing in a district setting.
- (2) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication⁶ and must have:
- (a) The written permission of the student’s parent or guardian;
 - (b) The student’s name affixed to the manufacturer’s original container; and
 - (c) The permission to self-administer medication from a building administrator.
- (3) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication that is not approved by the FDA and must have:
- (a) The written permission of the student’s parent or guardian; and
 - (b) A written order from the student’s prescriber that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school, at a district-sponsored activity, under the supervision of district personnel, or in transit to or from school or district-sponsored activities;
 - (vii) Other special instructions, if any; and
 - (viii) Signature of the prescriber.
- b. A determination will be made by the district on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;
 - c. A student may have in their possession only the amount of medication needed for that school day, except for manufacturer’s packaging that contains multiple dosage, the student may carry one package, such as, but not limited to, autoinjectable epinephrine or bronchodilators/inhalers;
 - d. The sharing and/or borrowing by a student of any medication with another student is strictly prohibited⁷;
 - e. The district personnel will request backup medication, when the medication is to treat a student’s asthma or severe allergy emergency, from the student’s parent or guardian. Backup medication, if provided by a student’s parent or guardian, will be kept at the student’s school in a location to which the student has immediate access in the event the student has an asthma and/or severe allergy emergency;
 - f. A student shall not administer medication to themselves until the necessary permission form and written instructions have been submitted as required by the district;

⁶ For nonprescription medication that is not approved by the Food and Drug Administration (FDA), see requirements in 7.a.(3).

⁷ [Except for short-acting opioid antagonists.]

- g. The permission for a student to administer medication to themselves may be revoked if the student does not responsibly self-administer the medication or abuses the use of the medication as determined by district personnel;
 - h. A student may be subject to discipline, up to and including expulsion, as appropriate for violations of these procedures;
 - i. A student permitted to administer medication to themselves may be monitored by designated personnel to monitor the student's response to the medication[.] [;]
 - j. [The district allows the application of and use by students of nonprescription sunscreen, including sunscreen that contains para-aminobenzoic acid, without any required documentation from a licensed health care professional per ORS 339.874.]
8. Handling, Monitoring and Safe Storage of Medication Supplies for Administration of Medication
- a. Any medication must be delivered to the school in its original manufacturer's or current prescription container, accompanied by the permission form and written instructions, as required above.
 - b. Prescription medication must always be the most current prescription and kept in the original, labeled container.
 - c. Nonprescription medication must be kept in original manufacturer's bottle or box.
 - d. [Never administer medication sent to school in unlabeled containers.]
 - e. [Never repackage medication into a plastic bag or other container for any reason.]
 - f. [Medication in any form categorized as a sedative, stimulant, anti-convulsive, narcotic analgesic or psychotropic medication will be counted or measured by designated personnel or parent or guardian in the presence of another district employee upon receipt [and initialed by the two individuals who counted or witnessed the procedure], documented in the student's medication administration record (MAR) and routinely monitored during storage and administration. Any discrepancies will be reported to the [school] [district] nurse or principal immediately and documented in the student's MAR. For such medication not in capsule or tablet form, standard measuring and monitoring procedures will apply.]
 - g. Designated personnel will follow the written instructions of the prescriber and the student's parent or guardian, and training guidelines as may be recommended by ODE for administering all forms of prescription and/or nonprescription medications.
 - h. [Medication will be secured as follows:
 - (1) Nonrefrigerated medications will be stored in a locked cabinet, drawer or box in a secure area;
 - (2) Medications requiring refrigeration will be stored in a locked box in a refrigerator or in a separate refrigerator used solely for the storage of medication in a secure area;
 - (3) Access to medication storage keys will be limited to the principal and designated personnel.]
 - i. [Designated personnel will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering and that the medication container is properly sealed and returned to storage.]
 - j. When medication is running low or an inadequate dosage is on hand to administer the medication, the designated personnel will notify the student's parent or guardian immediately.

9. Emergency Response

- a. Designated personnel will immediately call 911 or other appropriate emergency medical response systems and administer first aid, as necessary, in the event of life-threatening side effects and allergic reactions, including the administration of epinephrine. The parent or guardian[, [school] [district] nurse] and principal will be notified immediately.
- b. Adverse reactions which result from district-administered medication or from student self-medication will be reported to the parent or guardian immediately.
- c. Any available district staff will immediately call 911 and the student's parent or guardian if the designated personnel believes the student is experiencing symptoms of adrenal crisis and plans to administer medication.
- d. Any available staff will immediately call 911 when a short-acting opioid antagonist is administered to any student or other individual on district premises.

10. Disposal of Medications

- a. [Medication not picked up by the student's parent or guardian, at the end of the school year or within [five] school days of the end of the medication period, whichever is earlier, will be disposed of by designated personnel in the presence of another school employee. The medication may be disposed through a designated drug take-back collection program or in a nonrecoverable fashion as follows:
 - (1) Medication will be removed from its original container and personal information will be destroyed;
 - (2) Mix with an undesirable substance, e.g., coffee grounds, used cat litter;
 - (3) Place in a plastic bag or other sealable container, e.g., such as an empty plastic container; and
 - (4) Place the sealed container with the mixture in the trash as close to garbage pickup time as possible, to prevent theft and misuse.]
- b. [Prescriptions will never be flushed down the toilet or drain or burnt with other waste.]
- c. [Sharps and glass will be disposed of in accordance with state guidelines.]
- d. [All medication will be disposed of by designated personnel following DEQ guidelines and documented on the student's MAR as described below.]

11. Transcribing, Recording and Record Keeping

- a. A medication administration record (MAR) will be maintained for each student administered medication by the district. [The MAR will be in paper⁸ or electronic form and will include, but not be limited to:
 - (1) The full name of the student, date of birth, name of medication, dosage, method of administration, date and time of administration, frequency of administration and the name of the person administering the medication;
 - (2) Student refusals of medication;
 - (3) Errors in administration of medication;
 - (4) Incidents of emergency and minor adverse reaction by a student to medication;
 - (5) Discrepancies in medication supply;

⁸ If a paper record is kept, the record will be documented in blue or black ink, and never in pencil or with use of white-out.

- (6) Disposal of medication including date, quantity, manner in which the medication was destroyed and the signature of the staff involved.]
- b. A MAR for medication administered as part of an IEP goal should be maintained in the IEP record at the end of each school year.
- c. All records relating to administration of medications, including permissions and written instructions, will be maintained. Records will be retained in accordance with applicable provisions of OAR 166-400-0010(17) and OAR 166-400-0060(29).
- d. All records relating to the training of designated district personnel will be maintained by the district in accordance with applicable provisions of OAR 166-400-0010.
- e. Student health information will be kept confidential. Access shall be limited to those designated personnel authorized to administer medication to students, the student and their parent or guardian. Information may be shared with school personnel with a legitimate educational interest in the student or others authorized by the parent or guardian in writing or others as allowed under state and federal law.

[Non-liability Provisions for Administration of Prescription and Nonprescription Medications and Short-Acting Opioid Antagonists

A school administrator, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration of nonprescription medication, if the school administrator, teacher or other school employee in good faith administers nonprescription medication to a student pursuant to written permission and instructions of the student's parents or guardian.

A school administrator, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration of prescription medication, if the school administrator, teacher or other school employee in compliance with the instructions of a physician, physician assistant, nurse practitioner, naturopathic physician or clinical nurse specialist, in good faith administers prescription medication to a student pursuant to written permission and instructions of the student's parents or guardian.

A person may not maintain an action for injury, death or loss that results from acts or omissions of a school administrator, teacher or other school employee during the administration of a short-acting opioid antagonist unless it is alleged and proved by the complaining party that the school administrator, teacher or other school employee was grossly negligent in administering the short-acting opioid antagonist unless other conditions exist and which are outlined in Oregon law in ORS 339.870.

The civil and criminal immunities provided for above do not apply to an act or omission accounting to gross negligence or willful and wanton misconduct.

Non-Liability Provisions for Self-Administration and Autoinjectable Epinephrine

A school administrator, school nurse, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of a student's self-administration of medication, as described in ORS 339.866, if the school administrator, school nurse, teacher or other school employee, in compliance with the instructions of the student's Oregon licensed health care professional, in good faith assists the student's self-administration of the

medication, if the medication is available to the student pursuant to written permission and instructions of the student's parent, guardian or Oregon licensed health care professional.

A school administrator, school nurse, teacher or other school employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the use of medication if the school administrator, school nurse, teacher or other school employee in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication regardless of whether the student or individual has a prescription for epinephrine.

The district and the members of a district Board are not liable in a criminal action or for civil damages as a result of the use of medication if any person in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine; and the person administered the autoinjectable epinephrine on school premises, including at a school, on school property under the jurisdiction of the district or at an activity under the jurisdiction of the district.

The civil and criminal immunities described above (which are identified in ORS 339.871) do not apply to an act or omission to gross negligence or willful and wanton misconduct.]

Medications

The district recognizes that administering a medication to a student and/or permitting a student to administer a medication to them self, may be necessary when the failure to take such medication during school hours would prevent the student from attending school, and recognizes a need to ensure the health and well-being of a student who requires regular doses or injections of a medication as a result of experiencing a life-threatening allergic reaction or adrenal crisis¹, or a need to manage hypoglycemia, asthma or diabetes. Accordingly, the district may administer or a student may be permitted to administer to them self prescription (injectable and noninjectable) and/or nonprescription (noninjectable) medication at school.

The district shall designate personnel authorized to administer medications to students. Annual training shall be provided to designated personnel as required by law in accordance with guidelines approved by the Oregon Department of Education (ODE). When a licensed health care professional is not immediately available, trained personnel designated by the district may administer epinephrine, glucagon or another medication to a student as prescribed and/or allowed by Oregon law.

Current first-aid and CPR cards are strongly encouraged for designated personnel.

The district reserves the right to reject a request for administration of medication at school, either by district personnel or student self-administration, if the medication is not necessary for the student to remain in school.

The superintendent and/or designee will require that an individualized health care plan and allergy plan is developed for every student with a known life-threatening allergy or a need to manage asthma, and an individualized health care plan for every student for whom the district has been given proper notice of a diagnosis of adrenal insufficiency. Such a plan will include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity.

A student may be allowed to self-administer a medication for asthma, diabetes, hypoglycemia or severe allergies as prescribed by an Oregon licensed health care professional, upon written and signed request of the parent or guardian and subject to age-appropriate guidelines. This self-administration provision also requires a written and signed confirmation the student has been instructed by the Oregon licensed health care professional on the proper use of and responsibilities for the prescribed medication. A request to the

¹ Under proper notice given to the district by a student or student's parent or guardian.

district to administer or allow a student to self-administer prescription medication shall include a signed prescription and treatment plan from a prescriber².

A request to the district to administer or allow a student to self-administer nonprescription that is not approved by the Food and Drug Administration (FDA) shall include a written order from the student's prescriber that meets the requirements of law.

A written request and permission form signed by a student's parent or guardian, unless the student is allowed to access medical care without parental consent under state law³, is required and will be kept on file.

If the student is deemed to have violated Board policy or medical protocol by the district, the district may revoke the permission given to a student to self-administer medication.

Prescription and nonprescription medication will be handled, stored, monitored, disposed of and records maintained in accordance with established district administrative regulations governing the administration of prescription or nonprescription medications to students, including procedures for the disposal of sharps and glass.

A process shall be established by which, upon parent or guardian written request, a backup prescribed autoinjectable epinephrine is kept at a reasonably, secure location in the student's classroom as provided by state law.

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

Naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing an overdose of an opioid drug.

This policy shall not prohibit, in any way, the administration of recognized first aid to a student by district employees in accordance with established state law, Board policy and administrative regulation.

A school administrator, teacher or other district employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration, in good faith and pursuant to state law, of prescription and/or nonprescription medication.

A school administrator, school nurse, teacher or other district employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of a student's

² A registered nurse who is employed by a public or private school, ESD or local public health authority to provide nursing services at a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

³ Subject to ORS 109.610, 109.640 and 109.675.

self-administration of medication, as described in Oregon Revised Statute (ORS) 339.866, if that person in good faith and pursuant to state law, assisted the student in self-administration of the medication.

A school administrator, school nurse, teacher or other district employee designated by the school administration is not liable in a criminal action or for civil damages as a result of the use of medication if that person in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who that person believes in good faith is experiencing an overdose of an opioid drug].

The district and the members of the Board are not liable in a criminal action or for civil damages as a result of the use of medication if any person in good faith, on school premises, including at a school, on school property under the jurisdiction of the district or at an activity under the jurisdiction of the district, administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who the person believes in good faith is experiencing an overdose of an opioid drug].

The superintendent shall develop administrative regulations as needed to meet the requirements of law and the implementation of this policy.

END OF POLICY

Legal Reference(s):

[ORS 109.610](#)

[ORS 109.640](#)

[ORS 109.675](#)

[ORS 332.107](#)

[ORS 339.866 - 339.871](#)

[ORS 433.800 - 433.830](#)

[ORS 475.005 - 475.285](#)

[OAR 166-400-0010\(17\)](#)

[OAR 166-400-0060\(29\)](#)

[OAR 333-055-0000 -055-0115](#)

[OAR 581-021-0037](#)

[OAR 581-022-2220](#)

[OAR 851-047-0030](#)

[OAR 851-047-0040](#)

Senate Bill 665 (2019)

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).

OREGON HEALTH AUTHORITY AND OREGON DEPARTMENT OF EDUCATION, *Medication Administration: A Manual for School Personnel*.

Medications

The district recognizes administering a medication to a student and/or permitting a student to administer a medication to themselves, may be necessary to allow the student to attend school. Therefore, the district allows medication, including injectable medications, to be administered to a student by designated personnel and the administration of medication by a student to themselves without assistance from designated personnel, subject to criteria established by the district and in accordance with Oregon law.

The district shall designate personnel authorized to administer medications to students. Medications, including injectable medications, may be administered by designated district personnel as part of a formal delegation by a registered nurse. Annual training shall be provided to designated personnel in accordance with law. The training will align with the ODE Medication Administration Training and include discussion of this policy, procedures and materials, including but not limited to, procedures outlined in administrative regulation JHCD-AR - Medications.

When a licensed health care professional is not immediately available, trained personnel designated by the district may administer epinephrine, glucagon, treatment for adrenal insufficiency, or another medication to a student as prescribed and/or as otherwise allowed by Oregon law.

A current first-aid/CPR/AED card is required for designated personnel.

The district reserves the right to reject a request for administration of medication at school, either by district personnel or student self-administration, if the medication is not necessary for the student to remain in school.

The district may revoke permission given to a student to self-administer medication if the student does not responsibly self-administer the medication or abuses the use of the medication, as determined by district personnel.

Medications will be handled, stored, monitored, disposed of and records maintained in accordance with law and established district procedures governing the administration of prescription or nonprescription medications to students, including procedures for the disposal of sharps and glass.

A process shall be established by which, upon parent or guardian written request, a backup medication is kept at a reasonably, secure location in the student's classroom as provided by state law.

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on district premises who the person believes in good faith is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

[{[1]} A non-injectable short-acting opioid antagonist may be administered to any student or other individual by district personnel (whether or not they have received training on administering medications) on district premises who the individual administering the short-acting opioid antagonist believes in good faith is experiencing an opioid overdose.

A school administrator, teacher or other school employee, may administer a short-acting opioid antagonist to a student who experienced or is experiencing an opioid overdose without written permission and instructions of the student’s parents or guardian.]

This policy shall not prohibit, in any way, the administration of recognized first aid to a student by district employees in accordance with established state law, Board policy and administrative regulation.

The superintendent shall develop administrative regulations to meet the requirements of law and the implementation of this policy.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#) [ORS 339.866 - 339.871](#) [ORS 433.800 - 433.830](#) [ORS 689.800](#)

[OAR 166-400-0010\(17\)](#) [OAR 166-400-0060\(29\)](#) [OAR 333-055-0000 - 0035](#) [OAR 581-021-0037](#)

[OAR 581-022-2220](#) [OAR 851-047-0000 - 0030](#)

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).

OREGON HEALTH AUTHORITY AND OREGON DEPARTMENT OF EDUCATION, *Medication Administration: A Manual for School Personnel*.

House Bill 1552 (2024).

[1] {The district is not required to provide or administer this medication. If the district is going to provide for, and administer this medication, this policy language is required. If the district does not intend to provide or administer this medication, there is no requirement to include this language in this policy.}

Pregnant and/or Parenting Students

The district shall not discriminate in its education program or activity against any student based on their current, potential, or past pregnancy, parenting, or related conditions. No pregnant or parenting student shall be excluded from the public schools on the basis of pregnancy or parenthood. A pregnant and/or parenting student shall be encouraged to continue with an educational program and to participate in all district-sponsored activities ~~unless physically unable~~. The district shall ensure that pregnant and/or parenting students receive special services as necessitated by their condition.

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

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

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

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

When a district employee is notified of a student's pregnancy or related condition by the student or a person who has a legal right to act on behalf of the student, the employee will provide notice to that person. The notice will include:

1. The Title IX Coordinator's contact information;
2. That the Title IX Coordinator can coordinate specific actions to prevent discrimination and ensure the student's equal access to the district's education program or activity;

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4. The district's notice of nondiscrimination.

The student will be allowed access to a lactation space¹ [described in Board policy GBDA – Expression of Milk [or Breastfeeding]].

The superintendent or designee will develop guidelines^{2} necessary to ensure compliance with the provisions of state and federal law.

END OF POLICY

Legal Reference(s):

¹ A lactation space must be a space other than a bathroom, that is clean, shielded from view, free from intrusion from others, and may be used by a student for expressing breast milk or breastfeeding as needed. (34 CFR 106.40(b)(3)(v))

² {Guidelines are required according to ORS 336.640 but does not rise to the level of an administrative regulation. A sample form is available to support developing a student's required individual written plan (OAR 581-023-0100(3)).}

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

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 (2024).

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Code: JFE-AR
Revised/Reviewed: 12.9.24

Individualized Plan for Pregnant and/or Parenting **Teens** **Students**

District _____ Date _____

School _____

Student Information

Student name: _____

Age: _____ Date of birth: _____

Pregnant? Yes No Due date: _____

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

Living situation: _____

Sources of financial support: _____

Education status: Grade completed 6 7 8 9 10 11 12

On track for graduation? Yes No Number of credits **behind** needed to be on track? _____

Date of enrollment in individualized plan: _____

Program Information

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

Education

Description

Provided by:

Family

School

Agency

Paid for by:

Family

School

Agency

Transportation

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Child Care

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Life Skills Training

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Parenting Education

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Career Development

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Health and Nutrition Services

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Counseling

Description

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

Other Social Services

Description

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

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

_____ Signature of student	_____ Date
-------------------------------	---------------

_____ Signature of parent/guardian	_____ Date
---------------------------------------	---------------

_____ Signature of school representative	_____ Date
---	---------------

Termination Data

Date of termination from program: _____

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

Comments: _____

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

Admission of Resident Students

Resident students may be admitted under the following conditions:

1. A school-age student who lives within the district attendance area between the ages of 5 and 19 shall be allowed to attend school without paying tuition.
2. A student who turns 19 years of age during the school year shall continue to be eligible for a free and appropriate public education for the remainder of the school year.
3. The Board may admit an otherwise eligible student who is not receiving special education and who has not yet attained 21 years of age prior to the beginning of the current school year if the student is shown to be in need of additional education in order to receive a diploma or a modified diploma. This student may attend school without paying tuition for the remainder of the school year.
4. The Board shall admit an otherwise eligible student who has not yet attained age 21 prior to the beginning of the current school year if the student is receiving special education services and:
 - a. Has not yet received a regular high school diploma; or
 - b. Has received a modified diploma, an extended diploma or an **alternative certificate of attendance**.
5. Students whose parent or guardian voluntarily placed the child outside the child’s home with a public or private agency and who is living in a licensed, certified or approved substitute care program, and whose residency is established pursuant to Oregon Revised Statute (ORS) 339.134.
6. Students who are military children¹ are considered resident of the district, if the district is the district of military residence² for the military child. Parents of military students must provide proof of residency within 10 days after the date of military transfer or pending transfer indicated on the official military order.
7. The **Board district** may, based on district criteria, deny regular school admission to a student who has become a resident student and who is under expulsion from another district for reasons other than a weapons policy violation.

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.

² “School district of military residence” means the school district in which 1) the family of a military child intends to reside as the result of a military transfer; or 2) if the school district in which the family intends to reside is unknown, the school district in which the military installation identified in the official military order is located.

8. The **Board district** shall deny, for at least one calendar year from the date of the expulsion, regular school admission to a student who has become a resident student and who is under expulsion from another district for a weapons policy violation.
9. The **Board district** may, based on district criteria, provide alternative programs of instruction to a student **expelled who has become a resident student and who is under expulsion from another district** for a weapons policy violation.

END OF POLICY

Legal Reference(s):

[ORS 109.056](#)
[ORS 327.006](#)
[ORS 339.115](#)

[ORS 339.133](#)
[ORS 339.134](#)
[ORS 339.139](#)

[ORS 433.26](#)

Sexual Harassment

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 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.

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

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.

Additional information regarding filing of a complaint or report may be obtained through the principal, Title IX Coordinator, civil rights coordinator, or superintendent.

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

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

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.~~

~~OREGON DEFINITION AND PROCEDURES~~

Oregon Definition

Sexual harassment of students, staff members or third parties¹ shall include:

1. A demand or request for sexual favors in exchange for benefits;
2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:
 - a. Interferes with a student’s educational activity or program;
 - b. Interferes with a school or district staff member’s ability to perform their job; or
 - c. Creates an intimidating, offensive or hostile environment.
3. Assault when sexual contact occurs without consent².

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 action, offensive because of that other person’s sexual orientation or gender identity.

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

¹ “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.

² “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.

Oregon Procedures

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

Name	Position	Phone	Email
<u>Brian Sica</u>	<u>Superintendent</u>	<u>503-324-8591</u>	<u>brians@banks.k12.or.us</u>

This individual is responsible for accepting and managing complaints of sexual harassment. ~~Persons wishing to report should contact them using the above information.~~ Persons wishing to make a report should use the above contact information. The person[s] designated will coordinate the report with the procedures in administrative regulation AC-AR(1) – Discrimination or Civil Rights Complaint Procedure.

Response

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

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

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:

Interviews with those involved;

Interviews with witnesses;

Review of video surveillance;

Review of written communications, including electronic communications;

Review of any physical evidence; and

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.

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

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

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

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:

Educational assignments or educational environment of a student or other person initiating the complaint, reporting the behavior, or participating in the investigation; or

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 person 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:

Each reporting person;

If appropriate, any impacted person who is not a reporting person;

Each reported person; and

Where applicable, a parent or legal guardian of a reporting person, impacted person, or reported person.

The written notification must include:

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

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

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

The notice must:

1. Be written in plain language that is easy to understand;
 Use print that is of a color, size and font that allows the notification to be easily read; and
 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.

~~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;~~

~~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 activity³;~~

~~“Sexual assault”: an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;~~

~~“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;~~

~~“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~~

³ “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))

~~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~~

~~“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.~~

~~Jacob Pence is designated as the Title IX Coordinator. The Title IX Coordinator will coordinate the district's efforts to comply with its responsibilities related to this AR. The district prominently will display the contact information for the Title IX Coordinator on the district website and in each handbook.~~

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. The district shall treat complainants and respondents equitably by providing supportive measures to the complainant and by following a grievance procedure⁴ 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.⁵~~

⁴ 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).

⁵ The Title IX Coordinator may also discuss that the Title IX Coordinator has the ability to file a formal complaint.

~~If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place. 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);~~

~~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~~

~~The grievance procedure and process, how to file a formal complaint of sex discrimination or sexual harassment, and how the district will respond.~~

No Retaliation

~~Neither the district or any person may retaliate⁶ 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 shall be prominently published in the district student handbook and on the district website. This policy shall also be made available at each school office and at the district office. The district shall post this policy on a sign in all grade 6 through 12 schools, on a sign that is at least 8.5 inches by 11 inches in size. A copy of the policy will be made available to any person upon request.

END OF POLICY

Legal Reference(s):

⁶ Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

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

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

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

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

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

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (~~2020~~2024).

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

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

Paid Family and Medical Leave Insurance (PFMLI)

{This administrative regulation is for use only with Version 1 of policy GCBDF/GDBDF - Paid Family and Medical Leave Insurance and is not intended to be used with an equivalent plan. OSBA does not recommend simply replacing “Employment Department” with the name of the entity administering an equivalent plan.}

Application

Employees may submit applications for Paid Leave Oregon to the Oregon Employment Department (“Department”).¹ Applications may be submitted up to 30 days prior to the start of the leave and up to 30 days after the start of the leave.² The Department may require verification from the employee.³ The Department will make all decisions regarding acceptance and denial of an application, including determining the amount of the benefit.⁴ The district cannot accept, file, process or make decisions on applications.

An employee may appeal an approval or denial of claim, the amount of a weekly benefit or a disqualification from receipt of benefits to the Department in accordance with Oregon Revised Statute (ORS) 657B.410 and Oregon Administrative Rule (OAR) 471-070-8005.

Employee Notice to District

If the leave is foreseeable⁵, the employee must provide the district with written notice⁶ at least 30 calendar days prior to the leave. If the leave is not foreseeable⁷ the employee must give oral notice to the district within 24 hours of the start of the leave, and must provide written notice within 3 days after the start of leave.⁸ The district requests as much advanced notice as possible.

¹ For application requirements see Oregon Administrative Regulation (OAR) 471-070-1100. Applications can be submitted at <https://frances.oregon.gov/> to the Employment Department through the Paid Leave Oregon program.

² Exceptions may be granted when the applicant can demonstrate good cause for late submission.

³ See verification requirements in OAR 471-070-1110 - OAR 471-070-1130.

⁴ The benefit may be less than the employee’s salary. See ORS 657B.050.

⁵ Examples of foreseeable leave include, but are not limited to, an expected birth, planned placement of a child, or a scheduled medical treatment for a serious health condition of the eligible employee or a family member of the eligible employee. See OAR 471-070-1310.

⁶ Written notice includes, but it not limited to, handwritten or typed notices, and electronic communication such as text messages and email.

⁷ Leave circumstances that are not foreseeable include, but are not limited to, an unexpected serious health condition of the eligible employee or a family member of the eligible employee, a premature birth, an unexpected adoption, an unexpected foster placement by or with the eligible employee, or for safe leave.

⁸ An eligible employee who takes safe leave shall give the employer reasonable advance notice of the individual’s intention to take safe leave, unless giving the advance notice is not feasible. If other leave also applies, notice requirements for those types of leave may also apply.

The notice must include:

1. The employee's first and last name;
2. Type of leave;
3. Explanation of the need for leave; and
4. Anticipated timing and duration of leave, including if it is continuous or intermittent.

Notice need only be given one time, but the employee shall notify the district as soon as practicable if dates of scheduled leave change, are extended, or were initially unknown. This notice does not need to mention PFMLI or Paid Leave Oregon to satisfy the notice requirements. Notice may be provided by another party on behalf of the employee in accordance with state law.

Failure to comply with these notice requirements may result in a penalty imposed by the Department. The Department may reduce the amount of the benefit by 25 percent in accordance with OAR 471-070-1310(10).

Concurrent Use of District-Provided Paid Leave

The employee will be allowed to use available district-provided accrued paid leave (e.g., sick, vacation or otherwise) for days that Paid Leave Oregon is received. The total combined amount received by using accrued leave and Paid Leave Oregon may exceed the employee's full wage replacement during the period of leave. The district will determine the particular order in which accrued leave is used when more than one type of accrued leave is available to the employee.

Return to Work

Upon completion of leave, the employee is entitled to return to the position held in the district prior to the leave, if that position still exists and if the employee had been employed in the district for 90 days prior to taking leave. If the position no longer exists, the employee is entitled to be restored to any available equivalent position with equivalent employment benefits, pay and other terms and conditions of employment.

Communications Between the District and the Department

Upon receipt of an application or update in information from a district employee for Paid Leave Oregon, the Department will notify the district. The district may provide additional information to the Department within 10 days. This information may include, but is not limited to, information about the employee's notice to the district or verification of the employee's continued employment with the district. If the district does not report such information to the Department, the Department will proceed using available information. The district can provide additional information to the Department as it becomes available.

If the Department requests additional information from the district, the district will respond within 10 calendar days.

Once the Department has issued a decision regarding an application submitted by an employee of the district, the Department will notify the district regarding the approval or denial and any applicable dates and periods of leave.

District Notice to Employees

At the time of hire and each time the policy or procedure changes, the district must provide notice to employees. This notice must be in the language that the employer typically uses to communicate with employees and will include:

1. The right of an eligible employee to claim and receive family and medical leave insurance benefits;
2. The procedure for filing a claim for benefits;
3. That an eligible employee must provide notice to the district before the employee commences leave, and a description of the penalties for failure to comply with the notice requirements;
4. The right of an eligible employee to job protection and benefits continuation;
5. The right of an eligible employee to appeal a decision or determination made by the Department director;
6. That discrimination and retaliatory personnel actions against an employee for inquiring about the PFMLI or Paid Leave Oregon program, giving notification of leave under the program, taking leave under the program or claiming PFMLI or Paid Leave Oregon benefits are prohibited;
7. The right of an employee to bring a civil action or to file a complaint for violation of ORS 657B.060 or 657B.070; and
8. That any health information related to family leave, medical leave or safe leave provided to the district by an employee is confidential and may not be released without the permission of the employee unless state or federal law or a court order permits or requires disclosure.⁹

The district will display the Department’s notice poster in an area that is accessible to and regularly frequented by employees in each building or worksite. The district will provide this notice poster to employees working remotely by hand delivery, regular mail or through an electronic delivery method at the time of hire or assignment to remote work.

District Filings

The district will file the Oregon Quarterly Tax Report, the Oregon Employee Detail Report and any other reports required by law. If the district fails to submit required filings or report, or fails to pay all required contributions, the district may be penalized in accordance with OAR 471-070-8520.

Employee Protections

⁹

No employee or prospective employee will be discriminated or retaliated against for inquiring about PFMLI or Paid Leave Oregon, giving notification of leave under Paid Leave Oregon, taking such leave or claiming such benefits. Eligible employees have a right to file a complaint and/or bring a civil action for violations of ORS 657B.060 or ORS 657B.070.

Any health information related to family leave, medical leave or safe leave provided to the district by an employee is confidential and may not be released without the permission of the employee unless state or federal law or a court order permits or requires disclosure.

Sick Time

“Employee” means an individual ~~who is employed by the district and who is paid on an hourly, stipend or salary basis, and for whom withholding is required under Oregon Revised Statute (ORS) 316.162-316.221.~~ renders personal services at a fixed rate to the district if the district either pays or agrees to pay for personal services or permits the individual to perform personal services. The definition does not include volunteers or independent contractors.

Employees qualify to begin earning and accruing sick time on the first day of employment with the district.

A district employing 10 or more employees and therefore shall allow an eligible employee to access up to 40 hours of paid sick time per year. Any unused sick time left over at the last day of the expiring year goes away, and paid sick time of 40 hours shall be front-loaded to an employee at the beginning of each year.

Sick time shall be taken in hourly increments and may be used for the employee’s or a family member’s¹ mental or physical illness, injury or health condition, need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition or need for preventive care, or for reasons consistent with ~~qualifying the~~ Family Medical Leave Act (FMLA), Paid Family and Medical Leave Insurance (PFMLI) or Oregon Family Leave (OFLA). Sick time may also be used in the event of a public health emergency.

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

The district reserves the right after an employee uses sick time for more than five consecutive days of ~~absence~~, to require proof of personal illness or injury from an employee, including a medical ~~examination by a physician-chosen~~ verification or certification² and paid for by the district. ~~If an An~~ employee ~~refusing to submit to such an examination~~ fails to provide verification or certification or fails to provide other evidence as required by the district, shall be subject to appropriate disciplinary action, up to and including dismissal.

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

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

¹ “Family member” is defined by the Oregon Family Leave Act (OFLA).

² In the case of need for leave under ORS 659A.272, the district may not require the verification or certification to explain the nature of the illness or details related to the domestic violence, sexual assault, harassment, bias, or stalking, which necessitates the use of sick time.

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

If the reason for sick time is unforeseeable, such as an emergency, accident or sudden illness, the employee shall notify the district at least 24 hours in advance, before the start of the employee's shift, or when circumstances prevent the employee from providing notice as required, or as soon as practicable.

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

END OF POLICY

Legal Reference(s):

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

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

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

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2016); 28 C.F.R. Part 35 (2016).
Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654 (2012); Family and Medical Leave Act of 1993, 29 C.F.R. Part 825 (2016).
Americans with Disabilities Act Amendments Act of 2008.

**Request for Domestic Violence, Harassment,
Sexual Assault, Bias or Stalking Leave**

(For employers who employ six or more employees)

PLEASE PRINT

~~Where~~ When the need for the leave may be anticipated, a written request for leave under Oregon Revised Statute (ORS) 659A.270 - 659A.285 shall be made at least [30] days prior to the date the requested leave is to begin unless giving advance notice is not feasible. ~~In emergency situations~~ When it is not feasible, oral or written notice as soon as practical is allowed.

Name of Eligible Employee _____ Effective Date of the Leave _____

Department _____ Title _____

Status: Full-time Part-time Temporary Hire Date _____ Length of Service _____

The requested leave is for:

- Myself
- ~~My~~ A minor child or dependent for which I am a parent or guardian

The leave is for:

- To seek legal or law enforcement assistance or remedies to ensure the health and safety of the eligible employee or the eligible employee’s minor child or dependent, including preparing for and participating in protective order proceedings or other civil or criminal legal proceedings related to domestic violence, harassment, sexual assault, bias, or stalking.
- To seek medical treatment for or to recover from injuries caused by domestic violence, or sexual assault to, harassment, ~~sexual assault~~ or stalking for of or the commission of a bias crime against harassment, sexual assault or stalking for the eligible employee or the eligible employee’s minor child or dependent.
- To obtain, or to assist the eligible employee’s minor child or dependent in obtaining counseling from a licensed mental health professional related to an experience of domestic violence, harassment, sexual assault, bias or stalking.
- To obtain services from a victim services provider for the eligible employee or the eligible employee’s minor child or dependent.
- To relocate or take steps to secure an existing home to ensure the health and safety of the eligible employee or the eligible employee’s minor child or dependent.

“Relocate” is described in OAR 839-009-0345 (5).

The following has been provided ~~by the employee~~ to certify the ~~need for the requested~~ leave:

- A copy of a report from law enforcement indicating ~~that the eligible employee myself or my the eligible employee's~~ minor child or dependent ~~was is~~ a victim ~~or alleged victim~~ of domestic violence, harassment, sexual assault, ~~bias~~ or stalking.
- A copy of a protective order or ~~any other order that restrains an individual from contact with an eligible employee or the employee's minor child or dependent;~~ ~~other~~ evidence from a court, administrative agency or attorney that ~~the eligible employee I or my minor child or dependent~~ appeared in or is preparing for a civil or criminal ~~administrative~~ proceeding related to domestic violence, harassment, sexual assault, ~~bias~~ or stalking ~~or other order authorized by ORS 30.866, 107.095(1)(e), 107.700 - 107.735, 124.005 - 124.040 or 163.730 - 163.750.~~
- Documentation from an attorney, law enforcement officer, health care professional, licensed mental health professional or counselor, member of the clergy, ~~employee of the e~~ Department of Justice ~~division providing victim and survivor services~~ or victim services provider ~~with or from whom the eligible employee or the eligible employee's~~ minor child or dependent is receiving services.

I understand ~~that~~ [I may use accrued paid leave, including ~~personal and~~ sick leave ~~or accrued~~ vacation leave ~~or any other paid leave that is offered by the district [in the order specified by the [district] [applicable collective bargaining agreement] [the district requires me to use any accrued sick leave, vacation, personal leave days or other paid time established by Board policy(ies) and/or collective bargaining agreement in the order specified by the district].~~

If my request for a leave is approved, ~~it is my understanding~~ I understand that without an authorized extension when the need for an extension could be anticipated, I must report to duty on the first workday following the date my leave is scheduled to end. ~~I understand that failure to do so will constitute unequivocal notice of my intent not to return to work and the district may terminate my employment.~~ I understand if I am unable to return to work following the period of authorized leave I will notify ~~my employer~~ the District as soon as practical and provide any required information which will allow ~~my employer~~ the District to determine my eligibility for an extension of leave.

I authorize the district to deduct from my paychecks ~~or seek to recover~~ any ~~employee contributions for health insurance premiums, life insurance or long-term disability insurance~~ amounts paid for insurance coverage by the district on my behalf which remain unpaid after my leave, consistent with state law.

Signature of Employee: _____

Date: _____

Domestic Violence, Harassment, Sexual Assault, Bias, or Stalking Leave (Safe Leave)

(For employers who employ six or more employees)

Definitions

- ~~1. “Covered employer” means an employer who employs six or more individuals in the state of Oregon for each working day through each of 20 or more calendar workweeks in the year in which the eligible employee takes leave to address domestic violence, harassment, sexual assault or stalking, or in the year immediately preceding the year in which an eligible employee takes leave for domestic violence, harassment, sexual assault or stalking.~~
- ~~2. “Eligible employee” means an employee who is a victim of domestic violence, harassment, sexual assault or stalking or is the parent or guardian of a minor child or dependent who is a victim of domestic violence, harassment, sexual assault or stalking.~~
- ~~3. “Protective order” means an order authorized by Oregon Revised Statute (ORS) 30.866; 107.095(1)(e), 107.700 – 107.735, 124.005 – 124.040 or 163.730 – 163.750 or any other order that restrains an individual from contact with an eligible employee or the employee’s minor child or dependent.~~
- ~~4. “Victim of domestic violence” means an individual who has been a victim of abuse as defined by ORS 107.705; or any other individual designated as a victim of domestic violence by rule adopted under ORS 659A.805.~~
- ~~5. “Victim of harassment” means an individual against whom harassment has been committed as described in ORS 166.065 and any other individual designated as a victim of harassment by rule adopted under ORS 659A.805.~~
- ~~6. “Victim of sexual assault” means an individual against whom a sexual offense has been committed as described in ORS 163.467 or 163.525; or any other individual designated as a victim of sexual assault by rule adopted under ORS 659A.805.~~
- ~~7. “Victim of stalking” means an individual against whom stalking has been committed as described in ORS 163.732; or an individual designated as a victim of stalking by rule adopted under ORS 695A.805; or an individual who has obtained a court’s stalking protective order or a temporary court’s stalking protective order under ORS 30.866.~~
- ~~8. “Victim services provider” means a prosecutor-based victim assistance program or a nonprofit program offering safety planning, counseling, support or advocacy related to domestic violence, harassment, sexual assault or stalking.~~

When applicable, the district will comply with the provisions of protected leave identified in ORS 659A.272 to address domestic violence, harassment, sexual assault, bias, or stalking.

▲ The district (covered employer) shall allow an (eligible) employee to take reasonable leave from employment for any of the following reasons:

1. To seek legal or law enforcement assistance or remedies to ensure the health and safety of the employee or the employee's minor child or dependent, including preparing for and participating in protective order proceedings or other civil or criminal legal proceedings related to domestic violence, harassment, sexual assault, bias or stalking;
2. To seek medical treatment for or to recover from injuries caused by domestic violence or sexual assault to, ~~or~~ harassment or stalking of, or the commission of a bias crime against the eligible employee or the employee's minor child or dependent;
3. To obtain or to assist a minor child or dependent in obtaining counseling from a licensed mental health professional related to an experience of domestic violence, harassment, sexual assault, bias or stalking;
4. To obtain services from a victim services provider for the eligible employee or the employee's minor child or dependent;
5. To relocate or take steps to secure an existing home to ensure health and safety of the eligible employee or the employee's minor child/dependent.

The district may limit the amount of leave; if the eligible employee's leave creates an undue hardship on the district.

The district shall not deny leave to an employee or discharge, threaten to discharge, demote, suspend or in any manner discriminate or retaliate against an employee with regards to promotion, compensation or other terms, conditions or privileges of employment ~~as a result of taking such leave~~ because the employee makes inquiries about, applies for, or takes such leave.

The eligible employee shall give the district reasonable advanced notice of the employee's intention to take leave unless giving advance notice is not feasible.

The district may require the eligible employee to provide certification that:

1. The employee or employee's minor child/dependent is a victim of domestic violence, harassment, sexual assault, bias or stalking; and
2. The leave is taken for one of the identified purposes in this policy.

The eligible employee shall provide a certification within a reasonable time after receiving the district's request for the certification.

Sufficient certification to support a request for such leave includes:

1. A copy of a report from law enforcement indicating the **eligible** employee or **the employee's minor child/dependent** was a victim of domestic violence, harassment, sexual assault or stalking.
2. A copy of a protective order or other evidence from a court, administrative agency or attorney that the **eligible** employee appeared in or ~~was~~ **is** preparing for a civil, criminal or administrative proceeding related to domestic violence, harassment, sexual assault or stalking.
3. Documentation from an attorney, law enforcement officer, health care professional, licensed mental professional or counselor, member of the clergy, **employee of the Department of Justice division providing victim and survivor services** or a victim services provider that the employee, employee's **minor** child or dependent was undergoing **treatment or** counseling, obtaining services or relocating as a result of domestic violence, harassment, sexual assault, **bias** or stalking.

All records and information kept by the district regarding the employee's leave **under ORS 659A.270 - 659A.285**, including the **fact that the employee has requested** or obtained **ing** such leave **is** are confidential and may not be released without the express permission of the employee unless otherwise required by law. This information will be kept in a file separate from the employee's personnel file.

The employee may use **any ~~all~~ paid accrued leave**, including **personal, sick leave, ~~and~~ vacation leave or any other paid leave offered by the district**. The **employee District** may choose the order in which paid accrued leave is to be used when more than one type of paid leave **is available consistent with Board policies, and/or any applicable collective bargaining agreement or other agreement**.

Definitions

1. "Protective order" means an order authorized by ORS 30.866, 107.095 (1)(c), 107.700 to 107.735, 124.005 to 124.040, 163.730 to 163.750 or 163.760 to 163.777 or any other order that restrains an individual from contact with an eligible employee or the employee's minor child or dependent.
2. "Victim of bias" means an individual who has been a victim of a bias crime as defined in ORS 147.380; or any other individual designated as a victim of bias by rule adopted under ORS 659A.805.
3. "Victim of domestic violence" means an individual who has been a victim of abuse, as defined in ORS 107.705; or any other individual designated as a victim of domestic violence by rule adopted under ORS 659A.805.
4. "Victim of harassment" means an individual against whom harassment has been committed as described in ORS 166.065; or any other individual designated as a victim of harassment by rule adopted under ORS 659A.805.
5. "Victim of sexual assault" means an individual against whom a sexual offense has been committed as described in ORS 163.305 to 163.467, 163.472 or 163.525; or any other individual designated as a victim of sexual assault by rule adopted under ORS 659A.805.
6. "Victim of stalking" means an individual against whom stalking has been committed as described in ORS 163.732; an individual designated as a victim of stalking by rule adopted under ORS 659A.805;

or an individual who has obtained a court’s stalking protective order or a temporary court’s stalking protective order under ORS 30.866.

7. “Victim services provider” means a prosecutor-based victim assistance program or a nonprofit program offering safety planning, counseling, support or advocacy related to domestic violence, harassment, sexual assault, bias or stalking.

END OF POLICY

Legal Reference(s):

[ORS 192.355\(38\)](#)

[ORS 659A.270 - 659A.290](#)

Family ~~Medical~~ Leave

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

FMLA applies to districts with 50 or more employees within 75 miles of the employee's work site, based on employment during each working day during any of the 20 or more work weeks in the calendar year in which the leave is to be taken, or in the calendar year preceding the year in which the leave is to be taken. The 50 employee test does not apply to educational institutions for determining employee eligibility.

OFLA and OMFLA applies to districts that employ 25 or more part-time or full-time employees in Oregon, based on employment during each working day during any of the 20 or more work weeks in the calendar year in which the leave is to be taken, or in the calendar year immediately preceding the year in which the leave is to be taken.

In order for an employee to be eligible for the benefits under FMLA, he/she must have been employed by the district for at least 12 months and have worked at least 1,250 hours during the past 12-month period.

In order for an employee to be eligible for the benefits under OFLA, he/she must work an average of 25 hours per week and have been employed at least 180 calendar days prior to the first day of the family medical leave of absence. [Special requirements apply during public health emergencies.](#)

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

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

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

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

~~Federal and state leave entitlements generally run concurrently.~~ Leave taken under OFLA is in addition to leave taken under PFMLI and cannot be taken concurrently; however, OFLA leave or PFMLI may run concurrently with leave available under ORS 653.601 - 653.661, FMLA, and other types of leave if provided by the district. Any leave taken under PFMLI must be taken concurrently with any leave taken under FMLA when for the same purpose.

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

END OF POLICY

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

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

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

Legal Reference(s):

[ORS 332.507](#)
[ORS 342.545](#)
[ORS 659A.090](#)

[ORS 659A.093](#)
[ORS 659A.096](#)
[ORS 659A.099](#)

[ORS 659A.150 to -659A.186](#)
[OAR 839-009-0200 to -0320](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).
Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654 (2006); Family and Medical Leave Act of 1993, 29 C.F.R. Part 825 (2008).

National Defense Authorization Act of 2008, Public Law 110-181, § 585(a).

Americans with Disabilities Act Amendments Act of 2008.

National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84, § 565.

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

R4/13/17 | RS

Sexual Harassment

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 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.

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

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.

Additional information regarding filing of a complaint or report may be obtained through the principal, Title IX Coordinator, civil rights coordinator, or superintendent.

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

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

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.~~

~~OREGON DEFINITION AND PROCEDURES~~

Oregon Definition

Sexual harassment of students, staff members or third parties¹ shall include:

1. A demand or request for sexual favors in exchange for benefits;
2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:
 - a. Interferes with a student’s educational activity or program;
 - b. Interferes with a school or district staff member’s ability to perform their job; or
 - c. Creates an intimidating, offensive or hostile environment.
3. Assault when sexual contact occurs without consent².

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 action, offensive because of that other person’s sexual orientation or gender identity.

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

¹ “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.

² “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.

Oregon Procedures

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

Name	Position	Phone	Email
<u>Brian Sica</u>	<u>Superintendent</u>	<u>503-324-8591</u>	<u>brians@banks.k12.or.us</u>

This individual is responsible for accepting and managing complaints of sexual harassment. ~~Persons wishing to report should contact them using the above information.~~ Persons wishing to make a report should use the above contact information. The person[s] designated will coordinate the report with the procedures in administrative regulation AC-AR(1) – Discrimination or Civil Rights Complaint Procedure.

Response

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

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

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:

Interviews with those involved;

Interviews with witnesses;

Review of video surveillance;

Review of written communications, including electronic communications;

Review of any physical evidence; and

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.

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

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

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

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:

Educational assignments or educational environment of a student or other person initiating the complaint, reporting the behavior, or participating in the investigation; or

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 person 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:

Each reporting person;

If appropriate, any impacted person who is not a reporting person;

Each reported person; and

Where applicable, a parent or legal guardian of a reporting person, impacted person, or reported person.

The written notification must include:

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

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

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

The notice must:

1. Be written in plain language that is easy to understand;
Use print that is of a color, size and font that allows the notification to be easily read; and
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.

~~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;~~

~~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 activity³;~~

~~“Sexual assault”: an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;~~

~~“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;~~

~~“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~~

³ “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))

~~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~~

~~“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.~~

~~Jacob Pence is designated as the Title IX Coordinator. The Title IX Coordinator will coordinate the district's efforts to comply with its responsibilities related to this AR. The district prominently will display the contact information for the Title IX Coordinator on the district website and in each handbook.~~

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. The district shall treat complainants and respondents equitably by providing supportive measures to the complainant and by following a grievance procedure⁴ 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.⁵~~

⁴ 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).

⁵ The Title IX Coordinator may also discuss that the Title IX Coordinator has the ability to file a formal complaint.

~~If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place. 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);~~

~~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~~

~~The grievance procedure and process, how to file a formal complaint of sex discrimination or sexual harassment, and how the district will respond.~~

No Retaliation

~~Neither the district or any person may retaliate⁶ 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 shall be prominently published in the district student handbook and on the district website. This policy shall also be made available at each school office and at the district office. The district shall post this policy on a sign in all grade 6 through 12 schools, on a sign that is at least 8.5 inches by 11 inches in size. A copy of the policy will be made available to any person upon request.

END OF POLICY

Legal Reference(s):

⁶ Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

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

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

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

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

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

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (~~2020~~2024).

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

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

Sexual Harassment

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 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.

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

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.

Additional information regarding filing of a complaint or report may be obtained through the principal, Title IX Coordinator, civil rights coordinator, or superintendent.

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

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

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.~~

~~OREGON DEFINITION AND PROCEDURES~~

Oregon Definition

Sexual harassment of students, staff members or third parties¹ shall include:

1. A demand or request for sexual favors in exchange for benefits;
2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:
 - a. Interferes with a student’s educational activity or program;
 - b. Interferes with a school or district staff member’s ability to perform their job; or
 - c. Creates an intimidating, offensive or hostile environment.
3. Assault when sexual contact occurs without consent².

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 action, offensive because of that other person’s sexual orientation or gender identity.

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

¹ “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.

² “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.

Oregon Procedures

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

Name	Position	Phone	Email
<u>Brian Sica</u>	<u>Superintendent</u>	<u>503-324-8591</u>	<u>brians@banks.k12.or.us</u>

This individual is responsible for accepting and managing complaints of sexual harassment. ~~Persons wishing to report should contact them using the above information.~~ Persons wishing to make a report should use the above contact information. The person[s] designated will coordinate the report with the procedures in administrative regulation AC-AR(1) – Discrimination or Civil Rights Complaint Procedure.

Response

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

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

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:

Interviews with those involved;

Interviews with witnesses;

Review of video surveillance;

Review of written communications, including electronic communications;

Review of any physical evidence; and

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.

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

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

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

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:

Educational assignments or educational environment of a student or other person initiating the complaint, reporting the behavior, or participating in the investigation; or

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 person 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:

Each reporting person;

If appropriate, any impacted person who is not a reporting person;

Each reported person; and

Where applicable, a parent or legal guardian of a reporting person, impacted person, or reported person.

The written notification must include:

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

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

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

The notice must:

1. Be written in plain language that is easy to understand;
 Use print that is of a color, size and font that allows the notification to be easily read; and
 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.

~~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;~~

~~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 activity³;~~

~~“Sexual assault”: an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;~~

~~“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;~~

~~“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~~

³ “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))

~~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~~

~~“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.~~

~~Jacob Pence is designated as the Title IX Coordinator. The Title IX Coordinator will coordinate the district's efforts to comply with its responsibilities related to this AR. The district prominently will display the contact information for the Title IX Coordinator on the district website and in each handbook.~~

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. The district shall treat complainants and respondents equitably by providing supportive measures to the complainant and by following a grievance procedure⁴ 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.⁵~~

⁴ 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).

⁵ The Title IX Coordinator may also discuss that the Title IX Coordinator has the ability to file a formal complaint.

~~If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place. 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);~~

~~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~~

~~The grievance procedure and process, how to file a formal complaint of sex discrimination or sexual harassment, and how the district will respond.~~

No Retaliation

~~Neither the district or any person may retaliate⁶ 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 shall be prominently published in the district student handbook and on the district website. This policy shall also be made available at each school office and at the district office. The district shall post this policy on a sign in all grade 6 through 12 schools, on a sign that is at least 8.5 inches by 11 inches in size. A copy of the policy will be made available to any person upon request.

END OF POLICY

Legal Reference(s):

⁶ Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

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

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

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

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

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

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (~~2020~~2024).

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

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

Discrimination or Civil Rights Complaint Procedure

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

The district may have additional responsibilities addressing reports and complaints, including but not limited to, those found in the following policies and their associated administrative regulations:

1. AC-AR(2) - Sex-Based Discrimination under Title IX;
2. ACA - Americans with Disabilities Act;
3. ACB - Every Student Belongs;
4. GBEA - Workplace Harassment;
5. GBM - Staff Complaints;
6. GBMA - Whistleblower;
7. GBN/JBA - Sexual Harassment;
8. GBNA - Hazing, Harassment, Intimidation, Bullying, Menacing or Cyberbullying – Staff;
9. GBNAA/JHFF - Reporting of Suspected Sexual Conduct with Students;
10. GBNAB/JHFE - Suspected Abuse of a Child Reporting Requirements;
11. IIA - Instructional Materials**;
12. JFCF - [Hazing,]Harassment, Intimidation, Bullying, [Menacing,]Cyberbullying, Teen Dating Violence, or Domestic Violence – Student**; and
13. KL - Public Complaints.

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

- Step 1: Complaints of sex-based discrimination received by the district, in addition to the procedures outlined below, must follow additional requirements in AC-AR(2) - Sex-Based Discrimination Complaints. Complaints may be oral or in writing and **must** may be filed with the principal or civil rights coordinator. Any staff member that receives an oral or written complaint shall report the complaint to the principal. If a complaint is filed with the civil rights coordinator, the civil rights coordinator will forward it to the principal. If a complaint is filed with the principal, the principal will notify the civil rights coordinator of the complaint. The civil rights coordinator will oversee the investigation^{1} conducted by the principal or designee and ensure the investigation is resolved. The principal shall ensure that any required notices are provided.²

¹ {The investigator can be someone other than the civil rights coordinator or principal.}

² See the following for notice requirements:

1. Administrative regulation ACB-AR - Bias Incident Complaint Procedures
2. Administrative regulation AC-AR(2) - Sex-Based Discrimination Under Title IX
3. Board policy GBN/JBA - Sexual Harassment

The principal shall investigate and determine the action to be taken, if any, and reply in writing, to the complainant within 10 school days of receipt of the complaint.

Step 2: If the complainant wishes to appeal the decision of the principal, the complainant may submit a written appeal to the superintendent within five school days after receipt of the principal's response to the complaint.

The superintendent shall review the principal's decision within five school days and may meet with all parties involved. The superintendent will review the merits of the complaint and the principal's decision. The superintendent will respond in writing to the complainant within 10 school days.

Step 3^{3}: If the complainant is not satisfied with the decision of the superintendent, a written appeal may be filed with the Board within five school days of receipt of the superintendent's response to Step 2. The Board may decide to hear or deny the request for appeal at a Board meeting. If the Board decides to hear the appeal, the Board may meet with the concerned parties and their representative at a Board meeting. The Board's decision will be final and will address each allegation in the complaint and contain reasons for the Board's decision. A copy of the Board's final decision shall be sent to the complainant in writing or electronic form within 30 days of receipt of the appeal by the Board.

If the principal is the subject of the complaint, the individual may start at Step 2 and should file a complaint with the superintendent or designee. [The superintendent will notify the civil rights coordinator.](#)

If the superintendent is the subject of the complaint, the complaint may start at Step 3 and should be referred to the Board chair. The Board may refer the investigation to a third party. [The Board chair will direct notification to the civil rights coordinator.](#)

Complaints against the Board as a whole or against an individual Board member, may start at Step 3 and should be submitted to the Board chair and may be referred to district counsel. Complaints against the Board chair may start at Step 3 and be referred directly to the district counsel. [The Board chair will direct notification to the civil rights coordinator.](#)

[All complaints, including those starting at Step 2 or later, will meet all legal requirements. The civil rights coordinator will oversee these requirements.](#)

^{4} ~~The timelines established in each step of this procedure may be extended upon mutual consent of the district and the complainant in writing[, but will not be longer than 30 days from the date of the submission of the complaint at any step].~~ by the district for good cause. Any extension will be communicated to the parties and include a reason for the delay. ~~The overall timeline of this complaint~~

³ {Individuals tasked with making decisions regarding complaints for types of discrimination may be required to be trained prior to making those decisions. See July 2022 Dear Colleague letter.}

⁴ {If the extension of timelines is by mutual agreement, the ability of the complainant to appeal to the Deputy Superintendent of Public Instruction at 30 or 90 days is stalled until the end of the agreed upon extension.}

~~procedure may be extended beyond 90 days from the initial filing of the complaint upon written mutual consent of the district and the complainant.~~

The timelines established in each step of this procedure may be extended upon mutual consent of the district and the complainant in writing. The overall timeline of this complaint procedure may be extended beyond 90 days from the initial filing of the complaint upon written mutual consent of the district and the complainant.

The complainant, if a person who resides in the district, or a parent or guardian of a student who attends school in the district or a student, is not satisfied after exhausting local complaint procedures, the district fails to render a written decision within 30 days of submission of the complaint at any step ([unless the district and complainant have agreed in writing to a different time period for that step](#)) or fails to resolve the complaint within 90 days of the initialing filing of the complaint, may appeal⁵ the district's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023.

⁵ An appeal must meet the criteria found in OAR 581-~~002-0005(1)(a)~~. [075-0010](#) (the rules are amended by OAR 581-075-0901 until April 30, 2025).

DISCRIMINATION OR CIVIL RIGHTS COMPLAINT FORM

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

Name of Person Filing Complaint	Date	School or Activity
Student/Parent <input type="checkbox"/> Employee <input type="checkbox"/> Job applicant <input type="checkbox"/> Other <input type="checkbox"/> _____		

Type of discrimination or harassment :

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

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

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

Suggested solution/resolution/outcome: _____

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

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

Nondiscrimination and Civil Rights

The district **does not discriminate on any basis listed below and** prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual race¹, color, religion, sex², 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 Director of Student Services 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.~~

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.

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

The district will document and track:

1. All reports of discrimination received by the district and all responses to those reports issued by the district, including any investigations completed and remedies provided; and

2. The training completed by each civil rights coordinator.

Civil Rights Coordinator

[The [insert position title(s)] is the district's civil rights coordinator.]

The civil rights coordinator(s) will:

1. Be knowledgeable of the requirements in OARs 581-021-0038, 581-021-0045, 581-021-0046, and 581-021-0660;
2. Have the independence and authority necessary to carry out the provisions of OAR 581-021-0660;
3. Monitor, coordinate, and oversee district compliance with state and federal laws prohibiting discrimination in education, including ensuring the availability of, and providing to students and staff:
 - a. The notice of nondiscrimination¹ required by OAR 581-021-0045; and
 - b. The district written complaint process for making reports of discrimination.
4. Oversee and ensure the resolution of district investigations of complaints alleging and substantiating discrimination, including the provision of remedies designed to restore or preserve equal access to an education program or activity;
5. Provide guidance to district staff on civil rights issues in the district;
6. Respond to questions and concerns about civil rights in the district;
7. Coordinate efforts to prevent civil rights violations from occurring in the district; and
8. ^{2}[Satisfy the training requirements in OAR 581-021-0660 (2)-(3)] [Satisfy the following training requirements:
 - a. Upon initial designation, a civil rights coordinator must receive the following training in accordance with a schedule established by the Oregon Department of Education (ODE):
 - (1) The meaning of discrimination under state and federal nondiscrimination law, including ORS 659.850, Title VI of the Civil Rights Act of 1964 Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act of 1990;
 - (2) The duties of districts under state and federal nondiscrimination law, including ORS 342.700 to 342.708, ORS 659.850 and 659.855, Title VI of the Civil Rights Act of 1964, Title IX of Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the American's with Disabilities Act of 1990, those statutes' implementing rules and regulations, and determinations made by the Oregon Department of Education and the United States Department of Education's Office for Civil Rights;

¹ The notice of nondiscrimination will include the name or title, work address, email address, and phone number of each civil rights coordinator.

² {OAR 581-021-0655(3)(a) requires the district adopt a policy including the requirements in OAR 581-021-0660, including the training requirements referenced and listed here. The district can meet this requirement by choosing either of the two bracketed options.}

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

END OF POLICY

Legal Reference(s):

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

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

³ Training must first be completed by June 30, 2025.

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).

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

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

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

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

Banks School District #13

Budget Calendar

2025-2026

February 18, 2025, 6 pm	Regular Board Meeting Approve proposed Budget Calendar
March 10, 2025, 6 pm	Regular Board Meeting
April 17, 2025, 6 pm	Budget 101 for Budget Committee (Placeholder only)
May 1, 2025	Publish First Notice of meeting of the Budget Committee
May 8, 2025	Publish Second Notice of meeting of the Budget Committee
May 15, 2025, 6 pm	First meeting of the Budget Committee (May hold time for Budget 101)
May 22, 2025, 6 pm	Possible additional Budget Committee meeting
May 29, 2025, 6 pm	Possible additional Budget Committee meeting
May 30, 2025	Publication of Notice of Budget Hearing (ORS 294.448)
June 9, 2025, 6 pm	Regular Board meeting Public Hearing on 2025-2026 Budget (ORS 294.460)
July 15, 2025	Deadline to certify tax levy to the County Assessor

SUMMARY OF OSBA POLICY UPDATES - PROPOSED 1.13.25

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

GCAA - Standards for Competent and Ethical Performance of Oregon Educators, Optional

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

DEFINITION OF "STUDENT" FOR MATTERS RELATED TO SEXUAL CONDUCT Summary

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

Local District Responsibility:

Adopt updated language in required policy GBNAA/JHFF - Suspected Sexual Conduct with Students and Reporting Requirements * and adopt the updated definition in optional policy GCAA – Standards for Competent and Ethical Performance of Oregon Educators if present in the board’s manual.

Policy(ies) and ARs Impacted by these Revisions

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

GCAA - Standards for Competent and Ethical Performance of Oregon Educators, Optional

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

Standards for Competent and Ethical Performance of Oregon Educators

Application of Rules

1. Oregon Administrative Rules were adopted by the Teacher Standards and Practices Commission (TSPC) in accordance with Oregon Revised Statutes.
2. Oregon Administrative Rules may be used as criteria by the TSPC in matters pertaining to the revocation or suspension of licenses issued by the commission under Oregon Revised Statutes or the discipline of any license holder or any person who has held a license at any time within five years prior to issuance of the notice of charges under Oregon Revised Statutes.
3. The commission determines whether an educator's performance is ethical or competent in light of all the facts and circumstances surrounding the educator's performance as a whole.
4. The commission will promptly investigate complaints:
 - a. The commission may at its discretion defer action to charge an educator against whom a complaint has been filed under Oregon Revised Statutes when the investigation report indicates that disciplinary action against the educator is pending at the local district level or when criminal charges are pending or are likely to be filed against the educator. In considering whether to defer action to charge an educator, the commission shall consider all relevant circumstances including the nature and seriousness of the allegations and whether the educator is currently employed as a teacher or school administrator;
 - b. The executive secretary shall regularly inform the commission of the status of any complaints on which the commission has deferred action.

Definitions

The following definitions apply to Oregon Administrative Rules unless otherwise indicated by context:

1. "Administrator": Any supervisory educator who holds a valid Oregon administrative license or registration;
2. "Competent": Discharging required duties as set forth in these rules;
3. "Educator": Any licensed or registered person who is authorized to be engaged in the instructional program including teaching, counseling, administering and supervising;
4. "Ethical": Conforming to the professional standards of conduct set forth in these rules;

~~5. “Sexual conduct”: Includes:~~

- ~~a. The intentional touching of the breast or sexual or other intimate parts of a student;~~
- ~~b. Causing, encouraging or permitting a student to touch the breast or sexual or other intimate parts of the educator;~~
- ~~c. Sexual advances or requests for sexual favors directed towards a student;~~
- ~~d. Verbal or physical conduct of a sexual nature when directed toward a student or when such conduct has the effect of unreasonably interfering with a student’s educational performance or creates an intimidating, hostile or offensive educational environment; or~~
- ~~e. Verbal or physical conduct which has the effect of unreasonably interfering with a student’s educational performance or creates an intimidating, hostile or offensive educational environment.~~

5. “Sexual conduct”: means verbal or physical conduct or verbal, written or electronic communications by a school employee, a contractor, an agent or a volunteer that involve a student that are:
- a. Sexual advances or requests for sexual favors directed toward the student; or
 - b. Of a sexual nature that are directed toward the student or that have the effect of unreasonably interfering with the student’s educational performance, or of creating an intimidating or hostile educational environment.

“Sexual conduct” does not include:

Touching or other physical contact:

- (1) That is necessitated by the nature of the district employee’s job duties or by the services required to be provided by the contractor, agent, or volunteer; and
- (2) For which there is no sexual intent. Verbal, written or electronic communications that are provided as part of an education program that meets the state educational standards or a policy approved by the Board

Conduct or communications described in above if the district employee, contractor, agent or volunteer is also a student and the conduct or communications:

- (1) Arise out of a consensual relationship between students;
- (2) Do not create an intimidating or hostile educational environment; and
- (3) Are not prohibited by law, any policies of the district or any applicable employment agreements.

6. “Sexual harassment”: Any unwelcome **conduct with an individual which includes but is not limited to** sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:
- f. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment;
 - g. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

- h. Such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.
- 7. "Teacher": Any person who holds a teacher's license as provided in Oregon Revised Statutes or is registered to teach by TSPC.
- 8. "Student": means any person who is:
 - a. In any grade from kindergarten through grade 12; or
 - b. Twenty-one years of age or younger and receiving educational or related services from an education provider that is not a post-secondary institution of education; or
 - c. Who was previously known as a student by the person engaging in sexual conduct and who left school or graduated from high school within 90 days one calendar year prior to the sexual conduct.

The Competent Educator

The teacher or administrator demonstrates a commitment to:

- 1. Recognize the worth and dignity of all persons;
- 2. Encourage scholarship;
- 3. Promote democratic citizenship;
- 4. Raise educational standards;
- 5. Use professional judgment.

Curriculum and Instruction

The competent educator measures success by the progress of each student toward realization of personal potential as a worthy and effective citizen. The competent educator stimulates the spirit of inquiry, the acquisition of knowledge and understanding and the thoughtful formulation of goals as they are appropriate for each individual.

The competent teacher demonstrates:

- 1. Use of state- and district-adopted curriculum and goals;
- 2. Skill in setting instructional goals and objectives expressed as learning outcomes;
- 3. Use of current subject matter appropriate to the individual needs of students;

4. Use of students' growth and development patterns to adjust instruction to individual needs consistent with number of students and amount of time available;
5. Skill in the selection and use of teaching techniques conducive to student learning.

