

Regular Board Session
Monday, October 13, 2025 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 Strelbow: 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
2. Recognitions
 - 2.1. Banks Elementary School Staff
3. Audience Comment
4. Presentations/Reports
 - 4.1. Joint Session with Banks City Council
 - 4.1.1. Superintendent's Report
 - 4.1.2. City Manager Report
5. Consent
 - 5.1. Approval of September 8th, 2025 Regular Board Meeting Minutes
 - 5.2. Approval of September 8th, 2025 Board Work Session Meeting Minutes
 - 5.3. Second Reading of Proposed Policies JGD, JEA, JEA AR, JFCEB, JFCEB AR, BCF, DBEA, IF, IGBAB/JO, JO/IGBAB, JO/IGBAB AR, JOA, LBEA
 - 5.4. Bond Oversight Committee Report
 - 5.5. Superintendent Goals and Evaluation Criteria
 - 5.6. Routine Personnel Matters
 - 5.7. Approval of Campus Security position
 - 5.8. Board Agreements
6. Discussion Items - None at this time
7. Action Items - None at this time.
8. Closing
 - 8.1. Upcoming items
 - 8.1.1. November 5th & 6th: Fall Conferences
 - 8.1.2. Nov 6th, 7th & 8th: OSBA's 79th Annual Convention
 - 8.1.3. November 17th: Next Board Meeting
 - 8.1.4. November 24th-28th: Fall Break, Schools Closed
 - 8.1.5. December 8th: December's Board meeting
 - 8.2. Board Comments

9. Adjourn

Banks High as of 10/13

Presented by ASB

Sports

Volleyball: 1st in league and 14th in state

Girls Soccer: 3rd in league and 15th in state

Boys Soccer: 4th in league and 20th in state

Football: 1st in league and 2nd in state

Cross Country: Did good in meet on October 10th. Next week they have the Bigfoot Meet where they feel pretty confident with and districts the next week.

Clubs/Organizations

Robotics: Nothing new

Drama: Auditions happened in late September and the cast list is put up in front of Mrs. Hatcher's room. The play is going to happen in early December.

FFA: FFA Showdown is tomorrow at 5:30 pm. This is the big recruitment of the year where new members get to try out all of the events.

NHS: NHS had their first 2 meetings and are starting the Banksgiving fundraiser competition with the middle school and elementary school.

FAD: Will be there at the open house for the old high school filming the documentary.

HOCO

Homecoming week went off without a hitch this year. The HOCO court was crowned on Monday October 6th and the queen was crowned at the football game on Friday October 10th. Banks won the game 42-7. Congratulations to the Banks 2025 HOCO Queen, Adelaide Wilson!



HOCO pt.2

This year the class of 2026 has won HOCO for the third year in a row. The ranking are listed below:

Ranking:

1st-Seniors

2nd-Freshmen

3rd-Juniors

4th-Sophomores

HOCO pt.3

Spirit days:

Monday: Touch of class