The competent administrator demonstrates:

1. Skill in assisting individual staff members to become more competent teachers by complying with state law, rules and lawful and reasonable district policy and contracts;
2. Knowledge of curriculum and instruction appropriate to assignment;
3. Skill in implementing instructional programs through adequate communication with staff;
4. Skill in identifying and initiating any needed change which helps each student toward realization of personal learning potential.

Supervision and Evaluation

The competent educator is a student of human behavior and uses this knowledge to provide a climate that is conducive to learning and that respects the rights of all persons without discrimination. The competent educator assumes responsibility for the activities planned and conducted through the district's program and assists colleagues to do the same. The competent educator gathers relevant information and uses it in the planning and evaluation of instructional activities.

The competent teacher demonstrates:

1. Ways to assess progress of individual students;
2. Skill in the use of assessment data to assist individual student growth;
3. Procedures for evaluating curriculum and instructional goals and practices;
4. Skill in the supervision of students.

The competent administrator demonstrates:

1. Skill in the use of assessment data to provide effective instructional programs;
2. Skill in the implementation of the district's student evaluation program;
3. Skill in providing equal opportunity for all students and staff;
4. Skill in the use of employee techniques appropriate to the assignment and according to well-established standards which ensure due process for the staff being evaluated.

Management Skills

The competent educator is a person who understands students and is able to relate to them in constructive ways. The competent educator establishes and maintains good rapport. The competent educator maintains and uses records as required and as needed to assist the growth of students.

The competent teacher demonstrates skills in:

1. Establishing and maintaining classroom management that is conducive to learning;
2. Using and maintaining district property, equipment and materials appropriately;
3. Using and maintaining student records as required by district policies and procedures;
4. Using district lawful and reasonable rules and regulations.

The competent administrator demonstrates:

1. Skills in managing the school, its students, staff and programs as required by lawful and reasonable district policies, rules and regulations, state and federal laws and regulations and other programs as assigned and assures that staff is informed of these requirements;
2. Skills in planning and staff utilization.

Human Relations and Communications

The competent educator works effectively with others — students, staff, parents and patrons. The competent educator is aware of the ways the community identifies with the school, as well as community needs and ways the school program is designed to meet these needs. The competent educator can communicate with knowledge, clarity and judgment about educational matters, the school and the needs of students.

The competent teacher demonstrates:

1. Willingness to be flexible in cooperatively working with others;
2. Skill in communicating with students, staff, parents and other patrons.

The competent administrator demonstrates:

1. Skill in helping students, staff, parents and other patrons to learn about the school and its program;
2. Skill in communicating district and school goals to staff and public;
3. Willingness to be flexible in cooperatively working with others;
4. Skill in reconciling conflict.

The Ethical Educator

The ethical educator is a person who accepts the requirements of membership in the teaching profession and acts at all times in ethical ways. In so doing the ethical educator considers the needs of the students, the district and the profession.

The ethical educator, in fulfilling obligations to the student, will:

1. Keep the confidence entrusted in the profession as it relates to confidential information concerning a student and family;
2. Refrain from exploiting professional relationships with any student for personal gain or in support of persons or issues;
3. Maintain an appropriate professional student-teacher relationship by:
 - a. Not demonstrating or expressing professionally inappropriate interest in a student's personal life;
 - b. Not accepting or giving or exchanging romantic or overly personal gifts or notes with a student;
 - c. Reporting to the educator's supervisor if the educator has reason to believe a student is, or may be, becoming romantically attached to the educator.
 - d. Honoring appropriate adult boundaries with students in conduct and conversations at all times.

The ethical educator, in fulfilling obligations to the district, will:

1. Apply for, accept, offer or assign a position of responsibility only on the basis of professional qualifications and will adhere to the conditions of a contract or the terms of the appointment;
2. Conduct professional business, including grievances, through established lawful and reasonable procedures;
3. Strive for continued improvement and professional growth;
4. Accept no gratuities or gifts of significance that could influence judgment in the exercise of professional duties;
5. Not use the district's or school's name, property or resources for noneducational benefit without approval of the educator's supervisor or the appointing authority.

The ethical educator, in fulfilling obligations to the district, will:

1. Apply for, accept, offer or assign a position of responsibility only on the basis of professional qualifications and will adhere to the conditions of a contract or the terms of the appointment;

2. Conduct professional business, including grievances, through established lawful and reasonable procedures;
3. Strive for continued improvement and professional growth;
4. Accept no gratuities or gifts of significance that could influence judgment in the exercise of professional duties; and
5. Not use the district's or school's name, property or resources for noneducational benefit without approval of the educator's supervisor or the appointing authority.

The ethical educator, in fulfilling obligations to the profession, will:

1. Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty;
2. Extend equal treatment to all members of the profession in the exercise of their professional rights and responsibilities;
3. Respond to requests for evaluation of colleagues and to keep such information confidential as appropriate.
4. Respond to requests from a TSPC representative for information, furnish documents to TSPC, and participate in interviews with a TSPC representative relating to a TSPC investigation, except subject to the exercise of any legal right or privilege.

END OF POLICY

Legal Reference(s):

[OAR 584-020-0000 to -0035](#)

[House Bill 4160 \(2024\)](#).

12/24 | LF

Reporting Requirements for Suspected Sexual Conduct with Students *

Sexual conduct by district employees, contractors¹, agents², and volunteers³ is not tolerated. All district employees, contractors, agents, and volunteers, **and students**⁴ are subject to this policy.

“Sexual conduct,” means verbal or physical conduct or verbal, written or electronic communications by a school employee, a contractor, an agent or a volunteer that involve a student and that are sexual advances or requests for sexual favors directed toward the student, or of a sexual nature that are directed toward the student or that have the effect of unreasonably interfering with a student’s educational performance, or of creating an intimidating, hostile or offensive educational environment. “Sexual conduct” does not include touching that is necessitated by the nature of the school employee’s job duties or by the services required to be provided by the contractor, agent or volunteer, and for which there is no sexual intent.

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

Any district employee, contractor, agent or volunteer who has reasonable cause to believe that a student has been subjected to sexual conduct by another district employee, contractor, agent or volunteer, or that another district employee, contractor, agent or volunteer has engaged in sexual conduct with a student shall immediately report such suspected sexual conduct to the designated licensed administrator or the alternate designated licensed administrator for their school building. If the superintendent is the alleged perpetrator the report shall be submitted to the Board chair.

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

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

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

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

⁴ Student conduct may only be sexual conduct if the student is also an employee, contractor, agent, or volunteer.

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

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

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

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

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

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

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

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

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

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

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

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

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

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

Senate Bill 155 (2019)

[ORS 339.370 - 339.400](#)

[House Bill 4160 \(2024\)](#).

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

Reporting Requirements for Suspected Sexual Conduct with Students *

Sexual conduct by district employees, contractors¹, agents², and volunteers³ is not tolerated. All district employees, contractors, agents, and volunteers, and students⁴ are subject to this policy.

“Sexual conduct,” means verbal or physical conduct or verbal, written or electronic communications by a school employee, a contractor, an agent or a volunteer that involve a student and that are sexual advances or requests for sexual favors directed toward the student, or of a sexual nature that are directed toward the student or that have the effect of unreasonably interfering with a student’s educational performance, or of creating an intimidating, hostile or offensive educational environment. “Sexual conduct” does not include touching that is necessitated by the nature of the school employee’s job duties or by the services required to be provided by the contractor, agent or volunteer, and for which there is no sexual intent.

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

Any district employee, contractor, agent or volunteer who has reasonable cause to believe that a student has been subjected to sexual conduct by another district employee, contractor, agent or volunteer, or that another district employee, contractor, agent or volunteer has engaged in sexual conduct with a student shall immediately report such suspected sexual conduct to the designated licensed administrator or the alternate designated licensed administrator for their school building. If the superintendent is the alleged perpetrator the report shall be submitted to the Board chair.

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

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

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

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

⁴ Student conduct may only be sexual conduct if the student is also an employee, contractor, agent, or volunteer.

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

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

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

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

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

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

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

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

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

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

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

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

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

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

Senate Bill 155 (2019)

[ORS 339.370 - 339.400](#)

[House Bill 4160 \(2024\)](#).

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

Board Work Session
Monday, January 13, 2025 4:00 PM Pacific

BANKS HIGH SCHOOL CAFETERIA
13050 NW Main Street
Banks, Or 97116

Ron Frame: Present
Corissa Mazurkiewicz: Present
William Moore: Present
Leslee Sipp: Present
Daniel Streblov: Present
Present: 5.

1. Preliminaries

1.1. Call to Order

1.2. Roll Call

1.3. Approval of Agenda

I make a motion to approve the January 13th, 2025 agenda as presented. This motion, made by Corissa Mazurkiewicz and seconded by Leslee Sipp, Carried.
Ron Frame: Yea, Corissa Mazurkiewicz: Yea, William Moore: Yea, Leslee Sipp: Yea, Daniel Streblov: Yea
Yea: 5, Nay: 0

2. Discussion Items

2.1. Superintendent Evaluation Process

Dr. Sica shared the current progress of the district as it relates to the Strategic Plan. Board members asked clarifying questions. The OSBA scoring rubric and evaluation guide was shared with Board members and will be shared electronically next month, along with action plans and staff survey results.

2.2. Bond Updates

Approximately 50 people attended the January 7th Community Forum event. Dr. Sica shared the presentation and information that was presented to the community which described the scope, budget and timeline of the 2 overall concepts. The full presentation is attached to the board agenda.

2.3. Bond Discussion

The Board engaged in conversation about the ongoing Bond Progress and concept plans. Representatives from BRIC Architecture and Cornerstone Management were available to answer clarifying questions.

As always, the board meeting and full conversation is available to view on the district's YouTube site.

3. Adjourn



Strategic Plan

OUR MISSION

"To engage, challenge and prepare every student."



EMPOWERING Our Students

The Banks School District will empower students by providing:

- Equitable learning that supports their academic growth and achievement
- Enriching and challenging instruction
- Learning experiences connected with their interests, passions, and life skills
- A positive school culture



ENRICHING Our Facilities

The Banks School District Community will maintain and improve all facilities to provide:

- Innovative teaching, learning and working environments that enrich the student experience
- Safe and healthy environments
- Inclusive and accessible spaces
- A resource and source of pride for the community



ENERGIZING Our Team

The Banks School District will empower and support all staff members:

- To create positive and caring learning experiences
- By providing high quality professional development
- By providing the resources to be successful in their role
- To feel welcomed, engaged, and appreciated



ENGAGING Our Community

The Banks School District understands:

- Family support is essential to the school experience
- Ensures relationships through proactive communication
- Community groups' support is vital to the school experience of all students through work-based learning experiences and other collaborative partnerships



ALIGNING Our Resources

All Banks School District resources are:

- Responsibly and transparently maintained and maximized
- Clearly aligned to achieve the strategic plan goals





Banks School District

Bond Program Community Forum

January 7th, 2025

Agenda (6pm – 7:15pm)

Welcoming Remarks / Introductions

Project Overview

Bond Promise Review

Budget Overview

Wishlist Review

Area Program and Master Plan Concepts

Group Exercise

Next Steps

Closing



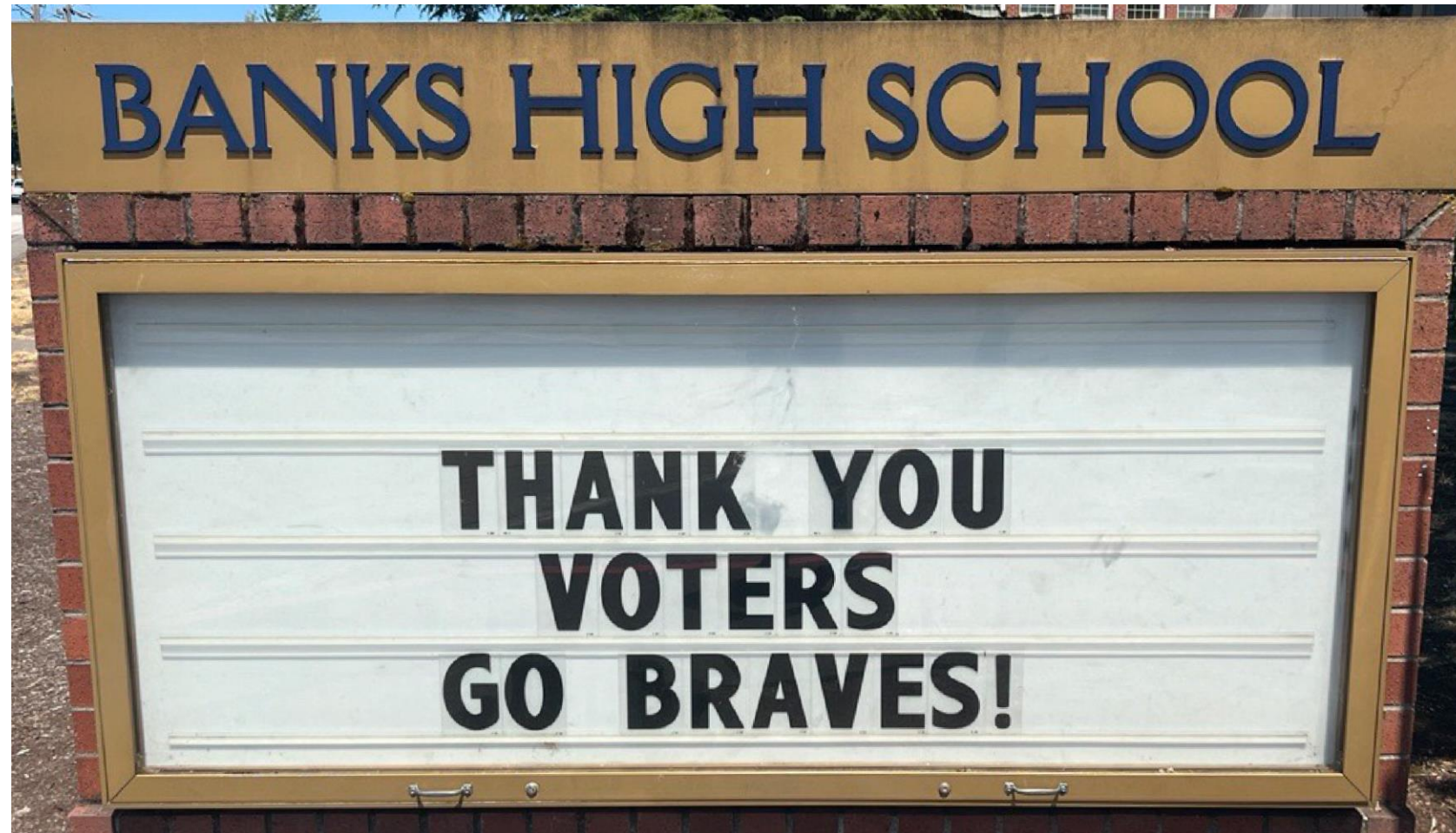
**Please share your name and
your role / relationship
with the District**

(Student, Staff Member, Parent, Community Member,
etc.)

Banks School District Bond Promise Overview

QUESTION

Shall the District improve safety, health, security; repair, update, improve facilities; renovate high school; issue \$49,310,000 in principal amount of bonds?



BANKS SCHOOL DISTRICT NO. 13 BOND MEASURE WOULD FINANCE CAPITAL COSTS

Expected to include:

- Replacement of most of the high school through construction of a new two-story classroom building
- Repair/replace roofing
- Improved heating, cooling, and ventilation
- Seismic upgrades
- Replacement of some existing buildings with failing safety, mechanical systems, earthquake vulnerabilities
- Physical threat security upgrades at schools, including controlled access, security visibility

Planned Projects

REQUIREMENTS

- Replace most of the learning space @ the High School
- Improve Campus-Wide Circulation/Traffic Flow
- Remodel Locker Rooms to modernize and comply with Title IX
- Replace Auxiliary Gym
- Safety & Security
- ES HVAC and Roof Repair



WISH LIST

- Maintenance Fund
- MS Roof and HVAC
- Banks Creek Culvert
- HS Weight Room upgrades
- CTE Shop upgrades
- High School Cafeteria/Stage refresh
- ES Parking Lot Paving
- ES Boiler replacement
- Updated Security Cameras across all schools
- Weapon detection
- Portable Panic Buttons
- Modern Safety Software

Budget

REVENUE

- \$49.3M in GO Bonds
- \$6M in OSCIM Grant
- ~\$2,3M in proceeds from Bond Premiums minus fees
- ~\$2M in interest
 - To be paid to us over the course of the next three years
 - Requires us to spend 80% of total bond dollars within three years of issuance
 - Dependent on cash flow needs
- Total ~\$59.6M

BUDGET

We are limiting the current budget drafts to ~\$55.3M due to the following factors:

- Uncertainty of scope (e.g. Wish List)
- Uncertainty of Construction Costs for Bond Promises
- Unidentified needs



Timeline

PRE-DESIGN AND PLANNING PHASE

DESIGN PHASE

CONSTRUCTION PHASE

August 2024 – December 2024

January 2025 – January 2026

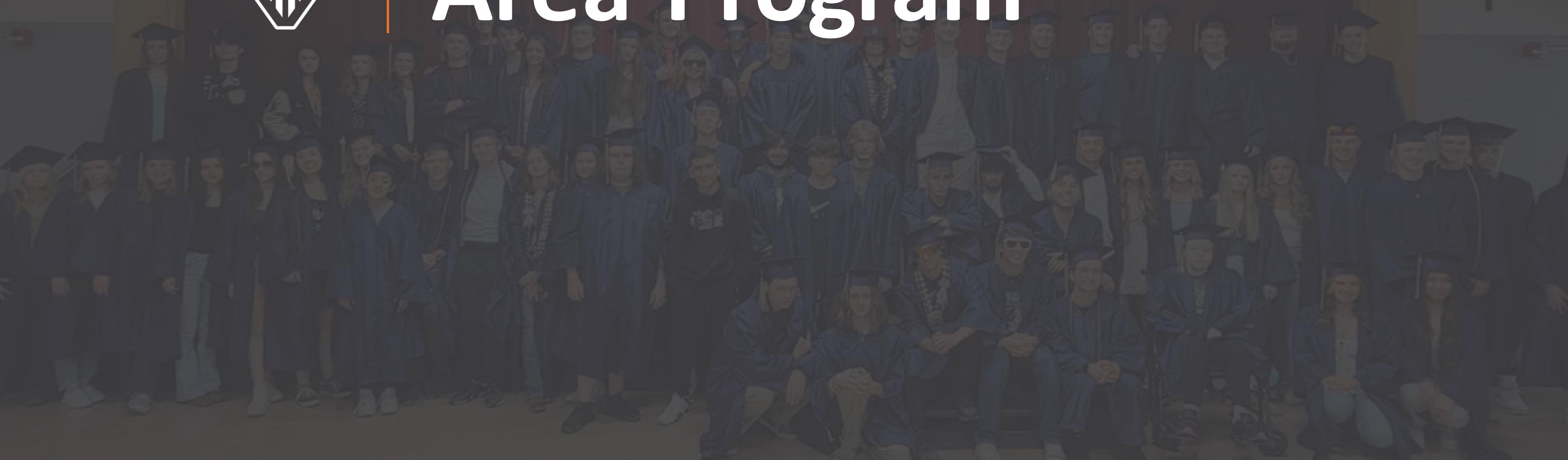
January 2026 – August 2027

Science Prep Room		1	300	300
Chemical Storage		1	100	100
General Science Storage		1	150	150
Marketing / Graphic Design Classroom	1	1	1200	1,200
Extended Learning Areas		2	500	1,000
Specialized Programs				
Life Skills Classroom <i>(not counted as teaching station; only serves 3-4 students on average)</i>		1	1200	1,200
ADA Accessible Restroom with Changing Table		1	100	100
2D and 3D Art				
2D/3D Art Classroom <i>(Existing room would be part of demolition)</i>	1	1	1900	1,900
Kiln Room		1	150	150
Art Supply / Storage Room		1	200	200
Project Storage		1	200	200
Library Media Center				
Library Media Center <i>(Existing space would be part of demolition)</i>		1	2250	2,250
Office / Workroom		1	200	200
Textbook Storage		1	200	200
Enclosed individual study rooms		2	50	100
Enclosed collaboration rooms		1	150	150
School Administration				
Entry / Reception / Lobby / Waiting Area		1	500	500





High School Area Program



What is an Area Program?

An Area Program is the list of required spaces that need to be included in the project.

- It is a list in the form of a spreadsheet
- It includes the types of spaces needed, the SF area for each space, and the number of spaces required
- It gives a total SF for the entire project
- For this project, the total SF needed is 43,000 SF

Banks High School - Proposed Area Program Phase 1		# of Teaching Stations	Qty.	Net SF per space	Total Net SF	Subtotals by Area
Academics						
General Classrooms	<i>Note: Based on replacing what will be demolished. This would assume that we are keeping: 1) Room 30/28 (CTE); 2) Room 17; 3) Room 16; and 4) Room 12 (with necessary repairs and abatement). Room 31 will also remain, but as it is a SPED resource room, it is not counted as a teaching station currently to allow flexible use for pull-out services and activities.</i>					
	11	11	900	9,900		
Science Labs (Existing labs would be part of demolition)	2	2	1300	2,600		
Science Prep Room		1	200	200		
Chemical Storage/ Science Storage		1	100	100		
Graphic Design Classroom	1	1	1400	1,400		
Graphic Design Storage		1	100	100		
Extended Learning Areas		2	300	600		
					14,900	
Specialized Programs						
Life Skills Classroom (not counted as teaching station for capacity purposes)		1	950	950		
ADA Accessible Restroom with Changing Table		1	100	100		
					1,050	
2D and 3D Art						
2D/3D Art Classroom (Existing room would be part of demolition)	1	1	1800	1,800		

Where do the numbers come from?

- A Facility Assessment was undertaken by the district prior to the Bond.
- The Bond Committee used this information to determine what parts of the high school should be replaced
- BRIC conducted interviews with high school and district staff to determine the types of spaces and the specific needs or each space that will be replaced
- BRIC compared this information with previous projects to confirm “Best Practices” were being followed



What Spaces are Included?

The Area Program for New Construction Includes over 80 Rooms in the Following Categories:

- General Classrooms
- Science Classrooms
- Special Ed Classroom
- 2D and 3D Art
- Library
- School Admin and Counseling
- District Office
- Building Support (Custodial, Mechanical, Storage, etc)

It all has to add up to ***no more than 43,000 SF*** to stay on budget.





Master Plan Concepts: 20 Year and Current Bond

Two Concepts Were Developed for Consideration

CONCEPT 1

- Does not include the existing District Office Building as a component of the 43,000 SF Bond Program
- **All of the 43,000 SF** is new construction

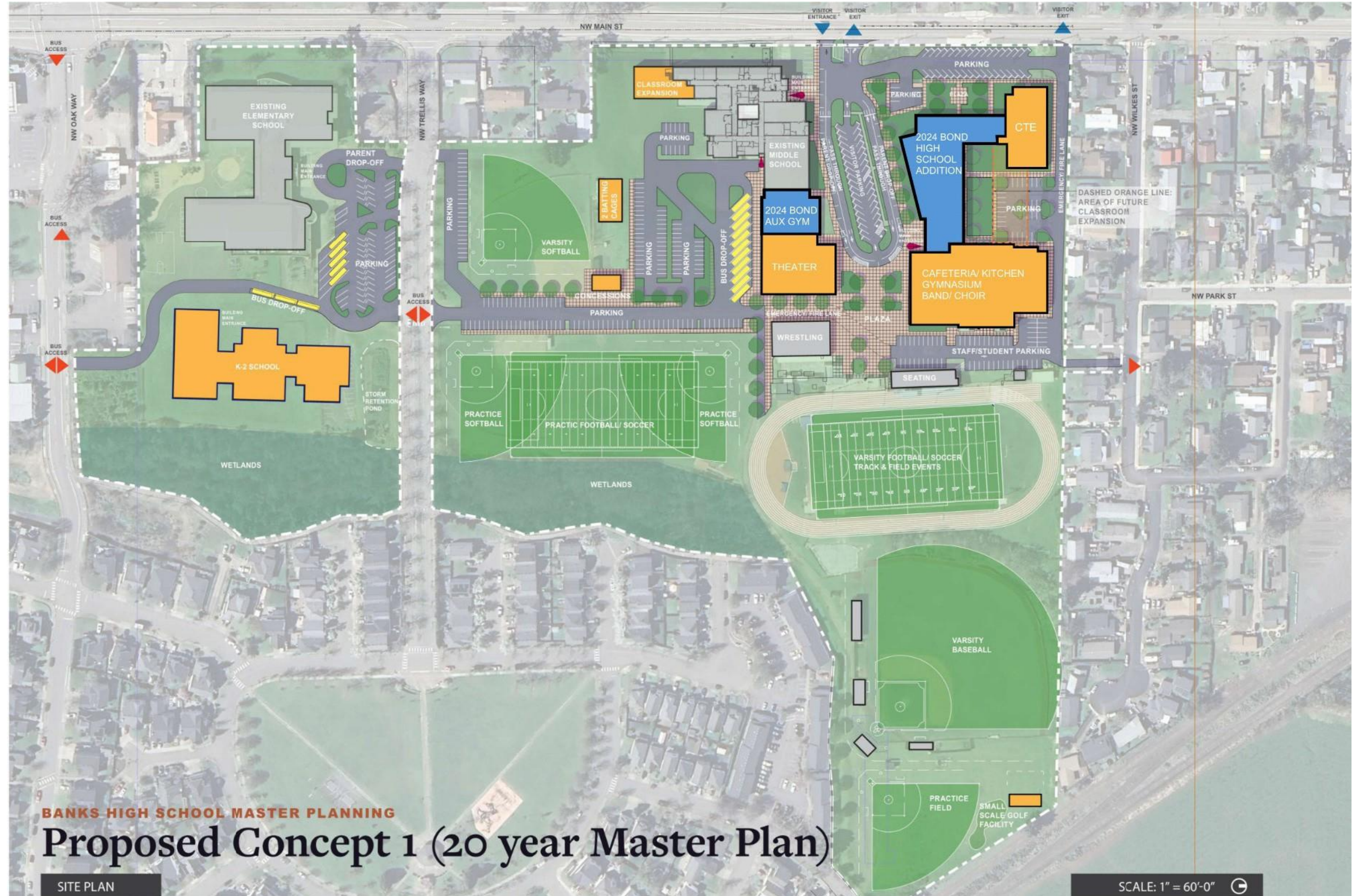
CONCEPT 2

- Does include remodel of the district office building as part of the 43,000 SF Bond Program
- **Some** of the bond program will go into the district office building and the remainder will be new construction

Any concept developed will need to provide 43,000 SF of program space to meet the Bond Program.



Concept 1: 20 Year Master Plan



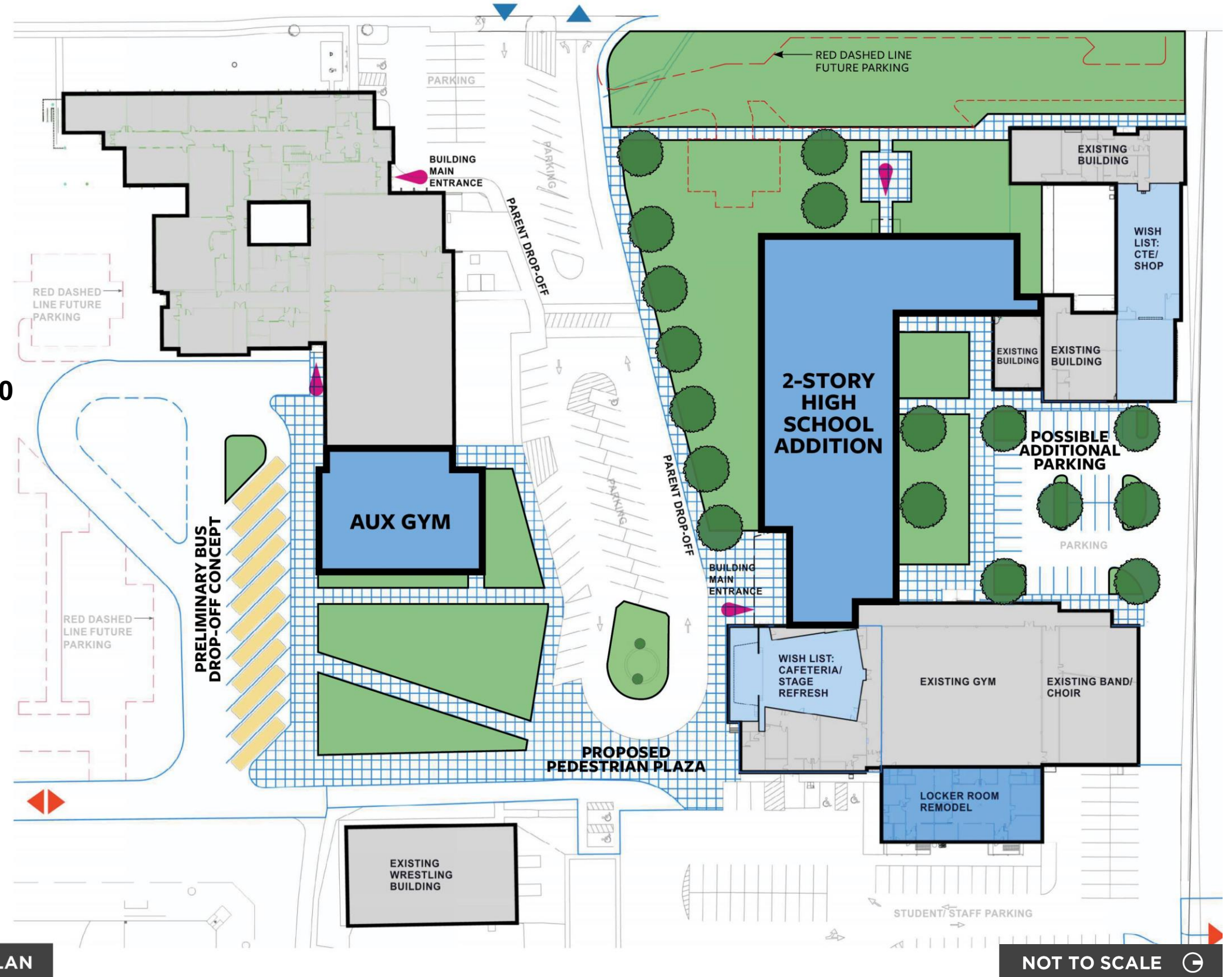
Concept 1: 2024 Bond Program

NEW ADDITION

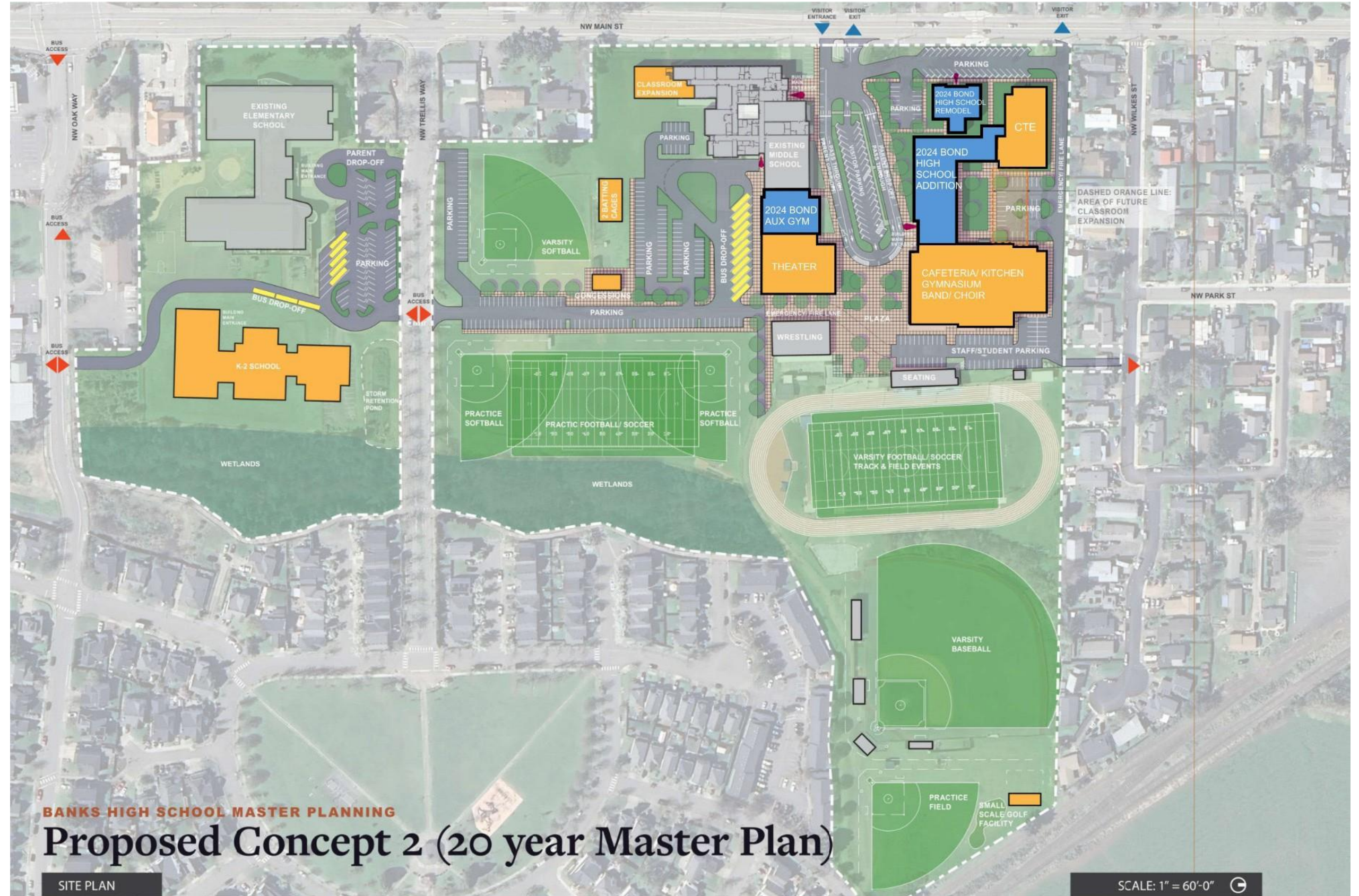
43,000 SF OF PROGRAM IN NEW ADDITION

43,000 SF of Program x \$740/SF = \$31,820,000

TOTAL CONSTRUCTION BUDGET FOR OPTION 1 = \$31,820,000



Concept 2: 20 Year Master Plan



Concept 2: 2024 Bond Program

REMODEL OF DISTRICT OFFICE

6,000 SF (APPROX.) OF PROGRAM BUT REQUIRES FULL
REMODEL OF ENTIRE 10,500 SF BUILDING

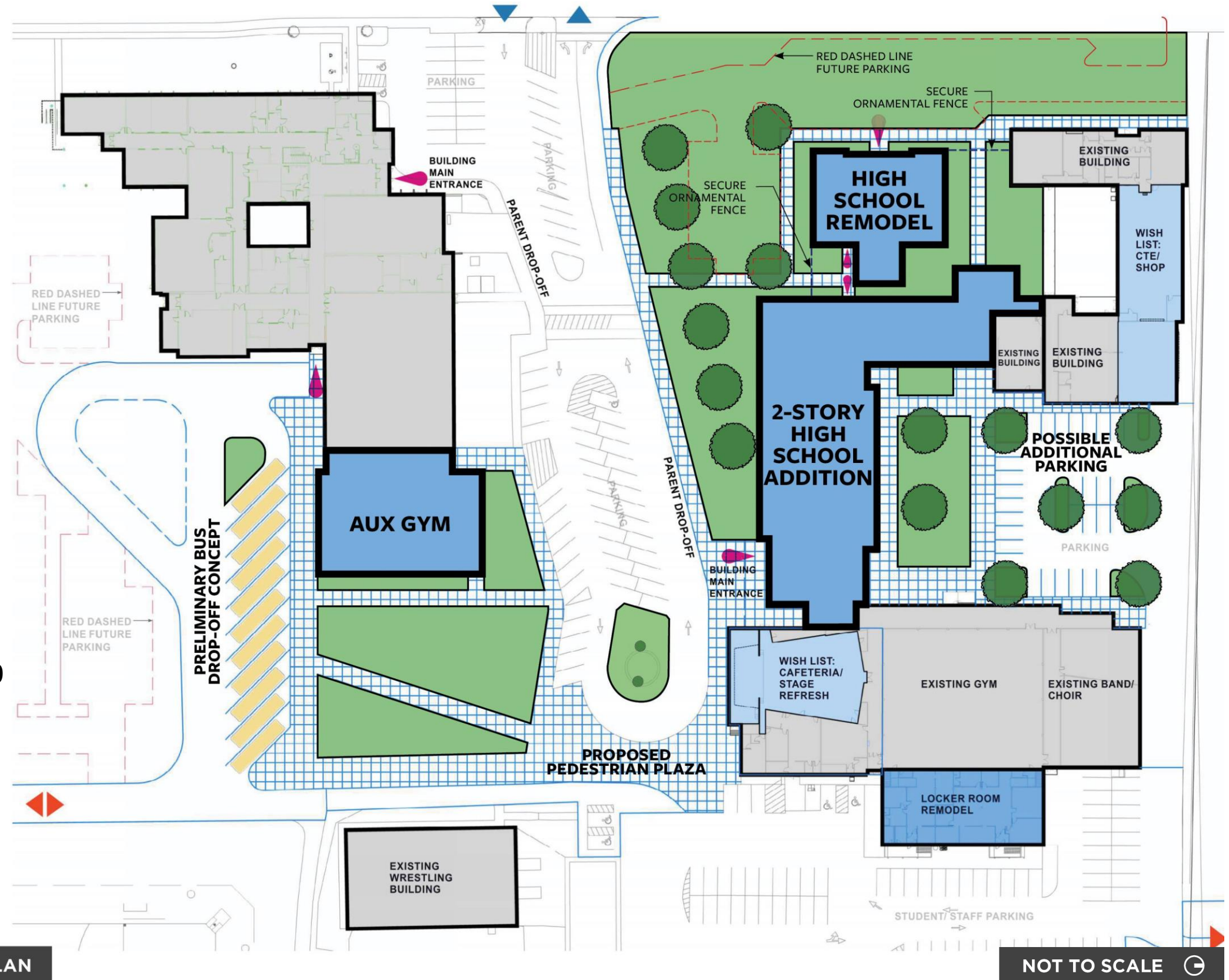
10,500 SF of Building x \$800/SF = \$8,400,000

NEW ADDITION

37,000 SF OF PROGRAM IN NEW ADDITION

37,000 SF of program x \$740/SF = \$27,380,000

TOTAL CONSTRUCTION BUDGET FOR OPTION 2 = \$35,780,000





Group Exercise

Please review and discuss Concept 1 and Concept 2 with the folks at your table.

- *What are the three most important comments your table wants to share with the District?*
- *Is there a question your table group has regarding these concepts?*

Some Considerations for Review of These Concepts:

- Traffic / Pedestrian Circulation and Student Safety
- Schedule / Cost Effectiveness / Wise Use of Taxpayer Dollars
- Opportunities for Future Development of the Campus
- Logical Entry Point to the Site and to the High School
- Athletic Fields
- Safety and Security
- After Hours of the Campus

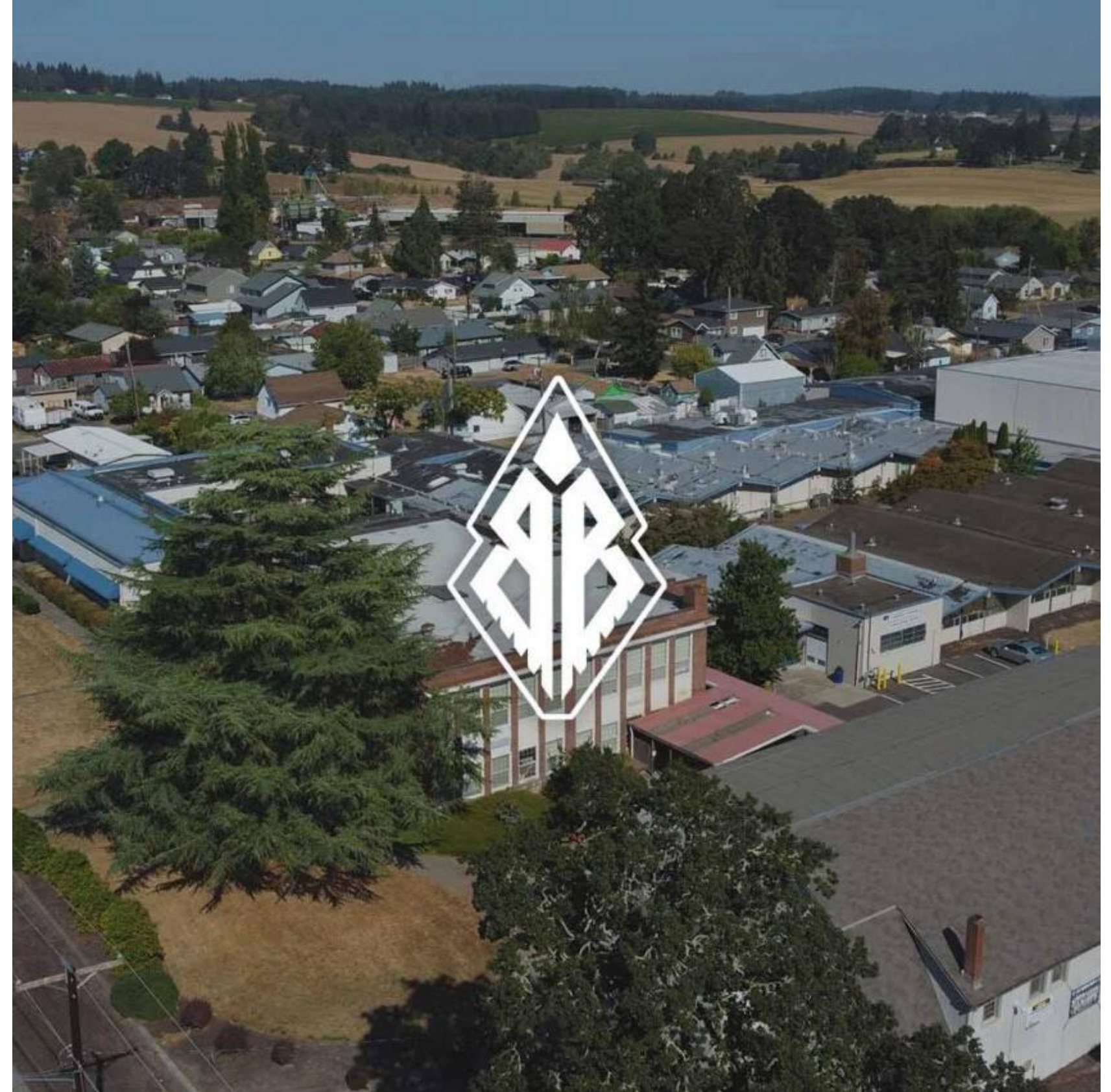


If you have further questions or comments, please write them on the white note cards.

Responses will be posted on the district website.

Next Steps

- **January 28, 2025** – Board Decision
- **February 27, 2025** – Bond Oversight Committee Meeting
- **February** - Design Team applications to be put out
- **April** - Next Community Forum Meeting
(There will be a community meeting at each phase of the project – a minimum of 3 additional meetings)



Thank You



BANKS SCHOOL DISTRICT

Master Planning Report



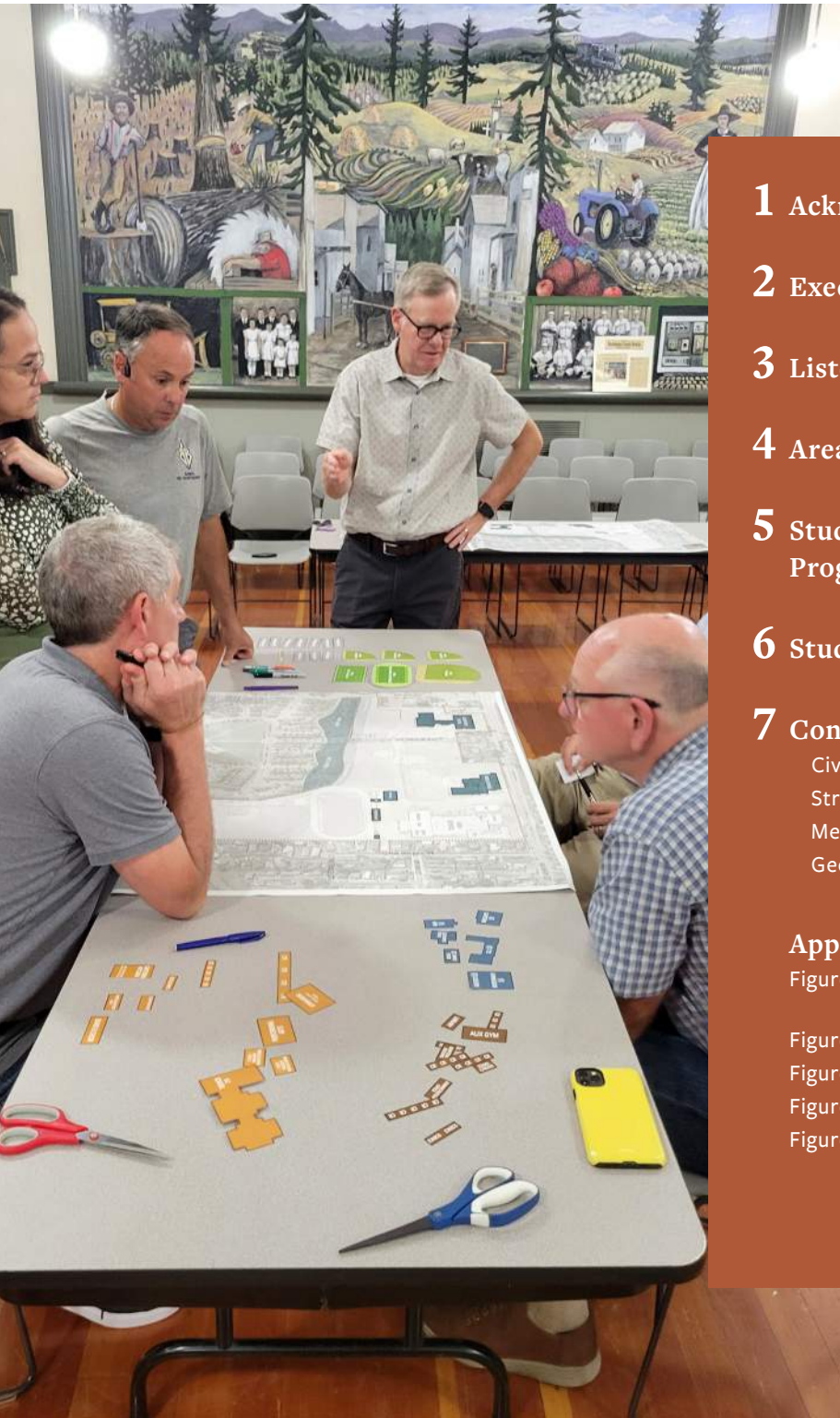
Photo Credit: Banks School District Website

BR|IC

BRIC ARCHITECTURE, INC. JANUARY 2025

DRAFT

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Acknowledgments

BANKS SCHOOL DISTRICT MASTER PLAN – STEERING COMMITTEE

Brian Sica, *Superintendent*

Jennifer Collins, *Business Manager*

Darla Waite-Larkin, *Director of Student Performance*

Jacob Pence, *Banks High School Principal*

Ben Buchanan, *Banks High School Assistant Principal*

Dale Virden, *Facilities Director*

Max Sigander, *IT Director*

BANKS SCHOOL DISTRICT BOARD

Leslee Sipp

Corissa Mazurkiewicz

Dan Streblow

Ron Frame

Will Moore

CORNERSTONE MANAGEMENT GROUP

John Abel

Casey Cunningham

Emil Hameed

Mary Dolan

P & C CONSTRUCTION

Brian Shoemaker

Parker Verhaeghe

Rick McMurry

BRIC ARCHITECTURE

Dan Hess

Marc Nordean

Karina Ruiz

Ken Bell

Elisa Warner

Brett Lundmark

Julie Condon

BRIC CONSULTANTS

Civil: 3J Consulting

John Howorth

Brian O'Rourke

Structural: PCS Structural Solutions

Steven Williams

Mechanical, Electrical, Plumbing: Sazan Group

Dane Armand

John Tijerina

Colin Klein

Steve Watkins

Arnold Long

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Executive Summary

This report summarizes the work of BRIC Architecture (and consultants), the Banks School District (stakeholders), and the Banks community in developing conceptual plans for the 2024 bond scope and reimagining the possibilities of the 20-year Master Plan for the Banks high school, middle school and elementary school campuses. The process included a due diligence study of existing conditions of the high school to understand design constraints and opportunities, meetings with stakeholders committee and listening and learning meetings with educational staff and community members.

PROCESS

The design team included BRIC Architecture, 3J Consulting (Civil), PCS (Structural), Sazan Group (Mechanical, Electrical, Plumbing), AKS Engineering (Survey), Lancaster Mobley (Traffic), P&C Construction (Construction Logistics). The team provided due diligence reports in October 2024, a draft area program in October 2024 and a revised draft area program in November 2024, a Listening & Learning Summary in December 2024, and concept designs in December 2024. Each topic is discussed in further detail later in this report.



Photo Credit: Banks School District Website

2. EXECUTIVE SUMMARY

DESIGN CONCEPTS

Concept 1

- Provides for a new 43,000 square foot, 2-story high school addition, replacing most of the classrooms.
- The existing gymnasium, cafeteria, CTE and special education classrooms are to remain.
- New Auxiliary gymnasium on the site of the middle school.
- Separation of bus drop off from parent drop-off and pick up area between the middle school and high school.
- Student and staff access from NW Wilkes Street.



Concept 2

- Provides for a new 37,000 square foot, 2-story high school addition and remodel of the existing 10,500 square foot district office for 6,000 square feet of high school program space, replacing most of the classrooms.
- The existing gymnasium, cafeteria, CTE and special education classrooms are to remain.
- New Auxiliary gymnasium on the site of the middle school.
- Separation of bus drop off from parent drop-off and pick up area between the middle school and high school.
- Student and staff access from NW Wilkes Street.



KEY METRICS

- The 20-year Master Plan plans for the following:
 1. Expansion of Banks High School to a minimum capacity of 750 students.
 2. Expansion of Banks Middle School to a capacity of approximately 566 students.
 3. Construction of a new K-2 school for 575 students, while the current Banks Elementary School will continue to serve grades 3-5 in the future.

- Bond Commitments:
 1. Replacement of most of the high school through construction of a new two-story classroom building.
 2. Repair/ replace roofing
 3. Improved heating, cooling, and ventilation
 4. Seismic upgrades
 5. Replacement of some existing buildings with failing safety, mechanical systems, and earthquake vulnerabilities
 6. Physical threat security upgrades at schools, including controlled access, security visibility
 7. General improvements, repairs, and reconfiguration to extend building lifespan and improve traffic flow
 8. Add new auxiliary gym

BUDGET

→ The project budget for the bond scope of work for the high school has been developed by Cornerstone Management Group with input from P&C Construction and BRIC Architecture. It is important to note that the document that has been developed is a budget, not a cost estimate. The budget reflects the scope components of the proposed project, but it is too early in the process to conduct a detailed estimate. The first test of the budget will be at the conclusion of the schematic design phase when the first estimate will be developed for the project.

→ Budget Assumptions

- The budget for the project has been based on research regarding current similar projects in the Portland Metro area. Information has been gleaned from various sources including cost estimates and actual construction cost.

BANKS HIGH SCHOOL: BUDGET

		Original	Current
3.1	Building Construction Items	\$32,340,000	
3.2	Construction Contingency	\$1,750,500	
3.4	GET Construction	\$695,000	
3.5	Modular Buildings	\$52,500	
4.1	Site Construction Items	\$2,455,000	
4.2	Off Site Construction	\$114,500	
4.3	Site/Off Site Contingency	\$100,000	
4.4	Demolition	\$609,350	
5.0	Hazardous Materials	\$250,000	
TOTAL BUDGET		\$38,366,850	-

BANKS HIGH SCHOOL: SCOPE

Description	Original	Estimate
New Addition	\$31,450,000	
District Office	Included	
HS Admin	Included	
Library	Included	
15 Classrooms	Included	
Title IX Locker Rooms	\$1,000,000	
HVAC Improvements of Existing	\$300,000	
Interior improvements Existing Classrooms / Gym / Commons	\$150,000	
Exterior Improvements	\$100,000	
Site - Parking and Circulation Improvements	\$2,570,000	
Demolition	\$609,350	
Hazardous Materials	\$250,000	
GET Construction	695,000	
TOTAL	\$37,124,350	0
Alternates		
A1 CTE Improvements	TBD	
A2 Cafeteria / Performance Improvements	TBD	
A3 Weight Room Improvements	TBD	
A4 BES Parking Lot Repaving	TBD	
Completed or NIC Scope		
1	TBD	
2	TBD	
Notes		
1	Architect / Engineers to coordinate rough-in and locations for Security and Low Voltage Systems	

2. EXECUTIVE SUMMARY

BANKS HIGH SCHOOL: PROJECT SCHEDULE

	Description	Start	Finish
1	Programming / Pre-Design Phase	12/1/2024	12/31/2024
2	Schematic Design	1/1/2025	3/31/2025
3	Document Review / Approval	4/1/2025	4/15/2025
4	CM/GC Estimate / Budget Reconciliation	4/1/2025	4/15/2025
5	Design Development	4/16/2025	8/31/2025
6	Document Review / Approval	9/1/2025	9/15/2025
7	CM/GC Estimate / Budget Reconciliation	9/1/2025	9/15/2025
8	Start Construction Documents	9/16/2025	3/31/2026
9	50% Construction Documents		12/15/2025
10	50% CD Cost Estimate / Budget Reconciliation		12/15/2025
11	Issue Early Work Package (Demolition, Site Grading)	11/1/2025	
12	Finish Construction Documents		3/31/2026
13	Permit Submittal - Early Work Package (Demo / Grading)	9/1/2025	
14	Permit Submittals - Building / Site	3/1/2026	
15	Bid / Award	TBD	
16	Construction Period	11/1/2025	8/27/2027
17	Substantial Completion		8/27/2027
18	Turn-over		8/30/2027

BANKS AUXILIARY GYM: BUDGET

		Original	Current
3.1	Building Construction Items	\$4,373,562	
3.2	Construction Contingency	\$230,188	
3.4	GET Construction	\$90,000	
4.1	Site Construction Items	\$250,000	
4.2	Off Site Construction	\$25,000	
4.3	Site/Off Site Contingency	\$226,950	
TOTAL BUDGET		\$5,195,700	-

BANKS AUXILIARY GYM: SCOPE

Description	Original	Estimate
New Aux Gym	\$5,000,000	
New Facilities Storage Facility	\$200,000	
TOTAL	\$5,200,000	0
Alternates		
A1 Weight Room	TBD	
Completed or NIC Scope		
1	TBD	
2	TBD	
Notes		
1	Architect / Engineers to coordinate rough-in and locations for Security and Low Voltage Systems	
Notes		

BANKS AUXILIARY GYM: PROJECT SCHEDULE

Description	Start	Finish
1 Programming / Pre-Design Phase	12/1/2024	12/31/2024
2 Schematic Design	1/1/2025	2/28/2025
3 Document Review / Approval	3/1/2025	3/15/2025
4 Design Development	3/16/2025	5/15/2025
5 Document Review / Approval	5/16/2025	5/31/2025
6 Start Construction Documents	6/1/2025	3/31/2025
7 50% Construction Documents		6/30/2025
8 Finish Construction Documents		8/31/2025
9 Permit Submittals - Building / Site	9/1/2025	
10 Bid / Award	TBD	
11 Construction Period	12/15/2025	6/15/2026
12 Substantial Completion		6/15/2026
13 Turn-over		6/15/2026

Construction is anticipated to begin for the bond scope in November 2025 for the Auxiliary Gym and January 2026 for the High School and Summer 2026 for upgrades at the Middle School and Elementary School.

Site is big enough for expansion for HS & MS – parking may be an issue, and additional property may need to be purchased in the future.

The following pages include more detailed information on Listening & Learning sessions, Area Program, Design Concepts 1 & 2, and Due Diligence summaries from our consultant team.

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Listening and Learning Summary

In the Fall 2024, Banks School District kicked off the process for planning and designing for the bond promised scope and the 20-year Master Plan for the campuses of the elementary, middle and high schools. The process included eight total meetings with high school staff, community members, the school board and high school students to bring the voices of these groups to the foreground when designing the buildings.

SESSIONS CONDUCTED

- September 18, 2024 – Banks High School Staff Focus Groups #1 (programming)
- September 19, 2024 – Banks High School Staff Focus Groups #2 (programming)
- October 8, 2024 – Banks School District Community Forum #1
- October 15, 2024 – Banks School District Special Education Families
- October 28, 2024 – Banks School District Community Forum #2
- November 12, 2024 – Banks School District Work Session
- November 14, 2024 – Banks School District Multilingual Families
- November 19, 2024 – Banks High School Leadership Class

LISTENING AND LEARNING: HIGH SCHOOL STAFF FOCUS GROUPS

Key Themes

- Many more facilities needs than can be addressed under the current bond scope. Much of what was discussed will need to be addressed as part of long-term campus master plan.
- Current classrooms are undersized; larger classrooms are desired to accommodate range of class sizes, different teaching/ learning approaches, and flexible room configurations.
- Notable safety and security concerns around the lack of a single main entry or secure vestibule and porous building that is difficult to supervise. Strong need for main office to be placed adjacent to main entry.
- Locker rooms are very outdated with major ventilation issues and significant Title IX concerns. Only one team room is presents (boy's side).
- Need for more purposely designed space to support STEAM and CTE activities.
- Lack of spaces for students to congregate informally.
- Outdated restrooms with solid doors difficult to monitor and not ADA accessible.
- Life skills classroom is in a small general classroom without ADA restroom, sensory room or sufficient space to support different activity zones or the program's student-run coffee business.
- District office needs center mostly around providing sufficient offices/ workstations and a conference room. Dedicated space for School Board Meetings is not necessary (can be held in new BHS Library).



Photo Credit: Banks School District Facebook Page

3. LISTENING AND LEARNING SUMMARY

COMMUNITY FORUM MEETINGS

Key Themes

- Safety and Security and a healthy, modern school were the top priorities.
- Safety particularly at the elementary school for fencing and entrance.
- Buildings that hold up over time and are functional.
- Fixing the traffic flow and parking issues at the middle school/ high school.
- Finishing on time and on budget stretching taxpayer dollars as far as possible; budget should be considered over aesthetics.
- Creating a campus and buildings that the students and town can be proud of.
- Ensure there is community and staff involvement in decision making; Keep the community informed and real engagement with the community.
- Facilities that offer the best settings for learning and growth.



SPECIAL EDUCATION FAMILIES

Key Themes

- A new building that is healthy, safe and updated for all students.
- A school building that represents the needs that students, staff and community members have expressed.
- Parents and specialists like PT, OT, Speech pathology and vision have an opportunity to weigh in on design needs to support all students (community involvement).
- Design that reflects that all students are valued . . . those with special needs, in the arts, etc.
- More single occupant restrooms.

SCHOOL BOARD WORK SESSION

Key Themes

- Appreciate the development of two master plan options.
- Questions about open areas and the use of space.
- Questions about whether CTE and SPED classrooms could be relocated to the old District Office Building or old Art room.
- Question about ROM pricing for two scenarios.
- Would like square footages and other details to be accurate to spaces.
- Conflicting viewpoints on how to utilize the district office if it is kept (renovate or preserve).

3. LISTENING AND LEARNING SUMMARY

MULTILINGUAL FAMILIES

Key Themes

- The biggest challenges faced are language, their inability to assist their students with their homework, bullying of their children, concern about clearer paths defined for their children beyond high school and the financial ability to support them.
- Magali Benson (Student & Family Engagement Manager) has been an invaluable resource to these families and they are grateful to have her to work with.
- They would like to see improvements to campus fields and sports facilities, spaces for electives, and larger cafeteria.
- They have concerns about the safety of pick up and drop off at the middle school/ high school site.
- Exposure to opportunities for college, CTE, and other options need to be available earlier and it would be great if families could have resources in Spanish to understand these opportunities.

HIGH SCHOOL LEADERSHIP CLASS

Key Themes

- Love the open design with places for students to gather and sit (flex areas, open stairs).
- Excited about separating buses, parent drop off/ pick up, and students.
- Like the back entrance/ exit off Wilkes for students.
- Excited about remodeled locker rooms.
- Like more parking for students and everyone.
- Do not want classes out in the old district office, if the building is kept.



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Phase I: Partial Replacement of Banks High School

The development of the area program for Banks High School's replacement facility commenced in fall 2024. The main focus was development of an area program for the replacement of a large portion of Banks High School's current facility as part of the 2024 bond. Additionally, a rough area program for potential school additions over the next 20 years was completed for reference purposes when developing the long-term campus master plan.

The area program for partial replacement of Banks High School was developed based on input from teachers, staff, and administrators. Programmatic focus group meetings were held with each department on September 18-19, 2024. Participants were provided with a list of questions in advance of their session. Discussions were centered on the high school expansion project; however, some questions were asked to ascertain thoughts on the long-term development of the campus as well (for the 20-year master plan). Focus group areas included:

- General Education Teachers
- Special Education Teachers and Staff
- CTE Teachers
- Science Teachers
- Visual Arts Teachers
- Music / Performing Arts Teachers
- PE / Athletics Teachers and Coaches
- School Administrative Staff
- District Administrative Staff

Major themes from the programmatic focus group sessions are summarized below.

- Facilities needs at Banks High School greatly outweigh what can be addressed under the current bond scope. Many of the facilities needs stated will need to be addressed as part of long-term campus master plan due to funding constraints.
- Current classrooms at Banks High School are undersized; larger classrooms are desired to accommodate range of class sizes, different teaching/learning approaches, and flexible room configurations.
- There are notable safety and security concerns around the lack of a single, secure main entry and a porous building that is difficult to supervise. There is a strong need for the school's main office to be placed adjacent to the main entry (connected via a secure entry vestibule).
- The current locker rooms are very outdated with major ventilation issues and significant Title IX concerns. Only one team room is present (on the boys' side).
- There is a strong need for more purposely designed spaces to support STEAM and CTE activities.
- The current BHS facility lacks spaces for students to congregate informally.
- The current facility has outdated restrooms with solid doors that difficult to monitor and not ADA accessible. The only ADA or gender-inclusive restroom is located within the old district office building.
- The current life skills classroom is in a small general classroom without an ADA restroom, sensory room, or sufficient space to support different activity zones or the program's student-run coffee business.
- District office needs center mostly around providing sufficient offices / workstations and a conference room. A dedicated space for School Board Meetings is not necessary (meetings can be held in BHS Library).

4. AREA PROGRAM

At the onset of the project, it was determined that the scope of the work at BHS would be limited to replacing the two main academic wings with new construction. The capacity of the building would remain unchanged, as a “one-for-one” replacement of teaching stations would occur. Teaching stations and other major areas to be replaced as part of the project include:

- Room 3 - former small classroom currently used as AD office
- Room 4 – Life Skills classroom
- Room 5 – General classroom
- Room 6 – General classroom
- Room 7 – General classroom
- Room 9 – General classroom
- Room 10 – Marketing / Graphic Design classroom
- Room 18 – Visual Arts classroom
- Room 19 – General classroom
- Room 20 – Science lab
- Room 22 – General classroom
- Room 23 – General classroom
- Room 24 – General classroom
- Room 25 – General classroom
- Room 26 – Science lab
- Room 27 – General classroom used for CTE
- Library Media Center
- Main office, administration, and counseling areas

The following instructional areas will remain and will not be replaced as part of the project scope:

- Room 30/28 – CTE shop and instructional area
- Room 17 – former Band classroom currently used for Health instruction and offices
- Room 16 – Music room
- Room 12 (with necessary repairs and abatement)
- Room 31 - SPED resource room
- Gymnasium (PE teaching station)

The standalone auxiliary gymnasium will also be replaced as part of the bond scope. A preliminary area program was developed based on the stated needs of building users; however, it was soon determined that the bond would likely only be able to fund an aux gym of 7,400 GSF. The program listed below represents a larger version that could potentially be provided should additional funding become available.

A draft area program is also provided for the renovation of the existing locker rooms at Banks High School; however, this program requires review and refinement during the schematic design process.

BANKS HIGH SCHOOL - PROPOSED AREA PROGRAM - PHASE 1

	# of Teaching Stations	Quantity	Net SF per Space	Total Net SF	Subtotal by Area
Academics					
General Classrooms					
<i>Note: Based on replacing what will be demolished. This would assume that we are keeping: 1) Room 30/28 (CTE); 2) Room 17; 3) Room 16; and 4) Room 12 (with necessary repairs and abatement). Room 31 will also remain, but as it is a SPED resource room, it is not counted as a teaching station currently to allow flexible use for pull-out services and activities.</i>					
	11	11	900	9,900	
Science Labs (existing labs would be part of demolition)	2	2	1,300	2,600	
Science Prep Room		1	200	200	
Chemical Storage / Science Storage		1	100	100	
Graphic Design Classroom	1	1	1,400	1,400	
Graphic Design Storage		1	100	100	
Extended Learning Areas		2	300	600	
					14,900
Specialized Programs					
Life Skills Classroom (not counted as teaching station for capacity purposes)		1	950	950	
ADA Accessible Restroom with Changing Table		1	100	100	
					1,050
2-D and 3-D Art					
2-D / 3-D Art Classroom (existing room would be part of demolition)	1	1	1,800	1,800	
Kiln Room		1	150	150	
Art Supply / Storage Room		1	200	200	
Project Storage		1	100	100	
					2,250
Library Media Center					
Library Media Center (existing space would be part of demolition)		1	2,250	2,250	
Office / Workroom		1	150	150	
Enclosed Individual Study Rooms		2	50	100	
					2,500
School Administration					
Entry / Reception / Lobby / Waiting Area		1	400	400	
Open Secretarial Area - Two Workstations (Principal, Secretary & Attendance)		1	200	200	
Principal's Office		1	200	200	
Assistant Principal's Office		1	120	120	
AD Office		1	120	120	
AD Secretary Office		1	80	80	
AD Storage		1	50	50	
Itinerant Staff Offices / Flex Mtg Room / Zoom Room / Testing Room		2	80	160	
Conference Room		1	300	300	
Health Room (one cot)		1	100	100	
ADA Accessible Restroom (single use) Next to Health Room		1	60	60	
Workroom / Copy / Kitchenette		1	300	300	
Supply Storage		1	100	100	
Records Storage (secure, fire-resistant room)		1	150	150	
General Office Storage		1	100	100	
Lactation Room		1	65	65	
					2,505

4. AREA PROGRAM

BANKS HIGH SCHOOL - PROPOSED AREA PROGRAM - PHASE 1 (CONTINUED)

	# of Teaching Stations	Quantity	Net SF per Space	Total Net SF	Subtotal by Area
Counseling					
Counseling Waiting Area (no reception desk)		1	100	100	
Counselor Offices		2	120	240	
Counseling Storage		1	50	50	
					390
Community and Special Use					
Food Pantry / Clothing Closet		1	200	200	
					200
District Office					
Entry / Reception / Lobby / Waiting Area		1	200	200	
Open Secretarial Area - One Workstation		1	100	100	
Office Manager		1	80	80	
Superintendent's Office		1	220	220	
Director of Student Performance Office		1	120	120	
Director of Student Secretary Office		1	80	80	
Sodexo Office (required per contract)		1	80	80	
Itinerant Staff Offices / Flex Meeting Room / Zoom Room		2	80	160	
District Board Room (Note: excluded - assume will be held in library)		0	1,500	-	
IT Office / Network Repair and Storage		1	500	500	
Conference Room		1	300	300	
Copier / Kitchenette (can be an alcove)		0	150	-	
General Office Storage		1	100	100	
					1,940
Building Support - NOTE: ESTIMATES ONLY S - FINAL ALLOCATIONS WILL HEAVILY DEPEND UPON FINAL DESIGN					
Distributed Custodial Closets		3	80	240	
Sodexo Custodial Room (required per contract)		1	100	100	
Distributed Student Restrooms		6	250	1,500	
Distributed Staff Restrooms		3	66	198	
ADA Accessible Single-Use Restrooms (gender-neutral)		2	66	132	
General Building Storage		1	500	500	
Custodial Supplies Center Storage		1	500	500	
Flammable Storage		1	100	100	
Elevator (assume 1) / Equipment		1	200	200	
Receiving Area		1	200	200	
MEP Room		1	2,000	2,000	
MDF Room		1	250	250	
Distributed IDF Room		2	50	100	
					6,020
Total Net SF	15			31,755	
Grossing Factor (35%)				11,114	
Total Gross SF				42,869	
Current # of Teaching Stations (includes main gym as PE teaching station)	20				
Teaching Stations to Remain Post-Demolition (4 classrooms + gym)	5				
Teaching Stations to be Part of New Construction (General Classrooms, Science Labs, Art Room, Life Skills)	15				
Final Teaching Station Count (includes main gym as PE teaching station)	20				
Student Capacity (pre and post-construction)	450				

BANKS HIGH SCHOOL - PROPOSED AREA PROGRAM - AUX GYM

	Quantity	Net SF per Space	Total Net SF	Subtotal by Area
Aux Gym				
Aux Gym: 1 court / 3 rows bleachers on one side	1	6,700	6,700	
Men's / Women's Restrooms	2	350	700	
Single-use Gender-Neutral / Family Restroom	1	80	80	
Team Rooms (non-gendered)	2	800	1,600	
PE / Athletics / Dance Storage	1	400	400	
Robotics Storage	1	400	400	
Other Storage (for clubs, etc.)	1	200	200	
				10,080
Total Net SF			10,080	
Grossing Factor (35%)			3,528	
Total Gross SF			13,608	

BANKS HIGH SCHOOL - PROPOSED AREA PROGRAM - LOCKER ROOM RENOVATIONS (5,100SF)

	Quantity	Net SF per Space	Total Net SF	Subtotal by Area
Girls' Locker Room				
Lockers / Benches	1	750	750	
Private Changing Stalls / Showers / Toilets	1	250	250	
PE Office	1	100	100	
Storage	1	50	50	
Boys' Locker Room				
Lockers / Benches	1	750	750	
Private Changing Stalls / Showers / Toilets	1	250	250	
PE Office	1	100	100	
Storage	1	50	50	
Gender-Neutral Locker Room				
Private Changing Stalls / Showers / Toilets	1	80	80	
Team Rooms				
Small Team Rooms (non-gendered)	2	500	1,000	
Restrooms				
Men's / Women's Restrooms	2	250	500	
Other				
Laundry	1	100	100	
Coaches / Officials Locker Room	1	80	80	
				4,060
Total Net SF			4,060	
Grossing Factor (25%)			1,015	
Total Gross SF			5,075	

4. AREA PROGRAM

Long-term Campus Master Plan

A rough set of area programs was developed to inform a long-term campus master plan showing potential building expansions and additions over the next 20 years to accommodate projected enrollment growth.

The plan shows facilities required to serve approximately 2,500 students campus wide including:

- Expansion of Banks High School to a minimum capacity of 750 students, including new CTE and performing arts facilities.
- Expansion of Banks Middle School to a capacity of approximately 566 students.
- Construction of a new K-2 school for 575 students, with the assumption that the current Banks Elementary School would serve grades 3-5 in the future. This would nearly double the current elementary school capacity.

It is important to note that the area programs for the campus master plan were developed internally for general planning purposes only.

4. AREA PROGRAM

BANKS HIGH SCHOOL - PROPOSED AREA PROGRAM FOR FUTURE ADDITION (Final Capacity = 750 Students)

	# of Teaching Stations	Quantity	Net SF per Space	Total Net SF	Subtotal by Area
Academics					
General Classrooms	7	7	950	6,650	
Extended Learning Areas / Flex Space		1	500	500	
Science Labs	2	2	1,400	2,800	
Science Prep Room		1	300	300	
General Science Storage		1	150	150	
CTE Shops + Associated Storage (Type TBD)	2	2	3,000	6,000	
STEAM / Robotics Lab	1	1	2,000	2,000	
					18,400
Specialized Programs (Special Education)					
Sensory Room		1	300	300	
Apartment / Kitchen Learning Area for Life Skills		1	700	700	
					1,000
Music (Band and Choir)					
Band Room	1	1	2,000	2,000	
Instrument Storage		1	300	300	
Ensemble Room		1	400	400	
Practice Rooms		2	75	150	
Band Office		1	120	120	
					2,970
Theater / Performing Arts					
Auditorium / Theater (approx. 550 seating capacity)		1	6,500	6,500	
Stage		1	2,750	2,750	
Control Booth		1	200	200	
Theater Storage		1	200	200	
Lighting Storage		1	100	100	
Costume Storage		1	200	200	
Make-up / Dressing Rooms		1	200	200	
Green Room		1	200	200	
Drama Instructor's Office		1	100	100	
					10,450
Athletics / P.E.					
Aux Gym	1	1	6,700	6,700	
Wrestling Room		1	3,000	3,000	
Training Room		1	500	500	
Equipment Storage		1	500	500	
Large Team Rooms (gender neutral)		1	700	700	
Small Team Rooms (gender neutral)		2	300	600	
					12,000
Cafeteria / Commons					
Cafeteria (1 lunch period w/ 25% leaving for open campus - ref. of 750 cap.)		1	8,500	8,500	
					8,500

4. AREA PROGRAM

BANKS HIGH SCHOOL - PROPOSED AREA PROGRAM FOR FUTURE ADDITION (CONTINUED)

	# of Teaching Stations	Quantity	Net SF per Space	Total Net SF	Subtotal by Area
Kitchen / Nutrition Services					
Main Servery		1	1,000	1,000	
Prep and Cooking Areas (Kitchen)		1	2,000	2,000	
Dry Storage		1	400	400	
Walk-in Cooler and Freezer		1	800	800	
Ware-washing		1	300	300	
Allocation for Kitchen Office / Staff Lockers		1	200	200	
Receiving Area		1	200	200	
					4,900
Administration					
Additional Assistant Principal's Office		1	120	120	
Additional Counselor's Office		1	120	120	
Additional Staff Offices or Workstations		1	100	100	
					340
Custodial and Maintenance - NOTE: THESE WILL BE ADJUSTED BASED ON FINAL SIZE AND LAYOUT OF BUILDING					
Distributed Custodial Closets		2	100	200	
Distributed Student Restrooms		6	275	1,650	
Distributed Staff Restrooms		2	66	132	
ADA Accessible Restrooms (single use)		2	60	120	
MDF Room		1	250	250	
Distributed IDF Rooms		4	50	200	
					2,552
Miscellaneous - NOTE: THESE WILL BE ADJUSTED BASED ON FINAL SIZE AND LAYOUT OF BUILDING					
Sub Electrical Room		2	75	150	
Elevator		1	120	120	
Elevator Equipment		1	80	80	
					350
Total Net SF				61,462	
Grossing Factor (35%)				21,512	
Total Gross SF				82,974	

4. AREA PROGRAM

BANKS HIGH SCHOOL - PROPOSED AREA PROGRAM FOR FUTURE ADDITION (Final Capacity = 566 Students)

	# of Teaching Stations	Quantity	Net SF per Space	Total Net SF	Subtotal by Area
Academics					
General Classrooms	6	6	950	5,700	
Extended Learning Areas / Flex Space		1	500	500	
Science Labs	1	1	1,400	1,400	
Science Prep / Storage Room		1	300	300	
STEAM / Robotics Lab	1	1	2,000	2,000	
					9,900
Building Operations / Maintenance / Restrooms					
General Allowance		1	2,000	2,000	
					2,000
Total Net SF				11,900	11,900
Grossing Factor (35%)				4,165	
Total Gross SF				16,065	

Final Capacity of 566 Students.

Assume they will use existing cafeteria, but will move to 2 lunch periods.

4. AREA PROGRAM

BANKS K-2 SCHOOL - PROPOSED AREA PROGRAM (Capacity = 575 Students)

	# of Teaching Stations	Quantity	Net SF per Space	Total Net SF
Academics				
General K-2 Classrooms	23	23	950	21,850
Shared Learning (one per grade)		3	700	2,100
Music Room		1	1,200	1,200
Special Education Classroom		1	1,200	1,200
SPED ADA Restroom w/ changing table		1	120	120
Sensory Room		1	300	300
P.E.				
Multipurpose Fitness Room		1	3,000	3,000
Office		1	100	100
Equipment Storage		1	300	300
Library Media Center				
Library / Circulation Desk		1	1,500	1,500
Workroom		1	100	100
Technology and Storage		1	100	100
Cafeteria				
Cafeteria (assume 3 lunch periods - 1 per grade)		1	2,500	2,500
Warming Kitchen		1	500	500
Walk-in Freezer / Cooler		1	100	100
Ware-washing		1	100	100
Kitchen Staff Toilet		1	60	60
Kitchen Office		1	100	100
Dry Storage		1	150	150
Administration				
Lobby / Reception (includes 2 workstations)		1	500	500
Secure Vestibule		1	400	400
Principal Office		1	150	150
Counselor's Office		1	120	120
Itinerant Offices		3	100	300
Conference Room		1	220	220
Workroom		1	350	350
Health Room		1	200	200
File Storage		1	80	80
Building Operations / Maintenance / Restrooms				
Restrooms		Dist.	1,500	1,500
General Storage		2	200	400
Custodial Closets		2	50	100
Mechanical Room		2	200	400
Electrical Room		1	200	200
MDF		1	100	100
IDF		2	60	120
Total Net SF				40,520
Student Capacity	575			
Net to Gross Ratio				1.35
Total Gross Building Square Footage				54,702
Covered Play Area		1	3,000	3,000

5. STUDY NARRATIVES - MASTER PLAN

Design Concepts

The reimaging of Banks High School requires an awareness of history, context, and a vision for the future. The thread that will tie all this together is a design process with both a window to the past and a view to the future.

The proposed high school classroom addition will be a transformative project designed to enhance educational experiences for students in the Banks School District. The proposed new two-story addition aims to modernize the learning environment while integrating with essential existing facilities. Situated adjacent to the existing school infrastructure, the site not only accommodates the new addition but also respects and integrates with the surrounding constraints. The existing gymnasium, cafeteria, Career and Technical Education (CTE) facilities, and special education classrooms will remain, providing continuity in the school's educational offerings. The design carefully considers the movement patterns of students and staff to enhance safety, security, and accessibility. The architectural vision for this addition emphasizes both functionality and community integration. By replacing most of the outdated classrooms, the new addition will foster collaborative learning. The

strategic decision to include an auxiliary gymnasium on the site of the middle school promotes a seamless connection between physical education and recreational activities for both middle and high school students. The addition incorporates a thoughtful layout that promotes interaction and accessibility. The separation of bus drop-off areas from parent drop-off zones between the middle school and high school minimizes congestion and enhances safety. Student and staff access from NW Wilkes Street ensures a clear and defined entry point, facilitating a smooth transition from arrival to the classroom. The new high school addition represents a significant investment in the future of education in the Banks School District. By enhancing the learning environment and integrating safety features through thoughtful design, this project aspires to foster academic success and support all students and staff. The development will build a foundation for future educational excellence.



Table A

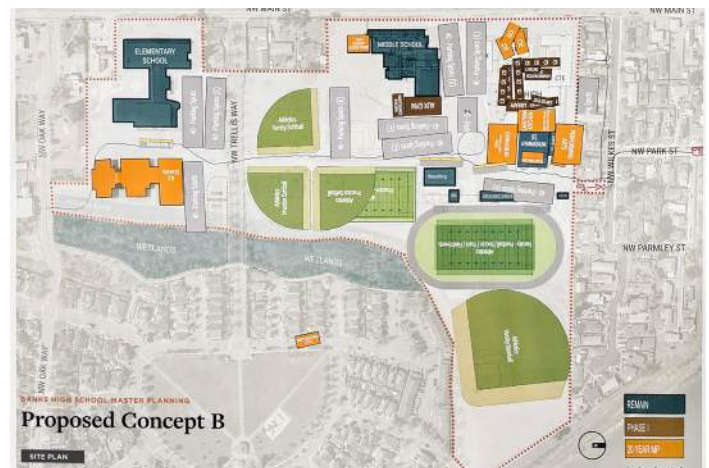


Table B

5. STUDY NARRATIVES - MASTER PLAN

Concept 1: 20-Year Master Plan



Concept 1: 20-Year Master Plan Design Considerations

SITE DEVELOPMENT

→ Enhance Campus-Wide Circulation and Traffic Flow:

- Create separate bus access and designated parking for a total of 11 buses.
- Establish distinct bus drop-off and pick-up zones for improved safety and efficiency.
- Designate visitor parking areas to facilitate access for guests.
- Maximize student parking to accommodate current and future needs.
- Optimize staff parking to ensure convenient access for teachers and staff.
- Ensure clear pathways for fire, emergency, and service access.
- Utilize Wilkes, Oak Way, NW Trellis Way, and NW Main Street as entry points to the campus.
- Identify site entry access points to improve traffic management.
- Design site circulation that separates student pathways from vehicle traffic to enhance safety.

→ Optimize Athletic Fields:

- Develop practice softball fields for all use.
- Construct a varsity softball field for competitive events.
- Establish multi-purpose fields that can be used for football and soccer practices.
- Install batting cages to support student athletes.
- Incorporate concessions to serve spectators during events.

BUILDING IMPROVEMENTS

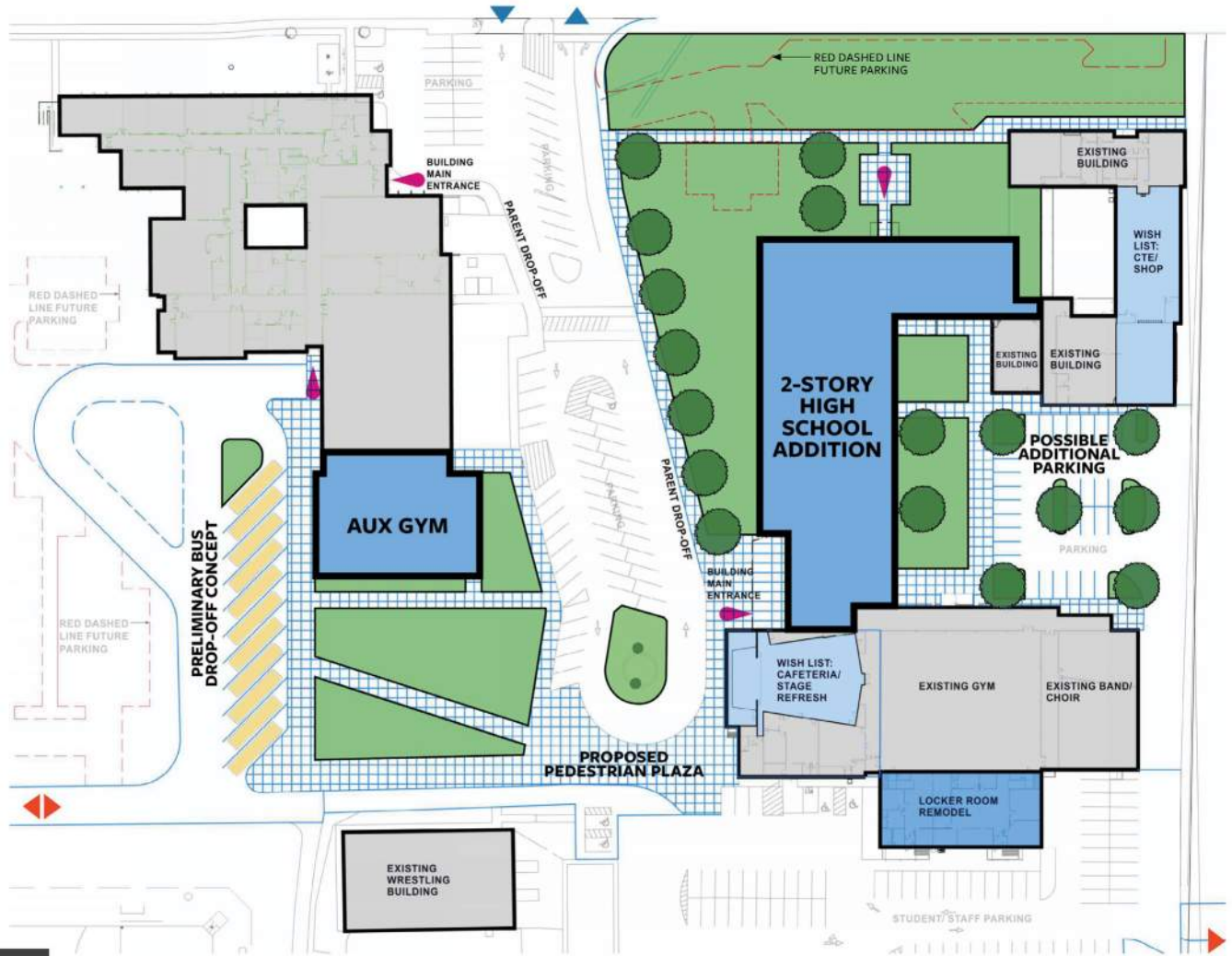
- **Replace the Auxiliary Gym** and identify an appropriate new location for enhanced facilities.
- **Assess the Current Administration Building** to determine potential new design.
- **Develop a new 43,000 sf 2-Story Building** to replace majority of existing learning spaces, optimizing learning spaces, layout, and access.
- **Modernize Locker Rooms** to meet Title IX requirements, ensuring equitable facilities for all students.
- **Enhance Safety and Security** through access control measures and perimeter hardening.
- **Ensure ADA Compliance** across all buildings and throughout the campus for inclusive access.
- **Plan for a Future Theater** that supports performing arts and events.
- **Design a Future Cafeteria** to meet the growing needs of the student population.
- **Incorporate a Future Career and Technology Education (CTE) Facility** to support vocational training.
- **Plan for Future Classroom Additions** to accommodate enrollment growth.
- **Minimize Construction Disruption**, aiming to limit the use of temporary portables with the goal of utilizing no portables.

ADDITIONAL STRATEGIC GOALS

- **Maximize Site Capacity** to effectively accommodate projected increases in student population.
- **Ensure Fiscal Responsibility** in planning to maximize the value of taxpayer dollars, focusing on creating safe, functional, and durable facilities.
 - Strive to complete projects on time, within budget, and in alignment with bond commitments.
- **Prioritize Campus Safety and Security** by implementing Crime Prevention Through Environmental Design (CPTED) principles.
- **Prepare for a K-2 Building** on-site to respond to future increases in elementary enrollment.
- **Plan for Future Classroom Expansion** at the Middle School level to meet evolving educational demands.

5. STUDY NARRATIVES - MASTER PLAN

Concept 1: 2024 Bond Program



SITE PLAN

Concept 1: 2024 Bond Program

SITE DESIGN REQUIREMENTS

- **Enhance Campus-Wide Circulation and Traffic Flow:**
 - Create separate bus access and designated parking for a total of 11 buses.
 - Establish distinct bus drop-off and pick-up zones for improved safety and efficiency.
 - Designate visitor parking areas for better access.
 - Maximize student parking to meet current needs.
 - Optimize staff parking to ensure convenient access for teachers and staff.
 - Ensure clear pathways for fire, emergency, and service access.
 - Utilize Wilkes, NW Trellis Way, and NW Main Street as main entry points to the campus.
 - Identify additional site entry access points to improve traffic management.
 - Design circulation that separates student pathways from vehicle traffic to enhance safety.

BUILDING DESIGN REQUIREMENTS

- **Construct a New 43,000 sf Two-Story Building:**
This facility will replace the majority of existing learning spaces, optimizing layouts and enhancing accessibility for students.
- **Modernize Locker Rooms:** Upgrade facilities to meet Title IX requirements, ensuring equitable access for all students.
- **Replace the Auxiliary Gym:** Identify an appropriate new location for enhanced athletic facilities.
- **Focus on Safety and Security:**
 - Ensure ADA compliance across all buildings and throughout the campus for inclusive access.
 - Plan for future classroom additions to accommodate enrollment growth.
 - Minimize construction disruption, aiming to limit the use of temporary portables, ideally utilizing none.

WISH LIST CONSIDERATIONS

- **CTE Shop Upgrades:** Update vocational training spaces to better serve students.
- **High School Cafeteria/Stage Refresh:** Modernize dining and performance areas.
- **High School Weight Room Upgrades:** Enhance fitness facilities for student use.
- **ES Parking Lot Paving:** Improve parking facilities for accessibility and safety.
- **ES Boiler Replacement:** Upgrade heating systems for efficiency.
- **Updated Security Cameras:** Install modern surveillance across all schools.
- **Weapon Detection Systems:** Enhance school safety protocols.
- **Portable Panic Buttons:** Equip staff with safety tools for emergencies.
- **Modern Safety Software:** Implement up-to-date systems for managing campus safety.
- **Maintenance Fund:** Create a fund for ongoing maintenance of future projects.

NEW ADDITION

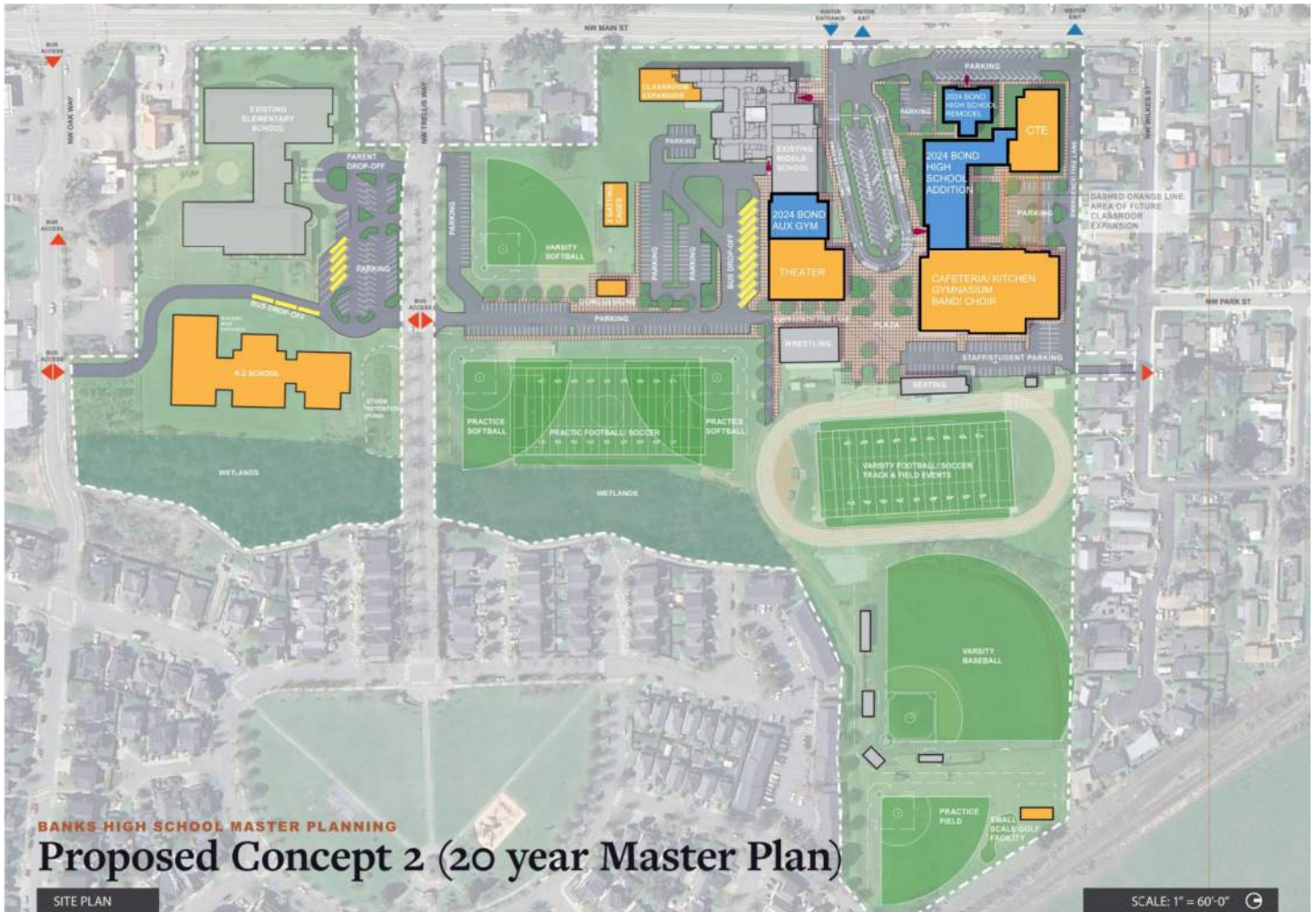
43,000 SF OF PROGRAM IN NEW ADDITION

43,000 SF of Program x \$740/SF = \$31,820,000

TOTAL CONSTRUCTION BUDGET FOR CONCEPT 1 = \$31,820,000

5. STUDY NARRATIVES - MASTER PLAN

Concept 2: 20-Year Master Plan



Concept 2: 20-Year Master Plan Design Considerations

SITE DEVELOPMENT

→ Enhance Campus-Wide Circulation and Traffic Flow:

- Create separate bus access and designated parking for a total of 11 buses.
- Establish distinct bus drop-off and pick-up zones for improved safety and efficiency.
- Designate visitor parking areas to facilitate access for guests.
- Maximize student parking to accommodate current and future needs.
- Optimize staff parking to ensure convenient access for teachers and staff.
- Ensure clear pathways for fire, emergency, and service access.
- Utilize Wilkes, Oak Way, NW Trellis Way, and NW Main Street as entry points to the campus.
- Identify site entry access points to improve traffic management.
- Design site circulation that separates student pathways from vehicle traffic to enhance safety.

→ Optimize Athletic Fields:

- Develop practice softball fields for all use.
- Construct a varsity softball field for competitive events.
- Establish multi-purpose fields that can be used for football and soccer practices.
- Install batting cages to support student athletes.
- Incorporate concessions to serve spectators during events.

BUILDING IMPROVEMENTS

- **Replace the Auxiliary Gym** and identify an appropriate new location for enhanced facilities.
- **Assess the Current Administration Building** to determine potential new design.
- **Develop a new 37,000 sf 2-Story Building** to replace majority of existing learning spaces, optimizing learning spaces, layout and access.
- **Reimagine the existing 10,500 sf District Administration Building:** Alongside the new building, the redesigned building will prioritize student services and access, creating a more welcoming environment for all students.

- **Modernize Locker Rooms** to meet Title IX requirements, ensuring equitable facilities for all students.
- **Enhance Safety and Security** through access control measures and perimeter hardening.
- **Ensure ADA Compliance** across all buildings and throughout the campus for inclusive access.
- **Plan for a Future Theater** that supports performing arts and events.
- **Design a Future Cafeteria** to meet the growing needs of the student population.
- **Incorporate a Future Career and Technology Education (CTE) Facility** to support vocational training.
- **Plan for Future Classroom Additions** to accommodate enrollment growth.
- **Minimize Construction Disruption**, aiming to limit the use of temporary portables with the goal of utilizing no portables.

ADDITIONAL STRATEGIC GOALS

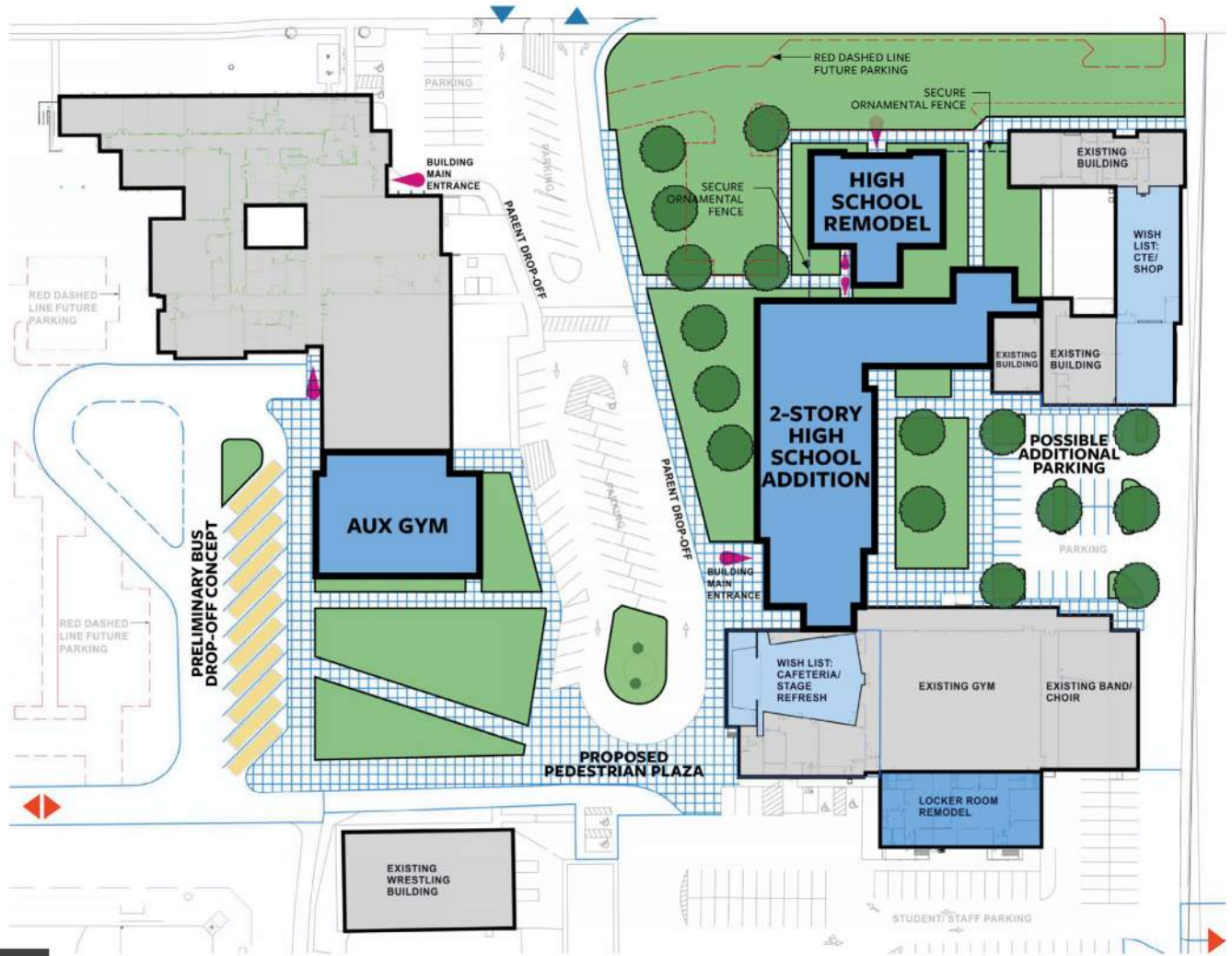
- **Maximize Site Capacity** to effectively accommodate projected increases in student population.
- **Ensure Fiscal Responsibility** in planning to maximize the value of taxpayer dollars, focusing on creating safe, functional, and durable facilities.
 - Strive to complete projects on time, within budget, and in alignment with bond commitments.
- **Prioritize Campus Safety and Security** by implementing Crime Prevention Through Environmental Design (CPTED) principles.
- **Prepare for a K-2 Building** on-site to respond to future increases in elementary enrollment.
- **Plan for Future Classroom Expansion** at the Middle School level to meet evolving educational demands.

DISTRICT OFFICE RESTORATION

- **Develop Scenarios** for restoring the existing 10,500 sf district office into state-of-the-art learning environment.
 - Potential renovations to improve functionality and aesthetics.
 - Evaluating budgetary impacts
 - Maintain historically significant building while integrating into the new addition.

5. STUDY NARRATIVES - MASTER PLAN

Concept 2: 2024 Bond Program



SITE PLAN

Concept 2: 2024 Bond Program

SITE DESIGN REQUIREMENTS

- **Enhance Campus-Wide Circulation and Traffic Flow:**
 - Create separate bus access and designated parking for a total of 11 buses.
 - Establish distinct bus drop-off and pick-up zones for improved safety and efficiency.
 - Designate visitor parking areas for better access.
 - Maximize student parking to meet current needs.
 - Optimize staff parking to ensure convenient access for teachers and staff.
 - Ensure clear pathways for fire, emergency, and service access.
 - Utilize Wilkes, NW Trellis Way, and NW Main Street as main entry points to the campus.
 - Identify additional site entry access points to improve traffic management.
 - Design circulation that separates student pathways from vehicle traffic to enhance safety.

BUILDING DESIGN REQUIREMENTS

- **Construct a New 37,000 sf Two-Story Building:** to replace majority of existing learning spaces, optimizing learning spaces, layout, and access.
- **Reimagine the existing 10,500 sf District Administration Building:** Alongside the new building, the redesigned building will prioritize student services and access, creating a more welcoming environment for all students.
- **Modernize Locker Rooms:** Upgrade facilities to meet Title IX requirements, ensuring equitable access for all students.
- **Replace the Auxiliary Gym:** Identify an appropriate new location for enhanced athletic facilities.
- **Focus on Safety and Security:**
 - Ensure ADA compliance across all buildings and throughout the campus for inclusive access.
 - Plan for future classroom additions to accommodate enrollment growth.
 - Minimize construction disruption, aiming to limit the use of temporary portables, ideally utilizing none.

WISH LIST CONSIDERATIONS

- **CTE Shop Upgrades:** Update vocational training spaces to better serve students.
- **High School Cafeteria/Stage Refresh:** Modernize dining and performance areas.
- **High School Weight Room Upgrades:** Enhance fitness facilities for student use.
- **ES Parking Lot Paving:** Improve parking facilities for accessibility and safety.
- **ES Boiler Replacement:** Upgrade heating systems for efficiency.
- **Updated Security Cameras:** Install modern surveillance across all schools.
- **Weapon Detection Systems:** Enhance school safety protocols.
- **Portable Panic Buttons:** Equip staff with safety tools for emergencies.
- **Modern Safety Software:** Implement up-to-date systems for managing campus safety.
- **Maintenance Fund:** Create a fund for ongoing maintenance of future projects.

REMODEL OF DISTRICT OFFICE

6,000 SF (APPROX.) OF PROGRAM BUT REQUIRES FULL REMODEL OF ENTIRE 10,500 SF BUILDING

10,500 SF of Program x \$800/SF = \$8,400,000

NEW ADDITION

37,000 SF OF PROGRAM IN NEW ADDITION

37,000 SF of program x \$740/SF = \$27,380,000

TOTAL CONSTRUCTION BUDGET FOR CONCEPT 2 = \$35,780,000

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Civil

FRONTAGE IMPROVEMENTS

- Tax lots 6900 (HS) and 2300 (MS) have a combined 3 access locations on OR 47. Coordination with ODOT required to determine if proposed access locations will be allowed. Tax lot 2400 (south of middle school) currently has no driveway approach on OR 47. ODOT may consider access in this location if the project proposed to change current access locations in general.
- Center turn lane within OR 47 ends adjacent to tax lot 2300 (near middle school). Extending a center turn lane north to the high school may be a consideration from ODOT to improve vehicle movements on OR 47 depending on traffic input.

UTILITIES

(Public sanitary sewer and stormwater systems maintained by Clean Water Services, and public water system maintained by City of Banks, pass through the school campus, across multiple tax lots.)

Sanitary sewer

- Existing 15-inch diameter sanitary sewer should provide adequate pipe service. Pipe condition unknown.

Stormwater

- Existing 18inch diameter stormwater sewer should provide adequate pipe capacity. Pipe condition unknown.
- Changes to impervious area will likely result in needing additional onsite stormwater detention.
- No known onsite underground injection control facilities (UICs) identified by Oregon DEQ.

Water & Fire Protection

- Existing 8 inch (as identified by 2013 MS as-builts) should provide adequate service. City of Banks 2011 Water System Master Plan does not identify any deficiencies in the City water system on the project site. Further investigation and coordination with City required to determine available fire flows during design.

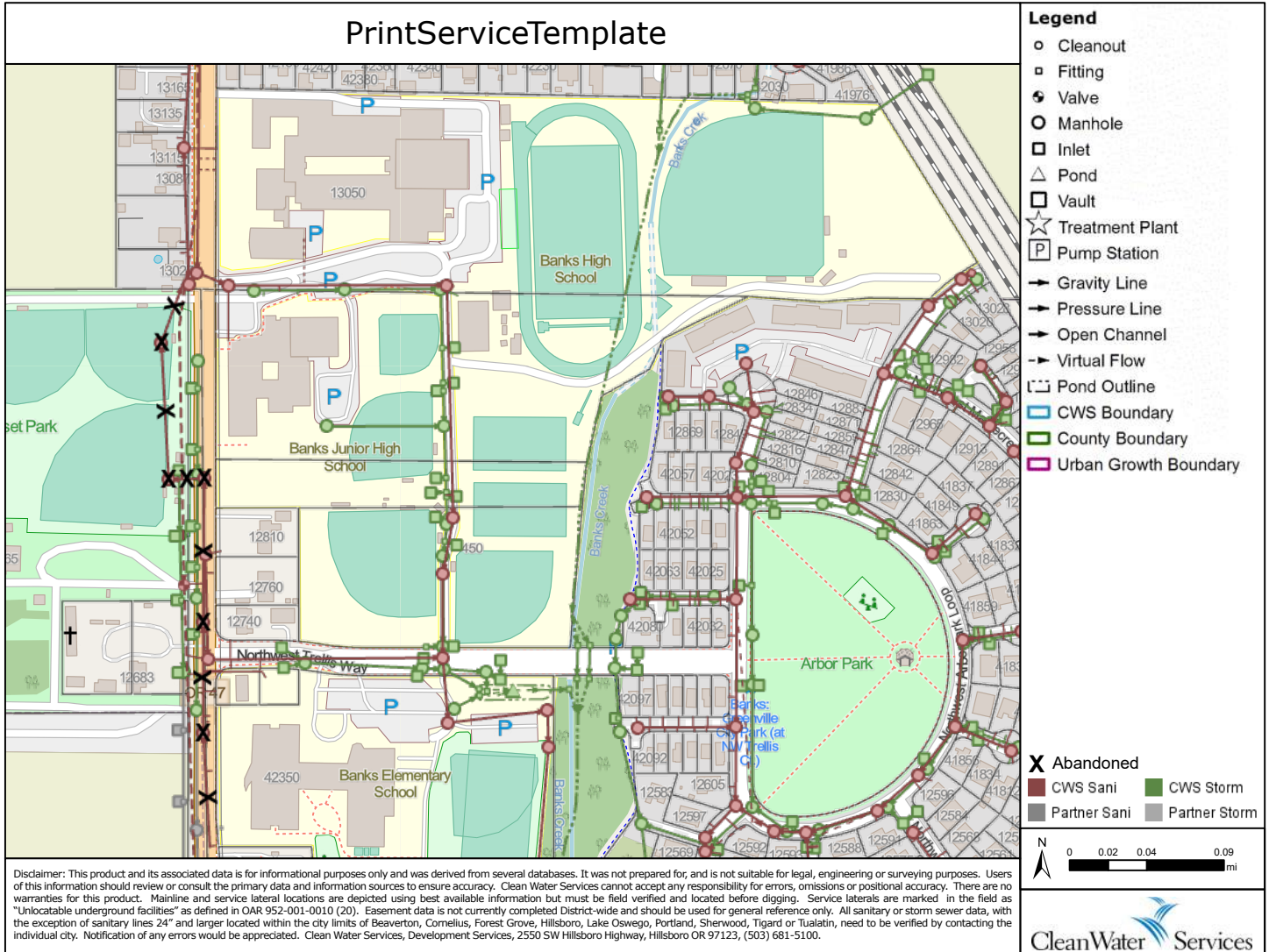
FIRE DEPARTMENT ACCESS

- New circulation patterns and building design will need to consider fire apparatus access routes.

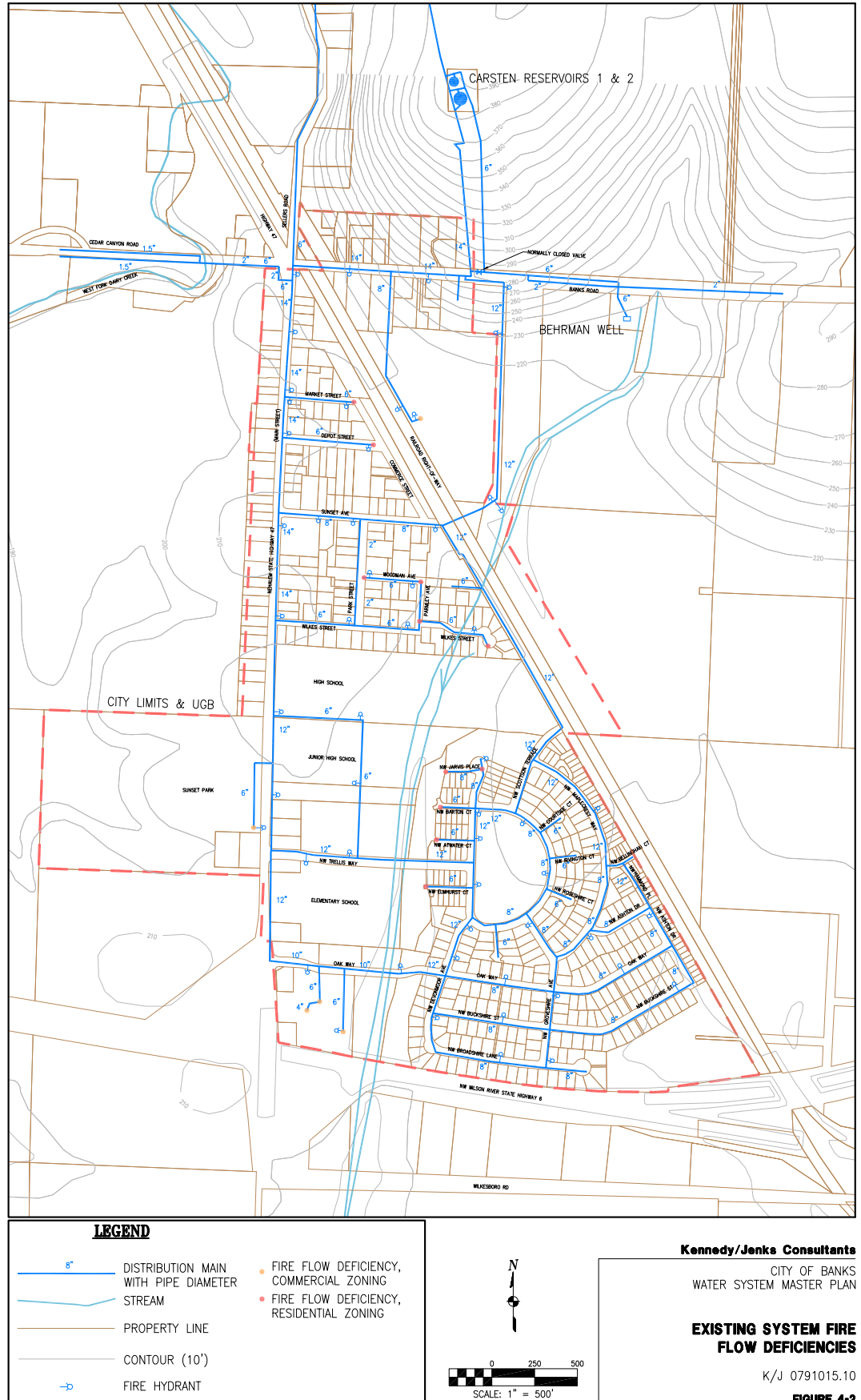
SENSITIVE AREAS

- DEQ Leaking Underground Storage Tanks (LUST) database lists a leaking underground tank as of 2014 at 13050 NW Main St with status “decommissioning”. Further investigation into location/incident/status needed.
- FEMA flood hazard: Zone X (area of minimal flood hazard) for all school tax lots
- It appears Banks Creek has been undergrounded through ~250 ft long culvert(s) near the shotput location. Modifications to this area may require lengthy permitting requirements.

6. STUDY NARRATIVES - DUE DILIGENCE



6. STUDY NARRATIVES - DUE DILIGENCE



6. STUDY NARRATIVES - DUE DILIGENCE

Structural

STRUCTURAL – DISTRICT OFFICE BUILDING ONLY

- District Office Building is a two-story building built in the 1920s.
- Building is constructed with unreinforced masonry exterior walls, slab on grade for the first floor and wood framed second floor, roof, interior walls, and columns.
- The building has currently not been seismically upgraded.
- Proposed seismic upgrades that would be needed for the building for use as an educational facility:
 - Installation of furring walls on the inside of the URM walls attached at top and bottom either mechanically or with adhesive foam to the URM wall along its height.
 - Add plywood sheathing at floor and roof structure.
 - Add anchor ties added around the all URM exterior walls to tie to the floor and roof diaphragms.
 - Add new interior shear walls by applying plywood to the face of existing interior walls, where required.
 - New continuous concrete foundation will likely be required at the perimeter of the existing building and at existing walls that are converted to shear walls at the interior walls.
 - Parapets and chimneys will need to be braced back to the roof structure.

Mechanical, Electrical, Plumbing

DISTRICT OFFICE

- Electrical: service is antiquated and insufficient for modern classroom use. All new electrical service, panels and distribution is required.
- Plumbing: existing piping will not be sufficient for modern classroom use. An increase in restrooms, sinks and drinking fountains will be required and the existing plumbing piping will not be able to accommodate this. All new plumbing piping, sanitary piping, domestic hot water heater and distribution will be required.
- Mechanical: existing mechanical system is not functional. All steam unit ventilators are not functional. One air handler in the center room of the building is operational and does not provide adequate heat and ventilation for the building. No mechanical cooling is present. All new mechanical system would be required to meet code for a modern classroom use.

HIGH SCHOOL

- Electrical: electrical service is adequate, but location of electrical room and transformer is difficult to accommodate with expected work. Preemptive relocation of transformer is recommended. Possibility of relocating the electrical room with a phased approach may be required.
- Plumbing: overall, plumbing piping is adequate. Some modifications/additions have been made that could be redone as part of this scope. Domestic hot water heater is not accessible and barely functional. New water heater is required.
- Mechanical: existing system is adequate and meets current code but is inefficient and maintenance heavy. With a separate air handler and condenser for each classroom, maintenance is required on many small pieces of equipment which is time intensive and expensive. It would be recommended to provide the new school with a centralized mechanical heating and cooling system, ideally chilled and hot water system from a heat pump chiller.
 - Existing steam boiler is barely functional and only serving a few spaces (District office, Cafeteria, Gym). Removal of steam system in its entirety is recommended.
 - Decommissioned oil tank is located underground outside of the boiler room. This tank should be removed and properly disposed of.

Safety and Security Assessments

Safety and security assessments were conducted in fall 2024 for each of Banks School District's three (3) school facilities based on the principles of Crime Prevention through Environmental Design (CPTED). The assessment process included onsite observations by BRIC Architecture on October 22, 2024 as well as follow-up interviews with school principals on October 24-25, 2024. The assessments were conducted by a practitioner holding NICP's CPTED Professional Designation (CPD), meeting all associated training, testing, and continued education requirements.

Recommendations for security improvements across all three campuses were developed based on the assessments. The recommendations were organized into three (3) categories:

- **Tier I:** Improvements to existing campuses and buildings to be incorporated as part of the Phase I bond projects. This cultivated list of improvements was limited by the budgets established under the 2024 bond.
- **Tier II:** Improvements to be implemented as part of the long-term master plan (as additional funds become available).
- **Low Cost / Maintenance Projects:** Lower cost security improvements that could potentially be implemented by maintenance staff.

It was additionally noted that the Banks High School replacement facility would be designed to incorporate CPTED principles, addressing many of the school's existing security vulnerabilities.

The identified Tier I security projects to be addressed as part of Phase 1 are summarized below.

In Oregon, security assessments may be considered public records exempt from disclosure under ORS 192.345 as records or information that reveal or identify security measures or weaknesses in security measures in a building or property (unless the public interest requires disclosure in particular instances). As such, the full assessment report was provided to the District, but is not included in this document.

BANKS ELEMENTARY SCHOOL AND BANKS MIDDLE SCHOOL

- Create secure entry vestibules at BES and BMS that funnel visitors through the main office before granting access to the larger facility.
- Install camera / intercom / buzzer (remote entry) system at main entry doors. Institute one (1) point of entry w/ staff workstation positioned to monitor.
- Add electronic key card access at major exterior doors. Remove exterior door hardware at secondary exterior doors to limit their use to exiting only.
- Install a single integrated security platform:
 - Video management
 - Physical access control and intrusion detection system with central monitoring
 - Lockdown button in the main office.
 - Expanded surveillance camera coverage to encompass hard-to-view areas (interior and exterior), including entries to student restrooms.
- Add external PA speakers, as well as speakers serving interior areas where announcements cannot currently be heard.
- Extend fencing / add gate to connect to northeast side of building at BES.
- At BMS, extend exterior fencing south of building facing Highway 47 to abut school, adding a gate.

6. STUDY NARRATIVES - DUE DILIGENCE

BANKS HIGH SCHOOL

- As part of the new design, create a highly visible and celebrated main entry. Design a secure entry vestibule that funnels visitors into the main office before being admitted to the larger building. Install camera / intercom / buzzer at main entry doors.
 - Add electronic key card access at major exterior doors (new and existing building areas). Remove exterior door hardware at secondary exterior doors to limit their use to exiting only.
 - Add School Guard Glass or security film glazing at the new main entry and reception areas.
 - Provide a single integrated security platform (covering both new and existing areas of the building) with video management, physical access control, and intrusion detection systems with central monitoring. Lockdown button to be placed in main office. Thoughtfully incorporate interior cameras with thorough coverage of all corridors, restroom entries, and common areas.
 - In the new building, install intruder locks (that can be locked from both sides of the door) in all classroom and office doors.
 - In the new building, provide permanently installed window coverings for all classrooms, offices, and core areas.
 - Add bollards in front of the school to guard against vehicle impacts.
 - Use boulders, seating walls, landscaping, paving, and signage to better delineate public, semi-public, and private zones and distinguish between different school sites
- In the new building, add interior glazing to promote views from classrooms.
 - In the new building, design student restrooms to provide a maze entry and open handwashing to provide passive supervision.
 - Relocate bike racks to an area within view of staff
 - In the new building, add murals, creative displays, or other forms of artwork at key areas of the building and site to communicate a sense of ownership and belonging among students and families as well as promote wayfinding.
 - If new construction does not result in a single contiguous building, add 6' (or higher) fencing encompassing walkway to detached building.
 - Add external PA speakers, as well as speakers serving interior areas where announcements cannot currently be heard.
 - Address roof access vulnerabilities at BHS in areas of the building to remain, including the railing at the door to (cafeteria) stage, at vehicle gate in alley. (Note: Assuming that roof access vulnerability where existing building intersects with district office will be addressed as part of the new construction.)
 - Separate parent and bus drop-off lanes.

6. STUDY NARRATIVES - DUE DILIGENCE

Landuse

PROPERTY LINE ADJUSTMENT (PLA) APPLICATION

→ Given the complexities the natural resource areas on the east of the school district properties add to any land use application review, a PLA is recommended to be submitted and approved ahead of submitting for land use for any of the school improvements.

- Time to complete application: 3 weeks
- City review time: ±8-12 weeks (Type II process with notice, but will take limited staff review)
- Record record of survey at Washington County

AUX GYM- SITE DESIGN REVIEW

→ Submit a land use application and obtain approval for the auxiliary gym. (Assumed to be a Type II Site Design Review application.) This would be ahead of the broader master planning efforts of the district and the bigger land use application package that would result.

- Time to complete application package: 3-4 weeks after receipt of ALL plans and other materials
- Submit Clean Water Services SPL after PLA recorded at Washington County
- Submit Application to the City after obtaining CWS SPL
- City review time: ±12-15 weeks (Type II process with notice)

CONDITIONAL USE PERMIT MAJOR MODIFICATION

→ After the BSD led master planning is complete, submit a land use application to modify the Conditional Use Permit for the entire BSD site. This is a Type III process with a neighborhood meeting and public hearing requirement. The Planning Commission is the decision-making body. This would include the changes to circulation, the traffic study, natural resource assessments as needed, etc.

- Have a pre-application meeting with the City to discuss plans and phasing of improvements
- Hold neighborhood meeting prior to application submittal
- Time to complete application package: 3-4 weeks after receipt of ALL plans and other materials
- City review time: ±12-15 weeks (Type III process with public hearing before the Planning Commission)

SITE DESIGN REVIEW FOR BUILDING MODIFICATIONS/ADDITIONS

→ Site Design Review for larger building improvements (those that exceed the thresholds in 151.252.B) require a Type III review process.

- We recommend combining any Type III SDR with the CUP mod application above, so they are processed together and only one neighborhood meeting and hearing are required. The same process as described under “3.” above applies.
- Smaller improvements that don’t meet the thresholds in 151.252.B could be processed separately through a Type II application. Type II improvements include additions up to 20% of an existing building, or other exterior alterations. The Type II SDR could also be combined with the Type III application if preferred.

3J CONSULTING

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MEMORANDUM

To: Dan Hess
Principal - BRIC Architecture

From: Brian O'Rourke, PE
Project Manager - 3J Consulting

Date: November 01, 2024

Project Name: Banks School District Master Plan
Project No: 24957
RE: Due Diligence Narrative - Civil

This memorandum has been prepared to list anticipated Civil components required for the Banks School District Master Plan. The Banks School District property is comprised of six separate tax lots ("site"). The elementary school, middle school, high school, school district offices, and athletic fields are all located within the site. Existing site conditions and potential improvements have been evaluated and are provided herein. This list is meant as a supplement to the Banks School District Master Plan site layout options.

Civil Narrative

Frontage Improvements

Oregon State Route 47 is a state principal arterial road along the western frontage of four of the six tax lots that make up the site, with a varying number of lanes. OR-47 has two travel lanes and one center lane from NW Oak St until transitioning to two travel lanes with no center lane at approximately the middle school location. Development of the site may require improvements to be made in the school district half of the street, including associated storm water facilities for the added impervious area. Improvements along the frontage should consider the potential for installation of utilities to a new PUE at the back of the new right-of-way. Although not specifically known at this time, Improvements may include continuing a center turn lane within OR-47 along the entirety of the school properties.

NW Wilkes Street is a local road with two travel lanes, parking width, and curbtight sidewalks, and is not currently adjacent to school property. However, the site will have a frontage along NW Wilkes St with plans for the school district to utilize 42270 NW Wilkes St in the site plan. The dimensional standards for a city local road are:

- One half of a local road for approximately 50 feet of frontage including the following:
 - Two 12-foot travel lane with two 7-foot parking widths
 - 5-foot landscape strip (south side only)
 - 6-foot sidewalk
- Associated signage, striping, street lighting and landscaping

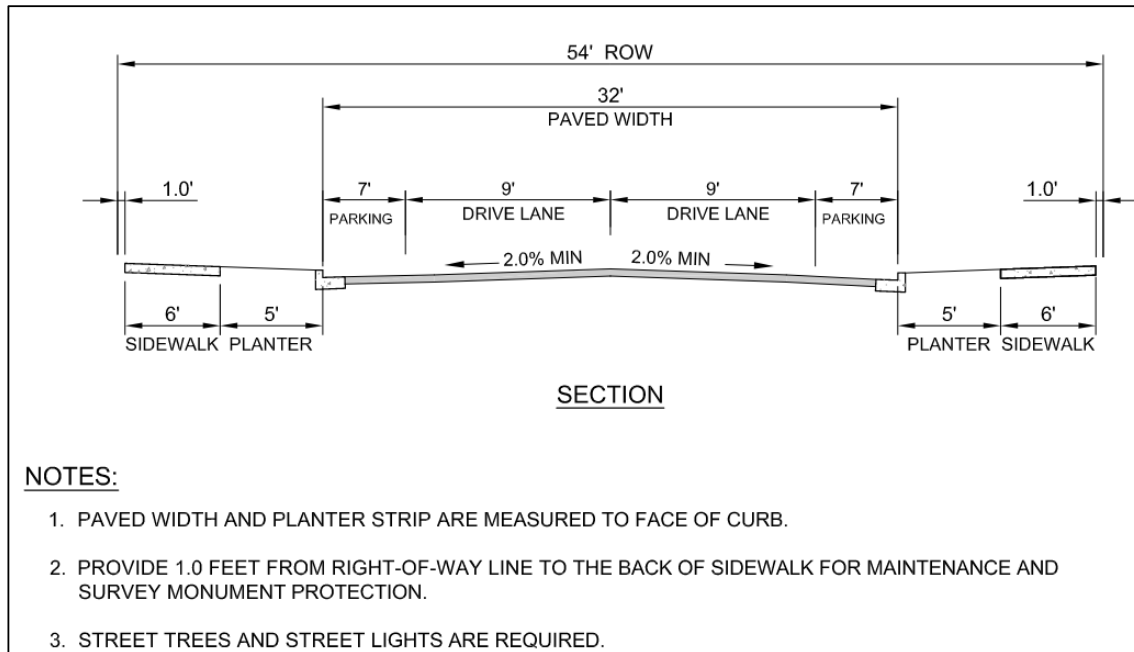


7. CONSULTANT REPORTS: CIVIL

Banks School District Master Plan
November 01, 2024

Page 2 of 5

Frontage improvements are based on street cross sections from the City of Banks Public Works Design Standards, Appendix A, adopted by City Council on June 10, 2014, and revised February 2022.

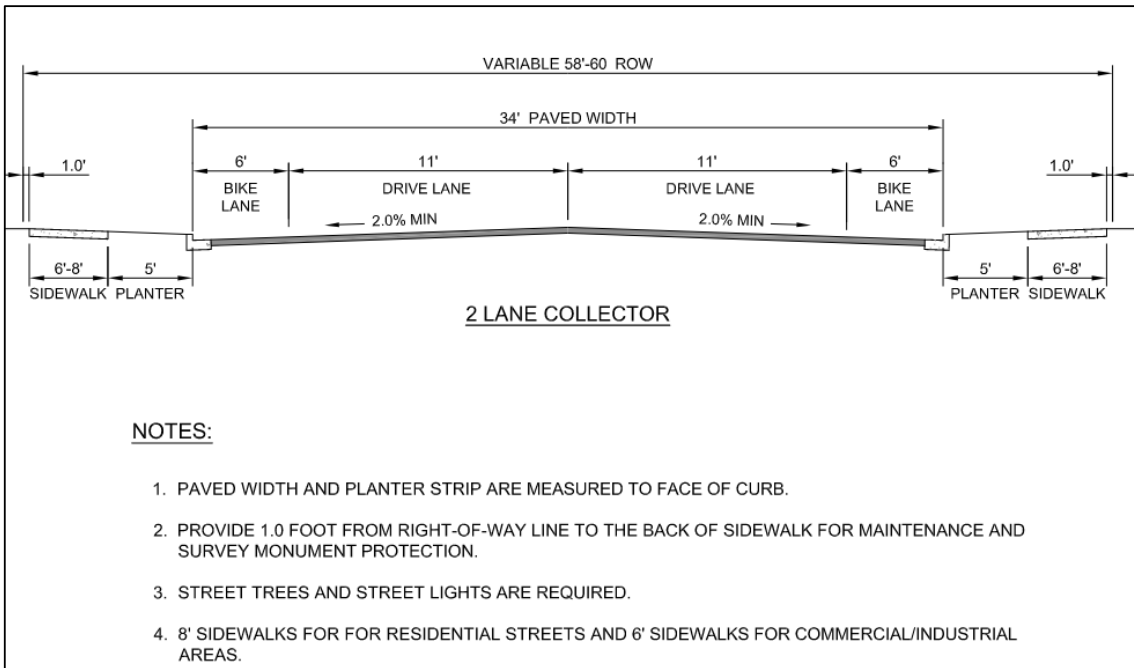


Local Road - Typical Street Section (City of Bank Public Works Design Standards, Dwg No. 103)

NW Trelles Way is a collector that is in the middle of the site and splits the elementary school to the south and middle/high schools to the north. It currently has two travel lanes with a landscaped median and separated sidewalks with landscaped strips. between the elementary school and middle school. Required improvements are currently unknown, as the existing conditions do not match the City design standard for a collector but have been improved with previous development.

NW Oak Way is a collector that is located on the south end of the site and is adjacent to only one school tax lot. It currently consists of two travel lanes, bike lanes, and separated sidewalks with landscaping strips. The dimensional standards for a two-lane collector are:

- One half of a local road for approximately 175 feet of frontage including the following:
 - Two 11-foot travel lanes with two 6-foot bike lanes
 - 5-foot landscape strip (south side only)
 - 6-foot sidewalk
- Associated signage, striping, street lighting and landscaping



Collector Road - Typical Street Section (City of Bank Public Works Design Standards, Dwg No. 102)

Driveway Access

- NW Main St: The site currently has three (3) access on NW Main St, which is an ODOT right-of-way. The improvements currently propose an additional fourth access point. Coordination with ODOT is required to determine implications of proposing an additional access.
- NW Trellis Way: The site currently has an access location from the north and south properties to NW Trellis Way, which is a city right-of-way. The project does not propose changing these accesses.
- NW Oak Way: The site currently has one access to NW Oak Way, which is a city right-of-way. The access is chained off and not currently in use. The project proposes utilizing this existing access for bus circulation.
- NW Wilkes St: The site has no current access to NW Wilkes St, which is a city right-of-way. The School District has purchased 42270 NW Wilkes St and intends to use this property to connect access from the site to NW Wilkes St. Coordination with the City is required to determine implications of proposing a new access.

Parking

- The site has a total of 172 striped parking spaces near the high school and middle school.
- Proposed parking spaces should meet the City of Banks minimum parking requirements.

Fire Department Access

- Fire department access will be required across the site for all facilities. The site layout must consider adequate fire access spacing and turn radius for all drive aisles, including aerial



apparatus access. The existing drive aisle on the north side of the high school does not meet current fire access width and spacing. Final coordination with the Fire Marshal will be occurring during the next phase of the project.

Utilities

- Stormwater
 - An existing 18-inch diameter stormwater sewer maintained by Clean Water Services provides service to the site. The pipe flows west to east between the high school and middle school, then south through the site and across NW Trellis Way and outfalls into an existing extended dry pond. The pond currently provides both water quality treatment and detention. Stormwater then outlets directly into Banks Creek to the east.
 - Gravity PVC pipe connections from the new site buildings and impervious areas to the existing main will be required. The existing 18-inch diameter pipe should provide adequate pipe capacity to service the new buildings on site.
 - New water quality and detention facilities will be required to accommodate the proposed new and modified impervious areas per Clean Water Services design standards.
 - There are no onsite underground injection control (UIC) facilities identified by Oregon DEQ.
 - Based on the draft geotechnical report infiltration testing rates, stormwater infiltration on the site is not feasible.

- Sanitary Sewer
 - An existing 15-inch diameter sanitary sewer main pipe maintained by Clean Water Services provides service to the site. The pipe flows north to south down NW Main St, east through the site between the high school and middle school, then south through the site and connecting to the existing system in NW Oak St. Pipe conditions are unknown. A public utility easement for this sanitary line may exist but is not known at this time.
 - Gravity PVC pipe connections from new site buildings to the existing main will be required. The existing 15-inch diameter pipe should provide adequacy pipe capacity to service new school buildings on the site.
 - Any new kitchen will require a new grease interceptor be installed.

- Water and Fire Protection
 - The existing water system maintained by the City of Banks provides domestic and fire service to the site. There is a 12-inch main in NW Main St, a 12-inch main in NW Trellis Way, and a 10-inch main in NW Oak Way. An 8-inch main, connecting the lines in NW Main St and NW Trellis Way, loops through the site between the high school and middle school, and along the current bus drive aisle. There has been no public utility easement identified for the 6-inch waterline at this time.
 - There are no identified fire flow deficiencies identified at the site in the 2023 City of Banks Water System Master Plan. Fire flow will need to be confirmed adequate for all proposed buildings on site during design.
 - New fire protection service will require a DCDA in a below grade vault (with power)

- and routed directly to the building mechanical room. Additional fire hydrants may be needed onsite to provide the needed fire protection around the buildings.
- o Materials will be ductile iron pipe and precast concrete vaults for water and fire protection. Irrigation pipe materials will be as specified by the project landscape and irrigation design.

Earthwork

The site currently consists of an elementary school, middle school, high school, school district offices, parking facilities, and athletic fields. Grades generally slope gradually from the west to the east towards Banks Creek, which borders the site to the east. The following are anticipated efforts for earthwork activities.

- Stripping of all vegetation surface organics and loose surface soils within all proposed building and landscaped areas receiving structural fill per geotechnical recommendations.
- Over excavations required to remove brush and trees to be backfilled with structural fill where necessary.
- Existing building demolition may show areas of utility tunnels or other pits and should be considered when backfilling for the new structure or filling to final grades.
- The site will likely require several areas of over excavations required to achieve compaction requirements, even in the dry weather months.
- Earthwork completed during the wet weather months between October 31st and June 1st should consider excavated soil to be unsuitable to be recompacted and any fill to be imported borrow.
- Existing building demolition may reveal areas of utility tunnels or other pits and should be considered when backfilling for new structures or filling to final grades.
- Site accessibility requirements per the Americans with Disabilities Act Accessibility Guidelines will be accommodated as the design of the building and site progresses.

Sensitive Areas

- Banks Creek runs from north to south near the eastern edge of the site. The creek routes through the two northernmost tax lots, which include the high school and middle school. A wetland biologist should determine the associated wetland limits and wetland buffer limits for this creek.
 - o It appears that Banks Creek has been undergrounded through approximately 250-ft long culvert(s) just east of the track. Modifications to this area may require lengthy permitting requirements.
 - o The site contains a Low Hydromodification Risk Level area along Banks Creek.
- The FEMA flood hazard is Zone X (area of minimal flood hazard) for all school tax lots.
- The DEQ Leaking Underground Storage Tanks (LUST) database lists a leaking underground tank as of 2014 at 13050 NW Main St with status “decommissioning”. Further investigation into this location and incident will be needed.

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7. CONSULTANT REPORTS: STRUCTURAL



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Tacoma	1250 Pacific Avenue, Suite 701 Tacoma, WA 98402 253.383.2797
Portland	101 SW Main Street, Suite 280 Portland, OR 97204 503.232.3746

www.pcs-structural.com

BANKS SCHOOL DISTRICT – DISTRICT OFFICE CAMPUS PLANNING STRUCTURAL NARRATIVE

DESCRIPTION

The existing Banks School District, District Office Building, located at 12950 NW Main Street, Banks, Oregon is a two-story structure partially occupied and used mostly for administrative staff office space and storage. The building is estimated to have been built in the 1920's; however, existing drawings are not available, and its exact construction date is unknown. From what we can gather visually, the building is constructed with unreinforced masonry exterior walls, slab on grade concrete at the first floor, and wood framed second floor, roof, interior walls, and columns. To our knowledge, the building has never been seismically upgraded.

EXISTING LATERAL SYSTEM

Given the era of construction, the building's lateral force resisting system, or lack thereof, is deficient compared to today's building codes and construction practices. Seismic renovations to the existing structure would include but not be limited to the following:

- **Unreinforced Masonry Exterior Walls**
 - URM exterior walls need to be completely alleviated of their duty of supporting the building both laterally and vertically. This is done by installing a new furring wall constructed of either wood or CFS studs on the inside of the URM over its entirety. The furring wall is mechanically fastened top and bottom to the foundation, floor, or roof. The new wall will also need to be attached to the existing URM along its height. For this, we propose a special adhesive foam that essentially glues the stud wall to the existing URM. This has become more common recently and eliminates some of the costs associated the mechanical fasteners, which has been the traditional approach.
- **Floor and Roof Diaphragms**
 - Plywood sheathing needs to be added to both the floor and roof structure. This can be done from either above or below the existing structure at the floor and potentially the roof, though it is more likely the new sheathing is best installed over the top of the roof framing. This means the roofing material needs to be completely demolished and replaced in order for the roof sheathing to be installed. Miscellaneous steel straps should also be anticipated at discontinuities in the framing, such as around the clerestory opening in the second floor and around the exterior.



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BANKS SCHOOL DISTRICT – DISTRICT OFFICE
CAMPUS PLANNING
STRUCTURAL NARRATIVE

- **Exterior Wall to Diaphragm Ties**
 - As is, the URM exterior walls are not adequately attached to the floor and roof diaphragms. Horizontal anchor ties need to be added around the entire exterior of the building at 4-8 feet on center at the floor and roof. This requires special inspection at all attachment points.

- **New Interior Shear Walls**
 - New shear walls likely need to be created inside of the existing building footprint. This would be done by applying plywood sheathing and panel edge blocking to the face of existing wood stud walls. A continuous concrete foundation would also need to be added or renovated at these locations depending on existing conditions.

- **Foundations**
 - Information on the foundations is unknown at this time, but given the era of construction, they are most certainly undersized and lack the rebar reinforcing steel that would be seen in more modern construction. A new continuous concrete foundation will need to be poured beneath the new furring walls around the perimeter and anchored to the existing foundations beneath the existing URM. It is also likely that any wood framed wall at the interior that is converted to a shear wall will need additional foundation work as well.

- **Parapets and Chimneys**
 - The existing parapets need to brace back to the roof structure to ensure adequate lateral stability in a seismic event. The process of installing the parapet braces will require removing and replacing some roofing material if the roofing is not already removed to apply plywood sheathing.
 - It is recommended that the existing chimney structures be demolished entirely. However, if they are to remain, a furring wall around the interior of chimney can be constructed to support it. It is also possible to build a steel cage like structure internally to support it depending on the exact dimensions and construction of the chimney which is unknown at this time.

EXISTING GRAVITY SYSTEM

The vertical force resisting system consists of URM exterior walls, wood floor joists, wood roof structures, interior wood framed stud walls, and wood posts/columns. The first floor has concrete slab on grade, no information is known about the exterior or interior foundations at this time.

7. CONSULTANT REPORTS: STRUCTURAL



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BANKS SCHOOL DISTRICT – DISTRICT OFFICE CAMPUS PLANNING STRUCTURAL NARRATIVE

The ASCE 41 seismic renovation procedures exclusively focus on the analysis and improvement of an existing buildings lateral system; however, that does not mean the gravity system should be ignored. Elements that do not participate in the lateral force resisting system still need to maintain adequate integrity during a seismic event. It is recommended that the gravity system is assessed during the seismic renovation construction work to ensure a gravity load path is maintained. This could mean potentially upgrading or providing proper connections at the tops and bottoms of walls and columns, upgrading floor/roof ledgers, additional anchorage, and hangers. It would also be recommended to address any serviceability issues such as sagging of horizontal framing members or vibrations reported by the users.

SUMMARY

In summary, the District Office building needs to be completely stripped down to its bare bones in order to be seismically renovated and brought up to modern code standards for existing buildings. All interior wall finishes, flooring and/or ceiling finishes, and roofing needs to be demolished in order to get access to and install the seismic renovation remedies. New foundations would need to be poured to support this new structure, slabs on grade would need to be partially or fully demolished in order to pour these new foundations at the interior in many instances as well. In our experience, there needs to be significant contingency funds set aside for the unknowns that the design team and contractor will certainly come across once the building is opened up. Buildings of this era were built to a different standard and often required the contractor to improvise on site with no oversight and documentation of these decisions.

Though not uncommon, this type of extensive seismic renovation is mostly exclusive to buildings on the historic registry list or other building of major significance. The cost per square foot of these renovations should be carefully compared with that of modern construction.

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REPORT DATE: 11/25/2024

PROJECT: Banks SD Site Assessment

ATTENDEES: Kayla Edwards, Steve Watkins, Arnold Luong

Report Purpose

Säzän Group (Säzän) was on-site to conduct a site observation to assess the condition of the mechanical and electrical systems at Banks High School and Banks Middle School.

High School – Mechanical

General Observations

Säzän arrived onsite at 2PM and met with Dale from the Banks School District maintenance department. All areas of the high school and middle school were reviewed, including the roofs, mechanical and electrical spaces.

The current high school is served by various different HVAC systems. The classroom spaces have been converted to residential style furnaces and outdoor heat pumps. The gym and cafeteria are served by large air handling units that have steam heating coils. There are also several rooftop heat pumps serve various spaces throughout the building. Exhaust fans serve as general exhaust and lab exhaust.

There is a domestic hot water heater that serves the gym and cafeteria areas. It has been reported that domestic hot water to the main sections of the school have had to be shut off. Domestic cold water piping is routed in the hallways to reach the chemistry lab.



Figure 1 To upgrade the chemistry classroom, cold water piping has been run along the ceiling in the hallways. It is at risk of failure and could cause large flooding issues in the hall.

The building does not have a fire sprinkler system and is served only by a fire alarm system.



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Equipment Condition

While the classroom furnaces and the rooftop air handling units are functional at this time, they are past expected useful life and are not an efficient means for heating and cooling the school. All units are using R410 refrigerant and replacement parts are no longer being manufactured for these units.



Figure 2 There are four rooftop air handling units that past expected useful life.



Figure 3 The classrooms are served by residential style furnaces and outdoor condensing units.



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Figure 4 Gas-fired HVUs serve the CTE classroom spaces. These units appear to be in good condition overall and upgrades may not be necessary.

The boiler system is past end of useful life and failing. Steam lines to certain areas of the building have had to have the steam lines shut off due to leaks below the gym floor and other areas. There is a decommissioned oil tank outside the boiler room located underground.



Figure 5 The existing steam boiler is aging and minimally functional. Steam distribution throughout the building is failing and sections of piping have had to be valved off to prevent leaks coming up through flooring.

The gym and cafeteria air handling units are also past end of useful life. The air handling unit serving the locker rooms is not functional. Split-system AC units were installed in 2023 to provide heating and cooling for the locker room spaces.



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Figure 6 The gym air handling unit has steam heating coils and while currently functional, is past end of useful life.

A majority of the exhaust fans serving the school have been reported to have failed. The building exhaust was adjusted during COVID to meet minimum exhaust requirements, and all other fans have been left in their failed state.

There is a mix of DDC and pneumatic controls for the building. The system is aging overall and due for an upgrade. The air compressor that serves the pneumatic controls is not functional.

The domestic hot water heater is failing with only one heating element remaining operational. It is also inaccessible for maintenance.

Recommendations

It is recommended that the HVAC system be upgraded completely to a centralized heating and cooling plant that utilizes a heat pump chiller to provide hydronic heating and cooling to the school. The steam system should be removed entirely as it is functional in only a few spaces and is causing maintenance issues with distribution piping leaking. Along with a mechanical equipment upgrade, a full controls upgrade will be needed.

The building would need to have fire sprinkler system added to meet current code requirements.

Administration Building – Mechanical

General Observations

The HVAC system for the administration building consists of an air handling unit with steam heating that serves the main boardroom. There are unit ventilators located throughout the building to heat other spaces throughout. There are split-system AC units serving the IT spaces.



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Figure 7 The unit ventilators serving the admin building are not functional and past end of useful life.



Figure 8 Split-system AC units serve the IT office and server room to provide cooling.

There does not appear to be any domestic hot water in the building.

The building does not have a fire sprinkler system.

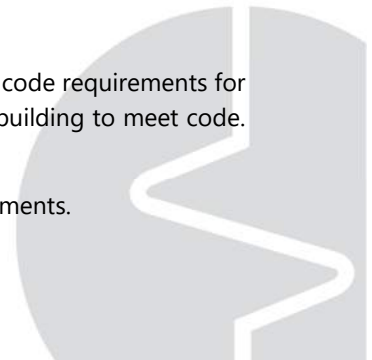
Equipment Condition

All equipment is past its expected useful life. The air handling unit serving the board room is functional, but all unit ventilators are inoperable. While the air handling unit is functional, it does not provide adequate heating or ventilation for the space.

Recommendations

The administration building would need a complete mechanical upgrade to meet code requirements for modern classrooms. Domestic hot water would also need to be provided to the building to meet code. All upgrades would need to include mechanical equipment and controls.

A fire sprinkler system would also need to be added to meet current code requirements.



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High School – Electrical

General Observations

The electrical system for Banks High School begins with the primary power supply from a utility pole, where conductors are routed underground through conduits to an underground vault that serves as a central connection point. From the vault, power is distributed to two pad-mount transformers. The pad-mount transformers steps down the voltage to a 208V system and feeds the main electrical service switchboards, which distributes power to the school's various electrical distribution equipment.



Figure 9 Utility pole



Figure 10 Underground Vault



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Figure 11 Pad-mounted Transformers

Equipment Condition

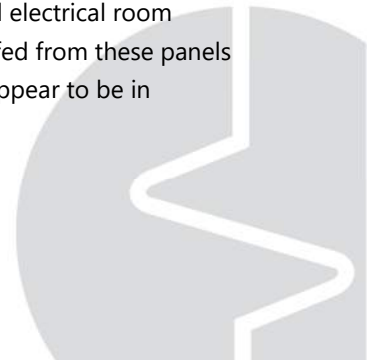
Electrical Service #1

Existing service #1 is a 600A, 120/208V, Main Switchboard (MSP) located outside on the high school building wall in the north parking lot and was installed in 2014. We were not able to gain access to this switchboard to verify all loads and should be further investigated.



Figure 12 Existing Electrical Service #1 (MSP)

MSP feeds power to (3) branch panels and (1) subpanel located in the high school electrical room across the hallway from Room #12: A, B (Sec 1), B (Sec 2), and C. The main loads fed from these panels are for HVAC/Mechanical equipment throughout the high school. These panels appear to be in adequate condition. It is possible to reuse these panels for future project needs.



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Figure 13 Branch Panels A, B, and C in Electrical Room

The MSP switchboard also serves the shop building branch panels, refer to the shop building section further down in this narrative.

Electrical Service #2

Existing service #2 is a 1200A, 120/208V Main Switchboard located in the storage room west of the gymnasium, adjacent to the courtyard.



Figure 14 Existing Electrical Service #2

Existing service #2 Main Switchboard feeds (4) branch panels: J, L, H, and K, with panel K having (3) sections total. Panel L is located next to the existing service #2 Main Switchboard in the same room, and panel K is located in the hallway next to classroom #25. Panel J and H locations are not identified and further investigation is needed.

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Figure 15 Panel L

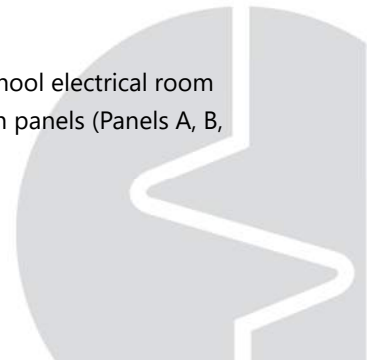


Figure 16 Panel K

The existing electrical service #2 distribution and panels appear to be antiquated and lacks sufficient capacity for the future project needs.

Electrical Service #3

Existing service #3 is a 1200A, 120/208V, Main Switchboard located in the high school electrical room across the hallway from Room #12. It is located in the same room with the branch panels (Panels A, B, and C) fed from existing service #1.



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Figure 17 Existing Electrical Service #3

Existing service #3 Main Switchboard has existing service disconnects that feeds various loads throughout the high school, however many of them are not labeled. It is uncertain what panels or equipment is currently fed by this switchboard except for a few HVAC/Mechanical equipment.

The existing electrical service #2 distribution and panels appear to be antiquated and lacks sufficient capacity for the future project needs.

Recommendations

The existing electrical service #1 distribution and panels appear to be in adequate condition, it may be possible to reuse the branch panels. However, the distribution equipment is unlikely to have adequate capacity to serve additional loads for the future Banks HS Improvement project. This will be further explored once the scope of work and details for the future project is more established.

The existing electrical service #2 distribution and panels appear to be antiquated and lacks sufficient capacity for the future project needs. It is recommended to provide all new distribution and branch panel equipment.

The existing electrical service #3 distribution and panels appear to be antiquated and lacks sufficient capacity for the future project needs. It is recommended to provide all new distribution and branch panel equipment.



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Administration Building – Electrical

General Observations

Electrical service source to the administration building distribution and panels is not identified, further investigation is needed. There are existing branch panels and disconnects located in the administration building which currently serve power to loads throughout the building.

Equipment Condition

The existing electrical panels and subsequence disconnects located in the administration building are antiquated and insufficient for continued use and longevity for the future project.



Figure 18 District Office Panels and Disconnects

Recommendations

The administration building distribution and panels appear to be antiquated and insufficient for administration building use. It is recommended to provide all new distribution and branch panels.

Shop Building – Electrical

General Observations

The existing shop building is currently proposed to remain. There are panels and load centers located inside the building which have been recently installed, but some require additional upgrades.

Equipment Condition

The main electrical service #1 Main Switchboard feeds power to (2) branch panels located in the existing shop building: W and M (See section Electrical Service #1 for additional information for the main switchboard). These branch panels feed power to various loads throughout the existing shop building. There are numerous available circuit breaker spaces inside these panels to potentially feed

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future loads. These panels appear to be in adequate condition. It is possible to reuse these panels for future project needs.

There are also load centers located in the shop that feed power to various loads throughout the existing shop building. Electrical service source to these load centers is not identified. Further investigation is needed. The load centers appear to be antiquated and lacks sufficient capacity for the future project needs.



Figure 19 Branch Panels W and M fed from MSP in existing Shop Building



Figure 20 Load centers in existing Shop Building

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Recommendation

The existing shop panels W and M appear to be in adequate condition and may be utilized for continued use. This will be further explored as the future project design develops. The load centers are antiquated and insufficient for shop building use. It is recommended to provide all new load centers.

Cafeteria/Gymnasium Building – Electrical

General Observations

There is a distribution panel located inside the cafeteria/gymnasium area that require additional upgrades.

Equipment Condition

There is an existing 1000A, 120/208V distribution panel located in the cafeteria/gymnasium area. The distribution panel serves various panels located throughout the high school. The locations of these panels and the electrical service source to this distribution panel is not identified. Further investigation is needed. The distribution panel appears to be antiquated and lacks sufficient capacity for future project needs.



Figure 21 Distribution Panel located in Cafeteria/Gymnasium Area

Recommendations

The distribution panel appears to be antiquated and insufficient for cafeteria/gymnasium building use. It is recommended to provide new distribution.

End of Report.



Geotechnical Investigation and Site-Specific Seismic Hazard Study

Banks Middle and High School Improvements

Banks, Oregon

November 8, 2024

Prepared for
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APPENDICES

- Appendix A: Field Explorations and Laboratory Testing
- Appendix B: Site-Specific Hazard Study and Site-Response Analysis
- Appendix C: Geoprofessional Business Association Guidance Document



1 INTRODUCTION

As requested, GRI completed a geotechnical investigation and site-specific seismic hazard study for the proposed improvements to Banks Middle School and High School in Banks, Oregon. The Vicinity Map, Figure 1, shows the general location of the site. The purpose of the investigation was to evaluate the subsurface conditions at the site and develop geotechnical recommendations for design and construction of the proposed improvements. The investigation included a review of existing geotechnical information for the site and surrounding area, subsurface explorations, laboratory testing, engineering analyses, and seismic studies. As part of our investigation, GRI completed a site-specific seismic hazard study in accordance with the amended Section 1803 of the 2022 *Oregon Structural Specialty Code (OSSC)* for special-occupancy structures, which references the 2016 American Society of Civil Engineers (ASCE) 7-16 document, *Minimum Design Loads and Associated Criteria for Buildings and Other Structures (ASCE 7-16)*. This report describes the work accomplished and provides conclusions and recommendations for use in the design and construction of the proposed improvements.

2 PROJECT DESCRIPTION

We understand the improvements to the middle school will consist of a new auxiliary gymnasium addition, and improvements to the high school will include a new addition. The new auxiliary gymnasium will be constructed adjacent to the northeast corner of the existing middle school in an area that is currently occupied by a sports field and paved areas. The new high school addition will be constructed in the southeast corner of the existing high school footprint, which is currently occupied by a two-story masonry structure that is part of the high school. Structural loads are unknown at this time; however, we anticipate the new additions will have maximum wall loads on the order of 3 kips per foot (kips/ft) to 5 kips/ft. We understand the improvements will be designed as a Risk Category III structure in accordance with ASCE 7-16. Structural performance criteria for the additions under static and seismic conditions are tabulated below, in Table 2-1.

Table 2-1: STRUCTURAL PERFORMANCE CRITERIA

Condition	Total Displacement	Differential Displacement
Static Settlement	< 1 inch	< ½ inch over 50 feet
Seismic Vertical Displacement	N/A	< 1.8 inches over 50 feet
Seismic Lateral Displacement	< 12 inches	N/A

Abbreviation: N/A = not applicable



The structural performance criteria provided in Table 2-1 are based on our experience with similar projects and our review of Section 12.13 of ASCE 7-16. We anticipate the finished floor elevation for the new additions will be consistent with that of the existing schools, and the maximum height of cuts and fills to establish final site grades will be minimal and on the order of 1 foot or less. However, designs for the additions have not been finalized, and permanent retaining walls on the order of 5 feet in height or less may be required to maintain the final site and building grades. In addition, we understand on-site disposal of stormwater is also being considered for this project.

3 SITE DESCRIPTION

3.1 General

Banks Middle School and High School are located at 12850 NW Main Street and 13050 NW Main Street, respectively, in Banks, Oregon. The school campuses are adjacent to each other on one property that is bordered by NW Main Street to the west, residential developments to the north and southeast, agricultural fields to the east, and Banks Elementary School to the south. Review of satellite imagery indicates the ground surface at each school is relatively flat, with elevation changes of less than about 2 feet to 3 feet across the site. We anticipate any existing improvements, such as pavements, foundations, and floor slabs, within the area of the proposed improvements will be demolished as part of this project.

3.2 Geology

Published geologic mapping indicates the site is mantled with Missoula flood deposits, locally referred to in the project area as the Willamette Silt Formation (Wells et al., 2020). In general, Willamette Silt is composed of beds and lenses of silt and sand. Stratification within this formation commonly consists of 4- to 6-inch-thick beds; although in some areas, the silt and sand are massive, and the bedding is indistinct or nonexistent. The Hillsboro Formation, which typically consists of stratified clay, silt, sand, and gravel, commonly underlies the Willamette Silt at depths between about 35 feet and 45 feet in this area.

4 SUBSURFACE CONDITIONS

4.1 General

Subsurface materials and conditions at the site were investigated between August 21 and 23, 2024, with three borings designated B-1 through B-3, two cone penetration test (CPT) probes designated CPT-1 and CPT-2, and one dilatometer test (DMT) sounding designated DMT-1. The borings were advanced to depths of about 31.5 feet to 101.5 feet, the CPT probes to depths of about 62.5 feet to 87.6 feet, and the DMT sounding to a depth of about 53.2 feet below existing site grades. The approximate locations of the explorations completed for this investigation are shown on the Site Plan, Figure 2. Logs of the borings, CPT probes, and DMT sounding are provided on Figures 1A through 8A. The



field and laboratory programs completed for this investigation are described in Appendix A. The terms and symbols used to describe the soils encountered in the borings are defined in Table 2A and on the attached legend. Guidelines for the classification of soils with the CPT probes and DMT soundings are provided in Tables 3A and 4A, respectively.

4.2 Soils

The soils disclosed by the explorations completed by GRI at the project site have been grouped into the following units, which are based on the stratigraphic order in which they were encountered:

- a. PAVEMENT
- b. FILL
- c. SILT to Silty CLAY (Willamette Silt)
- d. CLAY, SILT, and SAND (Hillsboro Formation)

The following paragraphs generally describe each soil unit and discuss the groundwater conditions at the site. Natural moisture contents, Atterberg-limits indices, fines contents, and other laboratory testing data are provided and discussed in Appendix A. Variations in these units may be present at the site that are not reflected in this report.

a. PAVEMENT

Exploration DMT-1 was advanced in an existing paved area and encountered about 4 inches of asphalt concrete (AC) pavement at the ground surface. The pavement is generally underlain by approximately 8 inches of crushed-rock base course (CRBC).

b. FILL

Silt that was interpreted to be fill was encountered at the ground surface in boring B-2 and extended to a depth of about 5 feet. In general, the silt fill is light brown mottled gray, has low plasticity, and contains a trace to some fine to coarse sand and angular to subangular gravel. Standard Penetration Resistance (SPT N-values) indicate the relative consistency of the silt fill is stiff.

c. SILT to Silty CLAY (Willamette Silt)

Silt to silty clay, interpreted to be Willamette Silt, was encountered at the ground surface in explorations B-1, B-3, CPT-1, and CPT-2, beneath the CRBC in exploration DMT-1, and beneath the fill in boring B-2. The silt to silty clay extends to depths ranging from about 27 feet to 32 feet. In general, the silt to silty clay is brown with varying degrees of gray mottling and grades to gray below a depth of about 20 feet, is typically low to medium plasticity, and contains a trace of fine sand. SPT N-values, Torvane shear-strength values,



CPT tip-resistance values, and DMT constrained modulus values indicate the relative consistency of the silt to silty clay soils is soft to very stiff and is typically medium stiff.

Four one-dimensional consolidation tests were performed on samples of silt to silty clay soils obtained at depths of 8 feet and 21.2 feet in boring B-1, 15.8 feet in boring B-2, and 24 feet in boring B-3. The one-dimensional consolidation tests indicate the soils are overconsolidated and exhibit low compressibility in the preconsolidated range of pressures and moderate compressibility in the normally consolidated range of pressures (see Figures 11A through 14A). Monotonic and cyclic direct simple shear (CDSS) testing was also completed on samples of the silt to silty clay obtained at depths of about 20 feet to 22 feet in boring B-1. The CDSS test results indicate the soils generate low levels of excess pore pressures in response to cyclic loading (see Figure 16A). Based on comparisons with regional trends, the behavior is in general alignment with Willamette Silt behavior and should be considered clay-like from a liquefaction evaluation standpoint.

d. CLAY, SILT, and SAND (Hillsboro Formation)

Interbedded layers of clay, silt, and sand soils, interpreted to be the Hillsboro Formation, were encountered beneath Willamette Silt in all the explorations and extended to the maximum depth explored of about 101.5 feet. In general, the unit consists of medium to high plasticity clay that is interbedded with 5-foot to 20-foot layers of sandy silt to silty sand soils between depths of 55 feet and 100 feet. The clay is generally gray with varying degrees of yellow, brown and red mottling, is typically medium to high plasticity, and contains a trace to some fine sand. The silt is generally sandy with fine to coarse sand, light brown with varying degrees of red mottling, and is typically nonplastic to low plasticity. The sand is generally fine to coarse grained, silty, and light brown with varying degrees of red mottling. Up to a trace of subrounded to rounded gravel was encountered at various depths throughout the unit. SPT N-values, Torvane shear strength values, CPT tip-resistance values, and DMT constrained modulus values indicate the relative consistency of the silt and clay soils is medium stiff to hard and the relative density of the sand soils is medium dense.

All of the explorations were terminated in the Hillsboro Formation at depths between about 31.5 feet and 101.5 feet.

4.3 Groundwater

Borings B-1 through B-3 were drilled using mud-rotary drilling techniques, which do not allow direct measurement of groundwater levels at the time of drilling. To allow measurement and periodic monitoring of groundwater levels at the site, a vibrating-wire piezometer (VWP) was installed at a depth of about 51.7 feet below the ground surface in



boring B-3. The following table summarizes the groundwater depth measurements from boring B-3.

Table 4-1: BORING B-3 GROUNDWATER DEPTH MEASUREMENT

Date	Depth, feet
10/18/2024	17.3

Based on the VWP readings, we anticipate that the groundwater level in the project area typically occurs at depths between about 10 feet and 20 feet throughout the year. However, perched groundwater conditions may approach the ground surface during the wet winter and spring months or following periods of prolonged or intense precipitation.

4.4 Infiltration Testing

On August 23, 2024, infiltration testing was completed in two boreholes, designated I-1 and I-2, at depths of about 5.5 feet below existing site grades. The approximate locations of the infiltration tests are shown on Figure 2. Details regarding the infiltration testing methods are provided in Appendix A. The unfactored, field-measured infiltration rates recorded at specific depths within specific soil units are tabulated below.

Table 4-2: INFILTRATION TEST RESULTS

Test No.	Depth of Infiltration Test, feet	Average Field Infiltration Rate, inches/hour	Soil Classification
I-1	5	<0.25	SILT, trace sand; ML; brown; low plasticity; moist; fine sand
I-2	5	<0.25	SILT, trace sand; ML; brown; low plasticity; moist; fine sand

5 CONCLUSIONS AND RECOMMENDATIONS

5.1 General

Subsurface explorations completed for this investigation indicate the site is mantled in localized areas with up to 5 feet of silt fill soils, which are underlain by silt to silty clay soils interpreted to be Willamette Silt. In general, Willamette Silt soils were encountered at the ground surface across the majority of the site and extend to depths of about 27 feet to 30 feet. The Willamette Silt soils are underlain by interbedded layers of clay, silt, and sand soils interpreted to be the Hillsboro Formation, which extended to the maximum depth explored of about 101.5 feet. We anticipate that the groundwater level at the site typically occurs at depths of about 10 feet to 20 feet throughout the year; however, perched groundwater may approach the ground surface following periods of intense or prolonged precipitation.



In our opinion, structural loads for the proposed additions can be supported by conventional spread foundations established in compacted structural fill underlain by firm, undisturbed, native soil. The primary geotechnical considerations associated with construction of the additions include the presence of fine-grained soils at the ground surface that are extremely moisture sensitive and the presence of fill soils extending up to 5 feet below the ground surface in localized areas that are not suitable for foundation support. Project plans, specifications, and bid items for the project should address the risk and uncertainties associated with perched groundwater conditions and fill soils mantling localized areas of the site.

The following sections of this report provide our conclusions and recommendations for use in the design and construction of the proposed improvements.

5.2 Seismic Considerations

5.2.1 General

We understand the improvements will be constructed in accordance with the 2022 OSSC, which references ASCE 7-16 for seismic design. A site-specific seismic hazard evaluation was completed for the project to fulfill the requirements of amended section 1803 of the 2022 OSSC for special-occupancy structures. A total stress site-response analysis was completed as part of our site-specific seismic hazard evaluation to evaluate the effect of a code-based seismic event on the site and to better evaluate the liquefaction/cyclic softening hazard. Details of the site-specific seismic hazard evaluation and site response analysis are provided in Appendix B.

5.2.2 Code Background

The ASCE 7-16 seismic hazard levels are based on a Risk-Targeted Maximum Considered Earthquake (MCE_R) with the intent of including the probability of structural collapse. Based on generalized building fragility curves, the seismic design of a structure using the probabilistic MCE_R represents a targeted risk level of 1% in 50-year probability of collapse in the direction of maximum horizontal response. In general, these risk-targeted ground motions are developed by applying adjustment factors of directivity and risk coefficients to the 2% probability of exceedance in 50 years (2,475-year return-period hazard level) ground motions developed from the 2018 U.S. Geological Survey (USGS) probabilistic seismic hazard maps. The risk-targeted probabilistic values are also subject to a deterministic check, which is computed from the models of earthquake sources and ground-motion propagation that form the basis of the 2018 USGS National Seismic Hazard Maps. ASCE 7-16 defines the site-specific deterministic MCE_R ground motions in terms of 84th-percentile, 5%-damped response spectral acceleration in the direction of maximum horizontal response. The MCE_R ground motions are taken as the lesser of the probabilistic and deterministic spectral accelerations.



5.2.3 Site-Response and Design Acceleration Parameters

The ASCE methodology uses two bedrock spectral response parameters, S_5 and S_1 , corresponding to periods around 0.2 seconds and 1.0 seconds, to develop the MCE_R response spectrum. To establish the ground-surface MCE_R spectrum, these bedrock spectral parameters are adjusted for site class using the short- and long-period site coefficients, F_a and F_v , in accordance with Section 11.4.4 of ASCE 7-16, which includes new seismic site coefficients to adjust the mapped values for soil properties.

The S_5 and S_1 parameters for the site located at the approximate latitude and longitude coordinates of 45.6149°N and 123.1131°W are 0.92 g and 0.46 g, respectively, for Site Class B/C, or bedrock conditions. Based on our review of Section 20.4.1 of ASCE 7-16, the site is classified as Site Class D based on an estimated shear-wave velocity (V_{S30}) of about 830 feet per second in the upper 100 feet of the soil profile. Site coefficients F_a and F_v of 1.13 and 1.88, respectively, were used to develop the Site Class D MCE_R -level spectrum in accordance with Section 11.4 of ASCE 7-16. However, Section 11.4.8 of ASCE 7-16 requires that a ground-motion hazard or site response analysis be completed for structures on Site Class D sites when the S_1 parameter is greater than or equal to 0.2 g. The code provides an exception that waives the ground-motion hazard or site response analysis if the S_{M1} parameter is increased by 50% in accordance with Supplement 3 issued for Chapter 11 of ASCE 7-16. This exception will increase the seismic base shear for design of the improvements; therefore, a site response analysis was completed as part of our site-specific seismic hazard evaluation for this project.

The recommended MCE_R - and design-level spectral response parameters based on site response modeling for Site Class D conditions are provided below, in Table 5-1. These values assume that dynamic seismic design of the structure will be completed using the Equivalent Lateral Force (ELF) design procedure that meets the intent of ASCE 7-16 with the proposed 2022 OSSC modifications. Given that a site response analysis was completed for this project, the provisions of Supplement 3 issued for Chapter 11 of ASCE 7-16 do not apply. We should be contacted if seismic design will be completed using modal response-spectrum analysis or nonlinear response history analysis methodologies.



Table 5-1: RECOMMENDED SEISMIC DESIGN PARAMETERS FOR ELF, 5% DAMPING

Seismic Parameter	Recommended Value
Site Class	D
MCE _R Spectral Response Acceleration Parameter at Short Periods, S _{MS}	1.10 g
MCE _R Spectral Response Acceleration Parameter at 1.0-Second Period, S _{M1}	0.79 g
Design Spectral Response Acceleration Parameter at Short Periods, S _{DS}	0.74 g
Design Spectral Response Acceleration Parameter at 1.0-Second Period, S _{D1}	0.53 g

Abbreviations: ELF = Equivalent Lateral Force; MCE_R = Risk-Targeted Maximum Considered Earthquake

5.2.4 Liquefaction and Cyclic Softening

5.2.4.1 General

Seismic analyses were completed to evaluate the potential for liquefaction/cyclic softening at the project site for a code-based seismic event. A site-specific site-response analysis was completed as part of our analyses to develop project-specific profiles of cyclic stress ratio (CSR) and normalized stress time histories. The procedure and results of our site-response analysis are provided in Appendix B.

Liquefaction is a process by which saturated, granular materials, such as sand and, to a somewhat lesser extent, non-plastic and low-plasticity silts, temporarily lose strength during and immediately after a seismic event. This degradation in soil properties may be substantial and abrupt, particularly in loose sands. Liquefaction occurs as seismic shear stresses propagate through saturated soil and distort the soil structure, causing loosely packed groups of particles to contract or collapse. If drainage is impeded and cannot occur quickly, the collapsing soil structure causes the pore-water pressure to increase between the soil grains. If the pore-water pressure increases to a level approaching the weight of the overlying soil, the soil temporarily behaves as a viscous liquid rather than a solid. After liquefaction is triggered, there is an increased risk of settlement, loss of bearing capacity, lateral spreading, and/or slope instability, particularly along waterfront areas. Liquefaction-induced settlement occurs as the elevated pore-water pressures dissipate and the soil consolidates after the earthquake.

The cyclic behavior of fine-grained material is generally different from that of granular material; therefore, the term “cyclic softening” is used to differentiate the behavior of fine-grained materials from liquefaction. Cyclic softening describes a relatively gradual and progressive increase in shear strain with seismic load cycles. Excess pore-water pressures may increase due to cyclic loading but will generally not approach total overburden stress. Shear strains accumulate with additional loading cycles, but an abrupt or sudden decrease in shear stiffness is not typically observed. Settlement due to post-seismic consolidation can occur, particularly in lower-plasticity silts; however, settlement does not generally



occur to the same degree as sandy soils. Large shear strains can develop, and strength loss related to soil sensitivity may occur in some fine-grained soils.

5.2.4.2 Cyclic Resistance

Laboratory tests and field observations have shown that soil gradation, plasticity, and stress history can have a profound effect on the cyclic behavior of a soil. Idriss and Boulanger (2008) note the importance of these fundamental characteristics for geotechnical engineering analysis and have suggested classifying soils into two primary groups depending on their seismic behavior: sand-like and clay-like materials. Sand-like soils may liquefy, while clay-like soils may experience cyclic softening. A third group, termed "transitional," may exhibit cyclic behavior similar to sand-like and clay-like soils.

The cyclic resistance of soils is dependent on several factors, including the number of loading cycles, relative density, confining stress, plasticity, natural water content, stress history, age, depositional environment (fabric), and composition. For sand-like soils, the cyclic resistance is typically evaluated using SPT N-values or CPT tip-resistance values normalized for overburden pressures and corrected for factors that influence cyclic resistance, such as fines content. For clay-like soils, the cyclic resistance is typically evaluated using estimates of the undrained shear strength, overconsolidation ratio, and sensitivity or directly from cyclic laboratory tests. In practice, the cyclic resistance of these soils is commonly evaluated using simplified correlations based on in-situ testing in conjunction with laboratory index testing. However, more advanced laboratory testing, such as CDSS programs, can be used to estimate cyclic resistance and site-specific soil behavior more accurately, as well as calibrate the simplified methods for a specific soil deposit.

To supplement the practice-oriented approaches and better understand the seismic behavior of the Willamette Silt soils at the site, a laboratory-testing program was performed to evaluate the cyclic resistance, degradation potential, and post-cyclic behavior of these soils. The laboratory testing program foci included static and CDSS tests, along with supporting standard index and consolidation tests. The laboratory test results indicate the Willamette Silt soils generate excess pore pressures in response to cyclic loading and are subject to clay-like behavior at the strain levels estimated from our site-response analysis. In this regard, our analyses considered soils classified as transitional (e.g., fine-grained soils with a soil behavior index [I_c] values between 2.4 and 2.6) to behave in a clay-like manner. Therefore, Willamette Silt soils with I_c values greater than 2.4 are generally not considered susceptible to liquefaction at the strain levels estimated from our site-response analysis but will likely undergo some strength loss due to cyclic softening. Willamette Silt soils having an I_c value of less than about 2.4 are generally considered to exhibit sand-like behavior and are generally considered susceptible to liquefaction. This



was based on the laboratory testing program and is consistent with our experience with similar laboratory testing programs and the recommendations of Idriss and Boulanger (2008).

5.2.4.3 Analysis Approach and Methodology

The potential for liquefaction and cyclic softening in the project area was evaluated using the software program CLiq, developed by GeoLogismiki of Neo Souli, Greece. The standard of practice method for liquefaction/cyclic softening analysis (often termed the “Simplified Procedure”) compares estimates of the cyclic shear stresses induced within a soil profile during an earthquake, designated the CSR, with the cyclic resistance of the soil, designated the cyclic resistance ratio (CRR). The factor of safety (FS) against liquefaction or cyclic softening is calculated as the ratio of the CRR to the CSR on a layer-by-layer basis within the soil profile. As the FS decreases to 1.0, there is an increased risk of liquefaction or soil-strength loss.

For this procedure, the CSR profiles were developed based on the results of site-specific site-response modeling performed using the computer program DEEPSOIL, which is discussed further in Appendix B. The DEEPSOIL analyses normally yield the maximum computed shear stress normalized by the initial vertical effective stress (τ_{\max}/σ'_v). The DEEPSOIL normalized shear stress was multiplied by 0.65 to convert to an equivalent uniform value (i.e., representative value) of CSR. The CPT explorations and results of the laboratory testing program (which included fines content, consolidation testing, Atterberg-limits indices, and CDSS testing) were used to evaluate the cyclic shear resistance and develop a CRR profile of the soils present below the groundwater level at the site. For the clay-like silt soils, the cyclic resistance was estimated using the stress history and normalized soil engineering properties (SHANSEP) methods presented by Idriss and Boulanger (2008), which are based on the past stress history, overburden stress, and undrained shear strength of the soil. Undrained shear strengths were estimated based on the static and CDSS testing program results and CPT explorations using correlations developed by Robertson (2009). For the sand-like soils present below the silt soils, the cyclic resistance was estimated using CPT tip resistance values normalized for overburden stress and corrected for factors that influence cyclic resistance, such as fines content.

The potential for liquefaction/cyclic softening and subsequent seismically induced settlement at the site was evaluated using the methods recommended by Idriss and Boulanger (2008), with subsequent revisions (2014). The USGS (2018) National Seismic Hazard Maps Project was used to determine the contributing earthquake magnitudes that represent the seismic exposure of the site for the Maximum Considered Earthquake Geometric Mean hazard level. A crustal event on the Gales Creek fault zone and an event on the Cascadia Subduction Zone (CSZ) were determined to represent the sources of



seismic shaking. For our analysis, we considered a moment magnitude (MW) 6.8 crustal earthquake, a MW 9 CSZ earthquake, and a groundwater depth of about 15 feet below the ground surface, which corresponds to average groundwater level at the site.

5.2.4.4 Seismically Induced Vertical Settlement

The potential for liquefaction and cyclic softening was evaluated using the CSR profile obtained from site-response modeling, the CPT tip-resistance values to estimate the CRR of the sand-like soils, and the CDSS test results to estimate the CRR of the transitional and clay-like soils. The results of our evaluation indicate the silt soils below the groundwater level at the project site will exhibit limited cyclic softening at the maximum strain levels determined from our site-response analysis. However, our analysis indicates localized interbedded layers of sandy silt to silty soils present between depths of 55 feet and 100 feet at the project site are susceptible to liquefaction during a code-based seismic event.

Estimated dynamic settlements were evaluated using the methodology developed by Idriss and Boulanger (2008), with subsequent revisions (2014). The methodology is based on the strain potential approach detailed by Ishihara and Yoshimine (1992) and later updated by Yoshimine et al. (2006). Our analysis indicates about 1 inch to 2 inches of seismically induced settlement and less than 1 inch of differential seismic settlement over 50 feet could occur due to liquefaction and cyclic softening following a code-based seismic event. The seismically induced settlement will likely occur during and after earthquake shaking. Our estimate of differential seismic settlement over 50 feet is based on our analysis of the variability in subsurface conditions encountered at each exploration location and the thickness of non-liquefiable silt and clay soils above the interbedded layers of liquefiable sandy silt to silty sand soils. This is consistent with the standard of practice and recommendations of Montgomery and Boulanger (2016).

5.2.5 Lateral Spreading

Lateral spreading is a liquefaction-related seismic hazard that may adversely impact some sites. Areas subject to lateral spreading are underlain by soils susceptible to liquefaction and are sloping sites or flat sites adjacent to an open face, such as waterfront areas. The lateral spreading potential at the site is considered negligible due to the relatively flat topography and absence of an open face.

5.2.6 Other Seismic Hazards

The USGS considers the Gales Creek Fault Zone, located about 9.8 kilometers from the site, to be the closest crustal fault source contributing to the overall seismic hazard at the site. Unless occurring on a previously unmapped or unknown fault, it is our opinion that the risk of ground rupture at the site is low. The risk of damage by a tsunami and/or seiche at the site is absent.



5.3 Earthwork

5.3.1 General

The site is mantled with fine-grained silt soils that are moisture sensitive and may be susceptible to softening or disturbance from construction activities during wet conditions. It is our opinion that earthwork can be completed most economically during the dry summer months, which typically extend from June to mid-October. To reduce the risk of disturbing the moisture-sensitive, fine-grained soils, excavation should be completed using track-mounted hydraulic excavators. The excavation should be finished using a smooth-edged bucket to produce a firm, undisturbed surface. It may also be necessary to construct granular haul roads concurrently with excavation to minimize subgrade disturbance. If the subgrade is disturbed during construction, soft disturbed soils should be overexcavated to firm soil and backfilled with granular structural fill.

If construction occurs during wet-ground conditions, gravel work pads and haul roads will be required to facilitate construction access on site and provide a firm working surface for construction activities. In our opinion, a 12- to 18-inch-thick, granular work pad should be sufficient to reduce subgrade disturbance by lighter construction equipment and limited traffic by dump trucks. Haul roads and other high-density traffic areas will require a minimum of 18 inches to 24 inches of fragmental rock, up to 6-inch nominal size, to reduce the risk of subgrade deterioration. The use of a geotextile fabric over the subgrade may reduce maintenance during construction. Haul roads can also be constructed by placing a thickened section of pavement base course and subsequently spreading and grading the excess crushed rock base after earthwork is complete.

5.3.2 Site Preparation

Demolition of existing improvements within the limits of the proposed improvements should include removal of existing pavements, foundations, construction debris, tanks, and underground utilities (if present). The ground surface within all building areas, paved areas, walkways, and areas to receive structural fill should be stripped of existing vegetation, surface organics, and loose surface soils and fill. All demolition debris, trees, brush, and surficial organic material should be removed from within the limits of the proposed improvements. Excavations required during demolition or to remove underground utility remnants, unsuitable soils, brush, and trees should be backfilled with structural fill. Organic strippings should be disposed of offsite or stockpiled on site for use in landscaped areas.

Following stripping or excavation to subgrade elevation, the exposed subgrade should be evaluated by a qualified member of GRI's geotechnical engineering and geology staff. Proof rolling with a loaded dump truck may be part of this evaluation. Any soft areas or areas of unsuitable material disclosed by the evaluation should be overexcavated to firm material and backfilled with structural fill. Due to previous development at the site and the



presence of fill soils in localized areas, it should be anticipated some overexcavation of subgrade will be required.

5.3.3 Site Grading

Final grading across the project should provide for positive drainage of surface water away from the building and any exposed slopes to reduce the potential for erosion. Permanent cut and fill slopes should be not steeper than 2H:1V (Horizontal to Vertical) and protected with vegetation to reduce the risk of surface erosion due to rainfall.

5.3.4 Prior Site Development

Site improvements within previously developed areas include the risk of encountering undocumented or poorly documented improvements and infrastructure, such as clay drainage tiles or wells. The possibility does exist to encounter existing underground improvements or relatively thick sections of undocumented fill soils. Where encountered, existing improvements, infrastructure, and undocumented fill soils located within the footprint of the proposed additions must be overexcavated and replaced with compacted structural fill.

5.4 Excavation

5.4.1 General

We anticipate excavations to found the building additions will be minimal and the depth of utility trenches will be on the order of 5 feet to 10 feet deep. The method of excavation and design of excavation support are the responsibilities of the contractor and are subject to applicable local, state, and federal safety regulations, including the current Occupational Safety and Health Administration (OSHA) excavation and trench safety standards. The means, methods, and sequencing of construction operations and site safety are also the contractor’s responsibilities. The information provided below is for the use of our client and should not be interpreted to imply that we are assuming responsibility for the contractor’s actions or site safety.

5.4.2 Groundwater Management

Depending on the time of year the work is completed, perched groundwater may be encountered in the utility trench excavations. Groundwater seepage, running-soil conditions, and unstable excavation sidewalls or excavation subgrades, if encountered during construction, will require dewatering of the excavation and sidewall support. The impact of these conditions can be reduced by completing excavations during the summer months, when perched groundwater levels are lowest, and by limiting the depths of the excavations.



We anticipate that groundwater seepage, if encountered, can generally be controlled by pumping from sumps. To facilitate dewatering, it will be necessary to overexcavate the base of the excavations to permit the installation of a granular working blanket. We estimate the required thickness of the granular working blanket will be on the order of 1 foot or as required to maintain a stable excavation base. The required depth of overexcavation will depend on the conditions exposed in the excavations and the effectiveness of the contractor's dewatering efforts. The thickness of the granular blanket must be evaluated based on field observations during construction. We recommend the use of relatively clean, free-draining material, such as 2- to 4-inch-minus crushed rock, for this purpose. Depending on the soil conditions encountered, the use of a nonwoven geotextile fabric over the excavation base can be considered to assist in stability and dewatering.

5.4.3 Utility Excavations

In our opinion, there are three major considerations associated with the design and construction of new utilities:

1. Provide stable excavation sideslopes or support for trench sidewalls to minimize loss of ground.
2. Provide a safe working environment during construction.
3. Minimize post-construction settlement of the utility and ground surface.

According to current OSHA regulations, the fine-grained soils encountered near the ground surface in the explorations may be classified as Type B. In our opinion, trenches less than 4 feet deep that do not encounter perched groundwater may be cut vertically and left unsupported during the normal construction sequence, assuming trenches are excavated and backfilled in the shortest possible sequence. Excavations that encounter perched groundwater or are more than 4 feet deep should be laterally supported or alternatively provided with side slopes of 1H:1V or flatter. In our opinion, adequate lateral support may be provided by common methods, such as the use of a trench shield or hydraulic shoring systems.

5.5 Structural Fill

We anticipate minor amounts of structural fill will be placed for this project. In this regard, we recommend structural fill consist of imported granular material such as sand, sandy gravel, or crushed rock with a maximum size of 2 inches. Granular material used to construct structural fills during wet weather should not contain more than about 5% to 7% passing the No. 200 sieve (washed analysis). Granular fill should be placed in lifts and compacted with vibratory equipment to at least 95% of the maximum dry density determined in accordance with ASTM International (ASTM) D698. Appropriate lift



thicknesses will depend on the type of compaction equipment used. For example, if hand-operated, vibratory-plate equipment is used, lift thicknesses should be limited to 6 inches to 8 inches. If smooth-drum vibratory rollers are used, lift thicknesses up to 12 inches are appropriate, and if backhoe- or excavator-mounted vibratory plates are used, lift thicknesses up to 2 feet may be acceptable.

All utility-trench excavations within building, pavement, and hardscape areas should be backfilled with relatively clean, granular material such as sand, sandy gravel, or crushed rock of up to 1½-inch maximum size and having less than 5% passing the No. 200 sieve (washed analysis). The bottom of the excavation should be thoroughly cleaned to remove loose materials, and the utilities should be underlain by a minimum 6-inch thickness of bedding material. The granular backfill material should be compacted to at least 95% of the maximum dry density determined by ASTM D698 in the upper 5 feet of the trench and at least 92% of this density below a depth of 5 feet. The use of hoe-mounted, vibratory-plate compactors is usually most efficient for this purpose. Flooding or jetting as a means of compacting the trench backfill should not be permitted.

On-site, fine-grained soils and site strippings may be used as fill in landscaped areas. These materials should be placed at about 90% of the maximum dry density, as determined by ASTM D698.

5.6 Foundation Support

5.6.1 General

Foundation loads for the additions are currently unavailable; however, we anticipate the maximum wall loads will be on the order of 3 kips/ft to 5 kips/ft. In our opinion, foundation support for the proposed additions can be provided by conventional column-type and continuous spread footings in accordance with the following design criteria. As discussed in Section 5.2.4.4 of this report, our liquefaction analyses indicate 1 inch to 2 inches of total seismic settlement and less than 1 inch of differential seismic settlement over 50 feet could occur due to liquefaction following a code-based seismic event. The thicknesses of non-liquefiable soils that mantle the site may reduce surface manifestation of the settlement and the magnitude of differential lateral displacement. Based on our seismic studies, it is our opinion that the seismic performance criteria provided in Table 2-1 of this report and Table 12.13-3 of ASCE 7-16 can be achieved without requiring mitigation such as ground improvement or deep foundations. However, GRI should be provided the building loads to review and confirm our foundation recommendations.

5.6.2 Foundation Subgrade and Base Course Preparation

All new conventional footings should be established in firm, undisturbed native soil or compacted granular structural fill underlain by native soil. All footing subgrades should be



evaluated by a geotechnical engineer. Any areas of soft or unsuitable material should be overexcavated and backfilled with granular structural fill. Our experience indicates that fine-grained soils are easily disturbed by excavation and construction activities. Therefore, we recommend the footing subgrade be blanketed with a minimum 3-inch-thick layer of compacted crushed rock to provide a firm working surface. Relatively clean, $\frac{3}{4}$ -inch-minus crushed rock is suitable for this purpose and should be compacted with a lightweight vibratory compactor.

5.6.3 *Conventional Spread Foundations*

The base of all new footings should be established at a minimum depth of 18 inches below the lowest adjacent finished grade. The footing width should not be less than 24 inches for isolated column footings and 18 inches for wall footings. New foundations established in accordance with these criteria can be designed on the basis of an allowable soil bearing pressure of 2,500 pounds per square foot, which assumes the footings will be established in compacted granular structural fill underlain by firm, undisturbed native soil. This value applies to the total of dead load and/or frequently applied live loads and can be increased by one-third for the total of all loads: dead, live, and wind or seismic. We estimate the total settlement of spread footings designed in accordance with the recommendations presented above will be less than 1 inch for maximum wall loads up to 5 kips/ft. Differential settlements between adjacent comparably loaded footings should be less than half the total settlement. Our experience indicates these settlements will occur rapidly, with the majority of the settlement occurring during construction.

5.6.4 *Lateral Foundation Resistance*

Horizontal shear forces can be resisted partially or completely by frictional forces developed between the base of the footings and the underlying soil and by soil passive resistance. The total frictional resistance between the footing and the soil is the normal force times the coefficient of friction between the soil and the base of the footing. We recommend an ultimate value of 0.4 for the coefficient of friction for footings cast on granular material. The normal force is equal to the sum of the vertical forces (dead load plus real live load). If additional lateral resistance is required, passive earth pressures against embedded footings can be computed based on an equivalent fluid having a unit weight of 250 pounds per cubic foot. This design passive earth pressure would be applicable only if the foundation is cast neat against undisturbed soil or if backfill for the foundations is placed as granular structural fill and is based on the assumption that up to $\frac{1}{2}$ inch of lateral movement of the structure will occur in order for the soil to develop this resistance. This value is also based on the assumption that the ground surface in front of the foundation is horizontal (i.e., does not slope downward away from the toe of the footing).



5.7 Subdrainage/Floor Support

To provide a capillary break and reduce the risk of damp floors, slab-on-grade floors established at or above adjacent final site grades should be underlain by a minimum of 8 inches of free-draining, clean, angular rock capped with a 2-inch-thick layer of ¾-inch-minus crushed rock to improve workability, for a total rock section of 10 inches. The 8-inch free-draining section should consist of angular rock such as 1½- to ¾-inch crushed rock with less than 2% passing the No. 200 sieve (washed analysis). The slab base course section should be placed in one lift and compacted to at least 95% of the maximum dry density (ASTM D698) or until well keyed. In areas where floor coverings will be provided or moisture-sensitive materials stored, it would be appropriate to also install a vapor-retarding membrane. The membrane should be installed as recommended by the manufacturer. In addition, a foundation drain should be installed around the building perimeter to collect water that could potentially infiltrate beneath the foundations and should discharge to an approved storm drain.

Although the finished floor elevation for the addition is anticipated to be established at or above the adjacent surrounding site grades, if structures such as floors are established below final site grades, the structure should be provided with a subdrainage system. A subdrainage system will reduce the buildup of hydrostatic pressures on the floor slab and the risk of groundwater entering through embedded walls and floor slabs. GRI should be contacted if embedded structures are being considered.

In our opinion, it is appropriate to assume a coefficient of subgrade reaction, k , of 175 pounds per cubic inch to characterize the subgrade support for point loading with 10 inches of compacted crushed rock beneath the floor slab.

5.8 Retaining Walls

5.8.1 General

We anticipate the new additions will be established near existing site grades; however, retaining walls with a maximum height of 5 feet may be required to maintain final building grades. If required, we anticipate the retaining walls will consist of cast-in-place concrete walls that support the exterior walls of each addition; however, we should be contacted if other types of retaining walls are being considered for this project. GRI should review the final retaining wall plans developed by the structural engineer once they become available to evaluate whether additional considerations, such as impacts on existing infrastructure and improvements, are warranted.

5.8.2 Foundation Design Criteria

Foundation design and subgrade preparation should conform to the recommendations provided in the Foundation Design Criteria section of this report. For areas where the



ground surface in front of the wall will be nearly horizontal, we recommend embedding the toe of retaining walls at least 1.5 feet below the finished grade. For walls constructed on slopes up to 3H:1V or flatter, we recommend the embedment depth be increased to 2 feet. To provide more uniform support, retaining walls supported on spread foundations should be founded on a minimum 6-inch-thick section of compacted crushed rock. The crushed rock section may need to be increased to 2 feet or 3 feet for retaining walls founded on soft soils; however, the actual thickness of the crushed rock section in soft areas should be determined based on field observations during construction.

5.8.3 Lateral Earth Pressures

Design lateral earth pressures for retaining walls depend on the type of construction (i.e., the ability of the wall to yield). Possible conditions are 1) a wall that is laterally supported at its base and top and therefore is unable to yield to the active state and 2) a retaining wall, such as a typical cantilever or gravity wall, that yields to the active state by tilting about its base. Conventional basement walls and cantilevered retaining walls are examples of non-yielding and yielding walls, respectively.

For completely drained, horizontal backfill, yielding and non-yielding walls may be designed based on equivalent fluid unit weights of 35 pounds per cubic foot (pcf) and 55 pcf, respectively. To account for seismic loading, the earth pressures should be increased by 10 pcf and 20 pcf for yielding and non-yielding walls, respectively, with horizontal backfill. These earth pressures assume the walls are fully drained (i.e., hydrostatic pressure cannot build up on the back of the wall). This results in a triangular distribution with the resultant acting at $\frac{1}{3}H$ up from the base of the wall, where H is the height of the wall in feet. Additional lateral loading due to surcharge loads can be evaluated using the criteria shown on the Surcharge-Induced Lateral Pressure, Figure 3.

The lateral earth pressure criteria presented above are appropriate if the retaining walls are fully drained. We recommend the installation of a permanent drainage system behind all the retaining walls. The drainage system can either consist of a drainage blanket of crushed rock or continuous drainage panels between the retained soil/backfill and the face of the wall. The drainage blanket should have a minimum width of 12 inches and consist of crushed drain rock that contains less than 2% fines content (washed analysis). A typical drainage system for retaining walls is shown on the Typical Subdrainage Detail, Figure 4. The drainage blanket or drainage panels should extend to the base of the wall, where water should be collected in a perforated pipe and discharged to a suitable outlet, such as a sump or approved storm drain. In addition, the wall design should include positive drainage measures to prevent the ponding of surface water behind the top of the wall.



Overcompaction of the backfill behind walls should be avoided. Heavy compactors and large pieces of construction equipment should not operate within 5 feet of any retaining wall to avoid the buildup of excessive lateral pressures. Compaction close to the walls should be accomplished with hand-operated vibratory-plate compactors. Overcompaction of backfill could significantly increase lateral earth pressures behind walls and cause damage to cast-in-place concrete retaining walls.

5.9 Pavement Design

We anticipate any new paved areas included in this project will be subjected primarily to automobile and light truck traffic, with occasional heavy truck traffic. We anticipate the majority of new pavement will consist of AC; however, areas subjected to repeated heavy truck traffic, such as loading dock or trash enclosure areas, will be paved with portland cement concrete (PCC) pavement.

Traffic estimates for paved areas included in this project are currently unknown. Based on our experience with similar projects and subgrade soil conditions, the recommended pavement sections are provided in Tables 5-2 and 5-3, below. Crushed-rock base course is denoted as CRBC in the tables below and should consist of 1- or ¾-inch-minus crushed rock conforming to the imported granular fill recommendations provided in the Structural Fill section of this report.

Table 5-2: RECOMMENDED AC PAVEMENT SECTIONS

Area/Traffic Loading	CRBC Thickness, inches	AC Thickness, inches
Areas Subject to Repeated Heavy Truck Traffic (Trash Enclosure and Service Areas)	12	5
Areas Subject to Primarily Automobile Traffic (Vehicle Drive Lanes)	12	4
Areas Subject to Automobile Parking (Parking Stalls)	8	3

Abbreviations: AC = asphalt concrete; CRBC = crushed-rock base course

Table 5-3: RECOMMENDED PCC PAVEMENT SECTIONS

Area/Traffic Loading	CRBC Thickness, inches	PCC Thickness, inches
Areas Subject to Repeated Heavy Truck Traffic (Trash Enclosure and Service Areas)	6	6

Abbreviations: PCC = portland cement concrete; CRBC = crushed-rock base course

Note: The recommended pavement sections should be considered minimum thicknesses and underlain by a WSF 200 woven geotextile fabric or comparable product.



It should be assumed that some maintenance will be required over the life of the pavement (15 years to 20 years). The recommended pavement sections are based on the assumption that pavement construction will be accomplished during the dry season and after the construction of the building has been completed. If wet-weather pavement construction is considered, it will likely be necessary to increase the thickness of the CRBC to support construction equipment and protect the subgrade from disturbance, as discussed in the Earthwork section of this report. The indicated sections are not intended to support construction traffic such as forklifts, dump trucks, or concrete trucks. Pavements subject to construction traffic should be protected and may require repair.

For the above-indicated sections, drainage is an essential aspect of pavement performance. We recommend all paved areas be provided positive drainage to remove surface water and water within the base course; subgrade should be sloped to a minimum of 0.5% slope to aid in drainage. This will be particularly important in cut sections or at low points within the paved areas, such as at catch basins. Effective methods to prevent saturation of the base-course materials include providing weepholes in the sidewalls of catch basins, subdrains in conjunction with utility excavations, and separate trench-drain systems. To help ensure quality materials and construction practices, we recommend the pavement work conform to current Oregon Department of Transportation standards.

Prior to placing base-course materials, all pavement areas should be proof rolled with a fully loaded dump truck. Any soft areas detected by the proof rolling should be overexcavated to firm ground and backfilled with compacted structural fill.

Provided the pavement section is installed in accordance with the above recommendations, it is our opinion the site-access areas will support infrequent traffic by an emergency vehicle with a gross vehicle weight of up to 75,000 pounds. For the purposes of this evaluation, "infrequent" can be defined as once a month or less. If the frequency of emergency vehicle traffic exceeds this preliminary assumption, GRI should be contacted to review our pavement recommendations.

5.10 On-Site Disposal of Stormwater

The unfactored, field-measured infiltration rate for the Willamette Silt soils that mantle the site is less than 0.25 inches per hour; therefore, it is our opinion the near-surface soils do not meet the requirements for on-site stormwater disposal. If pervious concrete or permeable pavers are selected for the site, the subsurface detention reservoir must be properly sized to meet the hydrological needs such as the volume of water stored based on a design storm and the maximum detention time. Based on the infiltration test results, in our opinion, the site will require an underdrain pipe to move the stormwater to an approved outlet structure.



6 DESIGN REVIEW AND CONSTRUCTION SERVICES

We welcome the opportunity to review and discuss construction plans and specifications for this project as they are being developed. In addition, GRI should be retained to review all geotechnical-related portions of the plans and specifications to evaluate whether they are in conformance with the recommendations provided in our report. To observe compliance with the intent of our recommendations, the design concepts, and the plans and specifications, it is our opinion all construction operations pertaining to earthwork and foundation installation should be observed by a GRI representative. Our construction-phase services will allow for timely design changes if site conditions are encountered that are different from those described in our report. If we do not have the opportunity to confirm our interpretations, assumptions, and analyses during construction, we cannot be responsible for the application of our recommendations to subsurface conditions different from those described in this report.

7 LIMITATIONS

This report has been prepared to aid the project team in the design of this project. The scope is limited to the specific project and location described within this report, and our description of the project represents our understanding of the significant aspects of the project relevant to earthwork, design, and construction of the proposed improvements. If any changes in the design and location of the project elements as outlined in this report are planned, we should be given the opportunity to review the changes and modify or reaffirm the preliminary conclusions and recommendations of this report in writing.

The conclusions and recommendations in this report are based on the data obtained from the subsurface explorations at the locations shown on Figure 2 and other sources of information discussed in this report. In the performance of subsurface investigations, specific information is obtained at specific locations at specific times. However, it is acknowledged that variations in subsurface conditions may exist between exploration locations. This report does not reflect variations that may occur between these explorations. The nature and extent of variation may not become evident until construction. If during construction, subsurface conditions differ from those encountered in the explorations, we should be advised at once so we can observe and review these conditions and reconsider our recommendations where necessary.

We have included as Appendix C the Geoprofessional Business Association guidance document "Important Information about This Geotechnical-Engineering Report" to assist you and others in understanding the use and limitations of this report. We recommend you read this document.

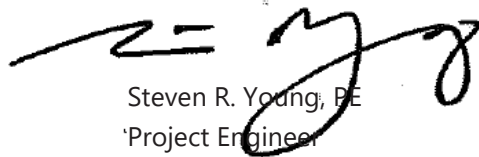
7. CONSULTANT REPORTS: GEOTECH



Submitted for GRI,



RENEWS: 06/2025
Nicholas M. Hatch, PE
Associate



Steven R. Young, PE
Project Engineer

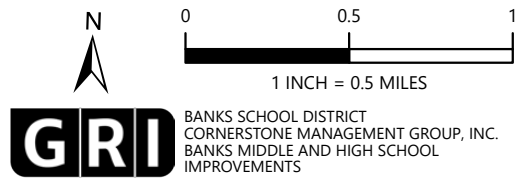
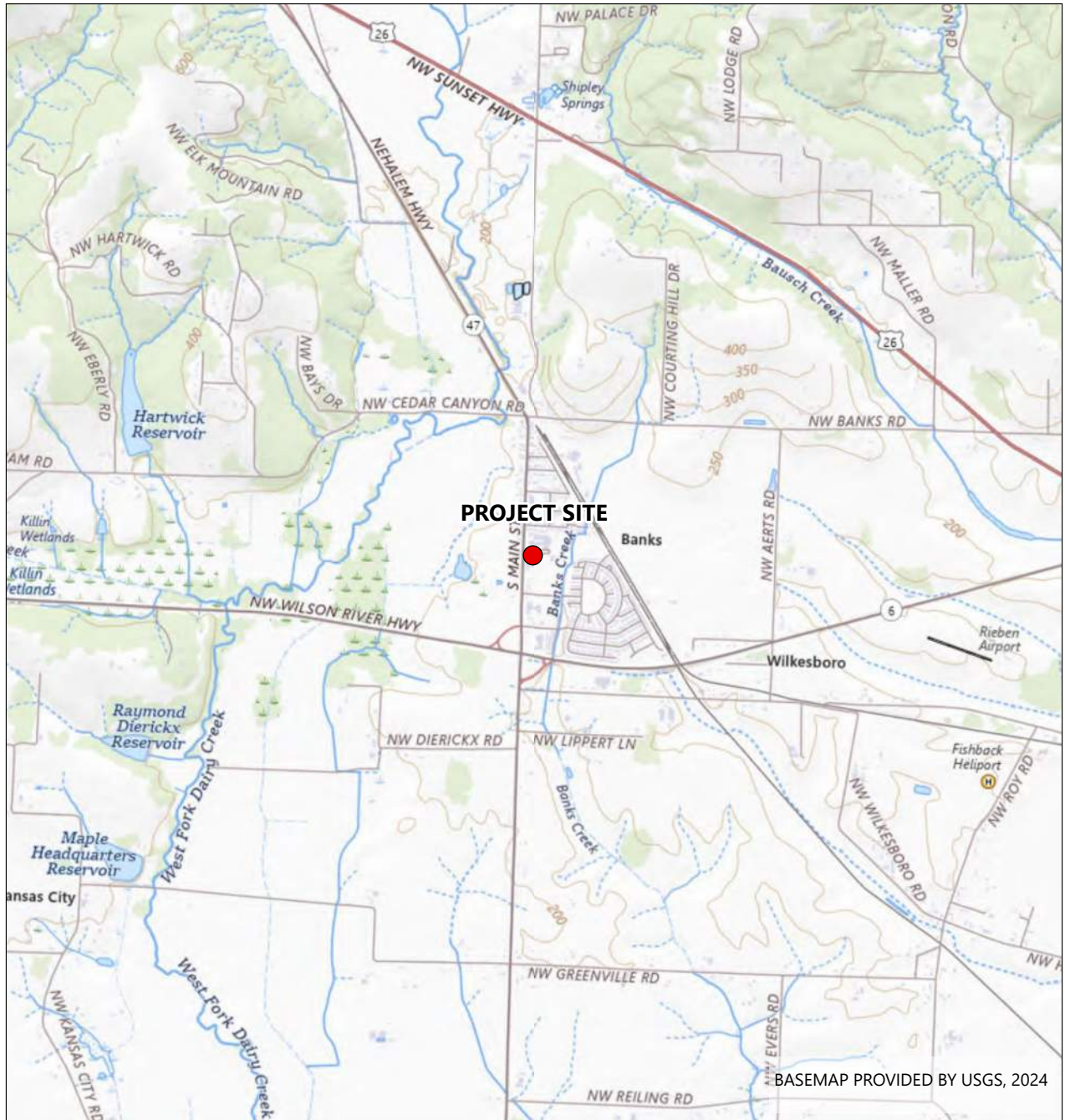
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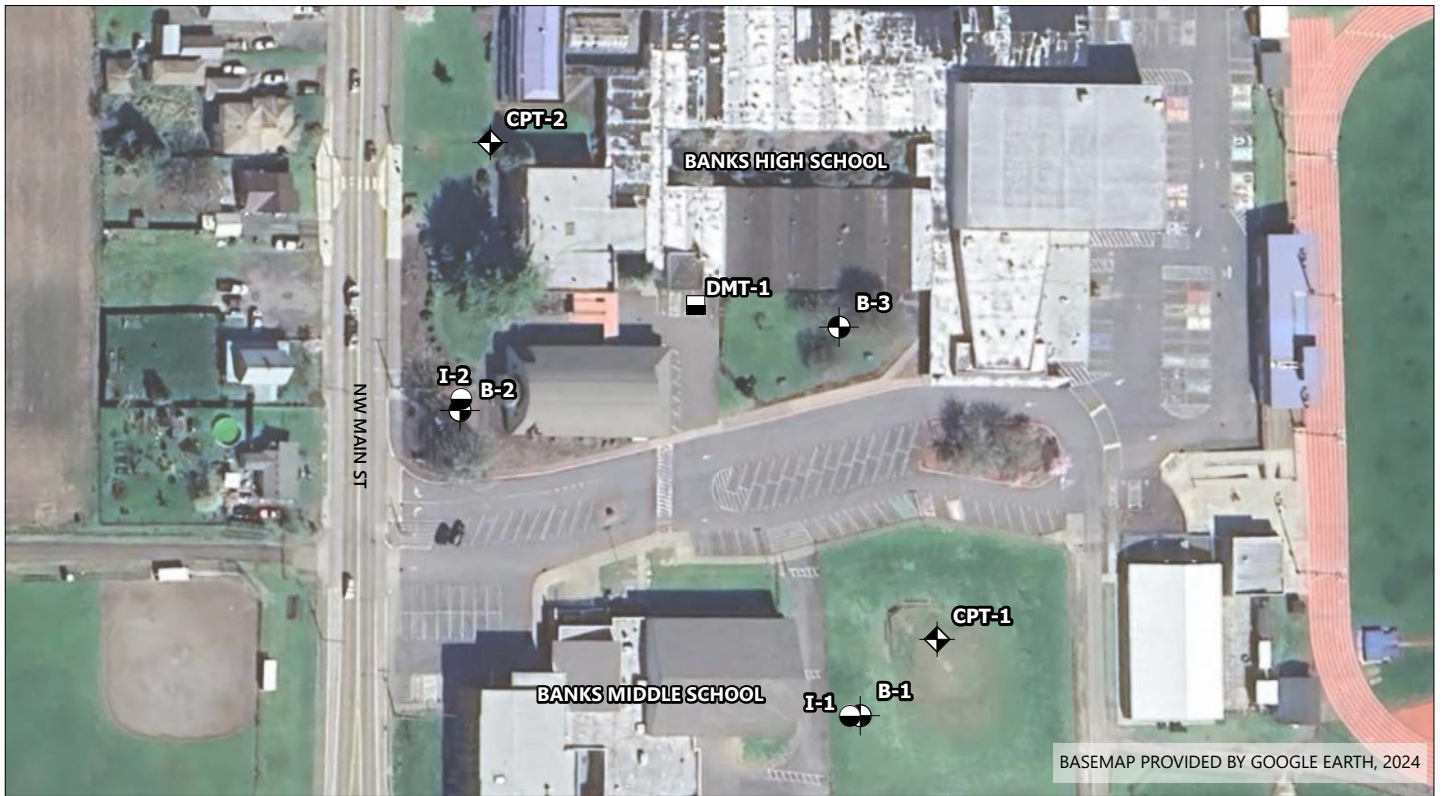
VICINITY MAP

NOV. 2024





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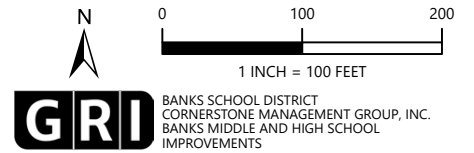
FIG. 1

7. CONSULTANT REPORTS: GEOTECH



LEGEND:

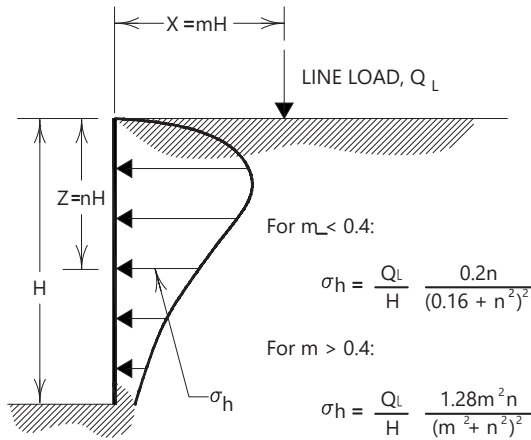
-  APPROXIMATE LOCATION OF BORING COMPLETED BY GRI
-  APPROXIMATE LOCATION OF CONE PENETRATION TEST COMPLETED BY GRI
-  APPROXIMATE LOCATION OF DILATOMETER TEST COMPLETED BY GRI
-  APPROXIMATE LOCATION OF INFILTRATION TEST COMPLETED BY GRI



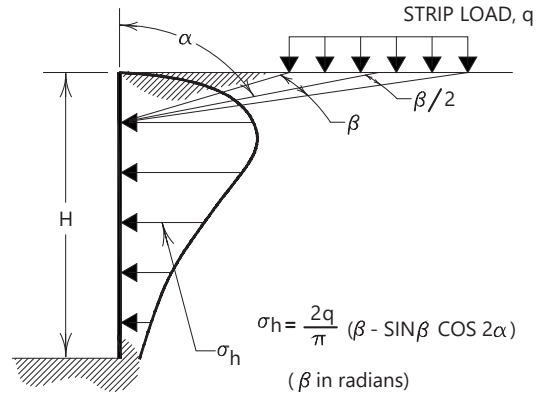
SITE PLAN

NOV. 2024 JOB NO. 6988-A FIG. 2

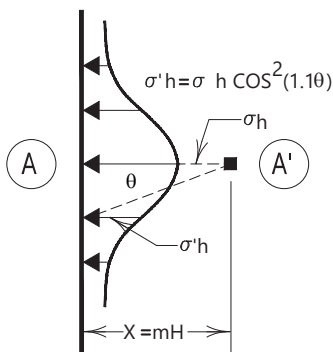
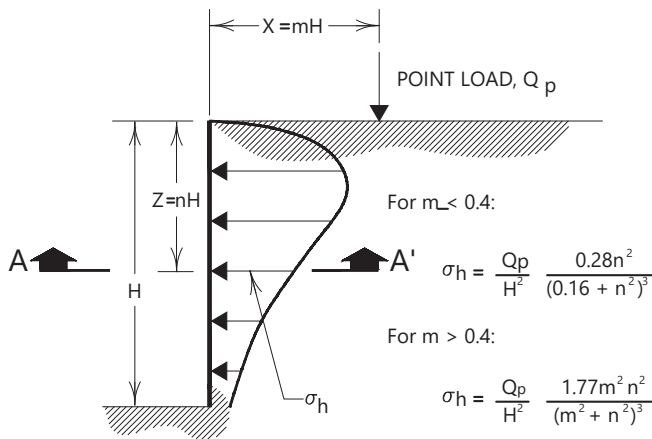
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LINE LOAD PARALLEL TO WALL



STRIP LOAD PARALLEL TO WALL



DISTRIBUTION OF HORIZONTAL PRESSURES

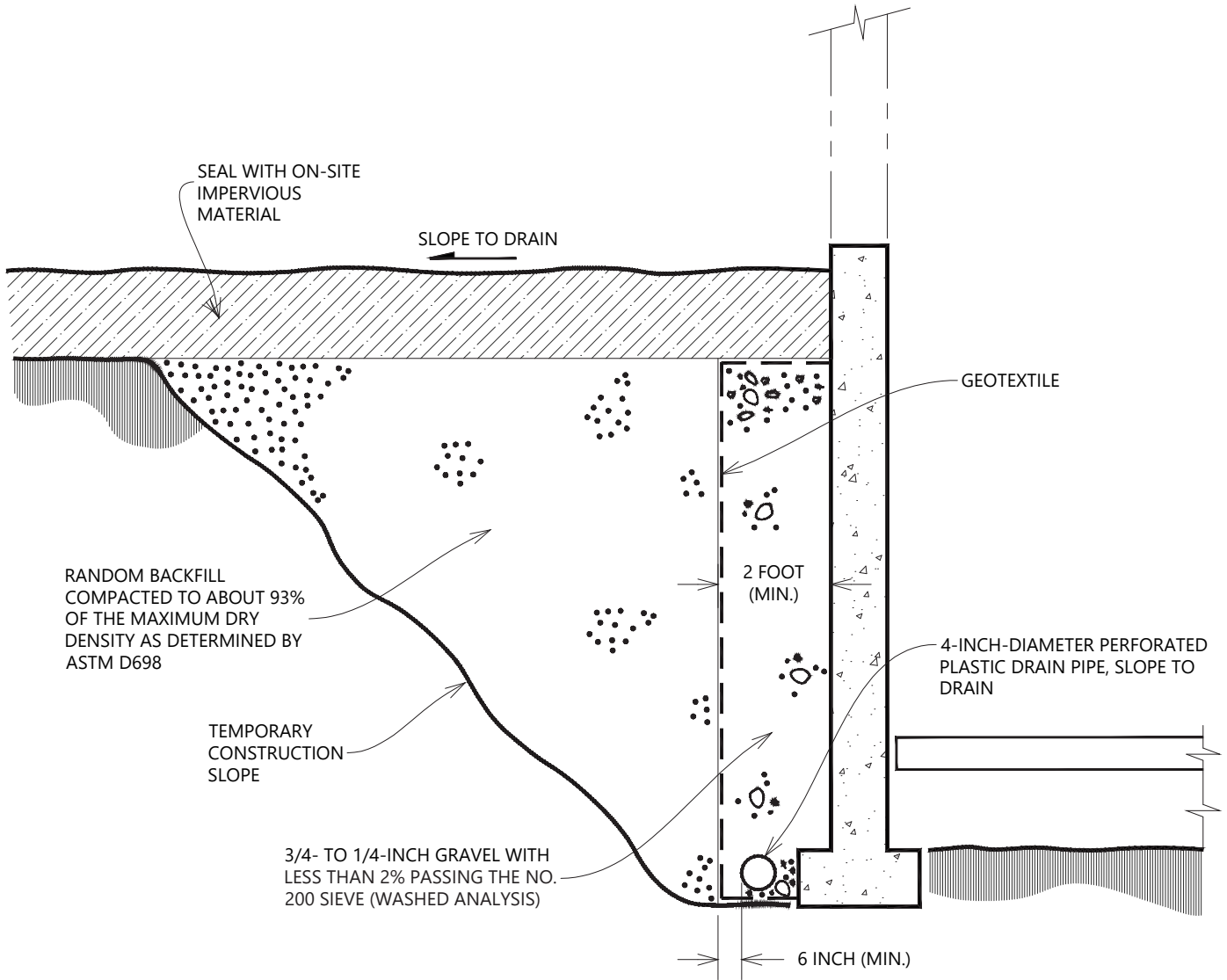
VERTICAL POINT LOAD

NOTES:

1. THESE GUIDELINES APPLY TO RIGID WALLS WITH POISSON'S RATIO ASSUMED TO BE 0.5 FOR BACKFILL MATERIALS.
2. LATERAL PRESSURES FROM ANY COMBINATION OF THE ABOVE LOADS MAY BE DETERMINED BY THE PRINCIPLE OF SUPERPOSITION.

GRI BANKS SCHOOL DISTRICT
CORNERSTONE MANAGEMENT GROUP, INC.
BANKS MIDDLE AND HIGH SCHOOL
IMPROVEMENTS

SURCHARGE-INDUCED LATERAL PRESSURE



NOT TO SCALE

GRI BANKS SCHOOL DISTRICT
 CORNERSTONE MANAGEMENT GROUP, INC.
 BANKS MIDDLE AND HIGH SCHOOL
 IMPROVEMENTS

TYPICAL SUBDRAINAGE
 DETAIL

NOV. 2024

JOB NO. 6988-A

FIG. 4



APPENDIX A

Field Explorations and Laboratory Testing



APPENDIX A

FIELD EXPLORATIONS AND LABORATORY TESTING

A.1 FIELD EXPLORATIONS

A.1.1 General

Subsurface explorations and conditions at the site were investigated between August 21 and 23, 2024, with three borings, designated B-1 through B-3, two cone penetration test (CPT) probes, designated CPT-1 and CPT-2, and one dilatometer test (DMT) sounding, designated DMT-1. The approximate locations of the field explorations completed for this investigation are shown on the Site Plan, Figure 2. Logs of the borings, CPT probes, and DMT sounding are provided on Figures 1A through 3A, Figures 4A through 7A, and Figure 8A, respectively. The field exploration work was coordinated and documented by an experienced member of GRI's geotechnical engineering staff, who maintained a log of the materials and conditions disclosed during the course of work.

A.1.2 Borings

Borings B-1 through B-3 were advanced to depths ranging between about 31.5 feet and 101.5 feet with mud-rotary drilling techniques using a truck-mounted drill rig provided and operated by Western States Soil Conservation, Inc. of Hubbard, Oregon. Disturbed soil samples were obtained from the borings at 2.5-foot intervals of depth in the upper 15 feet and at 5-foot intervals below this depth. Disturbed soil samples were obtained using a 2-inch outside-diameter standard split-spoon sampler. Standard Penetration Tests (SPTs) were conducted by driving the sampler into the soil a distance of 18 inches using a 140-pound hammer dropped 30 inches. The number of blows required to drive the standard split-spoon sampler the last 12 inches is known as the Standard Penetration Resistance, or SPT N-value. The SPT N-values provide a measure of relative density of granular soils and the relative consistency of cohesive soils. Samples obtained from the borings were placed in airtight bags and returned to our laboratory for further classification and testing.

In addition, relatively undisturbed samples were collected by pushing a 3-inch outside-diameter Shelby tube into the undisturbed soil a maximum distance of 24 inches using the hydraulic ram of the drill rig. The soil exposed at the end of the Shelby tube was examined and classified in the field. After classification, the tubes were sealed with rubber caps and returned to our laboratory for further examination and testing.



Logs of the borings are provided on Figures 1A through 3A. The log presents a summary of the various types of materials encountered in the boring and notes the depth at which the materials and/or characteristics of the materials change. To the right of the summary, the numbers and types of samples taken during the drilling operation are indicated. Farther to the right, SPT N-values, moisture contents, Atterberg limits and percent material passing the No. 200 sieve are shown graphically. The terms used to describe the materials encountered in the borings are defined in Table 2A and the attached legend.

A.1.3 Cone Penetration Test Probes

Two CPT probes, designated CPT-1 and CPT-2, were advanced to depths of about 62.5 feet and 87.6 feet using a truck-mounted CPT rig provided and operated by Oregon Geotechnical Explorations, Inc., of Kaiser, Oregon. During a CPT, a steel cone is forced vertically into the soil at a constant rate of penetration. The force required to cause penetration at a constant rate can be related to the bearing capacity of the soil immediately surrounding the point of the penetrometer cone. This force is measured and recorded every 2 inches. In addition to the cone measurements, measurements are obtained of the magnitude of force required to force a friction sleeve attached above the cone through the soil. The force required to move the friction sleeve can be related to the undrained shear strength of fine-grained soils. The dimensionless ratio of sleeve friction to point-bearing capacity provides an indicator of the type of soil penetrated. The cone penetration resistance and sleeve friction can be used to evaluate the relative consistency of cohesionless and cohesive soils, respectively. In addition, a piezometer fitted between the cone and the sleeve measures changes in water pressure as the probe is advanced and can also be used to measure the depth to the top of the groundwater table. The probe was also operated using an accelerometer fitted to it, which allows measurement of the arrival time of shear waves from impulses generated at the ground surface. This allows the calculation of shear-wave velocities for the surrounding soil profile.

Logs of the CPT probes and shear-wave velocity measurements recorded in CPT-1 and CPT-2 are provided on Figures 4A through 7A. The CPT logs present a graphical summary of the tip resistance, local (sleeve) friction, friction ratio, pore pressure, and soil behavior type index. The terms used to describe the soils encountered in the probe are defined in Table 3A.

A.1.4 Dilatometer Test Sounding

One DMT sounding, designated DMT-1, was advanced to a depth of about 53.2 feet using a truck-mounted rig provided and operated by Oregon Geotechnical Explorations, Inc., of Kaiser, Oregon. DMT soundings provide additional geotechnical information to characterize the subsurface materials. The DMT is performed by pushing a blade-shaped instrument into the soil. The blade is equipped with an expandable membrane on one side



that is pressurized until the membrane moves horizontally into the surrounding soil. Readings of pressure required to move the membrane to a point that is flush with the blade (P_0) and to a point 1.1 millimeters into the surrounding soil (P_1) are recorded. The test sequence was performed at 8-inch intervals to obtain a comprehensive soil profile. A material index (I_D), a horizontal stress index (K_D), and a dilatometer modulus (E_D) are obtained directly from the dilatometer data. The constrained modulus (M) is then obtained from the DMT data. The terms used to describe the materials encountered in the DMT are defined in Table 4A.

DMT results are summarized on Figure 8A. The results show the dilatometer pressure readings (P_0 , P_1) and three dilatometer-derived parameters: horizontal stress index (K_D), material index (I_D), and constrained modulus (M).

A.1.5 Infiltration Testing

Falling-head infiltration testing was completed at the site on August 23, 2024, in general conformance with the City of Portland 2020 *Stormwater Management Manual* using the encased falling-head method outlined in Section 2.3.2 of the manual. The test locations were designated I-1 and I-2 and completed in shallow boreholes at depths of about 5.5 feet below existing site grades using hand-auger techniques. The borehole was augered to the depth of the infiltration test and withdrawn. A 4-inch-diameter PVC pipe was seated firmly into the base of the borehole and filled with water to a height of approximately 1 foot above the base of the hole. After soaking for a minimum of one hour, infiltration testing was conducted by reestablishing the water level in the pipe to the target height and recording the drop in water level over one hour or until the water completely drained, whichever occurred first. The average unfactored, field-measured infiltration rates are provided in Table 1A, below.

Table 1A: INFILTRATION TEST RESULTS

Test No.	Depth of Infiltration Test, feet	Average Field Infiltration Rate, inches/hour	Soil Classification
I-1	5	<0.25	SILT, trace sand; ML; brown; low plasticity; moist; fine sand
I-2	5	<0.25	SILT, trace sand; ML; brown; low plasticity; moist; fine sand

A.2 LABORATORY TESTING

A.2.1 General

The samples obtained from the borings were examined in our laboratory, where the physical characteristics of the samples were noted and the field classifications modified where necessary. At the time of classification, the natural moisture content of each sample



was determined. Additional testing included dry oven weight, Atterberg limits, one-dimensional consolidation, grain-size analyses, and cyclic direct simple shear (CDSS) testing. A summary of the laboratory test results is provided on Table 5A. The following sections describe the testing program in more detail.

A.2.2 Natural Moisture Contents

Natural moisture content determinations were made in conformance with ASTM International (ASTM) D2216. The results are summarized on Figures 1A through 3A and in Table 5A.

A.2.3 Grain-Size Analysis – Washed Sieve Method

To assist in classification of the soils, samples of known dry weight were washed over a No. 200 sieve. The material retained on the sieve is oven-dried and weighed. The percentage of material passing the No. 200 sieve is then calculated. The results are summarized on Figures 1A through 3A and in Table 5A.

A.2.4 Torvane Shear Strength

The approximate undrained shear strength of the fine-grained soils was determined using a Torvane shear device. The Torvane is a hand-held apparatus with vanes that are inserted into the soil. The torque required to fail the soil in shear around the vanes is measured using a calibrated spring. The results of the Torvane shear-strength tests are summarized on Figures 1A through 3A and in Table 5A.

A.2.5 Undisturbed Unit Weight

The unit weight, or density, of the undisturbed soil samples was determined in the laboratory in conformance with ASTM D2937. The results are summarized on Figures 1A through 3A and in Table 5A.

A.2.6 Atterberg Limits

Atterberg-limits testing was performed for selected samples of fine-grained soils in conformance with ASTM D4318. The test results are summarized on the Plasticity Charts, Figures 9A and 10A, on Figures 1A through 3A, and in Table 5A.

A.2.7 One-Dimensional Consolidation

Four one-dimensional consolidation tests were performed in conformance with ASTM D2435 on relatively undisturbed soil samples extruded from Shelby tubes. These tests provide data on the compressibility of underlying fine-grained soils, which are necessary for settlement studies. The results of the one-dimensional consolidation tests are summarized in Figures 11A through 14A. The initial dry unit weights and moisture contents of the samples are shown on the figures.



A.2.8 Monotonic Direct Simple Shear Testing

A single-stage, consolidated, undrained monotonic direct-simple shear (MDSS) test with pore pressure measurements was performed in conformance with ASTM D6528 on a relatively undisturbed soil sample extruded from Shelby tubes. The MDSS test provides data on the peak shear strength and associated shear strain of the fine-grained soils selected for testing. Results of the testing are included on Figure 15A.

A.2.9 Cyclic Direct Simple Shear Testing

A strain-controlled CDSS test was performed in conformance with standard of practice and ASTM D6528 on relatively undisturbed soil samples extruded from a Shelby tube. The test provides data on the static and cyclic shear resistance, degradation potential, and post-cyclic behavior of the underlying fine-grained soils, which are necessary for seismic studies. Results of the testing are included on Figure 16A.



Table 2A

GUIDELINES FOR DESCRIPTION OF SOIL¹

Description of Relative Density for Cohesionless (Coarse-Grained) Soils

Relative Density	Standard Penetration Resistance (N-values) blows/foot (ft)	3-inch Sampler, 140-lb hammer approx. N-Value (blows/ft) ²	3-inch Sampler, 300-lb hammer approx. N-Value (blows/ft) ¹
Very Loose	0 - 4	0 - 10	0 - 5
Loose	4 - 10	10 - 24	5 - 11
Medium Dense	10 - 30	24 - 73	11 - 34
Dense	30 - 50	73 - 122	34 - 57
Very Dense	over 50	over 122	over 57

Description of Relative Consistency for Cohesive (Fine-Grained) Soils

Relative Consistency	Standard Penetration Resistance (N-values) blows/ft	3-inch Sampler, 140 lb hammer approx. N-Value (blows/ft) ¹	3-inch Sampler, 300 lb hammer approx. N-Value (blows/ft) ²	Torvane or Undrained Shear Strength, tsf
Very Soft	0 - 2	0 - 3	0 - 1	less than 0.125
Soft	2 - 4	3 - 6	1 - 3	0.125 - 0.25
Medium Stiff	4 - 8	6 - 12	3 - 6	0.25 - 0.50
Stiff	8 - 15	12 - 23	6 - 11	0.50 - 1.0
Very Stiff	15 - 30	23 - 46	11 - 22	1.0 - 2.0
Hard	30 - 60	46 - 92	22 - 43	over 2.0
Very Hard	over 60	over 92	over 43	

Grain-Size Classification	Modifier for Subclassification		
	Adjective	Primary Constituent SAND or GRAVEL	Primary Constituent SILT or CLAY
<i>Boulders:</i> > 12 inches			
<i>Cobbles:</i> 3 inches - 12 inches			
<i>Gravel:</i> ¼ inch - ¾ inch (fine) ¾ inch - 3 inches (coarse)			
<i>Sand:</i> No. 200 - No. 40 sieve (fine) No. 40 - No. 10 sieve (medium) No. 10 - No. 4 sieve (coarse)			
<i>Silt/Clay:</i> Pass No. 200 sieve			

1. Soil descriptions are developed using visual-manual procedures (ASTM D2488) and generally follow ODOT Geotechnical Design Manual (Chapter 5) guidelines.
2. Oversized sampler (OD = 3 inches, ID = 2.4 inches) blow counts converted to SPT N-Value using equations provided by Burmister, D.M., 1948, The importance and practical use of relative density in soil mechanics: Proceedings of ASTM, v. 48:1249.



Table 3A

**SOIL CHARACTERIZATION
BASED ON CONE PENETRATION TEST (CPT)**

Description of Relative Consistency for Cohesive (Fine-Grained) Soils

Cone Tip Resistance, tsf	Relative Consistency
<5	Very Soft
5 - 15	Soft to Medium Stiff
15 - 30	Stiff
30 - 60	Very Stiff
>60	Hard

Description of Relative Density for Cohesionless (Coarse-Grained) Soils

Cone Tip Resistance, tsf	Relative Density
<20	Very Loose
20 - 40	Loose
40 - 120	Medium Dense
120 - 200	Dense
>200	Very Dense

Reference

Kulhawy, F. H., and Mayne, P. W., 1990, Manual on Estimating Soil Properties for Foundation Design, Electric Power Research Institute, EL-6800.



Table 4A

**SOIL CHARACTERIZATION
BASED ON MARCHETTI FLAT PLATE DILATOMETER TEST (DMT)**

Description of Relative Consistency for Cohesive (Fine-Grained) Soils

Relative Consistency	Soil Type ^(a)	
	CH, CL	ML, MH
	DMT Constrained Modulus (M_{DMT}), tsf	
	$I_D^{(b)} < 0.6$	$0.6 < I_D^{(b)} < 1.8$
Very Soft	0 - 30	0 - 50
Soft	30 - 60	50 - 100
Medium Stiff	60 - 100	100 - 200
Stiff	100 - 175	200 - 375
Very Stiff	175 +	375 +

Description of Relative Density for Cohesionless (Coarse-Grained) Soils

Relative Density	Soil Type ^(a)	
	SM, SC	SP, SW
	DMT Constrained Modulus (M_{DMT}), tsf	
	$1.8 < I_D^{(b)} < 3.3$	$3.3 < I_D^{(b)}$
Very Loose	0 - 75	0 - 100
Loose	75 - 150	100 - 200
Medium Dense	150 - 300	200 - 425
Dense	300 - 550	425 - 850
Very Dense	550 +	850 +

Notes:

- a. Unified Soil Classification System
- b. I_D = Material Index

Table 5A
SUMMARY OF LABORATORY RESULTS

Sample Information				Atterberg Limits			Fines Content, %	Soil Type		
Location	Sample	Depth, ft	Elevation, ft	Moisture Content, %	Dry Unit Weight, pcf	Liquid Limit, %			Plasticity Index, %	
B-1	S-1	2.5	--	34	--	--	--	SILT		
	S-2	5.0	--	41	--	--	--	SILT		
	S-3	7.5	--	38	--	39	12	--	SILT	
		8.3	--	38	85	--	--	--	SILT	
	S-4	9.5	--	41	--	--	--	SILT		
	S-6	14.5	--	41	--	39	15	--	Silty CLAY	
	S-7	20.0	--	37	--	40	16	--	Silty CLAY	
		20.8	--	37	85	--	--	--	Silty CLAY	
	S-7	21.2	--	35	88	--	--	--	Silty CLAY	
	S-8	22.0	--	34	--	--	--	--	Silty CLAY	
	S-10	27.0	--	30	--	--	--	--	CLAY	
S-11	30.0	--	28	--	51	33	97	CLAY		
B-2	S-1	2.5	--	50	--	--	--	--	FILL	
	S-2	5.0	--	37	--	--	--	--	SILT	
	S-3	7.5	--	40	--	--	--	97	SILT	
	S-5	12.0	--	39	--	--	--	95	SILT	
	S-6	15.0	--	34	--	34	6	--	SILT	
		15.5	--	34	89	--	--	--	93	SILT
	S-7	17.0	--	41	--	--	--	--	SILT	
	S-8	20.0	--	35	--	41	14	95	SILT	
	S-10	27.0	--	27	--	--	--	97	CLAY	
	S-12	31.5	--	28	--	--	--	--	CLAY	
	B-3	S-1	2.5	--	31	--	--	--	--	SILT
		S-2	5.0	--	38	--	--	--	99	SILT
S-3		7.5	--	37	--	--	--	--	SILT	
S-5		12.0	--	41	--	--	--	98	SILT	
S-6		15.0	--	38	--	--	--	--	SILT	
		20.0	--	38	--	--	--	98	Silty CLAY	
S-8		22.5	--	29	--	30	13	--	Silty CLAY	
		23.0	--	29	95	--	--	--	Silty CLAY	
		23.8	--	28	97	--	--	97	Silty CLAY	
S-9		24.5	--	26	--	33	18	97	Silty CLAY	
S-11		32.0	--	27	--	--	--	--	CLAY	
S-12		35.0	--	34	--	79	52	--	CLAY	
S-14		42.0	--	47	--	--	--	--	CLAY	
S-15	45.0	--	35	--	48	26	78	Silty CLAY		
S-17	52.0	--	40	--	--	--	78	Silty CLAY		
S-18	55.0	--	36	--	--	--	66	Sandy SILT		
S-19	60.0	--	39	--	--	--	33	Silty SAND		
S-21	67.0	--	43	--	--	--	--	Sandy CLAY		



7. CONSULTANT REPORTS: GEOTECH

Table 5A
SUMMARY OF LABORATORY RESULTS

Sample Information				Atterberg Limits				Fines Content, %	Soil Type
Location	Sample	Depth, ft	Elevation, ft	Moisture Content, %	Dry Unit Weight, pcf	Liquid Limit, %	Plasticity Index, %		
B-3	S-22	70.0	--	41	--	--	--	58	Sandy SILT
	S-23	75.0	--	47	--	--	--	--	Sandy SILT
	S-24	80.0	--	39	--	--	--	41	Silty SAND
	S-25	90.0	--	35	--	--	--	--	Silty SAND
	S-26	100.0	--	50	--	--	--	--	CLAY

BORING AND TEST PIT LOG LEGEND

SOIL SYMBOLS

Symbol	Typical Description
	LANDSCAPE MATERIALS
	FILL
	GRAVEL; clean to some silt, clay, and sand
	Sandy GRAVEL; clean to some silt and clay
	Silty GRAVEL; up to some clay and sand
	Clayey GRAVEL; up to some silt and sand
	SAND; clean to some silt, clay, and gravel
	Gravelly SAND; clean to some silt and clay
	Silty SAND; up to some clay and gravel
	Clayey SAND; up to some silt and gravel
	SILT; up to some clay, sand, and gravel
	Gravelly SILT; up to some clay and sand
	Sandy SILT; up to some clay and gravel
	Clayey SILT; up to some sand and gravel
	CLAY; up to some silt, sand, and gravel
	Gravelly CLAY; up to some silt and sand
	Sandy CLAY; up to some silt and gravel
	Silty CLAY; up to some sand and gravel
	PEAT

BEDROCK SYMBOLS

Symbol	Typical Description
	BASALT
	MUDSTONE
	SILTSTONE
	SANDSTONE

SURFACE MATERIAL SYMBOLS

Symbol	Typical Description
	Asphalt concrete PAVEMENT
	Portland cement concrete PAVEMENT
	Crushed rock BASE COURSE

SAMPLER SYMBOLS

Symbol	Sampler Description
	2.0 in. O.D. split-spoon sampler and Standard Penetration Test with recovery (ASTM D1586)
	Shelby tube sampler with recovery (ASTM D1587)
	3.0 in. O.D. split-spoon sampler with recovery (ASTM D3550)
	Grab Sample
	Rock core sample interval
	Sonic core sample interval
	Push probe sample interval

INSTALLATION SYMBOLS

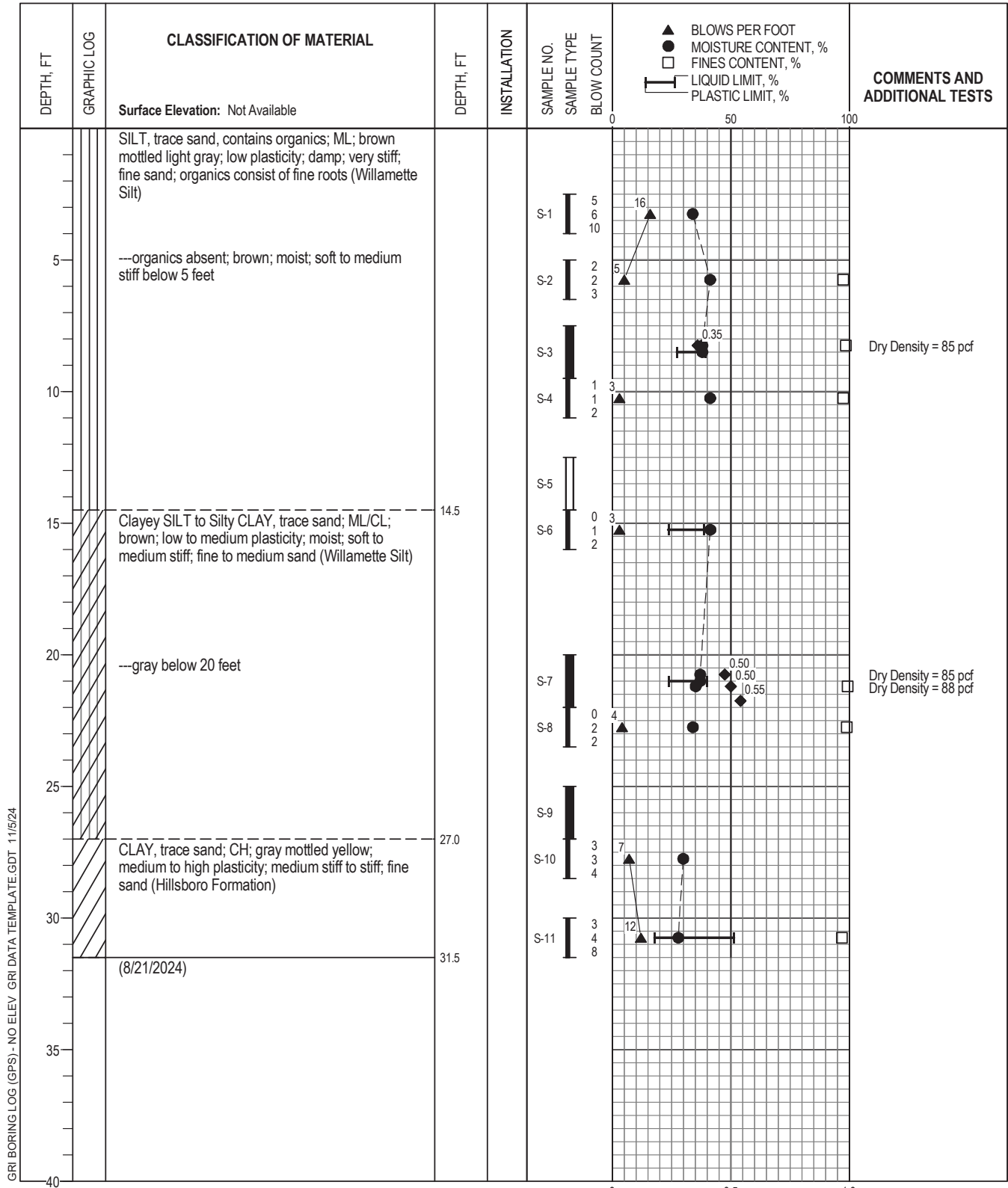
Symbol	Symbol Description
	Flush-mount monument set in concrete
	Concrete, well casing shown where applicable
	Bentonite seal, well casing shown if applicable
	Filter pack, machine-slotted well casing shown where applicable
	Grout, vibrating-wire transducer cable shown where applicable
	Vibrating-wire pressure transducer
	1-in.-diameter solid PVC
	1-in.-diameter hand-slotted PVC
	Grout, inclinometer casing shown where applicable

FIELD MEASUREMENTS

Symbol	Typical Description
	Groundwater level during drilling and date measured
	Groundwater level after drilling and date measured
	Rock/sonic core or push probe recovery (%)
	Rock quality designation (RQD, %)

BORING AND TEST PIT LOG LEGEND GRI DATA TEMPLATE.GDT 7/7/21

7. CONSULTANT REPORTS: GEOTECH



Logged By: C. Willson	Drilled by: Western States Soil Conservation, Inc.
Date Started: 8/21/24	GPS Coordinates: 45.614119° N -123.113077° W (WGS84)
Drilling Method: Mud Rotary	Hammer Type: Auto Hammer
Equipment: CME 75 HT Truck-Mounted Drill Rig	Weight: 140 lb
Hole Diameter: 5 in.	Drop: 30 in.
Note: See Legend for Explanation of Symbols	Energy Ratio: 0.8

- ◆ TORVANE SHEAR STRENGTH, TSF
- UNDRAINED SHEAR STRENGTH, TSF



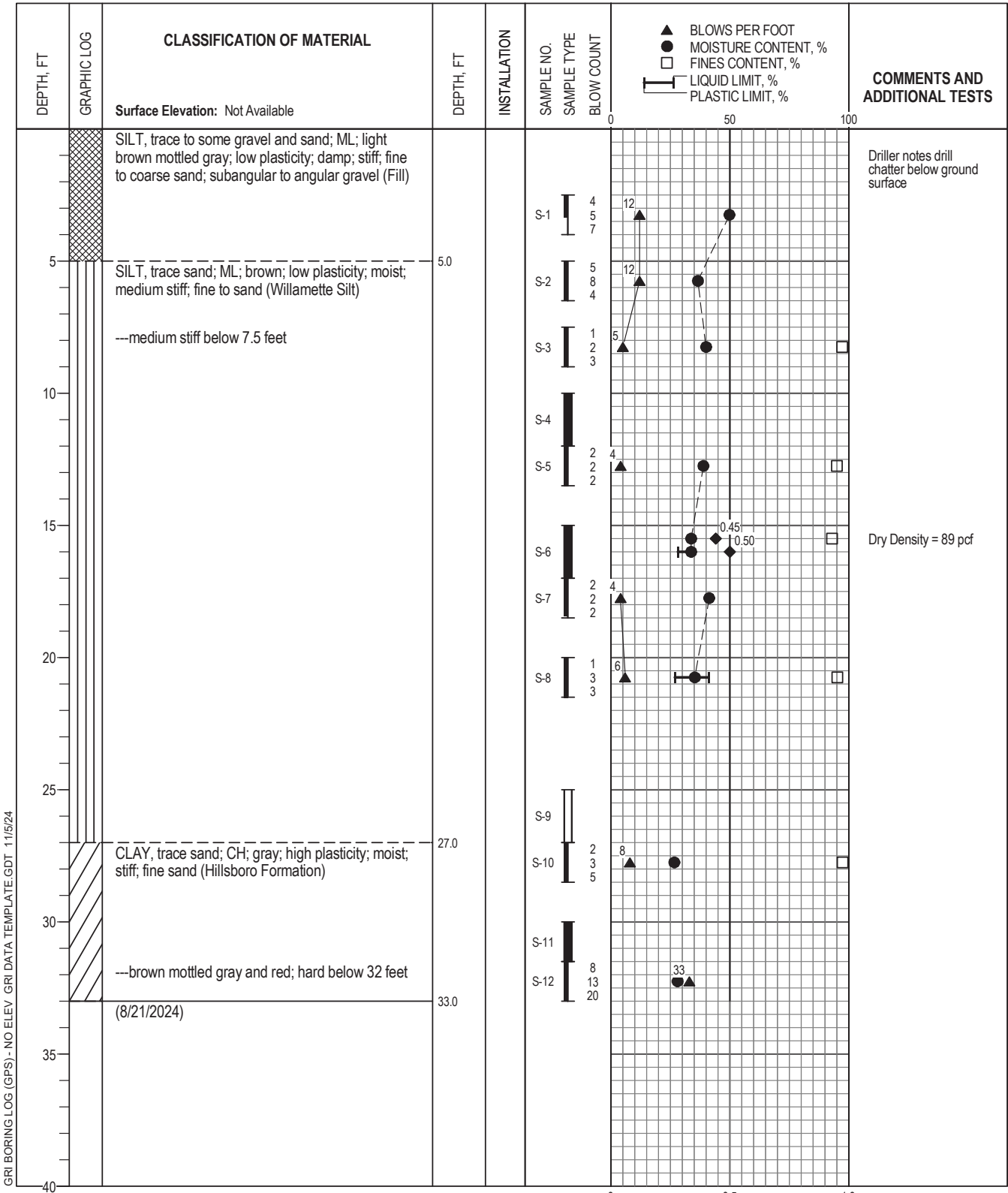
BORING B-1

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FIG. 1A

7. CONSULTANT REPORTS: GEOTECH



Logged By: C. Willson	Drilled by: Western States Soil Conservation, Inc.
Date Started: 8/21/24	GPS Coordinates: 45.614713° N -123.114201° W (WGS84)
Drilling Method: Mud Rotary	Hammer Type: Auto Hammer
Equipment: CME 75 HT Truck-Mounted Drill Rig	Weight: 140 lb
Hole Diameter: 5 in.	Drop: 30 in.
Note: See Legend for Explanation of Symbols	Energy Ratio: 0.8

- ◆ TORVANE SHEAR STRENGTH, TSF
- UNDRAINED SHEAR STRENGTH, TSF



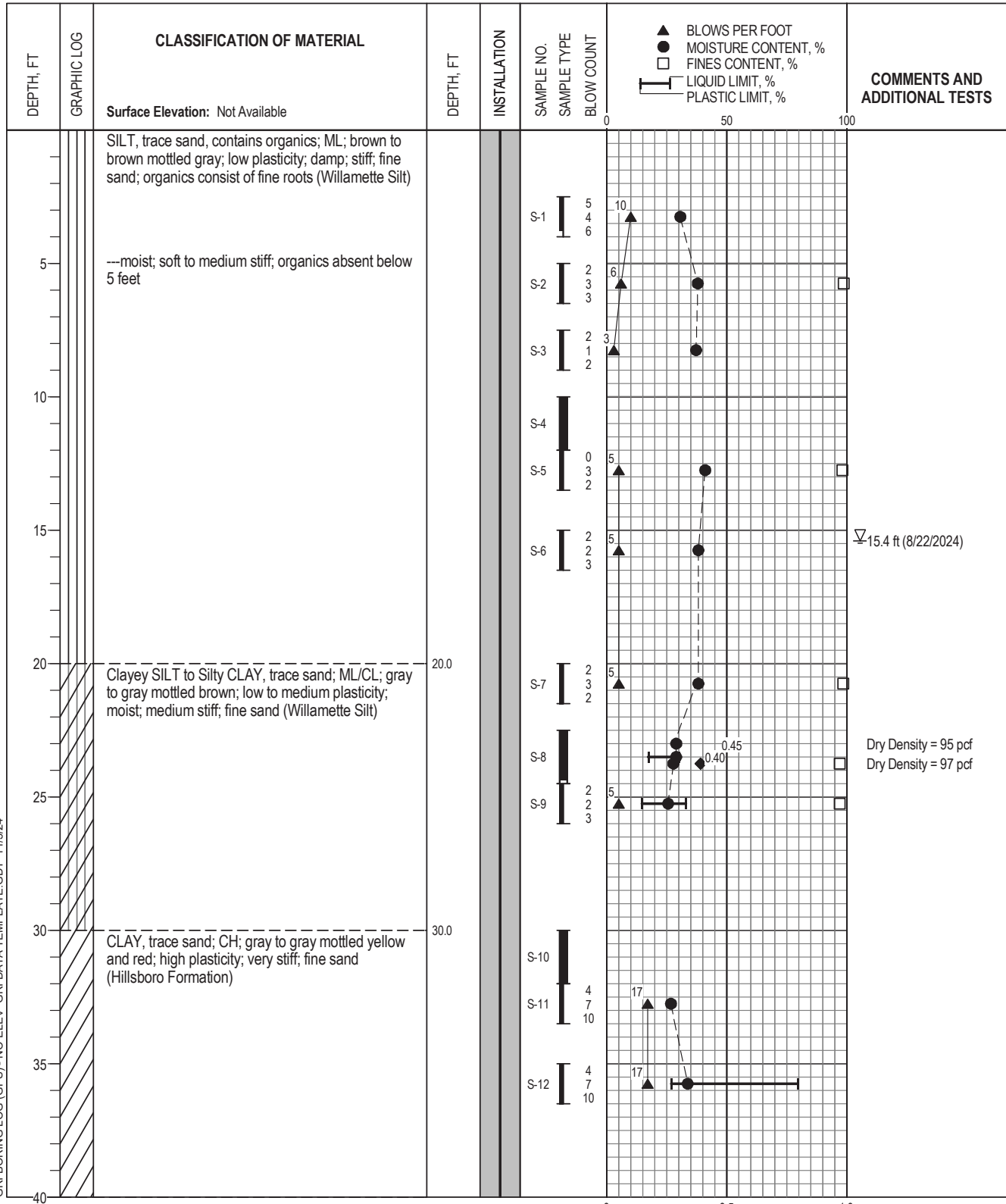
BORING B-2

NOV. 2024

JOB NO. 6988-A

FIG. 2A

7. CONSULTANT REPORTS: GEOTECH



Logged By: C. Willson	Drilled by: Western States Soil Conservation, Inc.
Date Started: 8/22/24	GPS Coordinates: 45.614881° N -123.113143° W (WGS84)
Drilling Method: Mud Rotary	Hammer Type: Auto Hammer
Equipment: CME 75 HT Truck-Mounted Drill Rig	Weight: 140 lb
Hole Diameter: 5 in.	Drop: 30 in.
Note: See Legend for Explanation of Symbols	Energy Ratio: 0.8

- ◆ TORVANE SHEAR STRENGTH, TSF
- UNDRAINED SHEAR STRENGTH, TSF



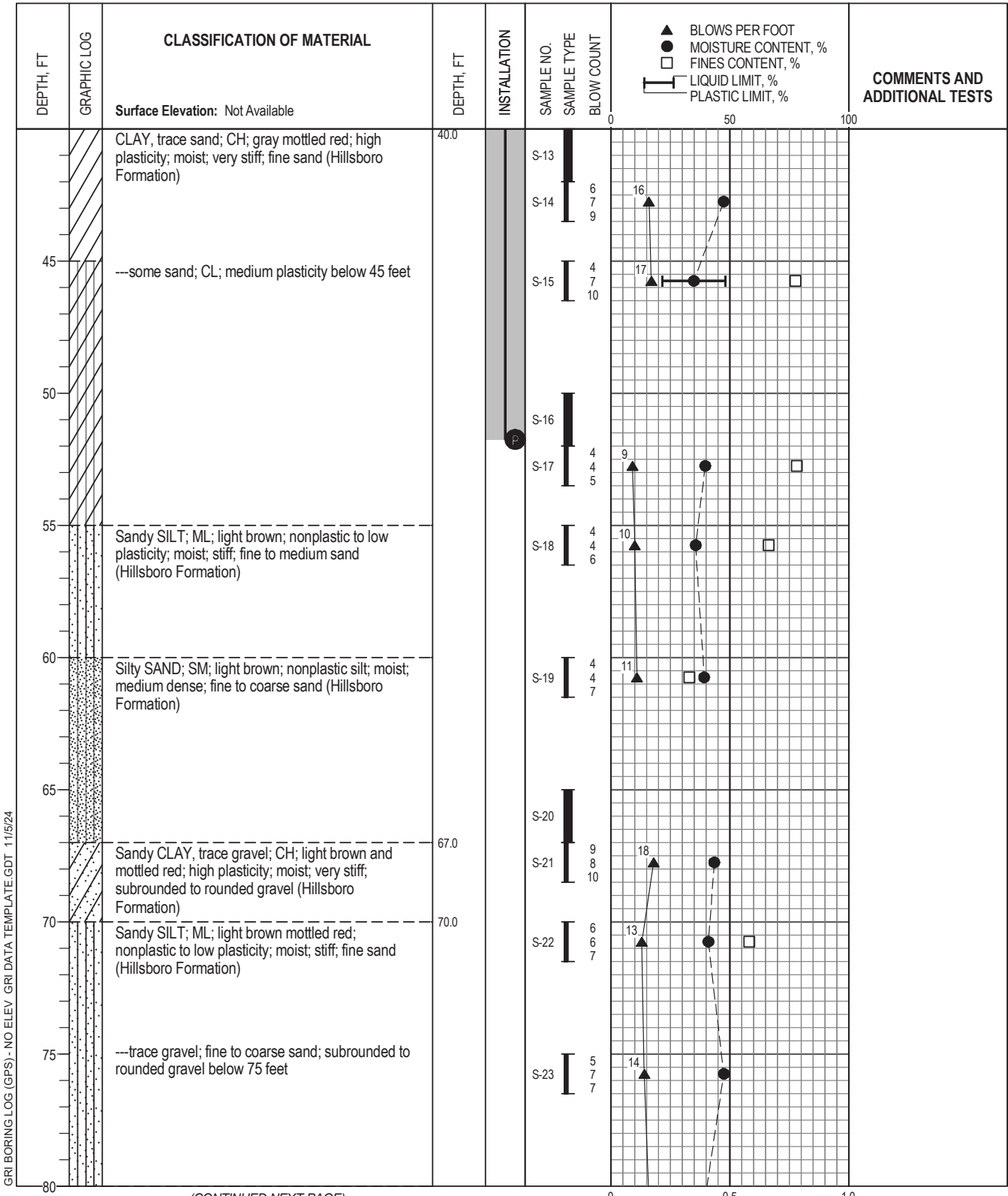
BORING B-3

NOV. 2024

JOB NO. 6988-A

FIG. 3A

7. CONSULTANT REPORTS: GEOTECH



(CONTINUED NEXT PAGE)

◆ TORVANE SHEAR STRENGTH, TSF
 ■ UNDRAINED SHEAR STRENGTH, TSF



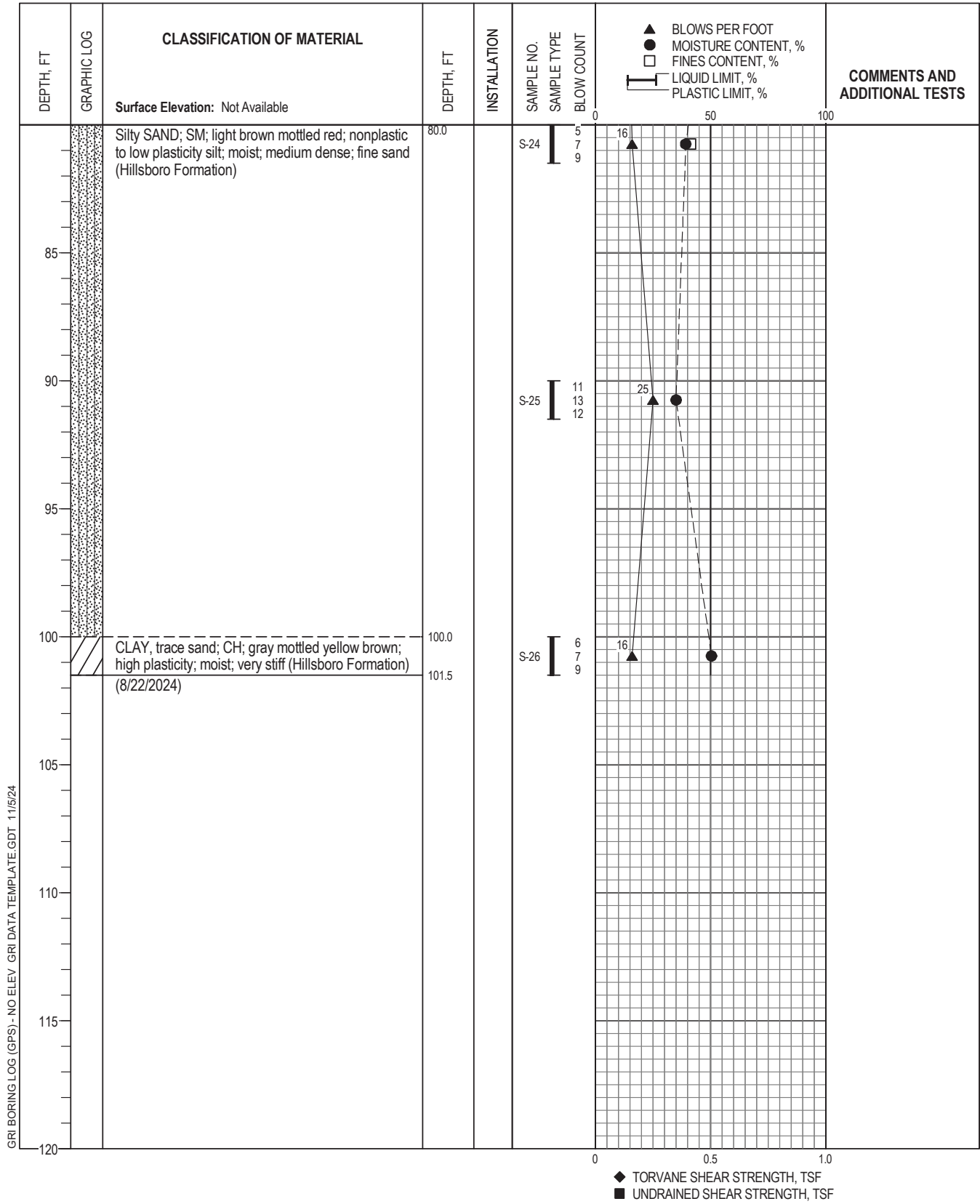
BORING B-3

NOV. 2024

JOB NO. 6988-A

FIG. 3A

7. CONSULTANT REPORTS: GEOTECH



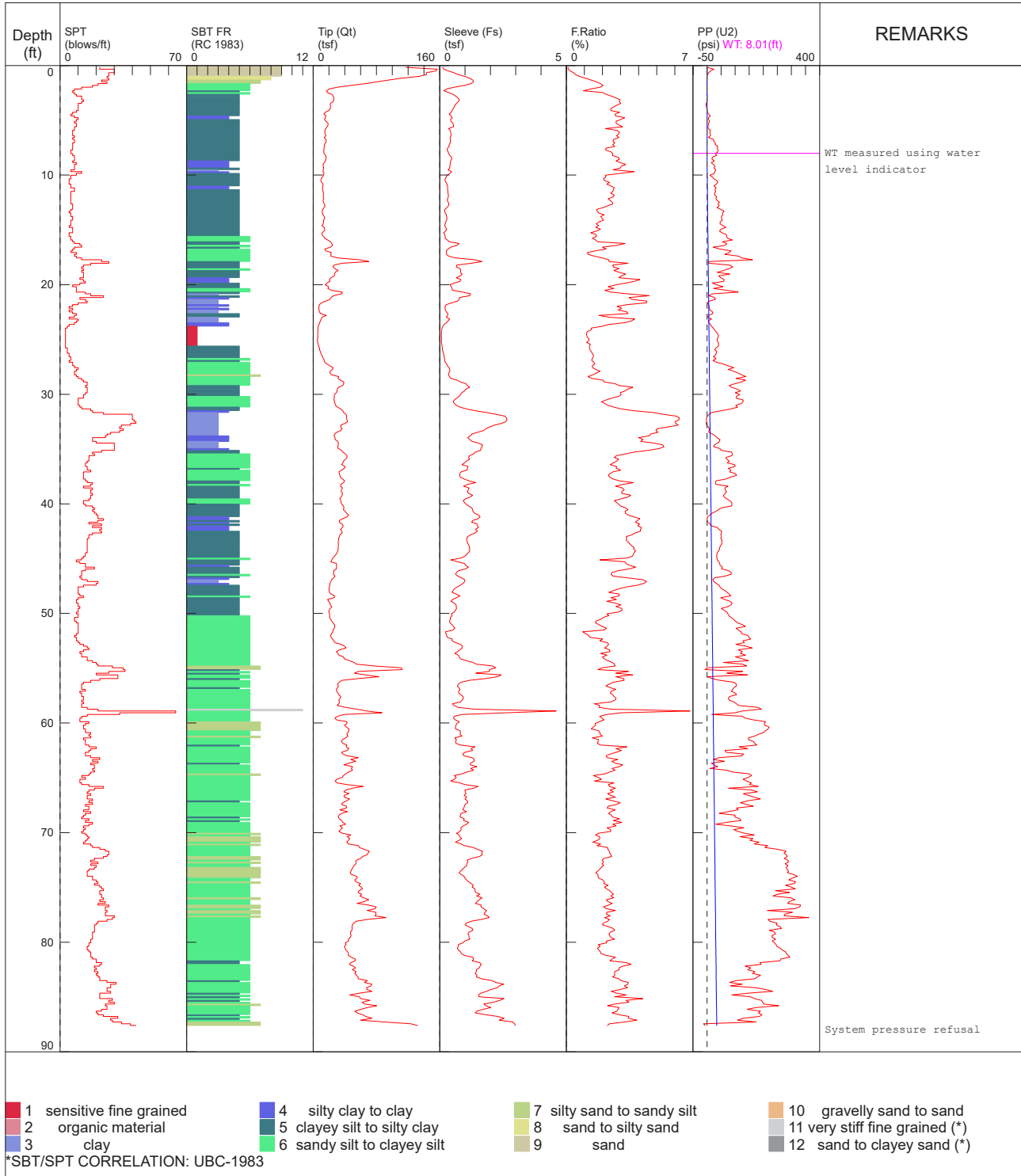
BORING B-3

NOV. 2024

JOB NO. 6988-A

FIG. 3A

7. CONSULTANT REPORTS: GEOTECH



Operator:	Oregon Geotechnical Explorations, Inc.
Cone ID:	DDG1654
Test Date:	8/23/2024
Total Depth:	87.598 Feet



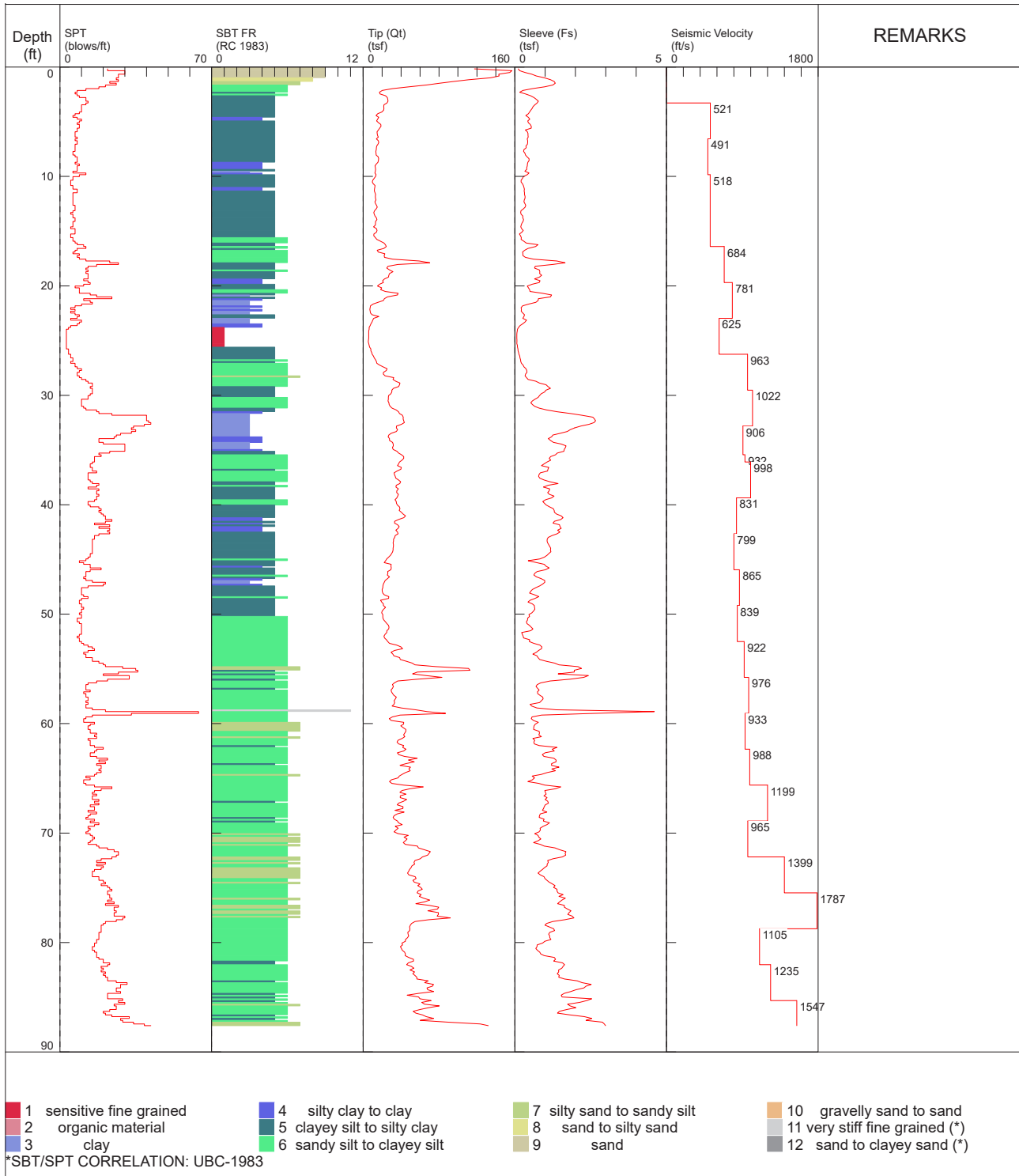
CONE PENETRATION TEST CPT-1

NOV. 2024

JOB NO. 6988-A

FIG. 4A

7. CONSULTANT REPORTS: GEOTECH



Operator:	Oregon Geotechnical Explorations, Inc.
Cone ID:	DDG1654
Test Date:	8/23/2024
Total Depth:	87.598 Feet



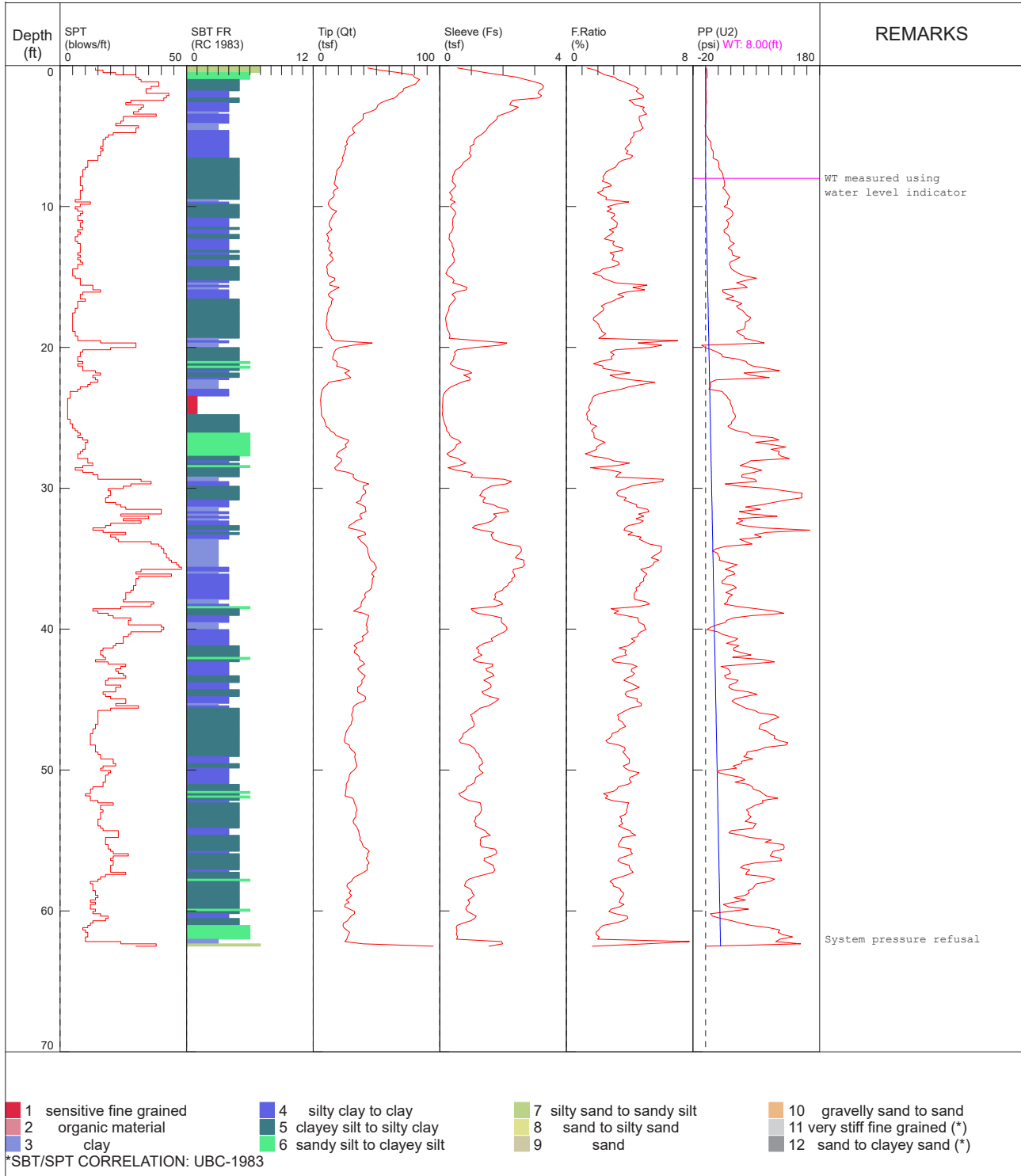
CONE PENETRATION TEST CPT-1 (SEISMIC VELOCITY PROFILE)

NOV. 2024

JOB NO. 6988-A

FIG. 5A

7. CONSULTANT REPORTS: GEOTECH



Operator:	Oregon Geotechnical Explorations, Inc.
Cone ID:	DDG1654
Test Date:	8/23/2024
Total Depth:	62.500 Feet



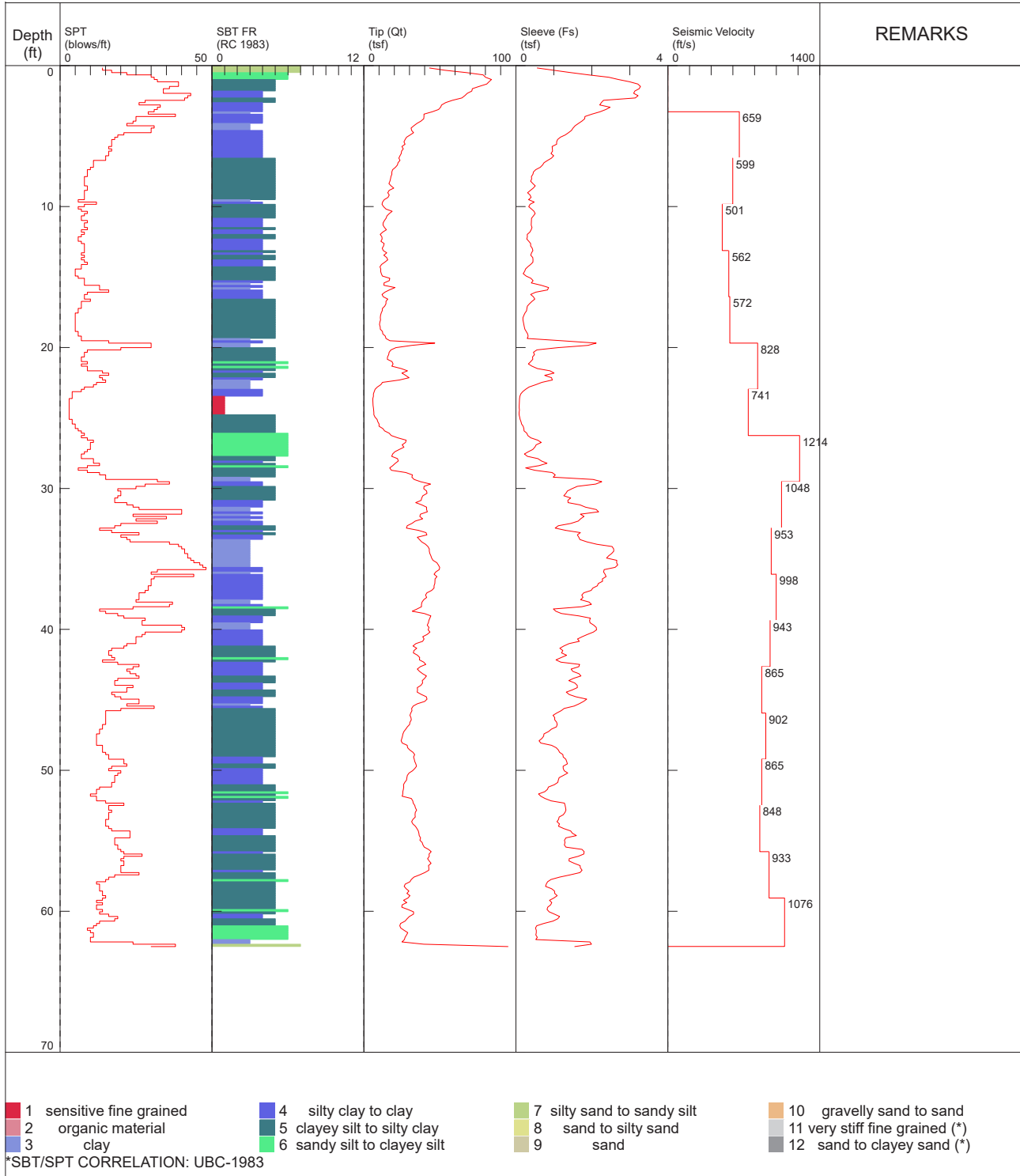
CONE PENETRATION TEST CPT-2

NOV. 2024

JOB NO. 6988-A

FIG. 6A

7. CONSULTANT REPORTS: GEOTECH



Operator:	Oregon Geotechnical Explorations, Inc.
Cone ID:	DDG1654
Test Date:	8/23/2024
Total Depth:	62.500 Feet



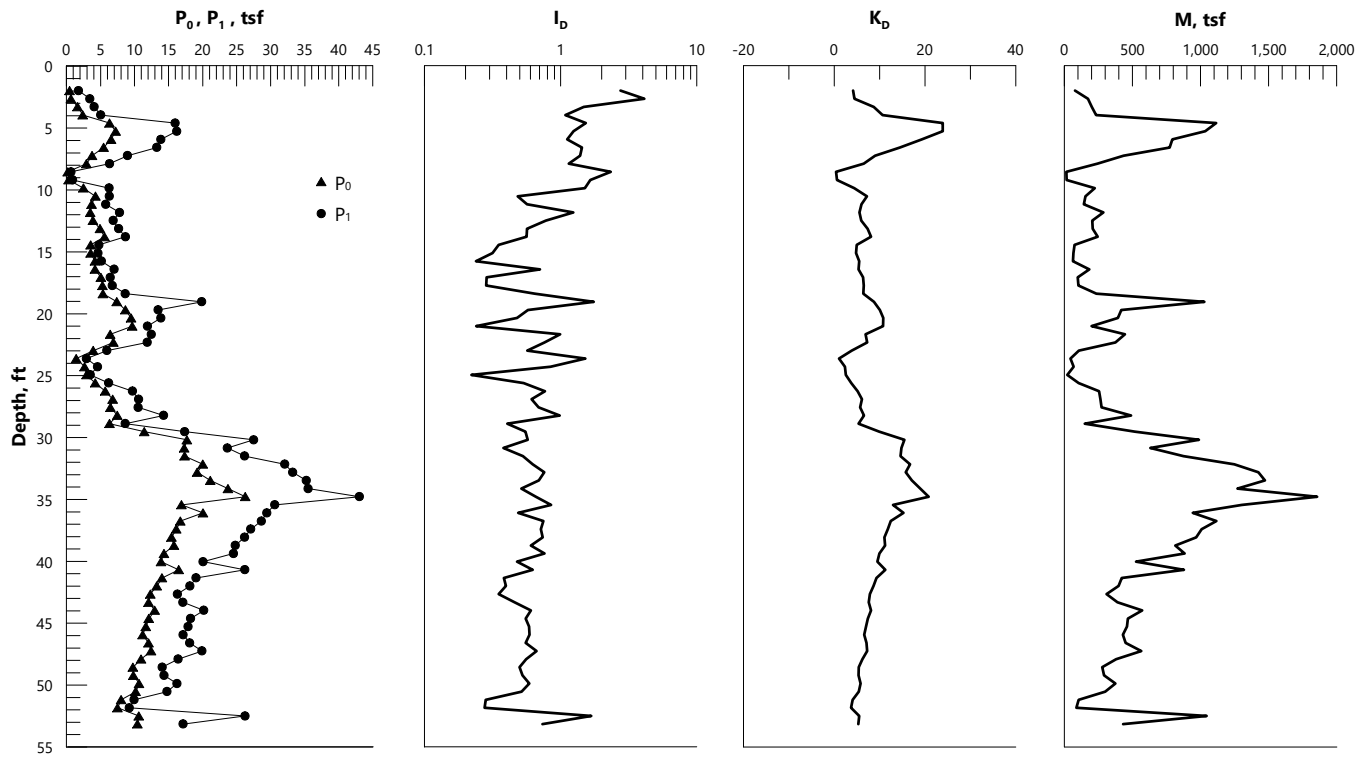
CONE PENETRATION TEST CPT-2 (SEISMIC VELOCITY PROFILE)

NOV. 2024

JOB NO. 6988-A

FIG. 7A

7. CONSULTANT REPORTS: GEOTECH



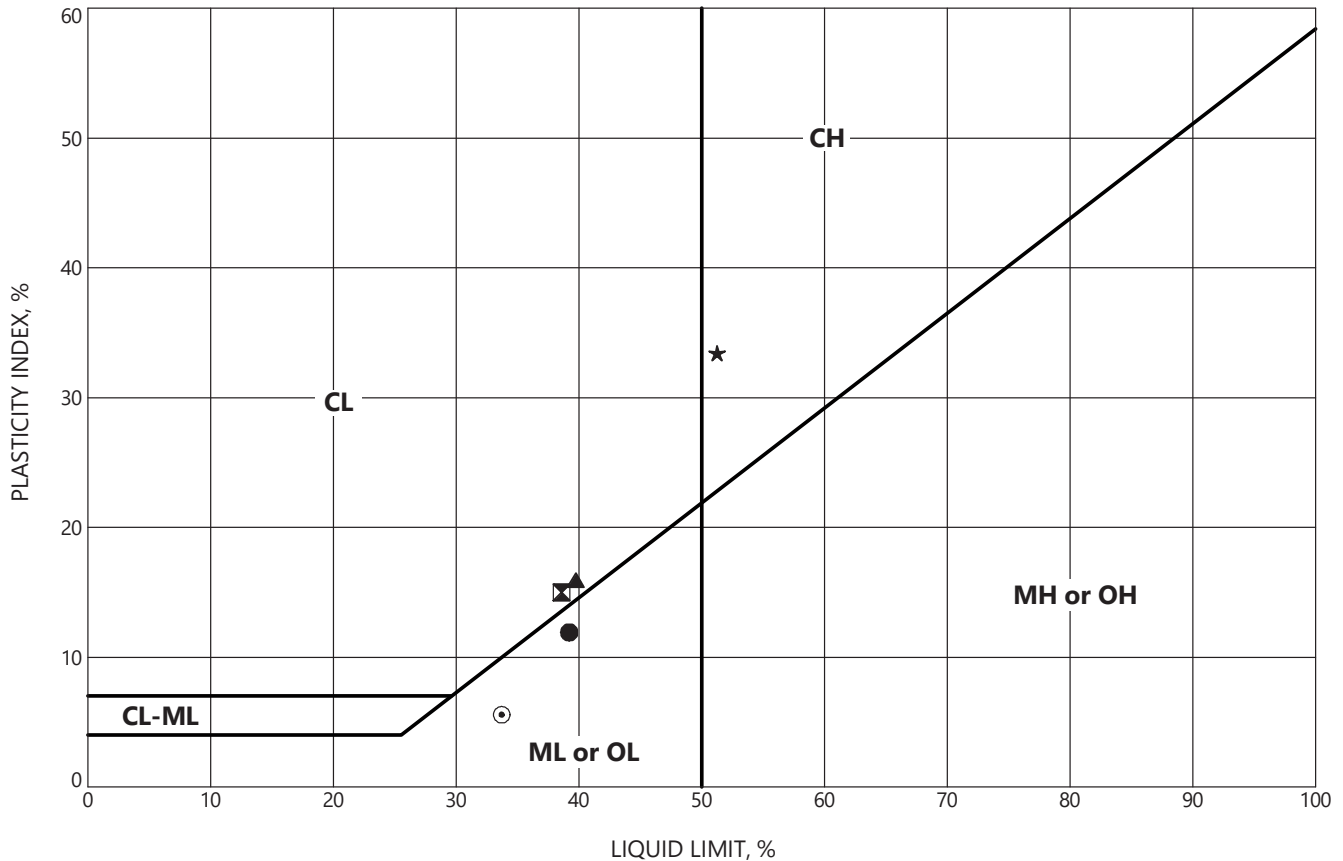
DMT-1

NOV. 2024 JOB NO. 6988-A FIG. 8A

7. CONSULTANT REPORTS: GEOTECH

GROUP SYMBOL	UNIFIED SOIL CLASSIFICATION FINE-GRAINED SOIL GROUPS
OL	ORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY
ML	INORGANIC CLAYEY SILTS TO VERY FINE SANDS OF SLIGHT PLASTICITY
CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY

GROUP SYMBOL	UNIFIED SOIL CLASSIFICATION FINE-GRAINED SOIL GROUPS
OH	ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS
MH	INORGANIC SILTS AND CLAYEY SILT
CH	INORGANIC CLAYS OF HIGH PLASTICITY



Location	Sample	Depth, ft	Classification	LL	PL	PI	MC, %	
●	B-1	S-3	7.5	SILT, trace sand; ML; brown; low plasticity; moist; fine sand (Willamette Silt)	39	27	12	38
☒	B-1	S-6	14.5	Clayey Silt to Silty CLAY, trace sand; ML/CL; brown; low to medium plasticity; fine to medium sand (Willamette Silt)	39	24	15	41
▲	B-1	S-7	20.0	Clayey Silt to Silty CLAY, trace sand; ML/CL; brown; medium plasticity; fine to medium sand (Willamette Silt)	40	24	16	37
★	B-1	S-11	30.0	CLAY, trace sand; CH; gray mottled yellow; high plasticity; fine to medium sand (Hillsboro Formation)	51	18	33	28
⊙	B-2	S-6	15.0	SILT, trace sand; ML; brown; low plasticity; moist; fine to medium sand (Willamette Silt)	34	28	6	34



PLASTICITY CHART

NOV. 2024

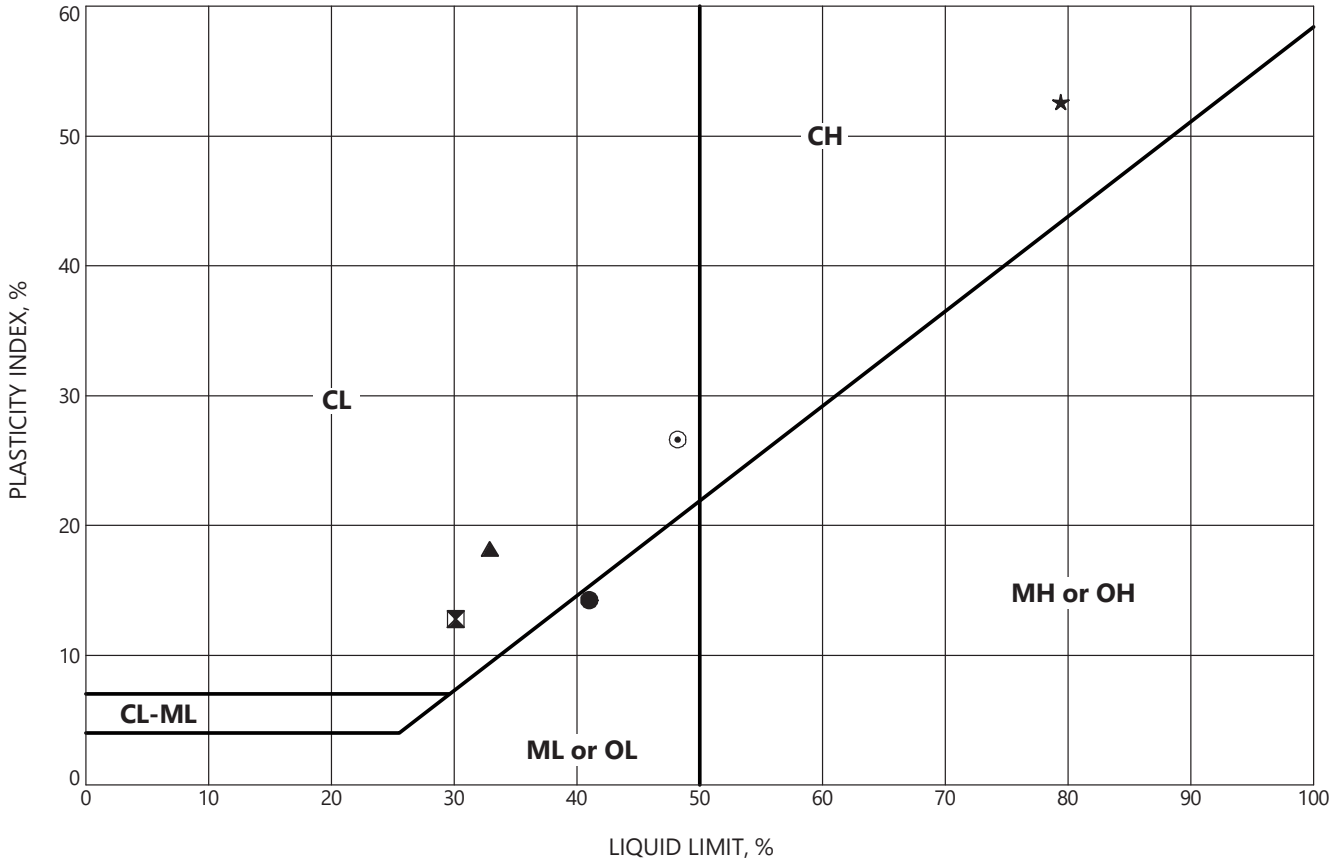
JOB NO. 6988-A

FIG. 9A

7. CONSULTANT REPORTS: GEOTECH

GROUP SYMBOL	UNIFIED SOIL CLASSIFICATION FINE-GRAINED SOIL GROUPS
OL	ORGANIC SILTS AND ORGANIC SILTY CLAYS OF LOW PLASTICITY
ML	INORGANIC CLAYEY SILTS TO VERY FINE SANDS OF SLIGHT PLASTICITY
CL	INORGANIC CLAYS OF LOW TO MEDIUM PLASTICITY

GROUP SYMBOL	UNIFIED SOIL CLASSIFICATION FINE-GRAINED SOIL GROUPS
OH	ORGANIC CLAYS OF MEDIUM TO HIGH PLASTICITY, ORGANIC SILTS
MH	INORGANIC SILTS AND CLAYEY SILT
CH	INORGANIC CLAYS OF HIGH PLASTICITY



Location	Sample	Depth, ft	Classification	LL	PL	PI	MC, %	
●	B-2	S-8	20.0	SILT, trace sand; ML; brown; low plasticity; moist; fine to medium sand (Willamette Silt)	41	27	14	35
⊠	B-3	S-8	22.5	Clayey SILT to Silty CLAY, trace sand; ML/CL; gray to gray mottled yellow and red brown; low plasticity; moist; fine sand (Willamette Silt)	30	17	13	29
▲	B-3	S-9	24.5	Clayey SILT to Silty CLAY, trace sand; CL; gray to gray mottled yellow and red brown; medium plasticity; moist; fine sand (Willamette Silt)	33	15	18	26
★	B-3	S-12	35.0	CLAY, trace sand; CH; gray to gray mottled yellow and red brown; high plasticity; moist; fine sand (Hillsboro Formation)	79	27	52	34
⊙	B-3	S-15	45.0	Silty CLAY, some sand; CL; gray mottled red; medium plasticity; moist; fine sand (Hillsboro Formation)	48	22	26	35



PLASTICITY CHART

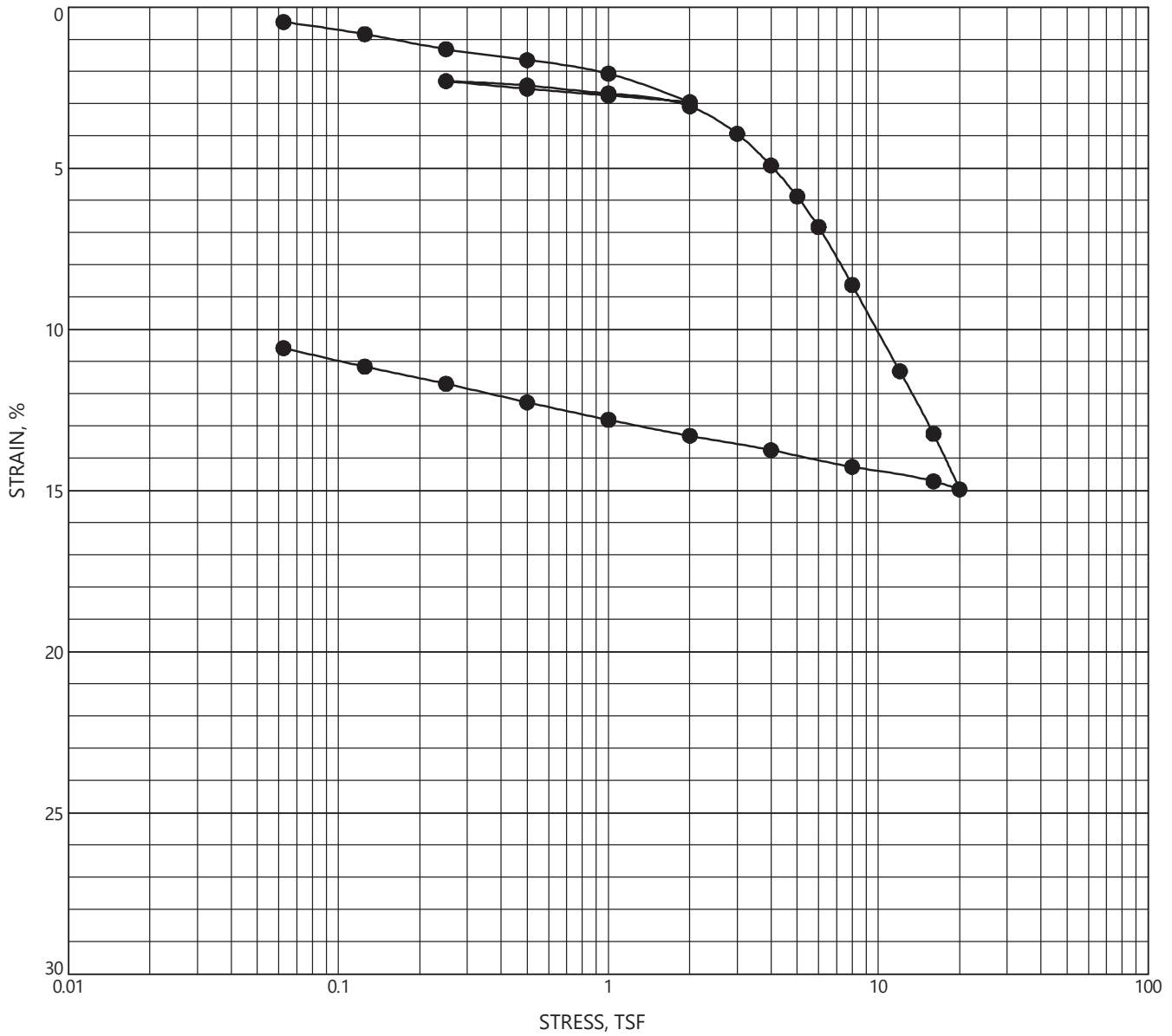
NOV. 2024

JOB NO. 6988-A

FIG. 10A

ATTERBERG-PLASTICITY 5 PER PAGE GRID DATA TEMPLATE.GDT 11/5/24

7. CONSULTANT REPORTS: GEOTECH



●	Location	Sample	Depth, ft	Classification	Initial	
					γ_d , pcf	MC, %
●	B-1	S-3	8.0	SILT, trace sand; ML; brown; low plasticity; moist; fine sand (Willamette Silt)	89	29

CONSOL. STRAIN GRI - 0 TO 30-1PER PAGE GRI DATA TEMPLATE.GDT 11/5/24



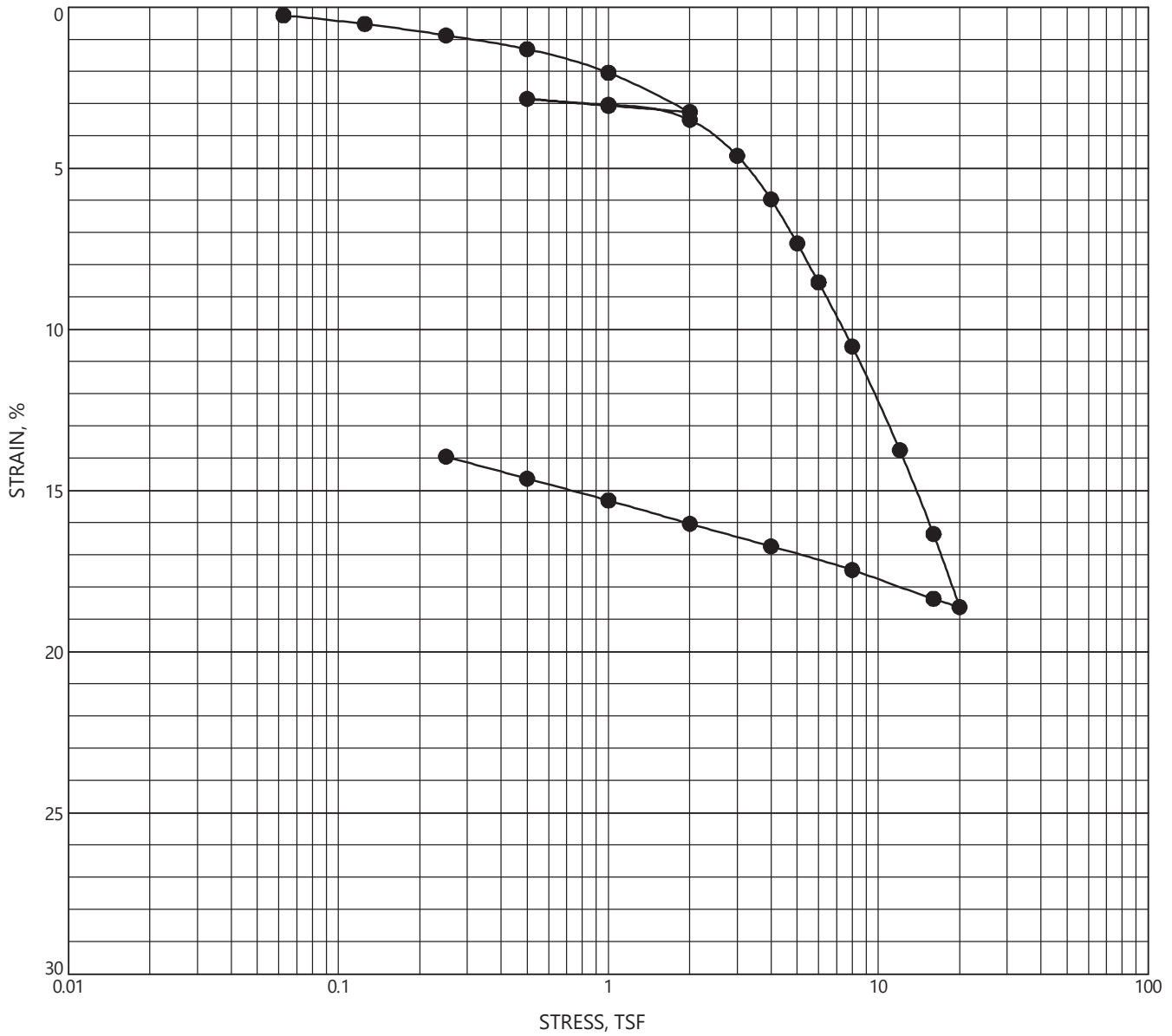
CONSOLIDATION TEST

NOV. 2024

JOB NO. 6988-A

FIG. 11A

7. CONSULTANT REPORTS: GEOTECH



●	Location	Sample	Depth, ft	Classification	Initial	
					γ_d , pcf	MC, %
●	B-1	S-7	21.2	Clayey SILT to Silty CLAY, trace sand; ML/CL; brown; medium plasticity; fine to medium sand (Willamette Silt)	84	39



CONSOLIDATION TEST

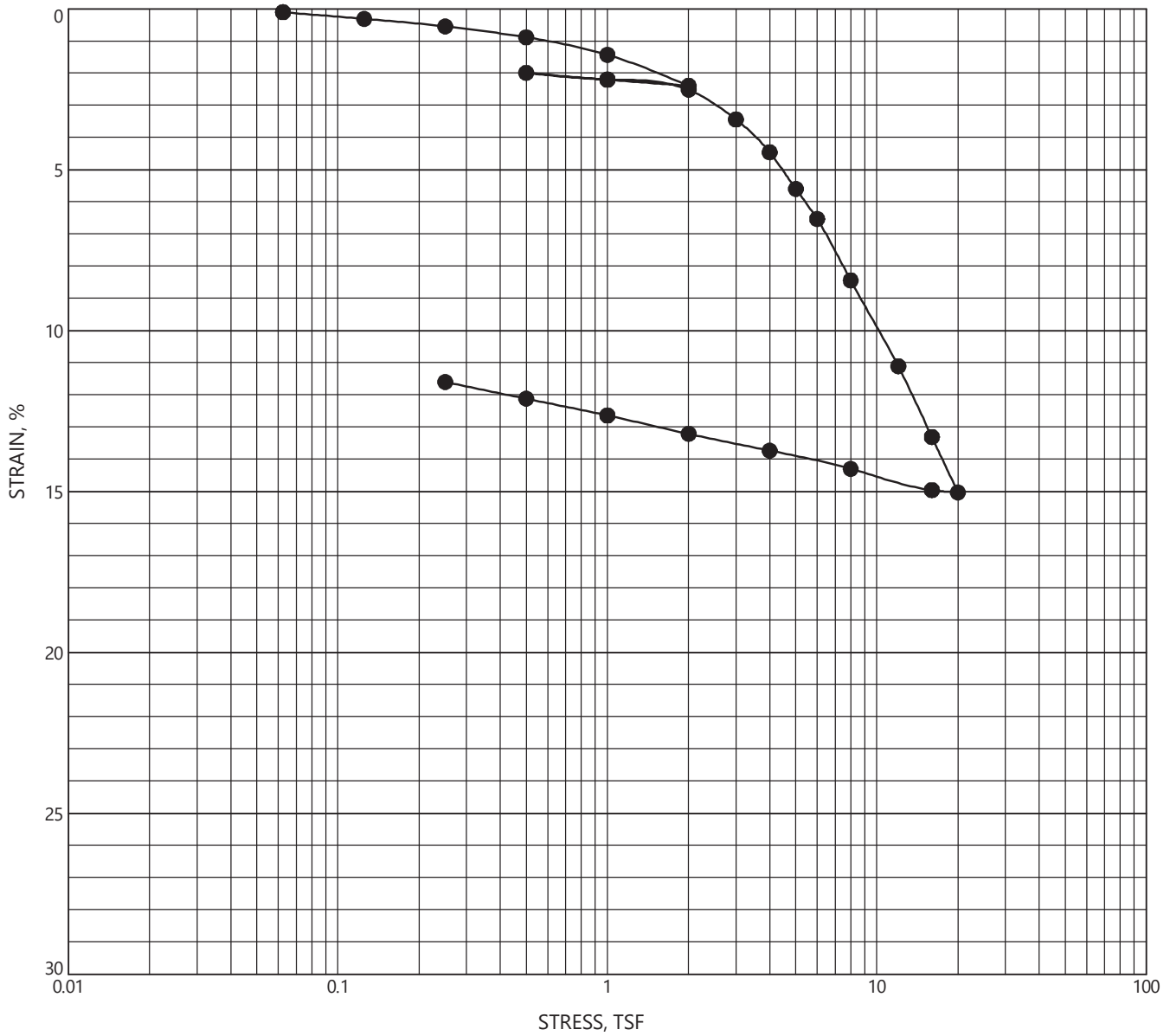
NOV. 2024

JOB NO. 6988-A

FIG. 12A

CONSOL. STRAIN GRI - 0 TO 30-1PER PAGE GRI DATA TEMPLATE.GDT 11/5/24

7. CONSULTANT REPORTS: GEOTECH



Location	Sample	Depth, ft	Classification	Initial	
				γ_d , pcf	MC, %
● B-2	S-6	15.8	SILT, trace sand; ML; brown; low plasticity; moist; fine to medium sand (Willamette Silt)	83	41



CONSOLIDATION TEST

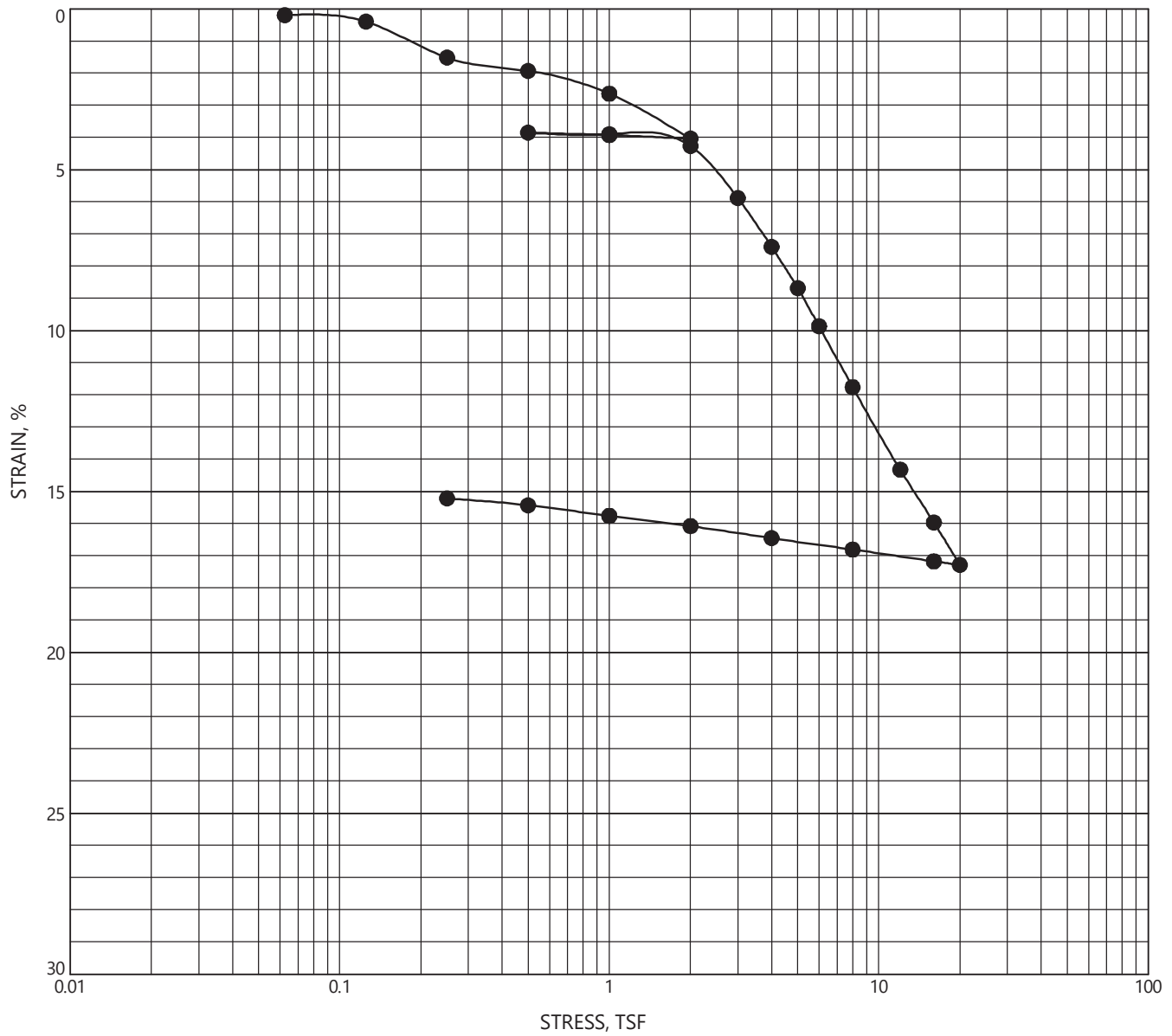
NOV. 2024

JOB NO. 6988-A

FIG. 13A

CONSOL. STRAIN GRI - 0 TO 30-1PER PAGE GRI DATA TEMPLATE.GDT 11/5/24

7. CONSULTANT REPORTS: GEOTECH



Location	Sample	Depth, ft	Classification	Initial	
				γ_d , pcf	MC, %
● B-3	S-8	24.0	Clayey SILT to Silty CLAY, trace sand; ML/CL; gray mottled yellow and red brown; medium plasticity; moist; fine sand (Willamette Silt)	92	29



CONSOLIDATION TEST

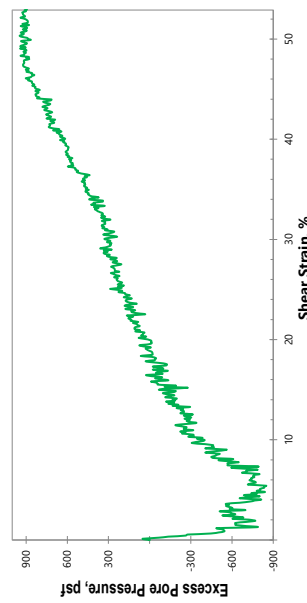
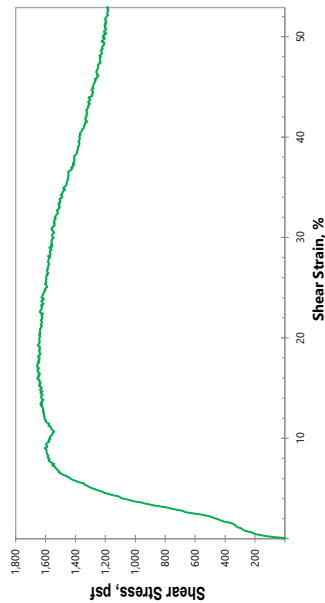
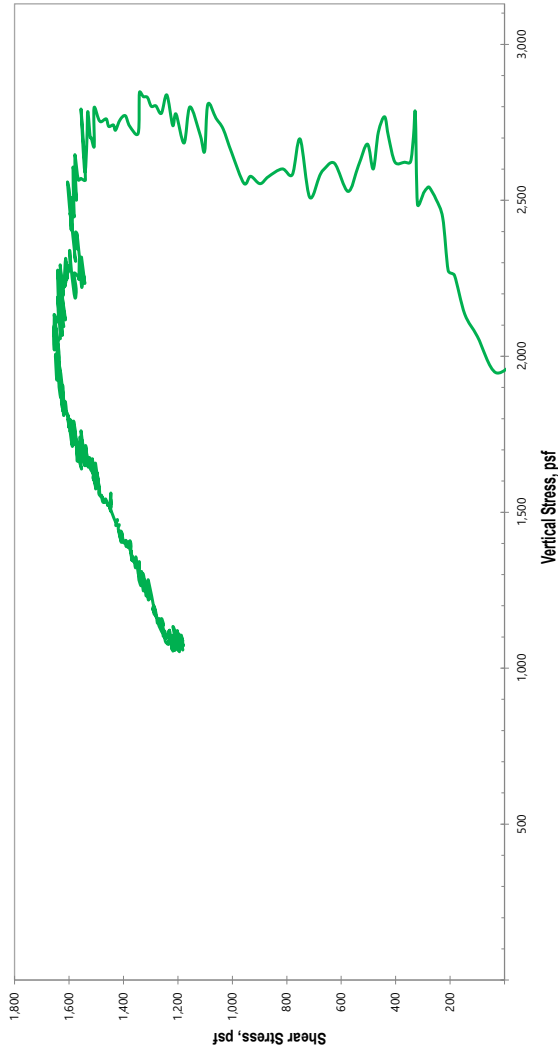
NOV. 2024

JOB NO. 6988-A

FIG. 14A

CONSOL. STRAIN GRI - 0 TO 30-1PER PAGE GRI DATA TEMPLATE.GDT 11/5/24

7. CONSULTANT REPORTS: GEOTECH



TEST 1

TEST SYMBOL	■	CU	□	CD
BORING NO.	B-1			
SAMPLE NO.	S-7			
DEPTH (FT)	20.5 ft			
VERTICALEFFECTIVE CONSOLIDATION STRESS (PSF)	2,000			
EST. OVERCONSOLIDATION RATIO	2.5			
LIQUID LIMIT (%)	5			
PLASTICITY INDEX (%)	24			
FINES CONTENT (%)	100			
DRY UNIT WEIGHT (PCF)	79			
INITIAL WATER CONTENT (%)	42			
FINAL WATER CONTENT (%)	41			
STRAIN RATE (%/HR)	5			

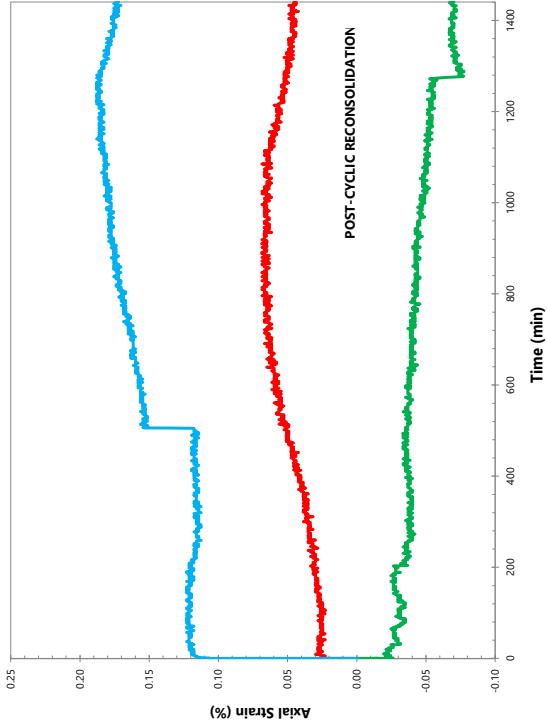
TYPE OF TEST:	■	CU	□	CD
FAILURE CRITERIA:	■	MAX. SHEAR STRESS	□	% SHEAR STRAIN
TYPE OF SAMPLE:	■	UNDISTURBED	□	REMOLDED

SOIL CLASSIFICATION: Silty CLAY; CI; gray; medium plasticity; moist; medium stiff



DIRECT SIMPLE SHEAR STRENGTH (BORING B-1, S-7)

NOV. 2024 JOB NO. 6988-A FIG. 15A



TYPE OF TEST: STRESS-CONTROLLED STRAIN-CONTROLLED
 TYPE OF SAMPLE: UNDISTURBED REMOLDED

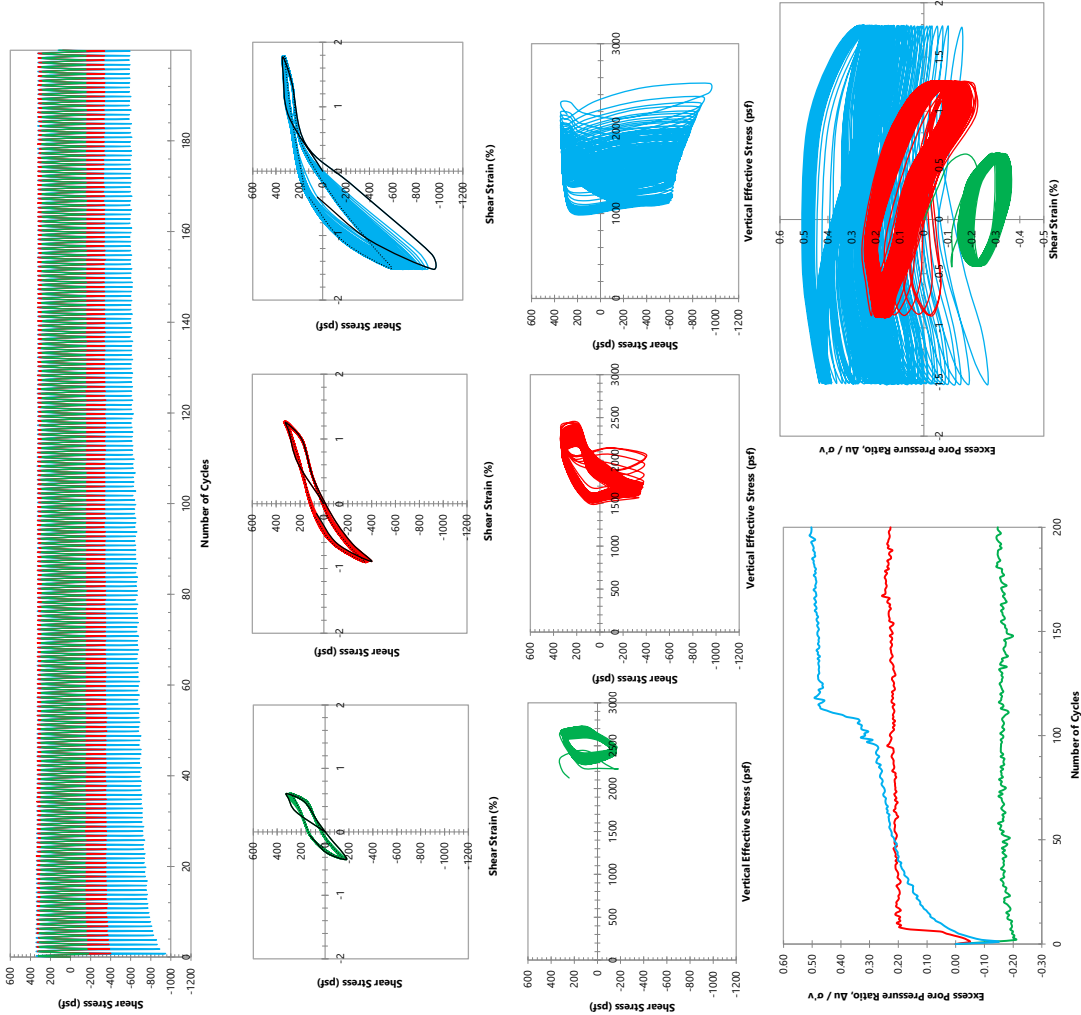
SOIL CLASSIFICATION: Silty CLAY; CL; gray; medium plasticity; moist; medium stiff

BORING	DEPTH (FT)	%	FREQ. (Hz)	σ'_{vc} (psf)	Pl	LL	%	OCR	BEFORE		AFTER			
									Ht (in)	Y_d	w%	Ht (in)	Y_d	w%
B-1	21.0	0.5	0.1	2,000	24	40	100	2.5	1.0	78	42	0.95	82	39
B-1	21.8	1.1	0.1	2,000	24	40	100	2.5	1.0	82	37	0.91	90	36
B-1	21.4	1.7	0.1	2,000	24	40	97	2.5	1.0	88	33	0.91	96	31



CYCLIC DIRECT SIMPLE SHEAR
(BORING B-1, S-7)

NOV. 2024 JOB NO. 6988-A FIG. 16A





APPENDIX B

Site-Specific Seismic Hazard Study and Site Response Analysis



APPENDIX B

SITE-SPECIFIC SEISMIC HAZARD STUDY AND SITE RESPONSE ANALYSIS

B.1 GENERAL

GRI completed a site-specific seismic hazard study and site response analysis for the proposed Banks Middle School and High School improvements project in Banks, Oregon. The purpose of the site-specific seismic hazard evaluation was to evaluate the potential seismic hazards associated with regional and local seismicity, and the site response analysis was completed to evaluate the potential for seismic energy amplification at the site and determine site-specific acceleration response spectra for design of the proposed improvements. The site-specific seismic hazard evaluation is intended to fulfill the requirements of amended Section 1803 of the 2022 *Oregon Structural Specialty Code* (OSSC) for special-occupancy structures, which references the 2016 American Society of Civil Engineers (ASCE) 7-16 document, *Minimum Design Loads and Associated Criteria for Buildings and Other Structures* (ASCE 7-16), for seismic design.

Our site-specific seismic hazard evaluation was based on the potential for regional and local seismic activity, as described in the existing scientific literature, and the subsurface conditions at the site, as disclosed by the geotechnical explorations completed for the project. Specifically, our work included the following tasks:

1. A review of available literature, including published papers, maps, open-file reports, seismic histories and catalogs, and other sources of information regarding the tectonic setting, regional and local geology, and historical seismic activity that might have a significant effect on the site.
2. Compilation and evaluation of subsurface data gathered at and in the vicinity of the site, including classification and laboratory analyses of soil samples. This information was used to prepare a generalized subsurface profile at the site.
3. Identification of potential seismic sources appropriate for the site and characterization of those sources in terms of magnitude, distance, and acceleration response spectra.
4. Office studies based on the generalized subsurface profile and controlling seismic sources resulting in conclusions and recommendations concerning:
 - a. Specific seismic events and characteristic earthquakes that might have a significant effect on the project site.
 - b. The potential for seismic energy amplification at the site.



- c. Site-specific acceleration response spectra for design of improvements at the site.

This appendix describes the work accomplished and summarizes our conclusions and recommendations.

B.2 GEOLOGIC SETTING

B.2.1 Regional Scale

On a regional scale, the site lies within the Willamette-Puget Sound lowland trough of the Cascadia convergent tectonic system (Blakely et al., 2000). The lowland area consists of a broad, north-south-trending basin in the underlying geologic structure between the Coast Range to the west and the Cascade Mountains to the east. The lowland trough is characterized by alluvial plains with areas of buttes and terraces. The site lies approximately 49 kilometers (km) inland from the down-dip edge of the seismogenic extent of the Cascadia Subduction Zone (CSZ), an active convergent-plate boundary along which remnants of the Farallon Plate (the Gorda, Juan de Fuca, and Explorer plates) are being subducted beneath the western edge of the North American continent. The subduction zone is a broad, eastward-dipping zone of contact between the upper portion of the subducting slabs and the overriding North American Plate, as shown on the Tectonic Setting Summary, Figure 1B.

B.2.2 Local Scale

On a local scale, the site is located within the Portland Basin, a large, well-defined, northwest-trending structural basin in the forearc of the CSZ. Based on numerous wells located within the region, the general consensus is that the Portland Basin is a right-lateral, pull-apart basin. However, recent surveys indicate the basin is actually a more-complex transpressional structure (Evarts et al., 2009). The Portland Basin is bounded by high-angle, northwest-trending, right-lateral strike-slip faults considered to be seismogenic. The geologic units in the area are shown on the Regional Geologic Map, Figure 2B. The distribution of nearby Quaternary faults is shown on the Local Fault Map, Figure 3B. Information regarding the continuity and potential activity of these faults is lacking due largely to the scale at which geologic mapping in the area has been conducted and the presence of thick, relatively young, basin-filling sediments that obscure underlying structural features. Other faults may be present within the basin but clear stratigraphic and/or geophysical evidence regarding their location and extent is not presently available.

B.2.3 Subsurface Conditions

Published geologic mapping indicates the site is mantled with Missoula flood deposits, locally referred to in the project area as the Willamette Silt Formation (Wells et al., 2020). In general, Willamette Silt is composed of beds and lenses of silt and sand. Stratification within this formation commonly consists of 4- to 6-inch-thick beds; although in some



areas, the silt and sand are massive, and the bedding is indistinct or nonexistent. The Hillsboro Formation, which typically consists of stratified clay, silt, sand, and gravel, commonly underlies the Willamette Silt at depths between about 35 feet and 45 feet in this area.

B.3 SEISMICITY

B.3.1 General

The available information indicates that the potential seismic sources that may affect the site can be grouped into four independent categories:

1. Subduction zone events related to sudden slip between the upper surface of the Juan de Fuca plate and the lower surface of the North American plate
2. Subcrustal (intraslab) events related to deformation and volume changes within the deeper portion of the subducted Juan de Fuca plate
3. Local crustal events associated with movement on shallow local faults
4. Volcanic earthquakes associated with volcanic eruptions.

Each source is considered capable of producing damaging earthquakes in the Pacific Northwest. However, there are no historical records of significant subcrustal (i.e., moment magnitude [M_w] > 6.0), intraslab earthquakes or volcanic earthquakes in the region. The impact of Cascade Range volcano seismicity on the project site is considered to be low because the project site is located over 200 km from the nearest active volcano and there are no historical records of large earthquakes (i.e., M_w ≥ 6) associated with the volcanic activity. Based on review of historical records and evaluation of U.S. Geological Survey (USGS) National Seismic Hazard Maps (NSHMs), the two primary types of seismic sources at the site are the megathrust CSZ and local crustal faults.

B.3.2 Cascadia Subduction Zone

Written Japanese tsunami records suggest a great CSZ earthquake occurred in January 1700 (Atwater et al., 2015). Geological studies suggest great megathrust earthquakes have occurred repeatedly in the past 7,000 years (Atwater et al., 1995; Clague, 1997; Goldfinger et al., 2003; Kelsey et al., 2005), and geodetic studies (Hyndman and Wang, 1995; Savage et al., 2000) indicate a rate of strain accumulation consistent with the assumption that the CSZ is locked beneath offshore northern California, Oregon, Washington, and southern British Columbia (Fluck et al., 1997; Wang et al., 2001). Numerous geological and geophysical studies suggest the CSZ may be segmented (Hughes and Carr, 1980; Weaver and Michaelson, 1985; Guffanti and Weaver, 1988; Goldfinger, 1994; Kelsey and Bockheim, 1994; Mitchell et al., 1994; Personius, 1995; Nelson



and Personius, 1996; Witter, 1999), but the most recent studies suggest that, for the last great earthquake in 1700, most of the subduction zone ruptured in a single M_w 9 earthquake (Satake et al., 1996; Atwater and Hemphill-Haley, 1997; Clague et al., 2000). Published estimates of the probable maximum size of subduction-zone events range from M_w 8.3 to $>M_w$ 9. Numerous detailed studies of coastal subsidence, tsunamis, and turbidites yield a wide range of recurrence intervals, but the most complete records ($>4,000$ years) indicate intervals of about 350 years to 600 years between great earthquakes on the CSZ (Adams, 1990; Atwater and Hemphill-Haley, 1997; Witter, 1999; Clague et al., 2000; Kelsey et al., 2002; Kelsey et al., 2005; Witter et al., 2003). Tsunami inundation in buried marshes along the Washington and Oregon coasts and stratigraphic evidence from the Cascadia margin support these recurrence intervals (Kelsey et al., 2005; Goldfinger et al., 2003). Goldfinger et al. (2003, 2012, and 2017) evaluated turbidite evidence for 20 earthquakes that ruptured the entire CSZ over the past 10,000 years and about 20 M_w 8 earthquakes that only ruptured along the southern portion of the CSZ and developed a model for recurrence of CSZ M_w 8 to M_w 9 earthquakes.

The USGS probabilistic analysis assumes four potential locations (three alternative down-dip edge options and one up-dip edge option) for the eastern edge of the earthquake rupture zone for the CSZ, as shown on the Variation of Earthquake Rates Cascadia Subduction Zone, Figure 4B. As discussed in Petersen et al. (2014), the 2014 USGS mapping effort represents the 2014 CSZ source model with the full CSZ ruptures with moment magnitudes from M_w 8.6 to M_w 9.3 supplemented by partial ruptures with smaller magnitudes from M_w 8.0 to M_w 9.1. The partial ruptures were accounted for using a segmented model and an unsegmented model. The magnitude-frequency distribution showing the contributions to the earthquake rates from each model and how the rates vary along the fault are presented on the Location of Surface Traces for Up-Dip Edge & Three Down-Dip Edge Options Used in 2014 NSHMs, Figure 5B. In general, the earthquake rates along the CSZ are dominated by the full-characteristic CSZ ruptures, with one event in 526 years (M_w 8.6 to M_w 9.3 earthquakes likely occur more often than the smaller, segmented ruptures). Therefore, in our opinion, the CSZ event should be represented by an earthquake of M_w 9.0 at a focal depth of 30 km and rupture distance of about 49 km.

B.3.3 Local Crustal Event

The locations and general information regarding Quaternary faults (i.e., those that have experienced movement during the last 2.6 million years and are considered to be potentially active) are available through the USGS Earthquake Hazards Program. The precise relationship between specific earthquakes and individual faults is not well understood because few of the faults in the area are expressed at the ground surface, and the foci of the observed earthquakes have not been located with precision. The history of local seismic activity is commonly used as a basis for determining the size and frequency



to be expected of local crustal events. Although the historical record of local earthquakes is relatively short (the earliest reported seismic event in the area occurred in 1920), it can serve as a guide for estimating the potential for seismic activity in the area.

The USGS Quaternary Fault and Fold Database of the United States indicates there are four faults within 25 km of the site: the Gales Creek fault zone at about 9.8 km, the Helvetia Fault at about 12 km, the Newberg Fault at about 14.8 km, and the Portland Hills Fault at about 18.6 km. However, USGS only considers the Gales Creek fault zone and Portland Hills Fault to be active, contributing sources in their Probabilistic Seismic Hazard Analysis (PSHA). The Gales Creek fault zone is considered to be a strike-slip fault with a total length of 27 km and a characteristic earthquake magnitude of M_w 6.8; the Portland Hills Fault is considered to be a reverse fault that dips to the southwest with a total fault length of approximately 50 km and a characteristic earthquake magnitude of M_w 7.0. Based on our review of the USGS Quaternary Fault and Fold Database of the United States, it is our opinion that a seismic event occurring on the Gales Creek fault zone should be represented by a source-to-site distance of approximately 9.8 km and a corresponding characteristic earthquake magnitude of M_w 6.8; the Portland Hills Fault should be represented by a source-to-site distance of approximately 18.6 km and a corresponding characteristic earthquake magnitude of M_w 7.1.

B.4 ONE-DIMENSIONAL SITE-RESPONSE ANALYSIS

B.4.1 General

A nonlinear, one-dimensional (1D) Total Stress Analysis (TSA) was completed to evaluate the site-specific influence of subsurface conditions on the resulting ground-surface response spectra. The nonlinear, dynamic site-response modeling generally consisted of determination of target response spectrum at the base of the soil column and applying one-dimensional numerical model to analyze the site-specific behavior of the soils using horizontal ground-motion acceleration time histories scaled to the approximate level of the target response spectrum over the periods of interest. The site-response analysis was completed in accordance with Chapter 21 of ASCE 7-16. The following sections discuss the steps in additional detail.

B.4.2 Target Spectra Development

The site-response analysis requires developing target spectra at the base of the soil column prior to selecting and scaling the input earthquake-acceleration time histories. The target spectra were developed based on the site-specific PSHA values in accordance with the requirements of ASCE 7-16. The site-specific PSHA values were derived based on the recently released NSHM Hazard Tool (<https://earthquake.usgs.gov/nshmp/>) at the base of the soil column. The base motions for site response are commonly developed for Site Class B/C boundary conditions, which correspond to a shear-wave velocity of 2,500 feet



per second (ft/s). Table 1B summarizes the uniform hazard spectral (UHS) values at the project site for Site Class B/C boundary conditions. These UHS values correspond to 2,475-year (2% in 50 years) return period and represent the “geomean” spectral response accelerations.

Table 1B: SITE-SPECIFIC 2,475-YEAR UHS VALUES (B/C BOUNDARY CONDITION)

Spectral Acceleration, g	
Period, seconds	2,475-year
0.01	0.47
0.10	0.97
0.20	1.01
0.30	0.86
0.50	0.64
0.75	0.50
1.00	0.41
2.00	0.23
3.00	0.15
4.00	0.11
5.00	0.08

Abbreviation: UHS = uniform hazard spectral

The 2018 USGS deaggregation of probabilistic ground motions at the site indicates the CSZ interface and crustal sources are the primary contributors to the potential seismicity of the site. In general, the local crustal sources control the seismic hazard at shorter time-period ranges, while the CSZ interface sources control the hazard at longer periods. Therefore, individual target spectra were developed for both CSZ interface and local crustal sources to characterize the contribution of each primary source more appropriately. These individual target spectra were developed using the same ground-motion models and corresponding weights employed in developing the 2018 NSHMs. The Target Spectra for B/C Boundary Condition, Figure 6B, shows a comparison of the 2018 NSHMs PSHA values and the individual CSZ and crustal target bedrock spectra developed for this analysis.

B.4.3 Ground-Motion Development

For the site-response analysis, a suite of 10 recorded horizontal ground-motion acceleration time histories were selected from a dataset of subduction zone and crustal earthquakes having spectral shapes consistent with those that control the target spectra. The subduction-zone records were obtained from the Next Generation Attenuation Subduction (NGA-sub) project database, and the crustal ground motions were obtained



from the Pacific Earthquake Engineering Research Center project database. A summary of the selected time histories for site response modeling is provided in Table 2B, below. Most of the subduction-zone time histories were selected from the two most recent large subduction-zone earthquakes (i.e., 2010 Maule and 2011 Tohoku) with magnitudes between M_w 8 to M_w 9, and additional time histories were selected from the 2015 Illapel and 2018 Hokkaido earthquakes. The crustal time histories were selected from the 1989 Loma Prieta, 1994 Northridge, 2003 San Simeon, and 2008 Iwate earthquakes with magnitudes ranging from M_w 6 to M_w 7.

Table 2B: SUMMARY OF GROUND-MOTION RECORDS SELECTED FOR SITE-RESPONSE MODELING

No.	Earthquake/Year	Magnitude, M_w	Station Name	Record ID	Unscaled PGA, g	Sampling Frequency, Hz	Record Length, seconds
1	Tohoku/2011(a)	9.1	GN4	GN4-EW	0.22	100	300
2	Tohoku/2011(a)	9.1	CHB004	CHB004-NS	0.29	100	300
3	Maule/2010(a)	8.8	SantiagoLa Florida	SLaFlorida-NS	0.19	200	208
4	Maule/2010(a)	8.8	SLUC	SLUC090	0.34	100	160
5	Illapel/2015(a)	8.3	BO01H	BO01HNE	0.09	100	400
6	Hokkaido/2018(a)	6.6	HKD094	HKD094EW	0.14	100	188
7	San Simeon/2003(b)	6.5	Templeton	SANSIMEO-090	0.44	200	101
8	Iwate/2008(b)	6.9	AKT023	IWATE-AKT023EW	0.37	100	300
9	Loma Prieta/1989(b)	6.9	Gilroy Array #6	LOMAP_G06000	0.13	200	40
10	Northridge/1994(b)	6.7	Vasquez Rocks	NORTHR_VA S090	0.15	50	40

Abbreviations: ID = identification; PGA = peak ground acceleration; Hz = Hertz

Following the selection of the time histories, the input bedrock motions were linearly modified using amplitude scaling, so the mean response spectra of the recordings reasonably matched the crustal and CSZ target spectra. The amplitude-scaling process involves selecting a single scaling factor for each time history and multiplying the entire acceleration time history by this factor, so its response spectrum approximates the input target spectra. Time histories were scaled to reasonably approximate the target spectra at the fundamental period of the site. Figures 7B and 8B show the comparison of the amplitude-scaled motions and the target spectra for CSZ interface and crustal motions, respectively, for the 2,475-year hazard level.



B.4.4 Modeling Approach

The non-linear site-response modeling was performed using a 1D, non-linear, effective-stress site-response analysis in the DEEPSOIL program (Hashash et al., 2016) developed by the University of Illinois. The program employs a time-domain site-response analysis capable of incorporating the non-linear hysteretic soil behavior that is observed during cyclic loading and unloading. The program computes the dynamic response of a layered soil profile to vertically propagating shear waves using a built-in total stress or effective stress analysis option. The program uses the pressure-dependent modified hyperbolic constitutive model initially developed by Kondner and Zelasko (1963; Modified Kondner and Zelasko model) and the General Quadratic/Hyperbolic (GQ/H) strength-controlled constitutive model recently introduced by Groholski et al. (2015). The GQ/H model allows the shear strength at failure to be defined while still providing the flexibility to represent small-strain soil behavior. Therefore, the GQ/H material model was utilized since it provides a better approximation of modulus reduction and damping and higher levels of shear strain approaching the ultimate shear strength while still maintaining small-strain nonlinearity.

The GQ/H parameters are generally obtained by fitting the hyperbolic model to published empirical modulus reduction and damping curves such as (Vucetic and Dobry, 1991; EPRI, 1993; and Darendeli, 2001). The conventional approach for defining unloading-reloading criteria and behavior under general cyclic-loading conditions (hysteretic damping) is based on the Masing criteria (Masing, 1926) and extended Masing criteria (Pyke, 1979; and Vucetic, 1990). An exact match of the target modulus reduction and damping curves is not concurrently possible using the Masing or extended Masing rules (i.e., one must match the target modulus reduction curve as accurately as possible and accept the misfit of damping or optimize the fit of both simultaneously). Phillips and Hashash (2009) developed an alternative non-Masing model by introducing a reduction factor that effectively alters the Masing rules and allows for both modulus reduction and damping curves to be fitted simultaneously. This model is implemented in DEEPSOIL as the Modulus Reduction and Damping Factor Pressure-Dependent Hyperbolic model (Phillips and Hashash, 2009).

In general, DEEPSOIL allows the user to create a discretized soil profile and input a variety of soil-modeling parameters derived from field and laboratory testing and established correlations in the geotechnical literature. A suite of scaled earthquake records is input to the program and propagated up through the soil column to the ground surface. From the modeled ground-surface response for a particular soil profile, a spectral amplification ratio (SAR) can be determined for each earthquake record as the ratio of ground surface to input target or bedrock spectral acceleration at selected periods.



B.4.5 Input Simplified Soil Profile and Dynamic Properties

A generalized (simplified) subsurface profile was developed at the project site based on the existing subsurface information and recently completed explorations. The thickness and material properties of the site's soils were characterized based on the borings and cone penetration test (CPT) probes. The V_s profile has a large influence on the amplitude and frequency content of predicted ground-surface motions derived from site-response simulations. Therefore, it is crucial to develop appropriate V_s profiles for use in site-specific site-response analyses. The shear-wave velocity profile was developed based on the CPT probes (CPT-1 and CPT-2) that was completed in the project area. Figure 9B presents the results of the shear-wave velocity survey measurements and also shows the profile used for our site-response analysis.

The CPT measurements extend to a depth of up to about 87.6 feet below the existing ground surface. In general, the shear wave measurements show an increasing trend of shear wave velocity with depth. The elastic half-space condition at the base of the model was assumed to be at a depth of about 120 feet. The half-space boundary condition at the base of the model was represented by a visco-elastic boundary with a unit weight of 120 pounds per cubic foot (pcf) and shear-wave velocity of 2,500 ft/s. The generalized input parameter is summarized in Table 3B.

Table 3B: DEEPSOIL INPUT PROFILE (GENERALIZED SOIL PROFILE)

Layer	Soil Type	Depth, feet	Thickness, feet	Unit weight, pcf	V_s , ft/s	Modulus Reduction and Damping Curves ^(a)
1	Silt	4	4	115	600	Darendeli 2001 (PI = 15, OCR=5)
2	Silt	8	4	115	460	Darendeli 2001 (PI = 15, OCR=5)
3	Silt	12	4	115	500	Darendeli 2001 (PI = 15, OCR=4.5)
4	Silt	16	4	115	550	Darendeli 2001 (PI = 15, OCR=3.5)
5	Silt	20	4	115	646	Darendeli 2001 (PI = 15, OCR=2.5)
6	Silt Clay	25	5	115	672	Darendeli 2001 (PI = 15, OCR=2)
7	Silt Clay	30	5	115	646	Darendeli 2001 (PI = 15, OCR=2)
8	Clay	35	5	115	670	Darendeli 2001 (PI = 25, OCR=2)

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Layer	Soil Type	Depth, feet	Thickness, feet	Unit weight, pcf	V _s , ft/s	Modulus Reduction and Damping Curves ^(a)
9	Clay	40	5	115	684	Darendeli 2001 (PI = 25, OCR=1.5)
10	Clay	45	5	115	800	Darendeli 2001 (PI = 25, OCR=1.5)
11	Clay	50	5	115	810	Darendeli 2001 (PI = 25, OCR=1.3)
12	Clay	55	5	115	826	Darendeli 2001 (PI = 25, OCR=1)
13	Silty Sand	60	5	120	1169	Darendeli 2001
14	Silty Sand	65	5	120	1169	Darendeli 2001
15	Silty Sand	70	5	120	1399	Darendeli 2001
16	Silty Sand	75	5	120	980	Darendeli 2001
17	Silty Sand	80	5	120	998	Darendeli 2001
18	Silty Sand	90	10	120	1299	Darendeli 2001
19	Silty Sand	100	10	120	1713	Darendeli 2001
20	Clay	110	10	120	2142	Darendeli 2001 (PI = 25, OCR=1)
21	Clay	120	10	120	2500	Darendeli 2001 (PI = 25, OCR=1)

Abbreviations: pcf = pounds per cubic foot; ft/s = feet per second; PI = Plasticity Index; OCR = overconsolidation ratio

Note:

^(a)Darendeli (2001) PI, OCR, and σ'_m -dependent soil modulus reduction and material damping curves.

The dynamic properties of each soil layer were estimated using published relationships on similar materials and local experience. The empirical soil modulus and damping curves developed by Darendeli (2001) were assigned to both cohesive and cohesionless materials encountered at the project site. These curves depend on the plasticity index (PI), mean effective confining pressure (σ'_m), and overconsolidation ratio (OCR).

B.4.6 Site-Response Results

B.4.6.1 Ground-Surface Acceleration Response Spectra

Using the scaled ground-motion records listed in the preceding tables and the generalized soil profile, pseudo-acceleration response spectra were developed using total stress analyses and site-response analysis. The ground-surface response spectra for individual earthquake motions were developed at 5% of critical damping. The resulting response



spectra were compared with the input target spectrum at the base of the soil column to quantify amplification and/or attenuation through the soil column at the site. In general, the ground-surface response spectra are defined as the base-target response spectrum multiplied by the SAR estimated from the site-response modeling. These response spectra represent the mean ground-surface response spectra at 5% damping using the suite of spectrum-compatible time histories previously discussed. Then, the site-specific spectra were developed for the site to represent the ground-surface MCE_R response spectra developed in accordance with ASCE 7-16, as discussed below. Figure 10B presents the mean SARs obtained from the TSA analyses, and the resulting mean ground-surface MCE_R spectra are summarized on Figure 11B.

ASCE 7-16 defines ground motions as the spectral response acceleration in the maximum direction of ground motions represented by a 5%-damped acceleration response spectrum expected to achieve a 1% probability of collapse within a 50-year period (i.e., MCE_R). Therefore, the ground-surface MCE_R spectra were obtained by applying directivity factors and risk coefficients to the ground-surface response acceleration values. The directivity factors adjust the spectral values from geometric mean to direction of maximum horizontal response and the risk coefficients incorporate the uniform collapse risk objective of 1% in 50 years. The geometric-mean ground motions are converted to the corresponding direction of maximum horizontal response values by factoring average response by period-dependent factors of 1.2 at periods less than or equal to 0.2 seconds, by 1.25 for a period of 1.0 seconds, and by 1.3 for periods greater than or equal to 10 seconds. The risk coefficients obtained from USGS maps indicate the short- and long-period risk coefficients (C_{RS}) and (C_{R1}) at the site are approximately 0.88 and 0.87, respectively. For spectral periods between 0.2 seconds and 1.0 seconds, the risk coefficients were estimated using linear interpolation.

B.4.6.2 Code-Based Spectra Comparisons and Recommended Design Spectra

Typically, the recommended response spectra for structural design can be developed by comparing the site-specific spectra based on site-response modeling with the code-based spectra based on site class and generic site-amplification factors. ASCE 7-16 requires the site-specific spectral accelerations at the ground surface not be taken as less than 80% of the spectral values (i.e., code-minimum) determined using site-specific classification procedures outlined in ASCE 7-16, Chapter 20. At the project site, the site is designated Site Class D based on the V_s profile for the upper 100 feet (i.e., $V_{s30}=830$ ft/s) obtained from the CPT probes.

Comparisons of the site-specific ground-surface spectra and the code-based ground-surface spectra are shown on Figure 12B. The code-based Site Class D spectrum was derived based on the 0.2- and 1.0-second spectral-acceleration values (S_s and S_1) at the



bedrock and corresponding site coefficients, F_a and F_v , in accordance with Chapter 21 of ASCE 7-16, with amendment in subsection 1613.4.13 of 2022 OSSC. The modification typically applies to the value of F_v , suggested to be determined using straight-line interpolation between the value determined from ASCE 7-16 Section 21.3 (i.e., associated with 0% CSZ interface contribution) and the value from the 2022 OSSC Table 1613.2.3(2) (i.e., associated with 100% CSZ interface contribution) based on the relative hazard contribution from the CSZ interface sources at a period of 1.0 seconds. The USGS hazard tool shows about 95% contribution from the CSZ interface source at the site. The 0.2- and 1.0-second spectral (S_S and S_1) values for the site at bedrock are 0.92 g and 0.46 g, respectively. The short-period site coefficient, F_a , which equals 1.13, was determined using Table 11.4-1 of ASCE 7-16. The long-period site coefficient, F_v , which equals 1.88, was determined using straight-line interpolation between the ASCE 7-16-recommended value of 2.5 and the 2022 OSSC value of 1.85 based on the relative CSZ interface hazard contribution. These site coefficients were applied in developing the Site Class D spectrum. ASCE 7-16 requires the site-specific spectral accelerations at the ground surface not to be less than 80% of the spectral values determined for Site Class D.

Figure 12B shows the site-specific response spectrum (i.e., weighted average of mean crustal and CSZ) obtained from site-response modeling was generally higher than the code-based Site Class D spectral values at periods between about 0.15 seconds and 0.85 seconds. If a site-response analysis is completed, ASCE 7-16 allows the maximum spectral acceleration to be limited to 90% of the peak acceleration of the site-specific spectrum at any period within the range from 0.2 seconds to 5 seconds, or 80% of the spectral values determined for Site Class D, whichever is greater. Therefore, the recommended MCE_R spectral response parameters are based on 90% of the peak site-specific spectra for the short periods (S_{MS}), and the site-specific spectra and 80% of Site Class D spectral values for the 1-second period (S_{M1}).

The recommended MCE_R - and design-level spectral response parameters based on site response modeling for Site Class D conditions are provided below, in Table 4B. These values assume dynamic seismic design of the structure will be completed using the Equivalent Lateral Force (ELF) design procedure that meets the intent of ASCE 7-16 with the proposed 2022 OSSC modifications. We should be contacted if seismic design will be completed using modal response-spectrum analysis or nonlinear response history analysis methodologies.



Table 4B: RECOMMENDED SEISMIC DESIGN PARAMETERS FOR ELF, 5% DAMPING

Seismic Parameter	Recommended Value
Site Class	D
MCE _R Spectral Response Acceleration Parameter at Short Periods, S _{MS}	1.10 g
MCE _R Spectral Response Acceleration Parameter at 1.0-Second Period, S _{M1}	0.79 g
Design Spectral Response Acceleration Parameter at Short Periods, S _{DS}	0.74 g
Design Spectral Response Acceleration Parameter at 1.0-Second Period, S _{D1}	0.53 g

Abbreviations: ELF = Equivalent Lateral Force; MCE_R = Risk-Targeted Maximum Considered Earthquake

B.5 CONCLUSIONS

The site-specific seismic hazard evaluation was completed to fulfill the requirements of amended Section 1803 of the 2022 OSSC for special-occupancy structures. As part of our evaluation, site-specific site response modeling was completed to evaluate the site-specific influence of subsurface conditions on the resulting ground-surface response spectra. The site response modeling was based on the generalized subsurface profiles developed for the site from the results of field explorations and laboratory testing. Based on the result of our site-specific site response analysis, we recommend using the spectral response parameters provided in Table 4B assuming dynamic seismic design of the structure will be completed using the ELF design procedure.



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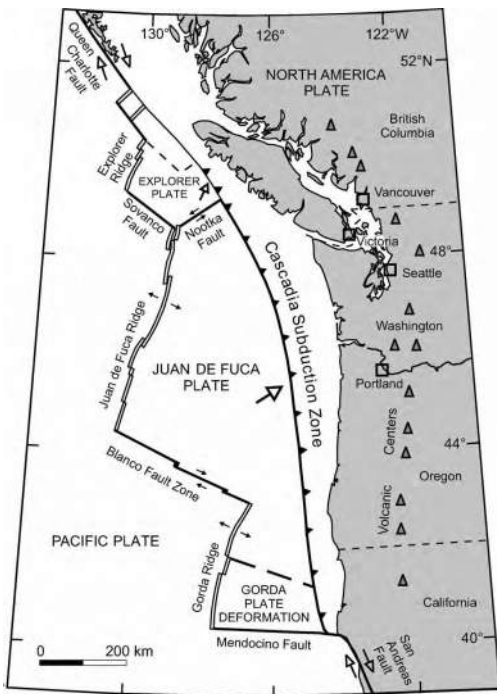
7. CONSULTANT REPORTS: GEOTECH



Wells, R. E., Haugerud, R. A., Niem, A. R., Niem, W. A., Ma, L., Evarts, R. C., O'Connor, J. E., Madin, I. P., Sherrod, D. R., Beeson, M. H., et al., 2020, Geologic map of the greater Portland metropolitan area and surrounding region, Oregon and Washington: U.S. Geological Survey Scientific Investigations Map 3443, pamphlet 55 pp., 2 sheets, scale 1:63,360, <https://doi.org/10.3133/sim3443>.

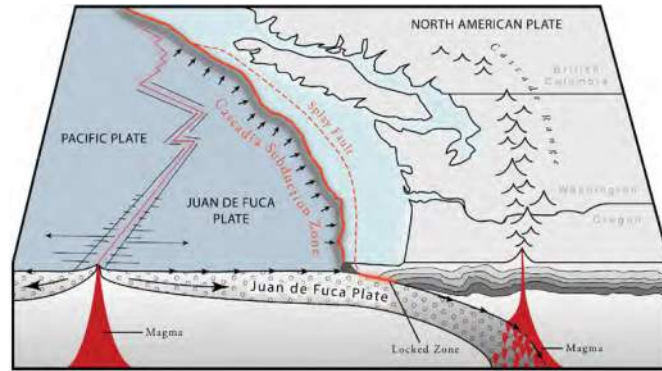
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A) TECTONIC MAP OF PACIFIC NORTHWEST, SHOWING ORIENTATION AND EXTENT OF CASCADIA SUBDUCTION ZONE (MODIFIED FROM DRAGERT ET AL., 1994)

Cascadia Subduction Zone Setting

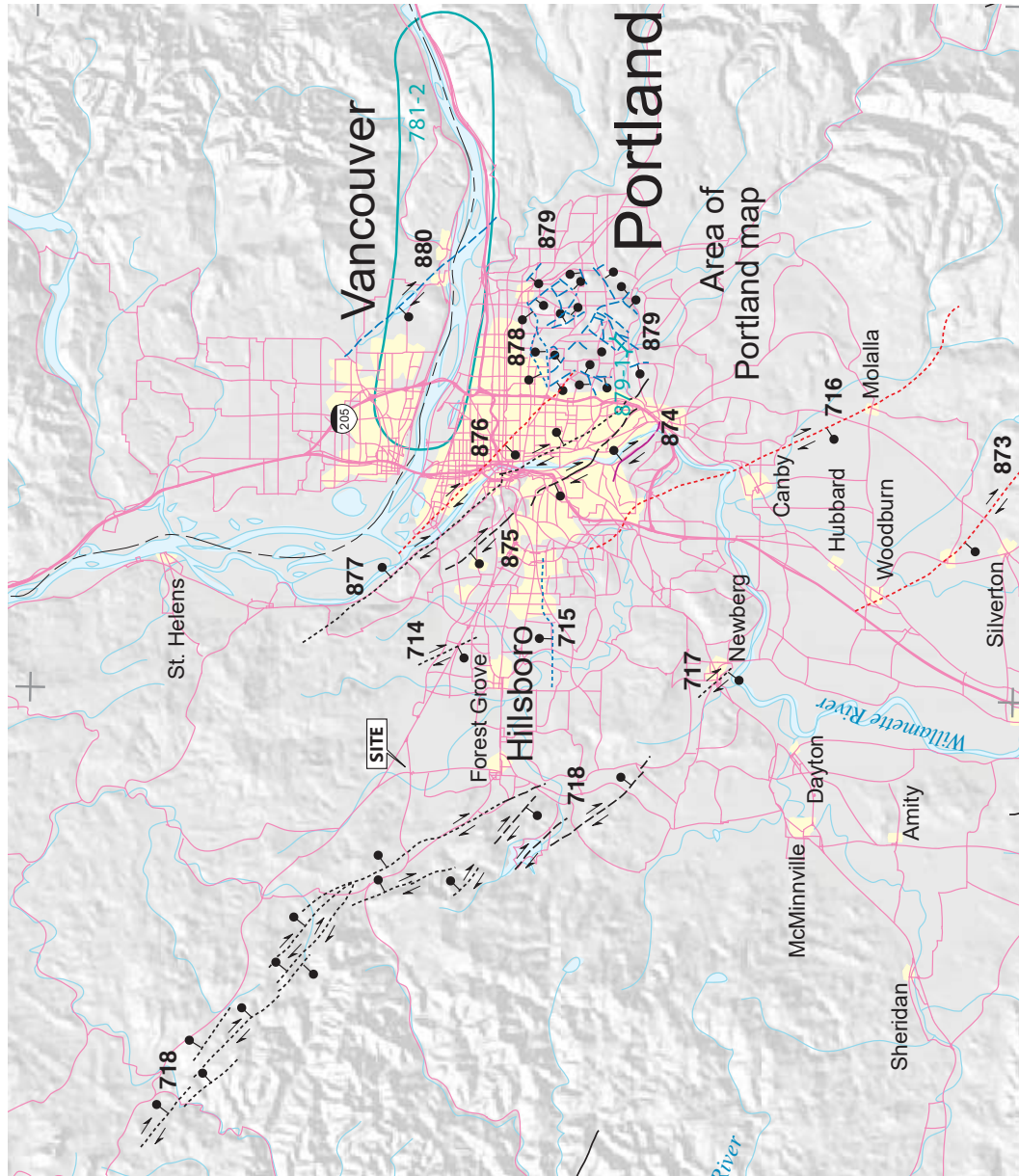
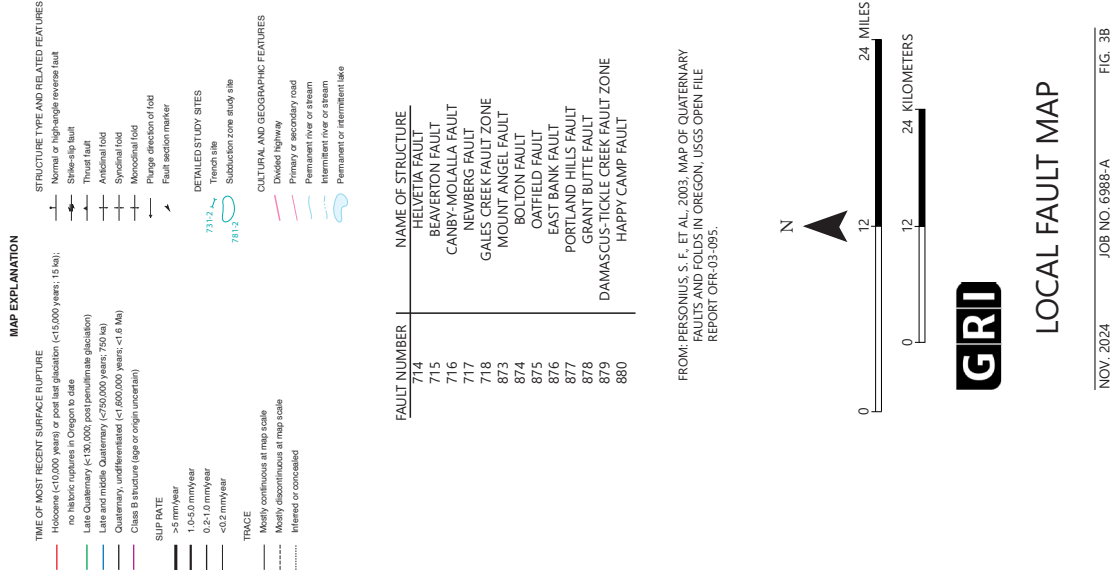


CASCADIA SUBDUCTION ZONE SETTING, TSUNAMI INUNDATION MAPS, OREGON DEPARTMENT OF GEOLOGY AND MINERAL INDUSTRY, 2013



TECTONIC SETTING SUMMARY

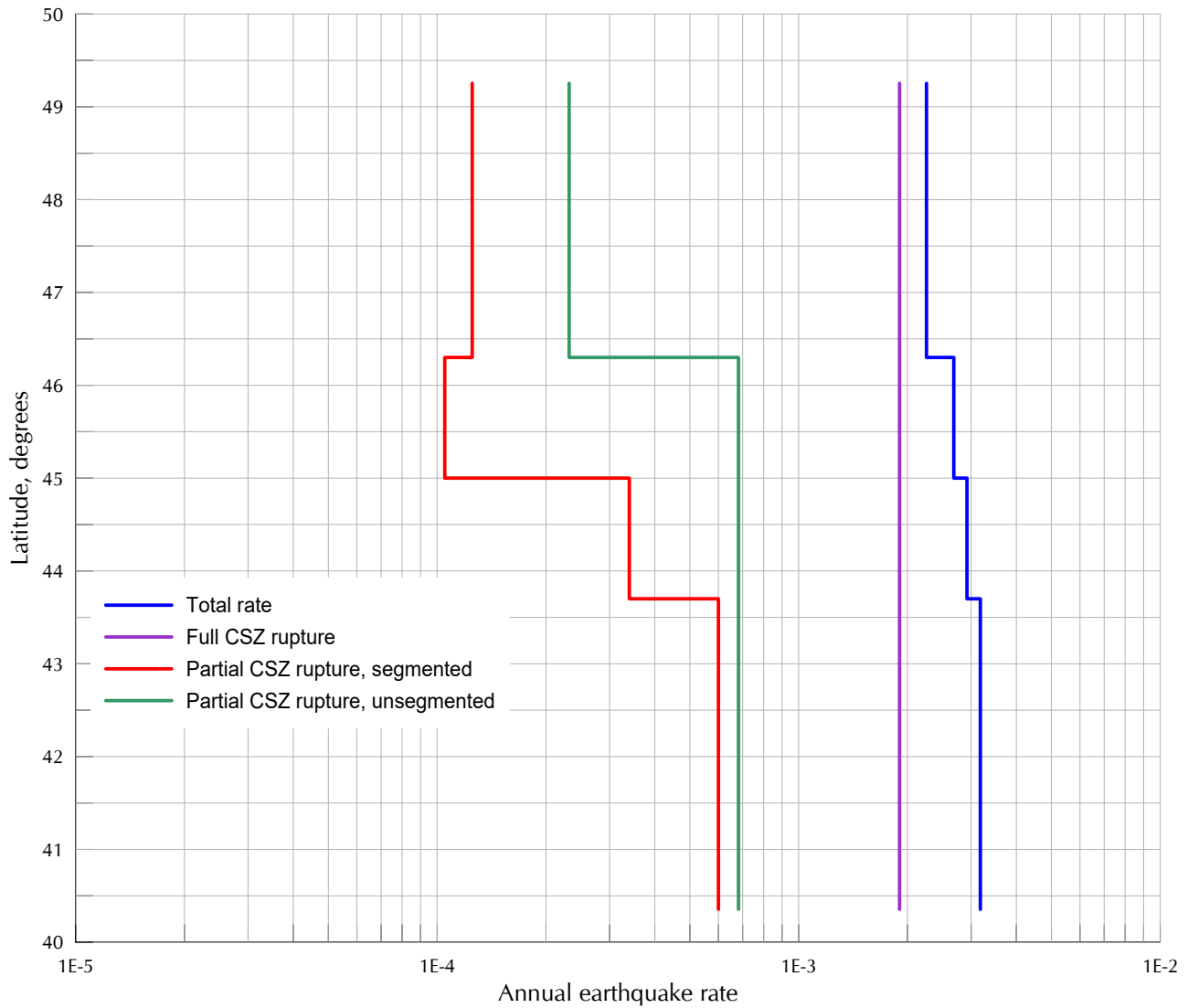
NOV. 2024 JOB NO. 6988-A FIG. 18



LOCAL FAULT MAP

NOV. 2024 JOB NO. 6988-A FIG. 3B

7. CONSULTANT REPORTS: GEOTECH



REFERENCE:

PETERSEN, M. D., MOSCHETTI, M. P., POWERS, P. M., MUELLER, C. S., HALLER, K. M., FRANKEL, A. D., ZENG, Y., REZAEIAN, S., HARMSEN, S. C., BOYD, O. S., FIELD, N., CHEN, R., RUKSTALES, K. S., NICO, L., WHEELER, R. L., WILLIAMS, R. A., AND OLSEN, A. H., 2014, DOCUMENTATION FOR THE 2014 UPDATE OF THE UNITED STATES NATIONAL SEISMIC HAZARD MAPS: U.S. GEOLOGICAL SURVEY OPEN-FILE REPORT 2014-1091, 243 pp.

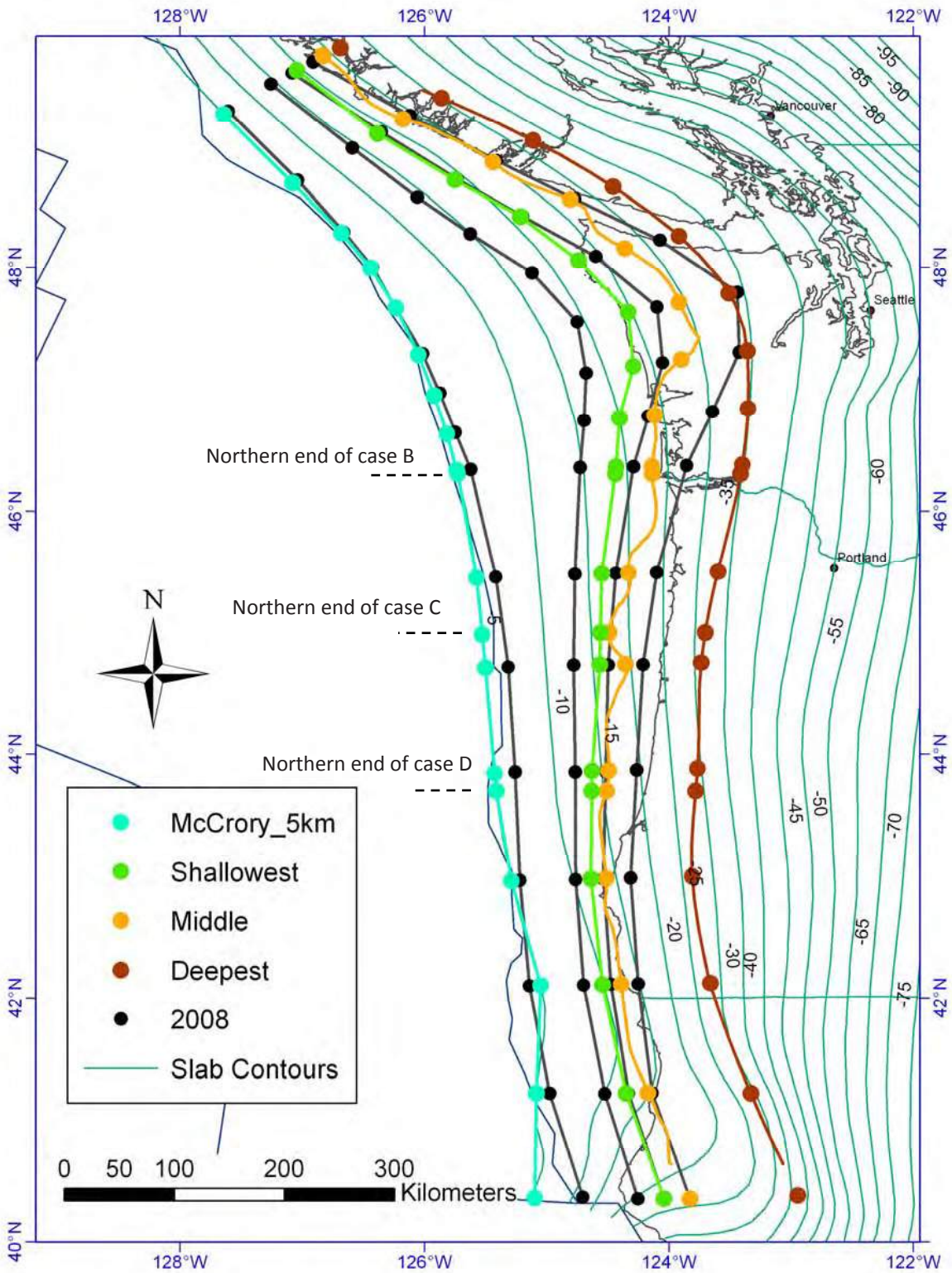


VARIATION OF EARTHQUAKE RATES
CASCADIA SUBDUCTION ZONE (CSZ)

NOV. 2024

JOB NO. 6988-A

FIG. 4B



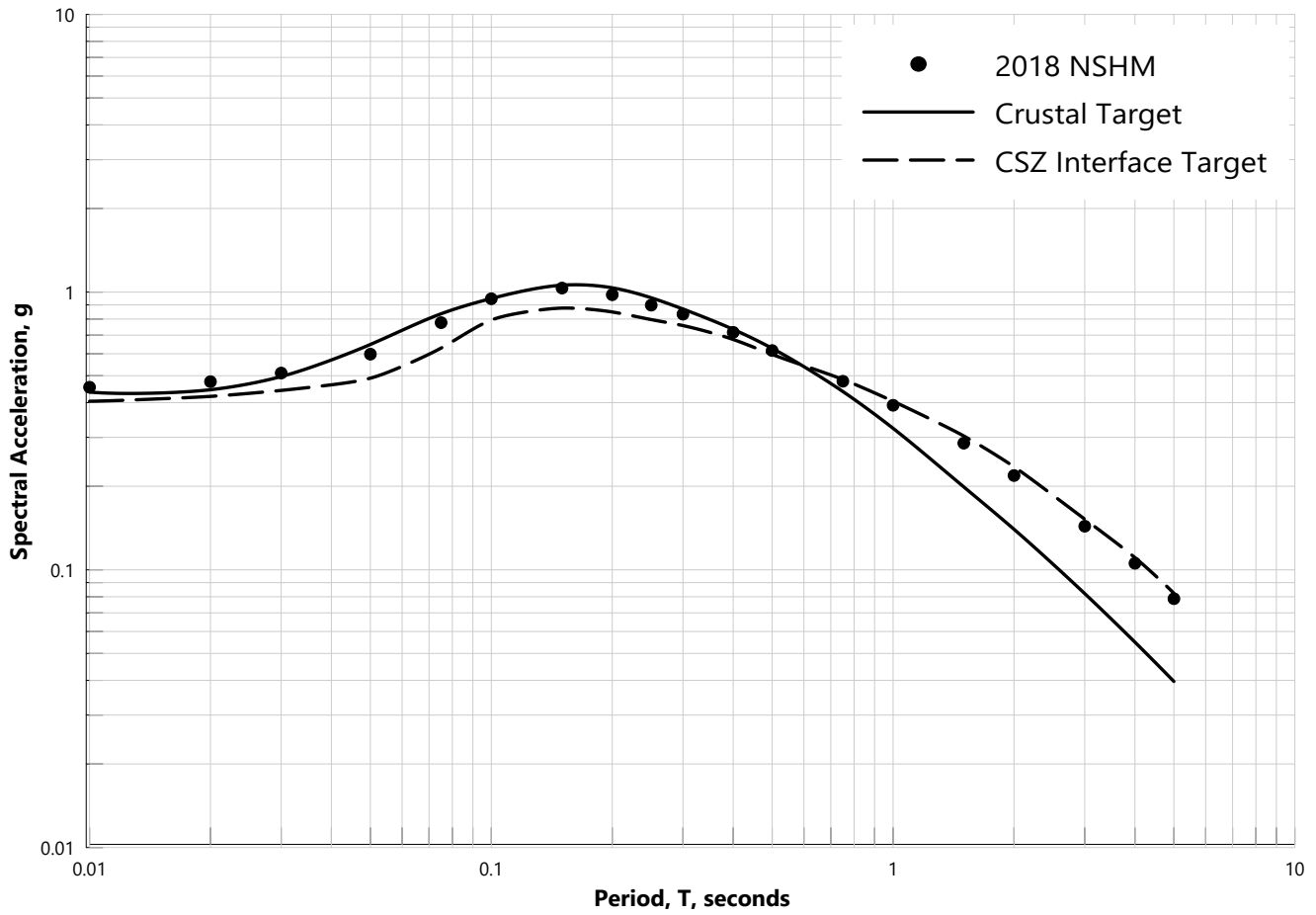
LOCATION OF SURFACE TRACES FOR UP-DIP EDGE & THREE DOWN-DIP EDGE OPTIONS USED IN 2014 NSHMS (CHEN ET AL., 2014)

NOV. 2024

JOB NO. 6988-A

FIG. 5B

7. CONSULTANT REPORTS: GEOTECH



ABBREVIATIONS:

NSHM = NATIONAL SEISMIC HAZARD MAP
CSZ = CASCADIA SUBDUCTION ZONE



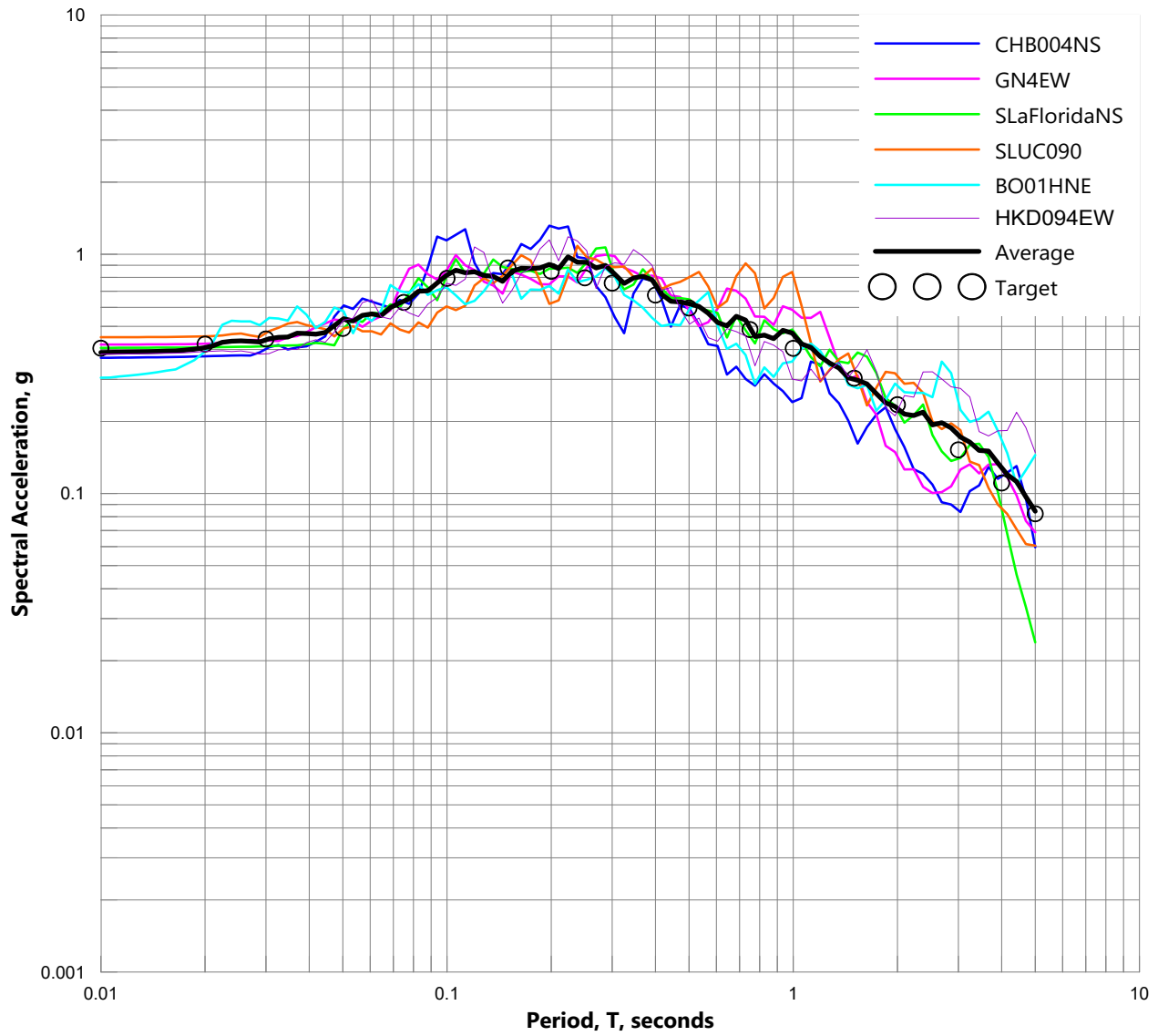
TARGET SPECTRA FOR B/C
BOUNDARY CONDITION
(5% DAMPING)

NOV. 2024

JOB NO. 6988-A

FIG. 6B

7. CONSULTANT REPORTS: GEOTECH



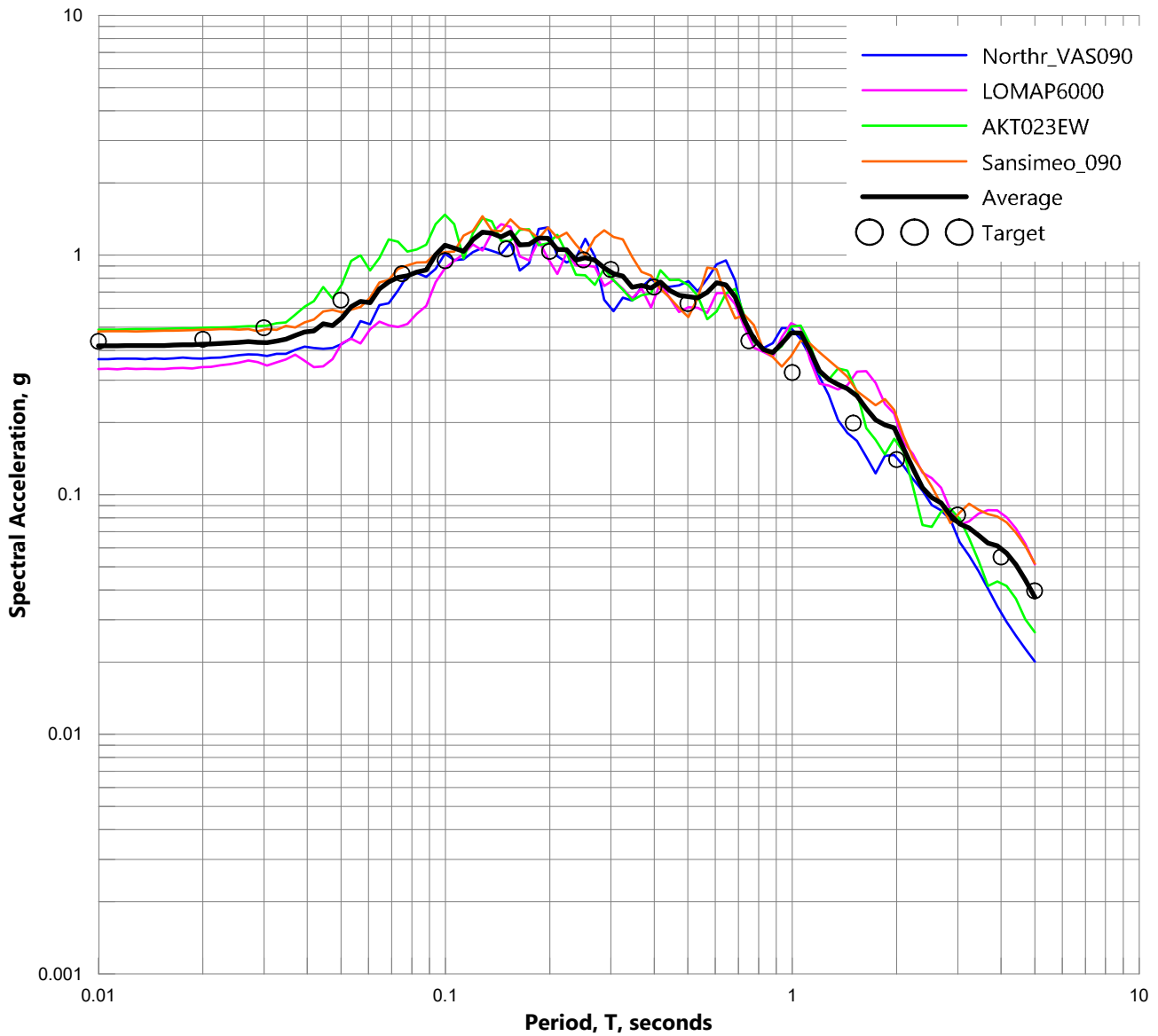
AMPLITUDE-SCALED SUBDUCTION
INTERFACE MOTIONS AND TARGET
SPECTRA COMPARISON
(5% DAMPING)

NOV. 2024

JOB NO. 6988-A

FIG. 7B

7. CONSULTANT REPORTS: GEOTECH

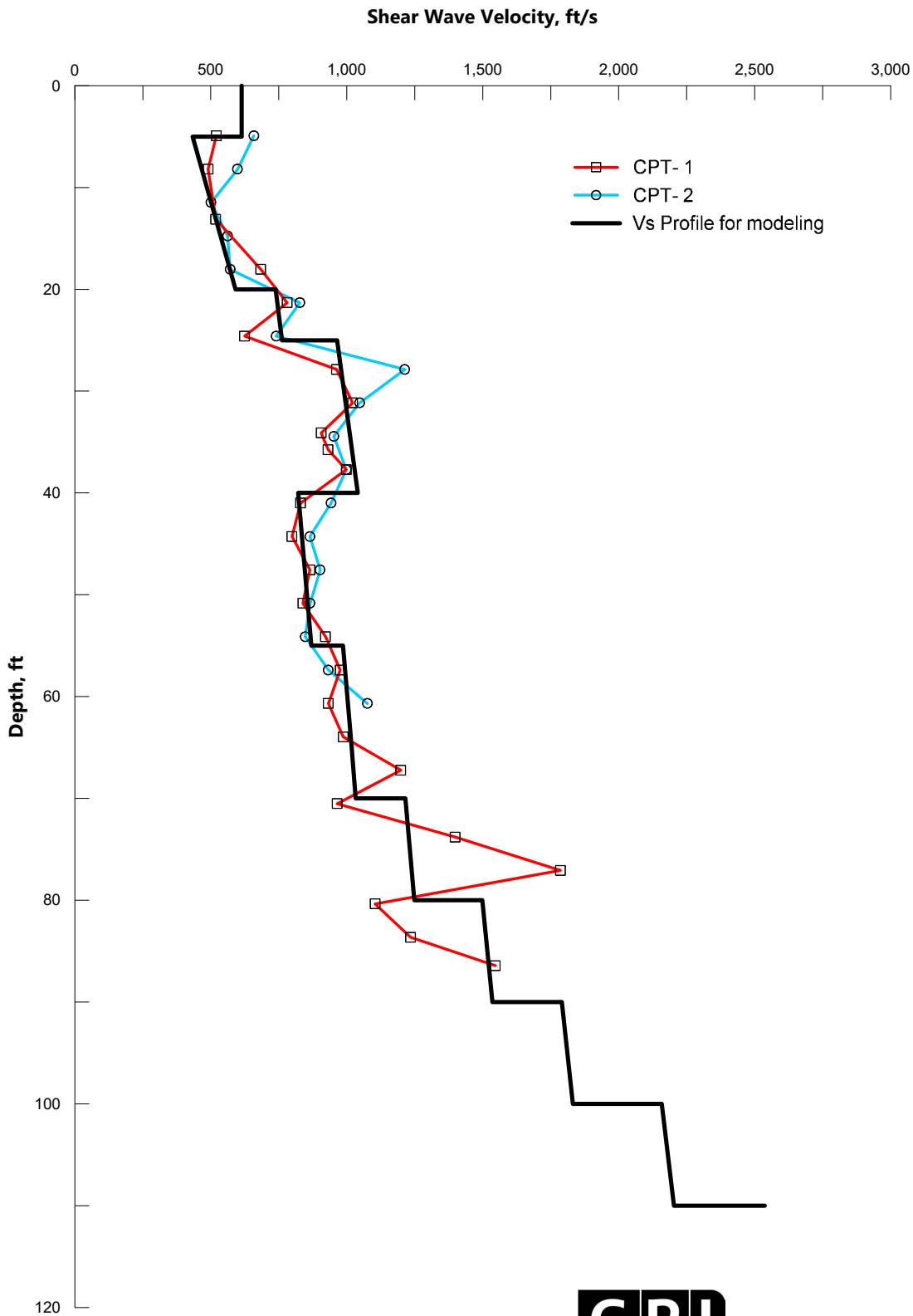


AMPLITUDE-SCALED CRUSTAL MOTIONS
AND TARGET SPECTRA COMPARISON
(5% DAMPING)

NOV. 2024

JOB NO. 6988-A

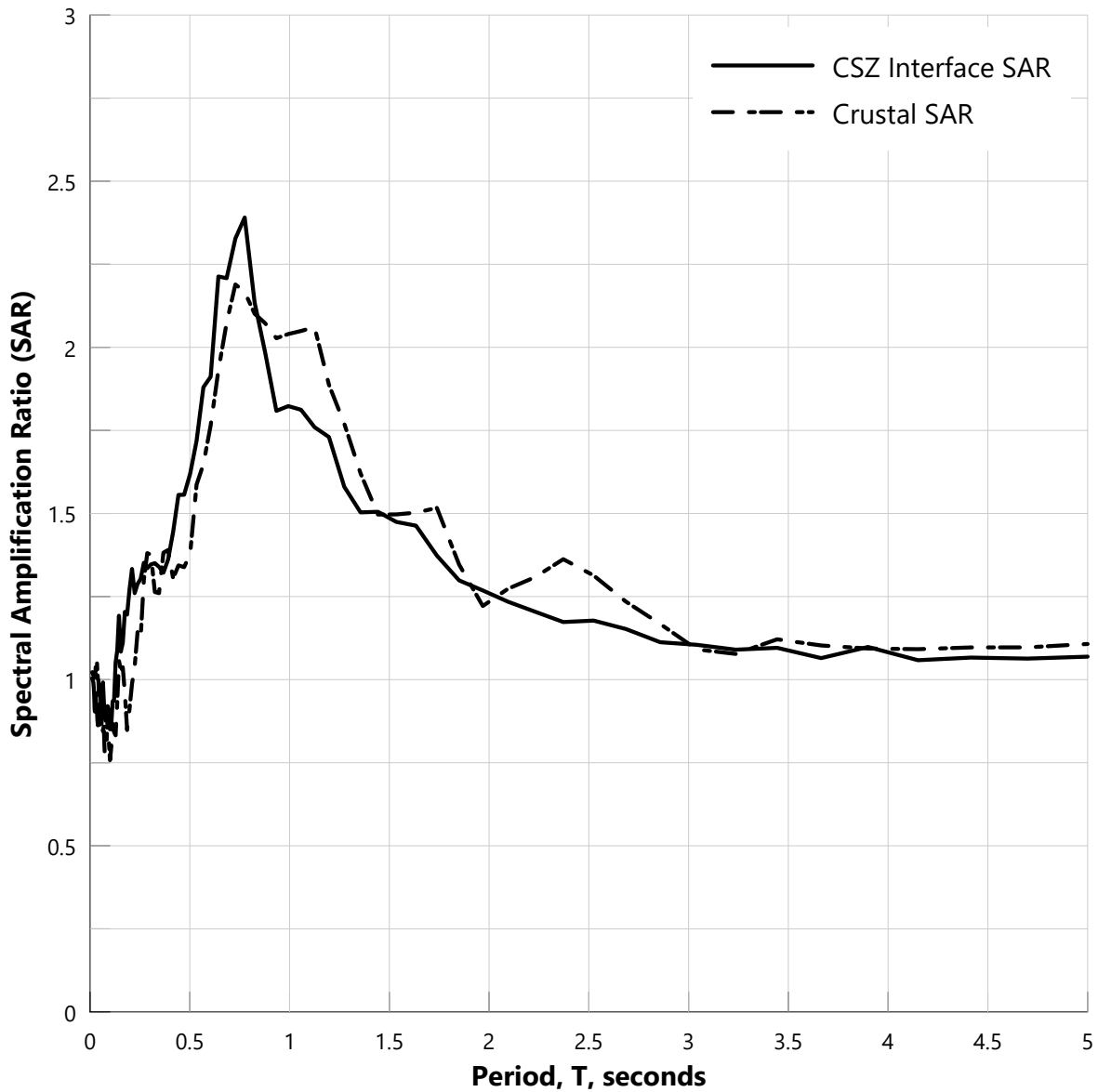
FIG. 8B



SHEAR WAVE VELOCITY DATA

NOV. 2024 JOB NO. 6988-A FIG. 9B

7. CONSULTANT REPORTS: GEOTECH



ABBREVIATIONS:

CSZ = CASCADIA SUBDUCTION ZONE

SAR = SPECTRAL AMPLIFICATION RATIO

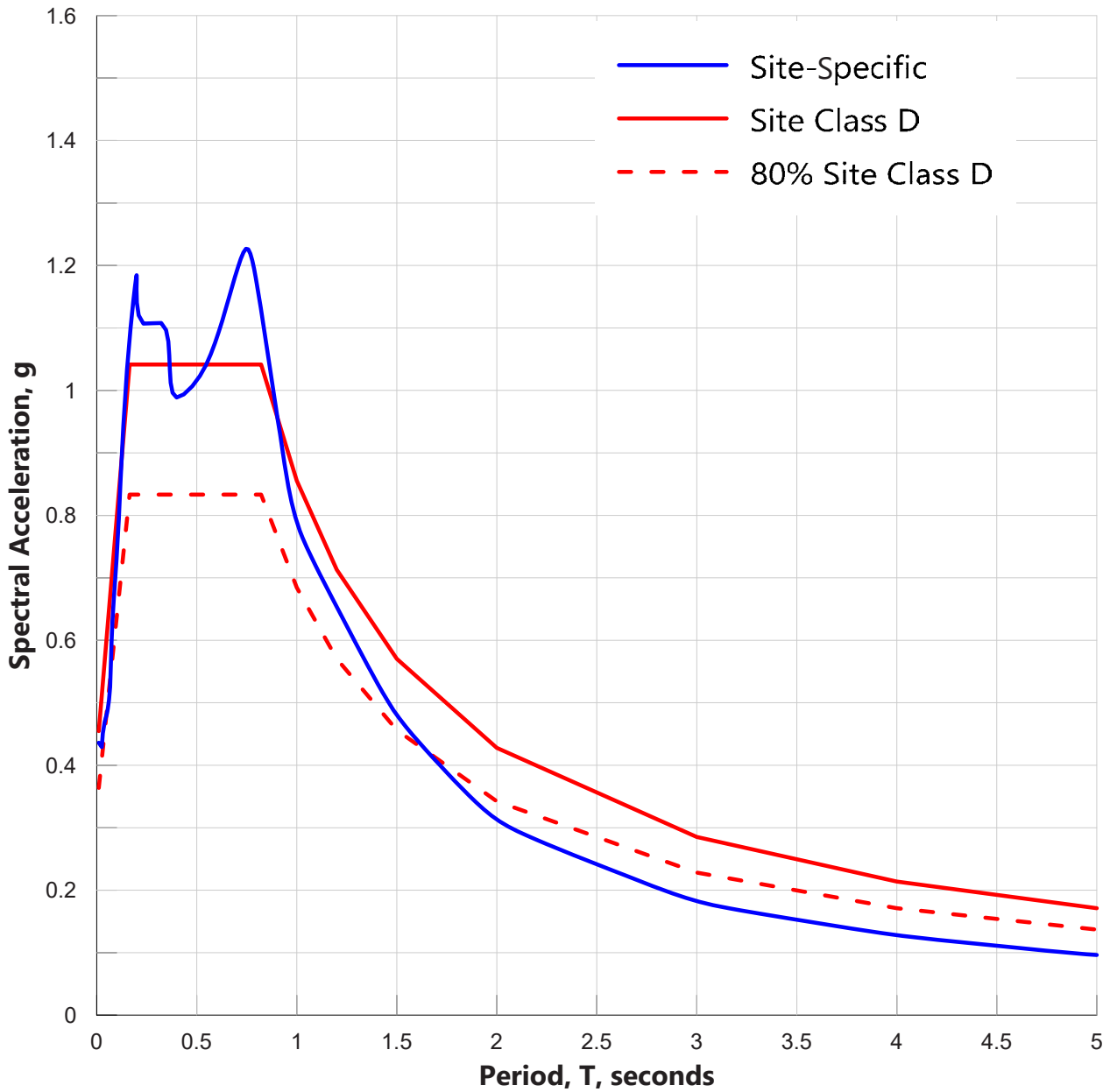


MEAN SPECTRAL
AMPLIFICATION RATIOS
(5% DAMPING)

NOV. 2024

JOB NO. 6988-A

FIG. 10B



GROUND SURFACE
SPECTRA COMPARISON
(5% DAMPING)

NOV. 2024

JOB NO. 6988-A

FIG. 12B



APPENDIX C

Geoprofessional Business Association Guidance Document

Important Information about This

Geotechnical-Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

While you cannot eliminate all such risks, you can manage them. The following information is provided to help.

The Geoprofessional Business Association (GBA) has prepared this advisory to help you – assumedly a client representative – interpret and apply this geotechnical-engineering report as effectively as possible. In that way, you can benefit from a lowered exposure to problems associated with subsurface conditions at project sites and development of them that, for decades, have been a principal cause of construction delays, cost overruns, claims, and disputes. If you have questions or want more information about any of the issues discussed herein, contact your GBA-member geotechnical engineer. Active engagement in GBA exposes geotechnical engineers to a wide array of risk-confrontation techniques that can be of genuine benefit for everyone involved with a construction project.

Understand the Geotechnical-Engineering Services Provided for this Report

Geotechnical-engineering services typically include the planning, collection, interpretation, and analysis of exploratory data from widely spaced borings and/or test pits. Field data are combined with results from laboratory tests of soil and rock samples obtained from field exploration (if applicable), observations made during site reconnaissance, and historical information to form one or more models of the expected subsurface conditions beneath the site. Local geology and alterations of the site surface and subsurface by previous and proposed construction are also important considerations. Geotechnical engineers apply their engineering training, experience, and judgment to adapt the requirements of the prospective project to the subsurface model(s). Estimates are made of the subsurface conditions that will likely be exposed during construction as well as the expected performance of foundations and other structures being planned and/or affected by construction activities.

The culmination of these geotechnical-engineering services is typically a geotechnical-engineering report providing the data obtained, a discussion of the subsurface model(s), the engineering and geologic engineering assessments and analyses made, and the recommendations developed to satisfy the given requirements of the project. These reports may be titled investigations, explorations, studies, assessments, or evaluations. Regardless of the title used, the geotechnical-engineering report is an engineering interpretation of the subsurface conditions within the context of the project and does not represent a close examination, systematic inquiry, or thorough investigation of all site and subsurface conditions.

Geotechnical-Engineering Services are Performed for Specific Purposes, Persons, and Projects, and At Specific Times

Geotechnical engineers structure their services to meet the specific needs, goals, and risk management preferences of their clients. A geotechnical-engineering study conducted for a given civil engineer

will not likely meet the needs of a civil-works constructor or even a different civil engineer. Because each geotechnical-engineering study is unique, each geotechnical-engineering report is unique, prepared *solely* for the client.

Likewise, geotechnical-engineering services are performed for a specific project and purpose. For example, it is unlikely that a geotechnical-engineering study for a refrigerated warehouse will be the same as one prepared for a parking garage; and a few borings drilled during a preliminary study to evaluate site feasibility will not be adequate to develop geotechnical design recommendations for the project.

Do not rely on this report if your geotechnical engineer prepared it:

- for a different client;
- for a different project or purpose;
- for a different site (that may or may not include all or a portion of the original site); or
- before important events occurred at the site or adjacent to it; e.g., man-made events like construction or environmental remediation, or natural events like floods, droughts, earthquakes, or groundwater fluctuations.

Note, too, the reliability of a geotechnical-engineering report can be affected by the passage of time, because of factors like changed subsurface conditions; new or modified codes, standards, or regulations; or new techniques or tools. *If you are the least bit uncertain* about the continued reliability of this report, contact your geotechnical engineer before applying the recommendations in it. A minor amount of additional testing or analysis after the passage of time – if any is required at all – could prevent major problems.

Read this Report in Full

Costly problems have occurred because those relying on a geotechnical-engineering report did not read the report in its entirety. Do not rely on an executive summary. Do not read selective elements only. *Read and refer to the report in full.*

You Need to Inform Your Geotechnical Engineer About Change

Your geotechnical engineer considered unique, project-specific factors when developing the scope of study behind this report and developing the confirmation-dependent recommendations the report conveys. Typical changes that could erode the reliability of this report include those that affect:

- the site's size or shape;
- the elevation, configuration, location, orientation, function or weight of the proposed structure and the desired performance criteria;
- the composition of the design team; or
- project ownership.

As a general rule, *always* inform your geotechnical engineer of project or site changes – even minor ones – and request an assessment of their impact. *The geotechnical engineer who prepared this report cannot accept*

7. CONSULTANT REPORTS: GEOTECH

responsibility or liability for problems that arise because the geotechnical engineer was not informed about developments the engineer otherwise would have considered.

Most of the “Findings” Related in This Report Are Professional Opinions

Before construction begins, geotechnical engineers explore a site’s subsurface using various sampling and testing procedures. *Geotechnical engineers can observe actual subsurface conditions only at those specific locations where sampling and testing is performed.* The data derived from that sampling and testing were reviewed by your geotechnical engineer, who then applied professional judgement to form opinions about subsurface conditions throughout the site. Actual sitewide-subsurface conditions may differ – maybe significantly – from those indicated in this report. Confront that risk by retaining your geotechnical engineer to serve on the design team through project completion to obtain informed guidance quickly, whenever needed.

This Report’s Recommendations Are Confirmation-Dependent

The recommendations included in this report – including any options or alternatives – are confirmation-dependent. In other words, they are not final, because the geotechnical engineer who developed them relied heavily on judgement and opinion to do so. Your geotechnical engineer can finalize the recommendations *only after observing actual subsurface conditions* exposed during construction. If through observation your geotechnical engineer confirms that the conditions assumed to exist actually do exist, the recommendations can be relied upon, assuming no other changes have occurred. *The geotechnical engineer who prepared this report cannot assume responsibility or liability for confirmation-dependent recommendations if you fail to retain that engineer to perform construction observation.*

This Report Could Be Misinterpreted

Other design professionals’ misinterpretation of geotechnical-engineering reports has resulted in costly problems. Confront that risk by having your geotechnical engineer serve as a continuing member of the design team, to:

- confer with other design-team members;
- help develop specifications;
- review pertinent elements of other design professionals’ plans and specifications; and
- be available whenever geotechnical-engineering guidance is needed.

You should also confront the risk of constructors misinterpreting this report. Do so by retaining your geotechnical engineer to participate in prebid and preconstruction conferences and to perform construction-phase observations.

Give Constructors a Complete Report and Guidance

Some owners and design professionals mistakenly believe they can shift unanticipated-subsurface-conditions liability to constructors by limiting the information they provide for bid preparation. To help prevent the costly, contentious problems this practice has caused, include the complete geotechnical-engineering report, along with any attachments or appendices, with your contract documents, *but be certain to note*

conspicuously that you’ve included the material for information purposes only. To avoid misunderstanding, you may also want to note that “informational purposes” means constructors have no right to rely on the interpretations, opinions, conclusions, or recommendations in the report. Be certain that constructors know they may learn about specific project requirements, including options selected from the report, *only* from the design drawings and specifications. Remind constructors that they may perform their own studies if they want to, and *be sure to allow enough time* to permit them to do so. Only then might you be in a position to give constructors the information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions. Conducting prebid and preconstruction conferences can also be valuable in this respect.

Read Responsibility Provisions Closely

Some client representatives, design professionals, and constructors do not realize that geotechnical engineering is far less exact than other engineering disciplines. This happens in part because soil and rock on project sites are typically heterogeneous and not manufactured materials with well-defined engineering properties like steel and concrete. That lack of understanding has nurtured unrealistic expectations that have resulted in disappointments, delays, cost overruns, claims, and disputes. To confront that risk, geotechnical engineers commonly include explanatory provisions in their reports. Sometimes labeled “limitations,” many of these provisions indicate where geotechnical engineers’ responsibilities begin and end, to help others recognize their own responsibilities and risks. *Read these provisions closely.* Ask questions. Your geotechnical engineer should respond fully and frankly.

Geoenvironmental Concerns Are Not Covered

The personnel, equipment, and techniques used to perform an environmental study – e.g., a “phase-one” or “phase-two” environmental site assessment – differ significantly from those used to perform a geotechnical-engineering study. For that reason, a geotechnical-engineering report does not usually provide environmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. *Unanticipated subsurface environmental problems have led to project failures.* If you have not obtained your own environmental information about the project site, ask your geotechnical consultant for a recommendation on how to find environmental risk-management guidance.

Obtain Professional Assistance to Deal with Moisture Infiltration and Mold

While your geotechnical engineer may have addressed groundwater, water infiltration, or similar issues in this report, the engineer’s services were not designed, conducted, or intended to prevent migration of moisture – including water vapor – from the soil through building slabs and walls and into the building interior, where it can cause mold growth and material-performance deficiencies. Accordingly, *proper implementation of the geotechnical engineer’s recommendations will not of itself be sufficient to prevent moisture infiltration.* Confront the risk of moisture infiltration by including building-envelope or mold specialists on the design team. *Geotechnical engineers are not building-envelope or mold specialists.*



Telephone: 301/565-2733

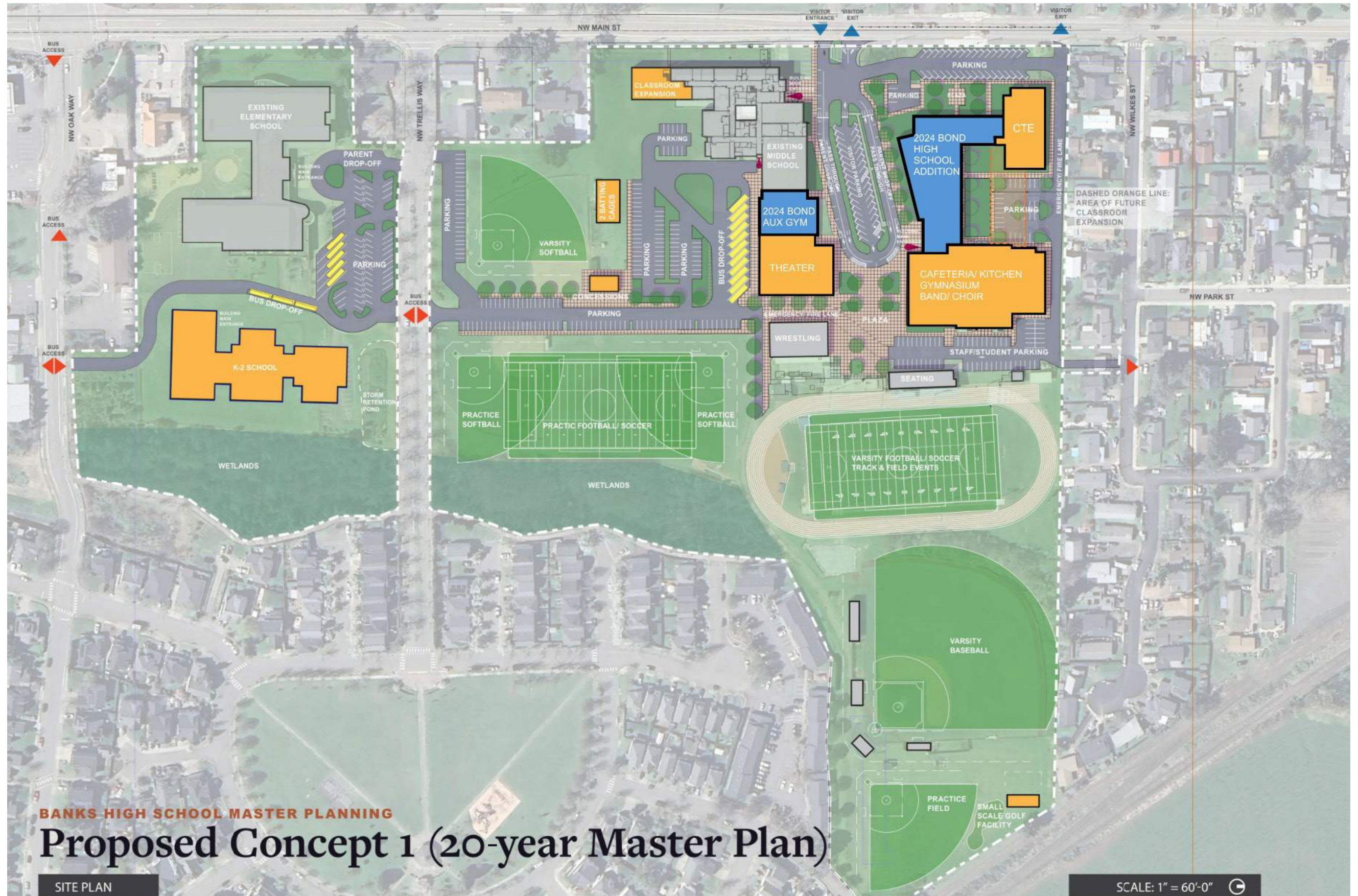
e-mail: info@geoprofessional.org www.geoprofessional.org

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Appendix

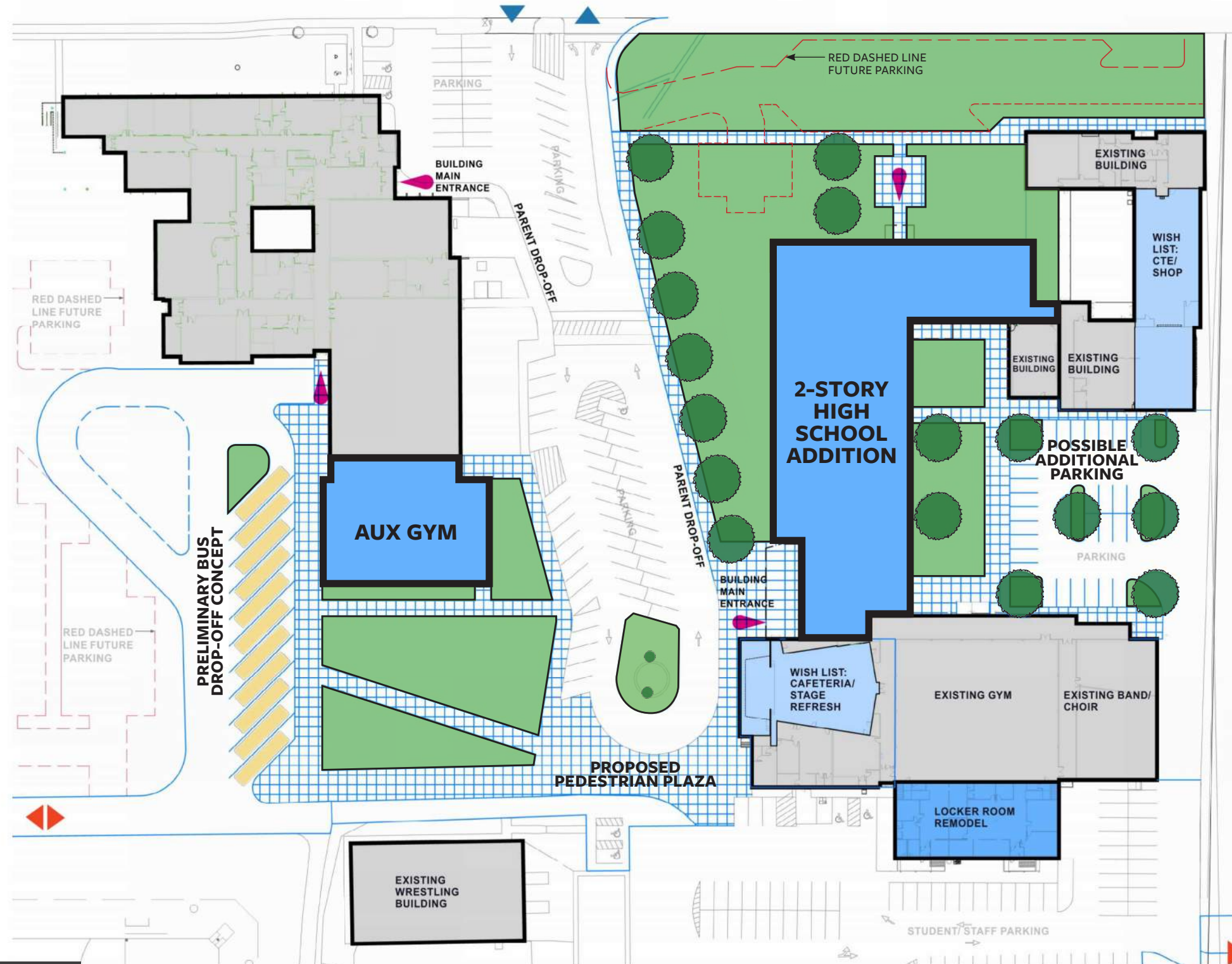
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BANKS HIGH SCHOOL MASTER PLANNING

Concept 1



NEW ADDITION

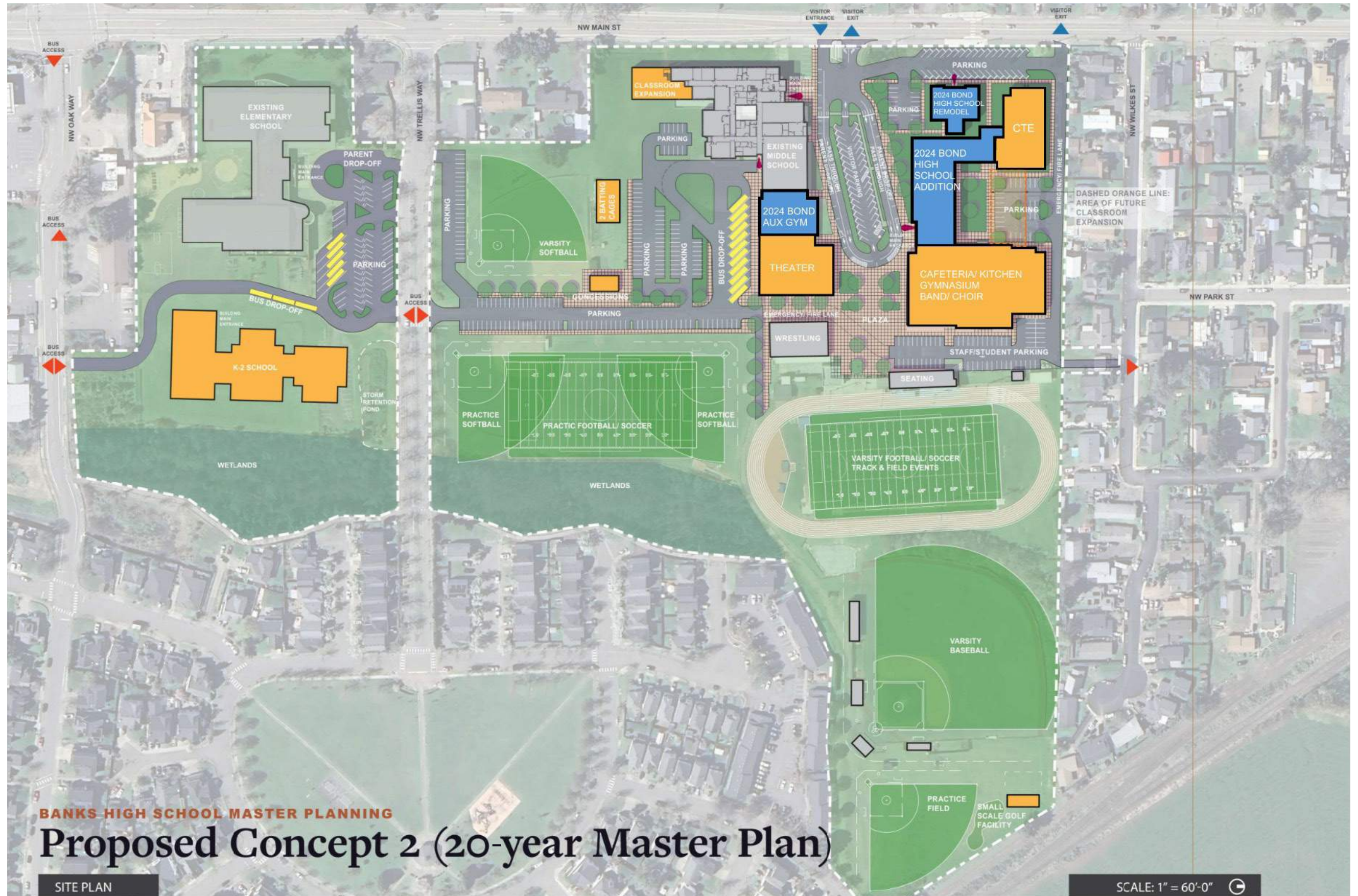
43,000 SF OF PROGRAM IN NEW ADDITION

43,000 SF of Program x \$740/SF = \$31,820,000

TOTAL CONSTRUCTION BUDGET FOR CONCEPT 1 = \$31,820,000

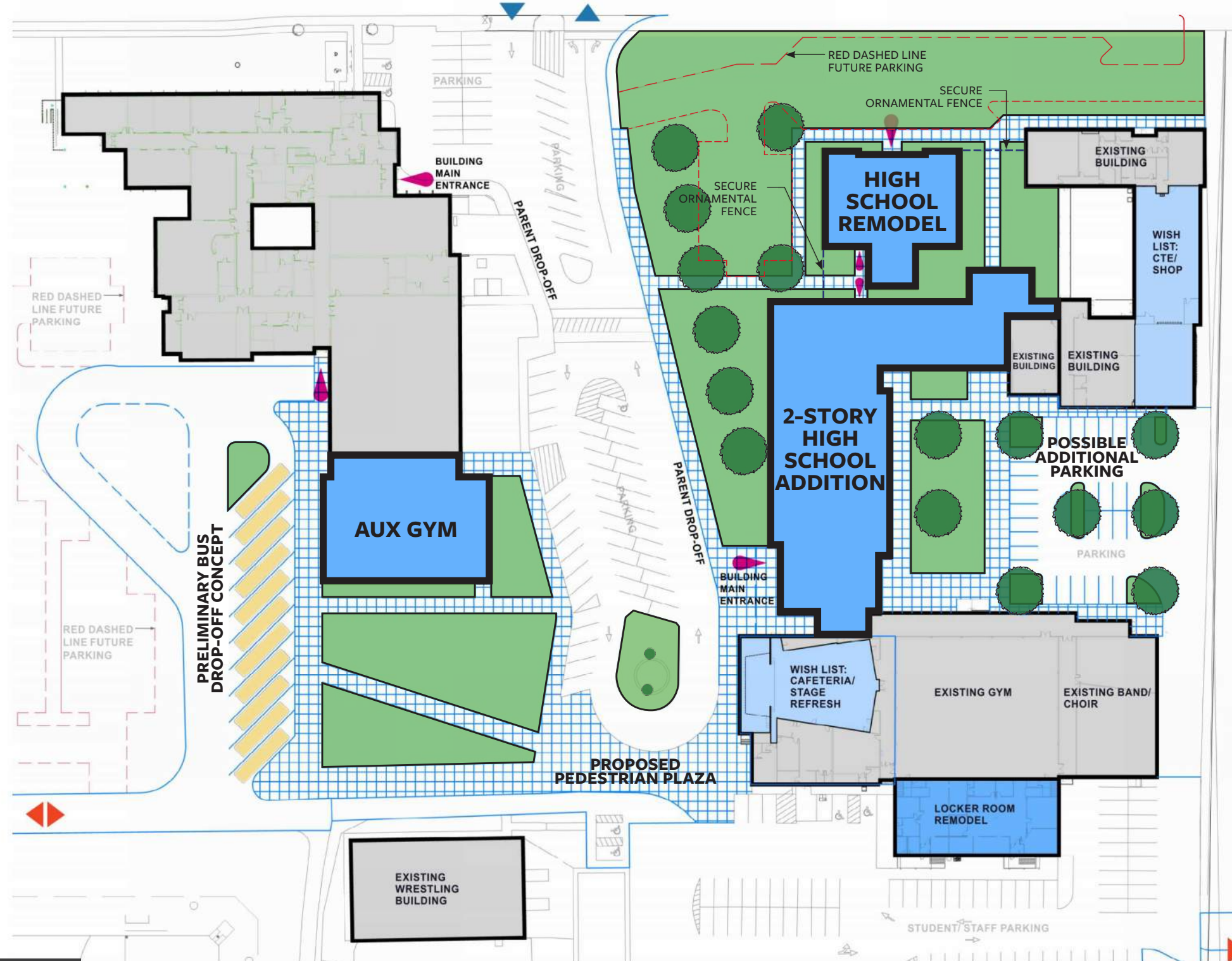
SITE PLAN

NOT TO SCALE



BANKS HIGH SCHOOL MASTER PLANNING

Concept 2



REMODEL OF DISTRICT OFFICE

6,000 SF (APPROX.) OF PROGRAM BUT REQUIRES FULL REMODEL OF ENTIRE 10,500 SF BUILDING

10,500 SF of Program x \$800/SF = \$8,400,000

NEW ADDITION

37,000 SF OF PROGRAM IN NEW ADDITION

37,000 SF of Program x \$740/SF = \$27,380,000

TOTAL CONSTRUCTION BUDGET FOR CONCEPT 2 = \$35,780,000

SITE PLAN

NOT TO SCALE

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Board Special Session
Tuesday, January 28, 2025 6:00 PM Pacific

BANKS HIGH SCHOOL CAFETERIA
13050 NW Main Street
Banks, Or 97116

Ron Frame: Present
Corissa Mazurkiewicz: Present
William Moore: Present
Leslee Sipp: Present
Daniel Streblov: Present
Present: 5.

1. Preliminaries

1.1. Call to Order

1.2. Roll Call

1.3. Approval of Agenda

I make a motion to approve the January 28th, 2025 agenda as presented. This motion, made by Corissa Mazurkiewicz and seconded by Leslee Sipp, Carried.

Ron Frame: Yea, Corissa Mazurkiewicz: Yea, William Moore: Yea, Leslee Sipp:

Yea, Daniel Streblov: Yea

Yea: 5, Nay: 0

2. Introduction

Dr. Sica opened the meeting with a quick overview of the agenda as well as details of the voting instructions for the Board.

3. Public Comment

Public Comment #1 - Sue B.; shared her thoughts on retaining the District Administration Building and a reminder with the Board of the condition of the North Wing, which is being considered in the concepts as it relates to the promise of the Bond.

Public Comment #2 - Jodi H.; shared her feelings about preserving the history of the district and that the DO building has great significance; feels the decision of the DO building should be decided by the community.

Public Comment #3 - Casey; feels the decision of the DO has already been made within the Bond language.

Public Comment #4 - Laurellen; shared her thoughts about retaining the district administration building.

Public Comment #5 - Jensen; shared his feelings about retaining the district administration building.

Public Comment #6 - Ayla; Shared her feelings about retaining the district administration building.

Public Comment #7 - Aubrey; former Banks student; shared her thoughts about the history of the buildings, as well as her thoughts about retaining the DO.

Public Comment #8 - Richard; former Banks student; shared his thoughts about retaining the district administration building.

Public Comment #9 - Carol R.; thanked the Board for the effort and time on the Bond planning.

Public Comment #10 - Jonathan S.; shared his thoughts on the traffic flow and the renovation of the North Wing.

Public Comment #11 - Nina S.; shared her thoughts on the different concepts. Feels Concept 2 is the best choice.

Public Comment #12 - Catherine W; Encourages the Board to vote for Concept 1.

4. Discussion Items

Dr. Sica shared an overview of the concept updates with the Board.

4.1. Dan Hess, BRIC Architecture

4.2. John Abel, Cornerstone Management

5. Action Items

5.1. Adopt Resolution to select Master Plan

Board members declared their official votes for adoption of a Concept Plan as noted in Action item 5.2

Discussion:

Member Corissa Mazurkiewicz - Votes for **Concept 1**. Thanks to all that have worked on the concepts, the public for their engagement.

Member Leslee Sipp - Votes for **Concept 1**

Member Will Moore - Shared detail of the history of the attempts made to repair/save the DO building. Feels it would be irresponsible to not vote for Concept 1. **Votes for Concept 1.**

Member Dan Streblov - shared his thanks to the community for their engagement. Votes for **Concept 1.**

Chairman Ron Frame - Thanks to the community for their engagement. Abstains from voting.

5.2. Official motion to adopt a Concept Plan

I move that the board adopts resolution #2425JAN02 by selecting the 20 year master plan that includes Concept 1. This motion, made by William Moore and seconded by Leslee Sipp, Carried.

Ron Frame: Yea, Corissa Mazurkiewicz: Yea, William Moore: Yea, Leslee Sipp:

Yea, Daniel Streblow: Yea

Yea: 5, Nay: 0

6. Adjourn

Adjourned at 7:00 pm.

1. What is the Cost Neutral approach for Concept Two

- a. The recommended budget solution for concept two is to remodel (not replace) about $\frac{2}{3}$ of the North Wing. P&C estimates that remodeling the existing North wing would come at a cost of 50-75% of new construction. If ~10,500 ft² of the north wing were kept and remodeled using the minimum price predicted by P&C the concepts would balance. This would be 6-7 classrooms, including Art and Science and 1-2 additional storage/mechanical rooms. The remodel would need to include new HVAC and some other electrical, roofing, etc. There would be a refresh of interior spaces but the walls would not be moved or reconfigured.
 - i. Please note: This would change the Master Plan to remove the proposed “north” parking lot and limit the improvements to the center open space. If the parking spaces were just relocated, the cost would be close to neutral, if they were eliminated there would be an additional cost savings.
 - ii. This would align to the 20 year master plan in that the North Wing is identified as an expansion space.
- b. Moving the location of the Aux Gym to the high school or keeping it as a renovation does not appear to provide any significant cost savings (more likely an increase) to the overall project.
- c. Removing the Aux gym from a requirement and placing it on the “Wish List/Alternate Side” would balance the budget. It is unlikely that the amount of budget that will be available for wish lists will cover the Aux Gym. As a result, that move would effectively remove it from this Bond altogether. Because of this, the District Recommends an opinion from Bond Council prior to moving forward.

2. Is it possible to remodel the Barn as a cost savings measure?

- a. The remodel of the Barn would present some operational benefits as well as challenges. The benefits would be keeping the storage and team from space that is currently in the basement. Not all of these spaces are included in the new design. Challenges would exist in its athletic and accessibility function. The current court space does not meet expected size requirements for players and offers limited spectator space. The court size and spectator space would not be improved by a remodel.
- b. The cost of remodeling the barn to current code, etc is predicted to be close to cost neutral to minimal savings. It would include the same increased risk as any other remodel in this project (new construction = less risk). The analysis done by Soderstrom and R&C in 2023 gave a remodel budget of ~\$6.5M compared to the current replacement budget of ~\$5.2M. However, the Soderstrom memo included soft costs, hazardous abatement, and inflationary factors. Completely removing the soft costs and abatement but including two years of the “inflation/cost increase” brings the number to approximately \$5.1M (See: [Soderstrom Memo on the Barn](#))

3. Does the Aux Gym at the high school reduce project costs?

- a. The location of the Aux gym adjacent to the middle school has been discussed by various committees for over a decade. The current steering committee landed on the location of the Aux gym in early fall and completed a comprehensive

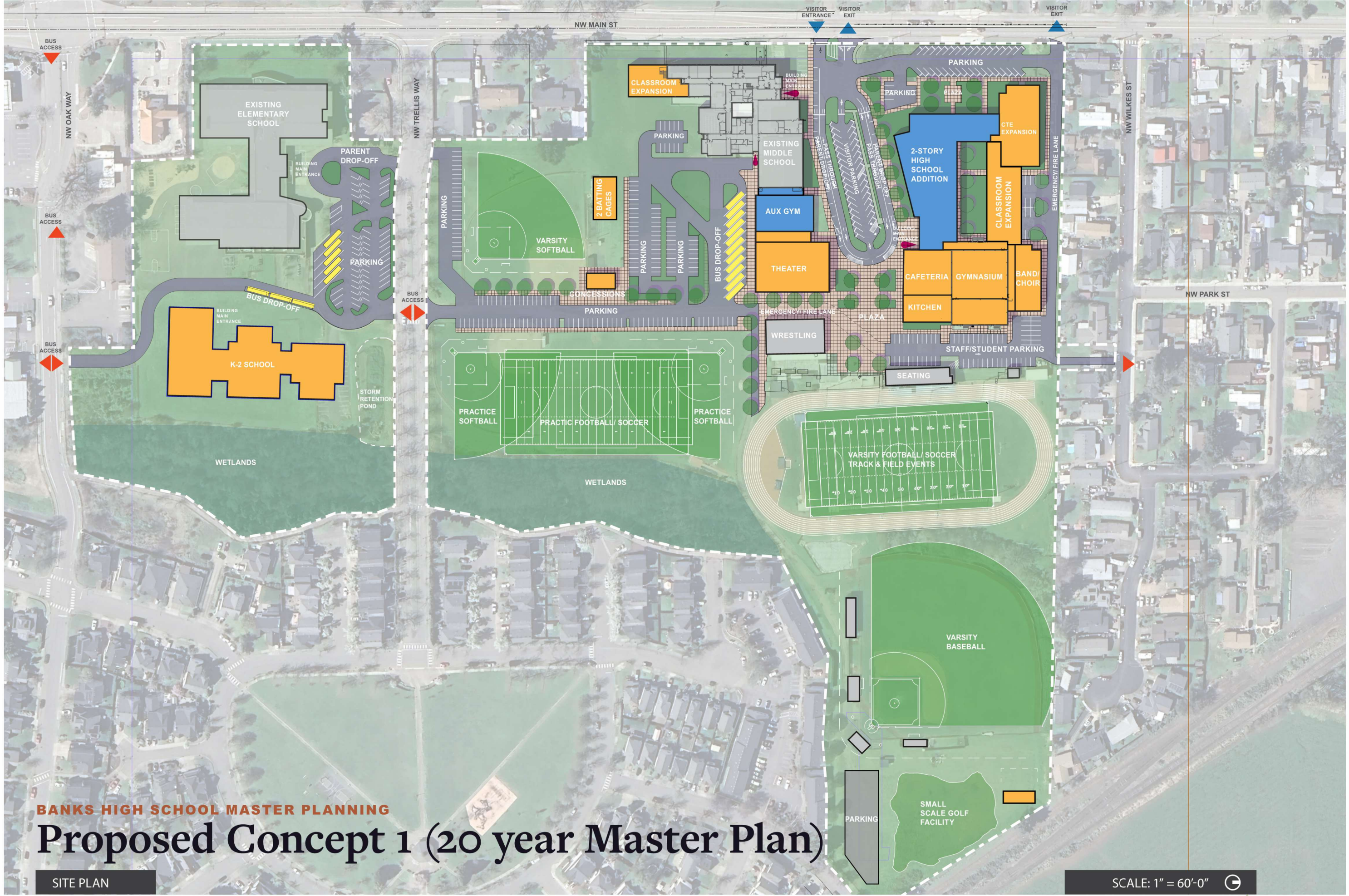
reconsideration in early winter. (SEE: [Steering Committee Reconsideration of the location of the Aux Gym](#)).

- b. Questions were once again asked in January. We recommend the Board reviews the reconsideration memo linked above as well as the general comments provided by BRIC and P&C. The comments below are for discussion purposes and precise numbers would be developed during the schematic design phase (February-April)
 - i. Moving the Aux Gym into the high school will not likely save any money and will likely cost more. The Aux Gym building is currently planned to be constructed as a low-cost pre-engineered metal building. If it becomes part of the high school, we will have to build it using the same construction methodology as the rest of the new high school which will be more expensive than the pre-engineered approach. We (BRIC) (and Cornerstone) have been part of several projects with pre-engineered gyms. These buildings are a cost savings approach if they are freestanding and not part of another building.
 - ii. The potential savings of not having to build toilet rooms if the Aux Gym is part of the main high school building is also an unlikely scenario. The number of toilets in a school building is dictated by a table in the building code and is based on the occupant load of the building. Adding the Aux Gym to the main high school building will increase the occupant load of the high school which will most likely increase the required number of toilets in the high school building.
- 4. What are the considerations of a glass walkway between the existing DO and New High School Building?**
- a. The idea of building an enclosed glass walkway to connect the renovated district office building with the new high school building is a nice idea but also challenging. It will be more expensive than an open breezeway (which we have currently proposed) but more importantly it will open up code issues that we will need to address. The building code will view the district office as part of the new high school construction which will require us to provide a fire wall to separate it as well as a seismic joint to separate it structurally from the new building. Although not insurmountable challenges, these are complicated and expensive items.
- 5. Potential Savings by utilizing the existing electrical room in the High School?**
- a. It has been brought up the issue of possible cost savings that could be achieved by saving the existing electrical room and not having to pay to re-feed the electrical to existing spaces to remain in the high school. It was implied that the costs could possibly be in the range of \$1 million to \$1.5 million, which is savings that could be moved to the D.O. renovation budget.

BRIC reviewed this issue with our electrical engineers on the project (Sazan Group) and they shared the following with me about existing conditions.

- There are three primary electrical services that have been identified in the building. Two of them are in the electrical room and they serve the classroom wings and the administration wing.
 - The third serves the Gym and Cafeteria wing and is located west of the Gym.
 - In addition, there is a power pole that seems to directly serve the CTE wing but more research needs to be done over the coming months to sort that out.
- b. If the electrical room is demolished and re-built in the new wing, the rooms that would need to be re-fed from a new electrical room are anticipated to be Band/Choir/Concessions. It is hard to say what the cost for this would be, but it is not in the \$1 million - \$1.5 million range and most likely will be much lower.


A Board Member also expressed concerns about the notes in the electrical master plan reports about several electrical cabinets being locked and inaccessible when the engineers were on site to do their investigation. The engineers will again be on site on 1/21 to do more investigation but unravelling the electrical system will be something that occurs over the coming months with assistance from the district and P&C. Given that the district does not have a great set of original construction drawings, it will take us a significant amount of time and effort to identify everything that is fed out of each electrical space and provide more detailed content that P&C could estimate for the district.

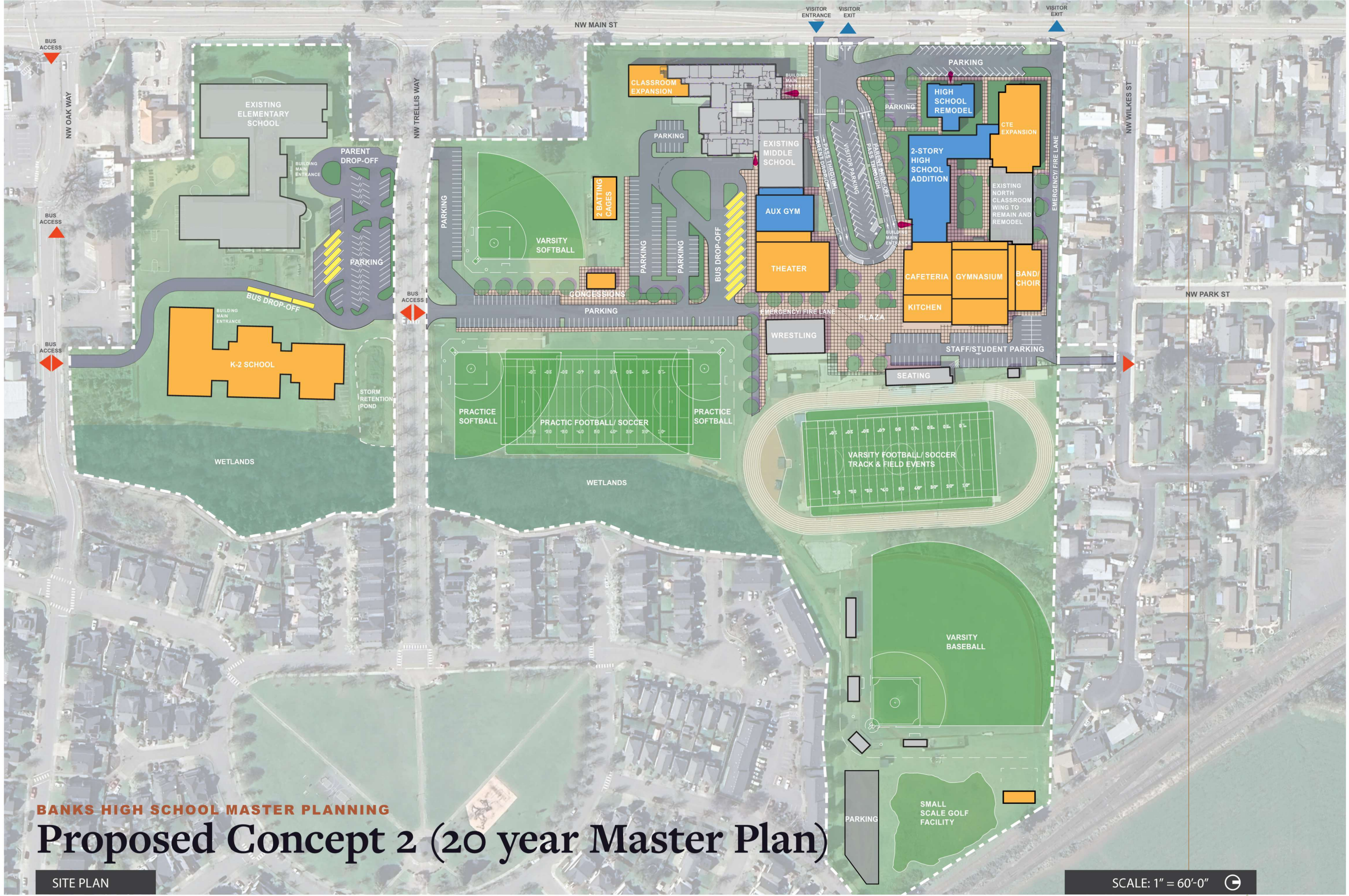


BANKS HIGH SCHOOL MASTER PLANNING

Proposed Concept 1 (20 year Master Plan)

SITE PLAN


SCALE: 1" = 60'-0" 



BANKS HIGH SCHOOL MASTER PLANNING

Proposed Concept 2 (20 year Master Plan)

SITE PLAN

SCALE: 1" = 60'-0" 

Concept One - The new high school space represents the 43,000 square feet of new construction needed to fulfill the program that has been established. We are using \$740 per square foot at this point of the budget process. As a result, the high school portion of the budget is \$31,820,000. The exact shape, total number of rooms, size of rooms, etc will be determined during the design phase.

Concept Two - The district and consultants were asked to provide a variation of concept two that achieves the program and has a balanced budget. The current drawing represents a balanced concept two using the information gathered in the past months. In order to balance the budget, concept two keeps approximately 2/3 (six classrooms and two additional spaces) of the existing North Wing. Because of this, there will be three areas of the high school project: District Office, Existing Remodel, New Construction. As in Concept One: The exact shape, total number of rooms, size of rooms, etc will be determined during the design phase.

District Office (10500 square feet @ \$800 per) = \$8,400,000

North Wing Remodel (approximately 10750 square feet at \$370 per) = \$3,977,500 (Note: The \$370 cost of construction for the remodel would include HVAC, electrical and code requirements. The rooms would also receive a refresh, but it is unlikely to include changes to the layout of the walls, etc)

New Construction (26250 square feet @ \$740 per) = \$19,425,000

Total = 31,802,500

**BANKS SCHOOL DISTRICT
RESOLUTION 2425-JAN-02
ADOPTION OF MASTER PLAN CONCEPT XXXX**

Resolution #2425JAN02 to direct school Administration to proceed with master planning of the 2024 Bond improvement planning, by selecting the 20 year master plan that includes concept XXXX.

WHEREAS, the Banks School District Board of Directors recognizes the need for a comprehensive long-term plan to guide the district's facilities development, educational programming, and resource allocation; and

WHEREAS, a thorough process involving community input, staff analysis, and expert consultation has been undertaken to develop a comprehensive Master Plan for the Banks School District; and

WHEREAS, the Master Plan outlines strategic goals, priorities, and actionable steps to address the district's current and projected educational needs;

NOW, THEREFORE, BE IT RESOLVED by the Banks School District Board of Directors that:

1. Adoption of Master Plan:

The Banks School District Master Plan, as presented to the Board on January 28, 2025, is hereby adopted as the guiding document for the district's future planning and development.

2. Implementation Plan:

The Superintendent shall develop a detailed implementation plan to execute the strategies and initiatives outlined in the Master Plan, including timelines, budget allocations, and accountability measures.

3. Regular Review and Updates:

The School Board will review the Master Plan on a periodic basis and make necessary updates as circumstances warrant.

4. Community Engagement:

The district will continue to engage the community in the implementation of the Master Plan through regular communication and input opportunities.

BE IT FURTHER RESOLVED that the Superintendent is hereby authorized to take all necessary actions to implement the adopted Master Plan in accordance with this resolution.

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January 8, 2025

TO: Banks Board of Directors

FR: Dan Goldman, Superintendent of Northwest Regional Education Service District

RE: The 2025-26 Local Service Plan

Colleagues:

It's my pleasure to present the 2025-26 Local Service Plan. As your education service district partner, our goal is to promote equity in education throughout the region. Our shared vision is that every student is educated, equipped and inspired to achieve their full potential and enrich their communities.

Toward that end, we convene educators so they can engage in professional learning, push their practice and contribute to culturally sustaining learning environments. We strengthen and align systems, like school technology infrastructure or our community preschool and child care systems. We provide access to services and resources that might otherwise be out of reach or unaffordable for many school districts.

In the pages that follow, I hope you can get a sense of our existing and potential partnership opportunities to support your school district's students. Through our special educators, technology staff, early learning educators, professional learning team, and many more specialists throughout our organization, we humbly offer our services in pursuit of student success.

It's a pleasure to work alongside you and your educational staff.

In partnership,

A handwritten signature in blue ink, consisting of two circular loops connected by a wavy line.

Dan Goldman, Superintendent

Supplementary Materials: Attached to this cover letter you'll find the 1) Proposed resolution 2) Primer on NWRESD and our leadership 3) Highlights of current services with which your district has engaged 4) proposed 2025-26 Local Service Plan 5) Summary of other grant and value-add services

Proposed Motion: BE IT Resolved, the Board of Directors adopt the 2025-26 Local Service Plan as presented.

■ Clatsop County
503-325-2862
1120 Broadway
Seaside, OR 97138

■ Columbia County
503-366-4100
800 Port Avenue
St. Helens, OR 97051

■ Tillamook County
503-842-8423
2515 3rd Street
Tillamook, OR 97141

■ Washington County
503-614-1428
5825 NE Ray Circle
Hillsboro, OR 97124

Resolution Authorizing NWRESD Local Service Plan for 2025-26

BE IT RESOLVED by the Board of Directors of Banks School District in Washington County, Oregon, that for the nature and extent of Core Services, Service Credits, and the Student Success Act technical assistance plan described in the proposed local service plan and in compliance with the provisions of ORS 334.175, the school board of said school district hereby approves the Northwest Regional Education Service District Local Service Plan for the 2025-26 school year.

ADOPTED this _____ day of _____ 2025.

ATTEST:

Board Chair

Superintendent

Please email or mail the signed document by March 1, 2025 to:

Valerie White
vwhite@nwresd.k12.or.us
Northwest Regional Education Service District
5825 NE Ray Circle
Hillsboro, Oregon, 97124

Conestoga students at
Meriwether for Outdoor School

A group of four students are on a sandy beach, engaged in building a sandcastle. One student in the center is smiling and giving a thumbs-up. The student to the right is wearing a blue hoodie with a 'HURLEY' logo and a white Nike cap. The student on the far right is wearing a dark jacket and a blue and white baseball cap with a star. The background shows a wide beach, waves, and a forested hillside under a cloudy sky. A semi-transparent blue banner is overlaid at the bottom of the image.

About Northwest Regional Education Service District

Our Service Area



Clatsop County

Astoria
Jewell
Knappa
Seaside
Warrenton-Hammond



Columbia County

Clatskanie
Rainier
Scappoose
St. Helens
Vernonia



Tillamook County

Neah-Kah-Nie
Nestucca Valley
Tillamook



Washington County

Banks	Hillsboro
Beaverton	Sherwood
Forest Grove	Tigard-Tualatin
Gaston	

Our Leadership



Dan Goldman,
Superintendent



Becky Tymchuk, Chair
Zone 5



Maureen Wolf,
Vice Chair, Board
Member At-Large



Christine Riley
Zone 1



Doug Dougherty
Zone 2



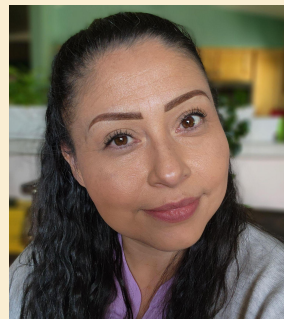
Dorian Russell
Zone 3



Michelle Graham
Zone 4



Paul Jarrell
Higher Education



Miriam Meneses-Rios
Social Services



Ernest Stephens
Business

How We're Working Together to Support Banks Kids

According to state assessments, **85% of kindergartners and 71% of first graders were meeting their English Language Arts benchmarks at Banks Elementary School.** For context, the statewide average was **46%** this past year.

Now in her second year with Oregon Response to Instruction and Intervention (ORTIi), principal Marjorie Salter says that “early intervention is key.” She added that using a universal screener and then creating intervention plans plus providing professional development to teachers and administrators is crucial.

[Story: Far Too Many Students Lag in Reading, Here's What We're Doing About It](#)



Early Literacy Workshop

Spotlight on Data: Banks by the Numbers

Student Counts



7 high school student leaders attended Outdoor Science School (2023-24).



14 kids served through EI/ECSE (May 2024).



11 students enrolled in the Migrant Education Program (2023-24).



1 student attended a social emotional learning school (2023-24).

Special ed. staff supporting the district



10 staff support the district in specialty areas (as of fall 2024).

Notable participation in professional learning and systems support

- 9th Grade Success Network
- Attendance Services
- Dual Credit - Willamette Promise
- Early Literacy Supports
- Multi-tiered Systems of Support (MTSS) Data Tools (i.e., ION & pilot)
- Oregon Response to Instruction & Intervention (ORTII)
- Regional Mentoring Network
- School Safety and Prevention Services
- STEM Hub

These are highlights and not a comprehensive list of current services.



2025-26 Local Service Plan

The Scope of the **Local Service Plan**

- A. **Core services**, i.e. shared services, available to all component school districts
- B. **Menu of services** available by district request
- C. **Integrated Guidance Technical Assistance Plan**

Note: While the Local Service Plan does not include grant and other value added services for the purpose of board approval, we cover that information in jobalike conversations for the purpose of evaluation and submit in board packets to provide context of the full scope of services provided.



Role of the School Board

ORS 334.175

Each year an Education Service District's Local Service Plan must be:

1. adopted by the board of the education service district
2. approved on or before March 1 by resolution of two-thirds of the component school districts that have at least a majority of the pupils



Breakdown of a Dollar: How Local Service Plan Revenue Flows

75% of school district allocations go to individual school district accounts

25% of school district allocations are spent on core services*, i.e. shared services

10% of SSF formula for ESDs funds operations

**(4% for BSD and HSD)*



Core Services

According to ORS 334.15, the goal of our core services are to:

- a) Assist component school districts in meeting the requirements of state and federal law;
- b) Improve student learning;
- c) Enhance the quality of instruction provided to students;
- d) Enable component school districts and the students who attend schools in those districts to have equitable access to resources; and
- e) Maximize operational and fiscal efficiencies for component school districts.



Local Service Plan Development Timeline

April-October

Jobalike feedback
& plan co-creation

November

Supers agree
on plan

December

NWRESD board
adopts plan

January

Plan & resolution
distributed to
school boards

February

NWRESD/school
districts discuss prelim.
services costs

March 1

Deadline for
school board
resolution

March to April

LSP online
opens for district
selections

April 15

Deadline for
districts to make
prelim. selections

County Allocations

Technology

- Cybersecurity Services
- Emergency Closure Network (FlashAlert)
- Forecast 5
- Help Desk
- Library Services (Follett Destiny Library, Resource Manager and Textbook)
- Network Services
- Restraint and Seclusion App
- Technical Engineering Cooperative
- SchoolLinks

Instructional Services

- 9th Grade Success Network
- Behavior Attendance and Social Emotional Supports (BASES)
 - Attendance Services
 - Social Emotional Learning
 - School Safety & Prevention
- Career & College Readiness
- Early Literacy
- Grant Writing
- MTSS Coaching

Miscellaneous

- Regional Compensation Analysis
- FlashAlert



Pacific Academy Graduation

Menu Services

Menu services are available for individual districts to purchase as needed using service credits or other funding sources.



Administration

- Communication Services
- Diverse Educator Pathways
- Executive Coaching
- Fiscal Services
- Human Resources (Investigations, Civil Rights and Title IX)
- Medicaid Reimbursements
- Spanish Language Interpretation and Translation



Instruction

- Attendance Services and Re-engagement Services
- Cascade Education Corps
- Junior Achievement: Biztown and Finance Park
- Oregon Virtual Education (ORVED)
- Dual Credit Programming - Willamette Promise
- MTSS Software & Technical Support
- Northwest Outdoor Science School (NOSS)



K-12 Special Education

- Audiology
- Augmentative and Alternative Communication and Assistive Technology
- Autism Spectrum Disorder (ASD) Services
- Behavioral Support Consultation
- Blind Visually Impaired (BVI) Student Services
- Deaf and Hard-of-Hearing Services and Classrooms
- FM Rentals
- Learning Specialists
- Nursing Services
- Occupational Therapy (OT) Services
- Physical Therapy (PT) Services
- School Psychology Services
- Speech-Language Pathology Services
- Youth Transition Program (YTP)
- Social Emotional Learning Schools
 - Cascade Academy
 - Cascade/Pacific Intensive
 - Columbia Academy K-8
 - Levi Anderson Learning Center
 - Meadowlark Academy
 - Pacific Academy



Technology

- Attendance Reconnection System
- Canvas Learning Management System
- Criminal Background Check System
- District Technology Purchasing
- Help Desk
- Learn360 Streaming Video
- Oregon Data Suite
- Public School Works
- Restraint and Seclusion
- School ERP Pro
- Synergy Student Information System
- Technical Engineering Cooperative



Early Learning

- Early Intervention/Early Childhood Special Education (EI/ECSE) Evaluations



Student Success Act/ Integrated Guidance Technical Assistance Plan

The Student Success Act plan, as required by HB 3427 Section 25, defines our role to support districts to make progress toward the goals of the Student Success Act.



David Jamieson (ODE Integrated Guidance support) at a Story Circle training

Student Success Act/Integrated Guidance Technical Assistance Plan

- Early Literacy Network
- 9th Grade Success Network
- Behavior Attendance and Emotional Supports (BASES)
 - Attendance Services
 - Social Emotional Learning
 - School Safety & Prevention
- Multi-tiered Systems of Support (MTSS) Technical Support and Data System Implementation Technical Assistance
- Instructional Rounds
- Career and College Readiness & CTE
- Communications Technical Assistance
- Community Engagement and Family Partnerships Technical Assistance
- Small/Rural Grant Support
- TSI/CSI Support





Tillamook EI/ECSE Classroom

Grant-Funded and Value-Add Services

Through federal, state and private grants, NWRES D provides certain services at no cost to school districts. *(Not part of the Local Service Plan.)*



Grant-Funded and Value-Add

- Attendance Services
- Child Care Resource and Referral (Clatsop, Columbia, Tillamook)
- Courier
- Early Intervention/Early Childhood Special Education (EI/ECSE)
- Early Learning Hub (Clatsop, Columbia, Tillamook)
- English Language Learner Consortium (Title III)
- Health Education Training Application
- Instructional Technology Professional Learning
- Grow Your Own
- Migrant Education Program
- Oregon Digital Learning/Digital Literacy (EdTech Cadre)
- Math Grant through the STEM HUB
- Outdoor Science School
- Oregon Response to Instruction and Intervention (ORTIi)
- NW Regional Educator Network (nREN)
 - Projected Programs (not yet approved by nREN Coordinating Body):
 - Aspiring Administrators
 - Cascade Alliance for Equity
 - Instructional Coaching Network
 - Mentoring
 - Grow Your Own
 - Early Literacy Supports (e.g., LETRS)
 - Early Learning (Birth - 5)
- Regional Inclusive Services
 - Autism Spectrum Disorder Services
 - Blind Visually Impaired (BVI) Student Services
 - Deaf and Hard-of-Hearing Services
 - Deafblind Services
 - Regional Equipment Center
 - Traumatic Brain Injury Team
- School Safety and Prevention System
- SPED Regional Technical Assistance Program (RTAP)
- Spot Vision Screener
- STEM Hub (Clatsop, Columbia, Tillamook)
- Youth Transition Program (YTP)

Proposed Motion

*I move to approve the 2025-26
Local Service Plan as presented.*

Banks School District #13

Budget Calendar

2025-2026

February 18, 2025, 6 pm	Regular Board Meeting Approve proposed Budget Calendar
March 10, 2025, 6 pm	Regular Board Meeting
April 17, 2025, 6 pm	Budget 101 for Budget Committee (Placeholder only)
May 1, 2025	Publish First Notice of meeting of the Budget Committee
May 8, 2025	Publish Second Notice of meeting of the Budget Committee
May 15, 2025, 6 pm	First meeting of the Budget Committee (May hold time for Budget 101)
May 22, 2025, 6 pm	Possible additional Budget Committee meeting
May 29, 2025, 6 pm	Possible additional Budget Committee meeting
May 30, 2025	Publication of Notice of Budget Hearing (ORS 294.448)
June 9, 2025, 6 pm	Regular Board meeting Public Hearing on 2025-2026 Budget (ORS 294.460)
July 15, 2025	Deadline to certify tax levy to the County Assessor

SUMMARY OF OSBA POLICY UPDATES - PROPOSED 1.13.25

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

GCAA - Standards for Competent and Ethical Performance of Oregon Educators, Optional

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

DEFINITION OF "STUDENT" FOR MATTERS RELATED TO SEXUAL CONDUCT

Summary

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

Local District Responsibility:

Adopt updated language in required policy GBNAA/JHFF - Suspected Sexual Conduct with Students and Reporting Requirements * and adopt the updated definition in optional policy GCAA – Standards for Competent and Ethical Performance of Oregon Educators if present in the board’s manual.

Policy(ies) and ARs Impacted by these Revisions

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

GCAA - Standards for Competent and Ethical Performance of Oregon Educators, Optional

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

Standards for Competent and Ethical Performance of Oregon Educators

Application of Rules

1. Oregon Administrative Rules were adopted by the Teacher Standards and Practices Commission (TSPC) in accordance with Oregon Revised Statutes.
2. Oregon Administrative Rules may be used as criteria by the TSPC in matters pertaining to the revocation or suspension of licenses issued by the commission under Oregon Revised Statutes or the discipline of any license holder or any person who has held a license at any time within five years prior to issuance of the notice of charges under Oregon Revised Statutes.
3. The commission determines whether an educator's performance is ethical or competent in light of all the facts and circumstances surrounding the educator's performance as a whole.
4. The commission will promptly investigate complaints:
 - a. The commission may at its discretion defer action to charge an educator against whom a complaint has been filed under Oregon Revised Statutes when the investigation report indicates that disciplinary action against the educator is pending at the local district level or when criminal charges are pending or are likely to be filed against the educator. In considering whether to defer action to charge an educator, the commission shall consider all relevant circumstances including the nature and seriousness of the allegations and whether the educator is currently employed as a teacher or school administrator;
 - b. The executive secretary shall regularly inform the commission of the status of any complaints on which the commission has deferred action.

Definitions

The following definitions apply to Oregon Administrative Rules unless otherwise indicated by context:

1. "Administrator": Any supervisory educator who holds a valid Oregon administrative license or registration;
2. "Competent": Discharging required duties as set forth in these rules;
3. "Educator": Any licensed or registered person who is authorized to be engaged in the instructional program including teaching, counseling, administering and supervising;
4. "Ethical": Conforming to the professional standards of conduct set forth in these rules;

~~5. “Sexual conduct”: Includes:~~

- ~~a. The intentional touching of the breast or sexual or other intimate parts of a student;~~
- ~~b. Causing, encouraging or permitting a student to touch the breast or sexual or other intimate parts of the educator;~~
- ~~c. Sexual advances or requests for sexual favors directed towards a student;~~
- ~~d. Verbal or physical conduct of a sexual nature when directed toward a student or when such conduct has the effect of unreasonably interfering with a student’s educational performance or creates an intimidating, hostile or offensive educational environment; or~~
- ~~e. Verbal or physical conduct which has the effect of unreasonably interfering with a student’s educational performance or creates an intimidating, hostile or offensive educational environment.~~

5. “Sexual conduct”: means verbal or physical conduct or verbal, written or electronic communications by a school employee, a contractor, an agent or a volunteer that involve a student that are:
- a. Sexual advances or requests for sexual favors directed toward the student; or
 - b. Of a sexual nature that are directed toward the student or that have the effect of unreasonably interfering with the student’s educational performance, or of creating an intimidating or hostile educational environment.

“Sexual conduct” does not include:

Touching or other physical contact:

- (1) That is necessitated by the nature of the district employee’s job duties or by the services required to be provided by the contractor, agent, or volunteer; and
- (2) For which there is no sexual intent. Verbal, written or electronic communications that are provided as part of an education program that meets the state educational standards or a policy approved by the Board

Conduct or communications described in above if the district employee, contractor, agent or volunteer is also a student and the conduct or communications:

- (1) Arise out of a consensual relationship between students;
- (2) Do not create an intimidating or hostile educational environment; and
- (3) Are not prohibited by law, any policies of the district or any applicable employment agreements.

6. “Sexual harassment”: Any unwelcome **conduct with an individual which includes but is not limited to** sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:
- f. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment;
 - g. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or

- h. Such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.
- 7. "Teacher": Any person who holds a teacher's license as provided in Oregon Revised Statutes or is registered to teach by TSPC.
- 8. "Student": means any person who is:
 - a. In any grade from kindergarten through grade 12; or
 - b. Twenty-one years of age or younger and receiving educational or related services from an education provider that is not a post-secondary institution of education; or
 - c. Who was previously known as a student by the person engaging in sexual conduct and who left school or graduated from high school within 90 days one calendar year prior to the sexual conduct.

The Competent Educator

The teacher or administrator demonstrates a commitment to:

- 1. Recognize the worth and dignity of all persons;
- 2. Encourage scholarship;
- 3. Promote democratic citizenship;
- 4. Raise educational standards;
- 5. Use professional judgment.

Curriculum and Instruction

The competent educator measures success by the progress of each student toward realization of personal potential as a worthy and effective citizen. The competent educator stimulates the spirit of inquiry, the acquisition of knowledge and understanding and the thoughtful formulation of goals as they are appropriate for each individual.

The competent teacher demonstrates:

- 1. Use of state- and district-adopted curriculum and goals;
- 2. Skill in setting instructional goals and objectives expressed as learning outcomes;
- 3. Use of current subject matter appropriate to the individual needs of students;

4. Use of students' growth and development patterns to adjust instruction to individual needs consistent with number of students and amount of time available;
5. Skill in the selection and use of teaching techniques conducive to student learning.

The competent administrator demonstrates:

1. Skill in assisting individual staff members to become more competent teachers by complying with state law, rules and lawful and reasonable district policy and contracts;
2. Knowledge of curriculum and instruction appropriate to assignment;
3. Skill in implementing instructional programs through adequate communication with staff;
4. Skill in identifying and initiating any needed change which helps each student toward realization of personal learning potential.

Supervision and Evaluation

The competent educator is a student of human behavior and uses this knowledge to provide a climate that is conducive to learning and that respects the rights of all persons without discrimination. The competent educator assumes responsibility for the activities planned and conducted through the district's program and assists colleagues to do the same. The competent educator gathers relevant information and uses it in the planning and evaluation of instructional activities.

The competent teacher demonstrates:

1. Ways to assess progress of individual students;
2. Skill in the use of assessment data to assist individual student growth;
3. Procedures for evaluating curriculum and instructional goals and practices;
4. Skill in the supervision of students.

The competent administrator demonstrates:

1. Skill in the use of assessment data to provide effective instructional programs;
2. Skill in the implementation of the district's student evaluation program;
3. Skill in providing equal opportunity for all students and staff;
4. Skill in the use of employee techniques appropriate to the assignment and according to well-established standards which ensure due process for the staff being evaluated.

Management Skills

The competent educator is a person who understands students and is able to relate to them in constructive ways. The competent educator establishes and maintains good rapport. The competent educator maintains and uses records as required and as needed to assist the growth of students.

The competent teacher demonstrates skills in:

1. Establishing and maintaining classroom management that is conducive to learning;
2. Using and maintaining district property, equipment and materials appropriately;
3. Using and maintaining student records as required by district policies and procedures;
4. Using district lawful and reasonable rules and regulations.

The competent administrator demonstrates:

1. Skills in managing the school, its students, staff and programs as required by lawful and reasonable district policies, rules and regulations, state and federal laws and regulations and other programs as assigned and assures that staff is informed of these requirements;
2. Skills in planning and staff utilization.

Human Relations and Communications

The competent educator works effectively with others — students, staff, parents and patrons. The competent educator is aware of the ways the community identifies with the school, as well as community needs and ways the school program is designed to meet these needs. The competent educator can communicate with knowledge, clarity and judgment about educational matters, the school and the needs of students.

The competent teacher demonstrates:

1. Willingness to be flexible in cooperatively working with others;
2. Skill in communicating with students, staff, parents and other patrons.

The competent administrator demonstrates:

1. Skill in helping students, staff, parents and other patrons to learn about the school and its program;
2. Skill in communicating district and school goals to staff and public;
3. Willingness to be flexible in cooperatively working with others;
4. Skill in reconciling conflict.

The Ethical Educator

The ethical educator is a person who accepts the requirements of membership in the teaching profession and acts at all times in ethical ways. In so doing the ethical educator considers the needs of the students, the district and the profession.

The ethical educator, in fulfilling obligations to the student, will:

1. Keep the confidence entrusted in the profession as it relates to confidential information concerning a student and family;
2. Refrain from exploiting professional relationships with any student for personal gain or in support of persons or issues;
3. Maintain an appropriate professional student-teacher relationship by:
 - a. Not demonstrating or expressing professionally inappropriate interest in a student's personal life;
 - b. Not accepting or giving or exchanging romantic or overly personal gifts or notes with a student;
 - c. Reporting to the educator's supervisor if the educator has reason to believe a student is, or may be, becoming romantically attached to the educator.
 - d. Honoring appropriate adult boundaries with students in conduct and conversations at all times.

The ethical educator, in fulfilling obligations to the district, will:

1. Apply for, accept, offer or assign a position of responsibility only on the basis of professional qualifications and will adhere to the conditions of a contract or the terms of the appointment;
2. Conduct professional business, including grievances, through established lawful and reasonable procedures;
3. Strive for continued improvement and professional growth;
4. Accept no gratuities or gifts of significance that could influence judgment in the exercise of professional duties;
5. Not use the district's or school's name, property or resources for noneducational benefit without approval of the educator's supervisor or the appointing authority.

The ethical educator, in fulfilling obligations to the district, will:

1. Apply for, accept, offer or assign a position of responsibility only on the basis of professional qualifications and will adhere to the conditions of a contract or the terms of the appointment;

2. Conduct professional business, including grievances, through established lawful and reasonable procedures;
3. Strive for continued improvement and professional growth;
4. Accept no gratuities or gifts of significance that could influence judgment in the exercise of professional duties; and
5. Not use the district's or school's name, property or resources for noneducational benefit without approval of the educator's supervisor or the appointing authority.

The ethical educator, in fulfilling obligations to the profession, will:

1. Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty;
2. Extend equal treatment to all members of the profession in the exercise of their professional rights and responsibilities;
3. Respond to requests for evaluation of colleagues and to keep such information confidential as appropriate.
4. Respond to requests from a TSPC representative for information, furnish documents to TSPC, and participate in interviews with a TSPC representative relating to a TSPC investigation, except subject to the exercise of any legal right or privilege.

END OF POLICY

Legal Reference(s):

[OAR 584-020-0000 to -0035](#)

[House Bill 4160 \(2024\)](#).

12/24 | LF

Reporting Requirements for Suspected Sexual Conduct with Students *

Sexual conduct by district employees, contractors¹, agents², and volunteers³ is not tolerated. All district employees, contractors, agents, and volunteers, **and students**⁴ are subject to this policy.

“Sexual conduct,” means verbal or physical conduct or verbal, written or electronic communications by a school employee, a contractor, an agent or a volunteer that involve a student and that are sexual advances or requests for sexual favors directed toward the student, or of a sexual nature that are directed toward the student or that have the effect of unreasonably interfering with a student’s educational performance, or of creating an intimidating, hostile or offensive educational environment. “Sexual conduct” does not include touching that is necessitated by the nature of the school employee’s job duties or by the services required to be provided by the contractor, agent or volunteer, and for which there is no sexual intent.

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

Any district employee, contractor, agent or volunteer who has reasonable cause to believe that a student has been subjected to sexual conduct by another district employee, contractor, agent or volunteer, or that another district employee, contractor, agent or volunteer has engaged in sexual conduct with a student shall immediately report such suspected sexual conduct to the designated licensed administrator or the alternate designated licensed administrator for their school building. If the superintendent is the alleged perpetrator the report shall be submitted to the Board chair.

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

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

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

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

⁴ Student conduct may only be sexual conduct if the student is also an employee, contractor, agent, or volunteer.

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

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

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

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

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

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

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

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

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

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

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

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

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

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

Senate Bill 155 (2019)

[ORS 339.370 - 339.400](#)

[House Bill 4160 \(2024\)](#).

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

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[House Bill 4160 \(2024\)](#).

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Banks School District #13

DRAFT 2025-2026 CALENDAR *DRAFT*

4 Independence Day

JULY 2025						
S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

JANUARY 2026						
S	M	T	W	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

1-2 Winter Break
 19 Martin Luther King Day - Schools closed
 23 End of first Semester - Schools closed
 26 Grading Day - Schools closed

18 New Teacher Inservice
 19-22 Teacher Inservice
 25 First Day Grades 6th, 9th & New Students, Elementary Open House
 26 First Day Grades 1st-12th
 29 Schools closed

AUGUST 2025						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

FEBRUARY 2026						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

16 Presidents' Day

1 Labor Day
 2, 4, 8 A Group Kindergarten Full Day
 3, 5, 9 B Group Kindergarten Full Day
 10 KG - No school for Kindergarten
 11 First day for all Kindergarten

SEPTEMBER 2025						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

MARCH 2026						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

23-27 Spring break - Schools closed

10 Statewide Inservice - Schools closed
 31 Grading Day - Schools closed

OCTOBER 2025						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

APRIL 2026						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

10 Grading Day - Schools closed

5-6 Conferences
 6 No School Grades K-5
 7 No School Grades K-12
 11 Veterans Day Schools closed
 24-28 Fall Break

NOVEMBER 2025						
S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

MAY 2026						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

1 No School Grades K-5
 25 Memorial Day

22-31 Winter Break

DECEMBER 2025						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

JUNE 2026						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

11 Students' last day (½ Day)
 12 Teachers' Last Day
 19 Juneteenth
 15-17 Potential Inclement Weather Makeup Days

**BANKS SCHOOL DISTRICT
SCHOOL BOARD MEETING, FEBRUARY 18th, 2025
REVIEW FINDINGS OF FACT FOR USE OF A
CONSTRUCTION MANAGEMENT/GENERAL CONTRACTOR (CM/GC)
FOR CONSTRUCTION OF THE BANKS COMMUNITY AUXILIARY GYM,
KELLY FIELD IMPROVEMENTS, AND GOLF FACILITY PROJECTS**

Oregon law and duly adopted resolution of the Banks School District permits the Banks School District Board of Directors, acting as the Local Contract Review Board, to consider and approve specific findings that lead to the exemption of certain contracts from traditional competitive public bidding. Selection of the CM/GC firms for these projects will utilize a Request for Proposal. The Request for Proposal will identify specific criteria to be utilized for the selection. Proposals from the CM/GC firms will include a competitive bid for their fee and the known general conditions, general requirements, bond, and insurance costs for the project. The CM/GC will provide the Banks School District with a preliminary Guaranteed Maximum Price (GMP) and a full performance/payment bond for the work following detailed review of the Construction Documents.

ORS 279C.335(5) requires the Banks School District to provide the opportunity for any interested party to request a public hearing of the Local Contract Review Board to allow comments on the Banks School District draft findings. Notification of a proposed exemption must be advertised in at least one trade newspaper of general statewide circulation not less than 14 days prior to the hearing.

Notice of the proposed exemption was advertised in the News Times 2/4/25 and the Daily Journal of Commerce on 2/5/25.

FINDINGS OF FACT

1. Project Description

The Banks School District is currently in the pre-design phase for the construction of the Projects. The Projects will require tight schedule adherence to resolve issues that could impact timely completion. The time required to complete the design, obtain bids from qualified subcontractors, and order the equipment and materials required will compress the time available for construction. The management team, which will include district staff, architect, and project management, believe the bidding and construction should be the responsibility of the CM/GC firm or firms.

- **Banks Community Auxiliary Gym** – The project scope includes a Gymnasium addition to the existing Middle School as determined by Master Planning conducted by the District.
- **Banks HS Kelly Field Improvements Project** – The project includes but is not limited to, Field Upgrades to turf surfacing and grandstand improvements.
- **Golf Facility** – The project includes the construction of a golf practice area, scope to be determined.

2. Responsibilities of the CM/GC Firm or Firms

a) Design Phase

The CM/GC firm or firms will provide assistance for construction scheduling, competitive bid packaging, cost estimating, and the review of design documents from the standpoint of value, long lead procurements, design feasibility, constructability and establishing a negotiated preliminary Guaranteed Maximum Price for the work prior to completion of the construction documents.

b) Bid Process

The CM/GC firm or firms will coordinate the competitive bid process and material procurement process for all work with full oversight and participation by Banks School District. The CM/GC firm or firms will provide a written recommendation to Banks School District for each subcontract. Upon approval from Banks School District the CM/GC firms will execute a contract with each approved subcontractor and/or supplier.

c) Construction Phase

The CM/GC firm or firms will be responsible for the construction of the Project, including scheduling of materials procurement, delivery and all work completed by subcontractors. The CM/GC firms are responsible for completing the project on schedule, within budget and at, or above, the quality defined in the specifications prepared by the architect.

3. Rationale to Utilize CM/GC Method

a) Competition

It is unlikely that such exemption will encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts as the CM/GC firms will be selected through an open, competitive process among qualified contractors. Banks School District will receive written proposals from contractors with the experience and staff required to complete the project. The process will utilize a Request for Proposal that will be publicly advertised, and Banks School District may interview the firms before recommending a firm to the Board.

b) Multiple Construction Packages

The construction will be completed in phases and may require early bid or procurement packages. Completing the project in phases should result in cost savings.

c) Procurement of Long Lead Items

The CM/GC method will allow the early procurement of long lead material/equipment. Examples include mechanical equipment, electrical equipment, windows, and doors. Early procurement should result in cost savings.

d) Schedule Complexity

The Projects will face tight construction schedules to achieve timely occupancy. By phasing the completion of construction documents, bidding, award and construction, the schedule efficiency required can be achieved. The CM/GC process allows the phasing that will be required.

e) Change Order Cost Control

Change orders cost should be controlled in two ways:

1. By utilizing a contractor to provide cost analysis, construction feasibility reviews and long lead procurement, the final number of change orders should be reduced. Reduction of change orders should result in cost savings.
2. By proposing a fixed fee for overhead and profit, the CM/GC firm's fixed fee is added to the actual cost of the change. It is expected this will be less than the standard fee added to change orders on projects awarded to a bondable, low bidder. Reduction of overhead and profit on changes should result in cost savings.

f) Acceleration

Utilizing the CM/GC approach will reduce the risk of acceleration expense to complete the Projects on time. Reduction or elimination of the cost to accelerate construction to complete the Projects on time should result in cost savings.

g) Improved Cost Management

The financial track record of CM/GC projects with a "Guaranteed Maximum Price" is impressive. The Hillsboro School District, Canby School District, Sherwood School District and Forest Grove School District have used the CM/GC method to complete many construction projects with significant success considering timeliness of project completion, cost savings and adherence to budget limitations. Recent examples are Brookwood Elementary School, Glencoe High School, Hillsboro High School, Ladd Acres Elementary School, Farmington View Elementary School, Canby High School, Sherwood High School, Cornelius Elementary School, and Neil Armstrong Middle School. These projects were all completed on time and under budget. The project team working on the projects successfully balanced the construction budget during the design and construction phases utilizing the same CM/GC process proposed for these projects.

h) Subcontractor Bidding and Selection

The CM/GC firm or firms will have adequate time to prepare bid packages as well as review and analyze bids received from subcontractors. The work subcontracted will

be awarded to the lowest responsive bidder. This bid process will not result in favoritism. Utilizing qualified subcontractors should result in better quality and cost savings.

i) Market Conditions

Many general contractors and subcontractors are being impacted the quantity of work to be bid in the next three years. Currently the cost of materials and labor is adjusting to the market. Ordering materials and equipment may take longer now as manufacturers and distributors are not keeping large amounts of inventory in stock. The CM/GC firm or firms will order materials and equipment in a timely manner from manufacturers and distributors that can deliver the material and equipment on-time to avoid delays caused by late shipments.

j) Awareness and involvement by local contractors and suppliers

The CM/GC firms selected will be required to identify local contractors and suppliers prior to starting the Bid Process. The project management team and CM/GC firms will schedule meetings with local contractors and suppliers to review the scope of work and bid dates. This process allows for local contractor and supplier participation in the projects.

k) Qualified Management

The project management team working on these projects is well equipped to manage the complexities of a CM/GC construction process, with experienced and qualified district staff and external project managers with successful CM/GC experience.

4. Operational, Budget and Financial Data:

The projects will result in efficient mechanical and electrical systems thus minimizing operational costs. Generally the method of construction will have little effect on the operational budget. However, the CM/GC process may further reduce life cycle cost through the use of life cycle analysis to assist in the selection of systems, finishes and equipment.

5. Public Benefits:

The primary public benefit is more expeditious completion of the project. The CM/GC process provides for better collaboration to ensure the Projects will be completed on time, on budget and at, or above, the quality described in the construction documents. It provides better opportunities for reducing construction time by fast tracking construction where beneficial.

6. Value Engineering:

Because the contractor is working with the design team during the design phase, the contractor will assist the project team to identify and implement possible cost savings. The

value engineering process allows the project team to evaluate quality materials and life cycle costs, thereby helping to reduce operating costs.

7. Specialized Expertise Required:

Completing a complicated project on time, on budget and at, or above, the quality expected requires the CM/GC firms to dedicate a qualified team with the experience and expertise to work with Banks School District, the architect, and the project manager. With such experience, mistakes are likely fewer, and disruptions are likely to be minimized. The request for proposals process used to select the CM/GC will enable Banks School District to select the best contractors for the Projects. The School District's Project Manager, Cornerstone Management Group, and legal counsel Miller Nash LLP have significant experience and expertise with the CM/GC form of contracting.

8. Public Safety:

The CM/GC firms will prepare a construction safety plan for the project. The construction safety plan will help ensure the projects are built safely and will help minimize risk to the neighborhoods and the projects.

9. Technical Complexity:

Completing a fast track construction project on an occupied site is complex. The CM/GC process will address technical complexity and should save time and reduce the final cost.

10. Funding Sources:

The projects will be paid for as part of 2024 Capital Improvement Bond and other funds. The bond measure will also fund other construction projects. Establishment of a preliminary and final Guaranteed Maximum Price will better enable Banks School District manage resources available to complete all the projects.

The CM/GC process will provide Banks School District with the following advantages:

- Cost savings, as described above.
- Reduction of schedule risk typically associated with complex construction projects.
- Opportunity to select a qualified CM/GC firm or firms versus award project to any bondable low bidder.
- Accurate cost data for project decisions.
- Greatest assurance of project timely completion.
- Higher confidence in obtaining quality construction.

11. Ultimate Finding:

Based upon the analysis above conducted in compliance with ORS 279C.300 and 279C.335(2), the proposed exemption will not encourage favoritism in awarding public improvement contract or substantially diminish competition for public improvement contracts and will likely result in substantial cost savings and other substantial benefits to the Banks School District.

RECOMMENDATION

The Superintendent recommends the Board of Directors, acting in the capacity of the Local Contract Review Board, review and approve the Findings of Fact supporting a specific exemption from competitive bidding requirements for use of the Construction Management/General Contractor process for the Banks Community Auxiliary Gym, Banks HS Kelly Field, and the Banks HS golf facility projects.

Board action will occur during the regular board business meeting.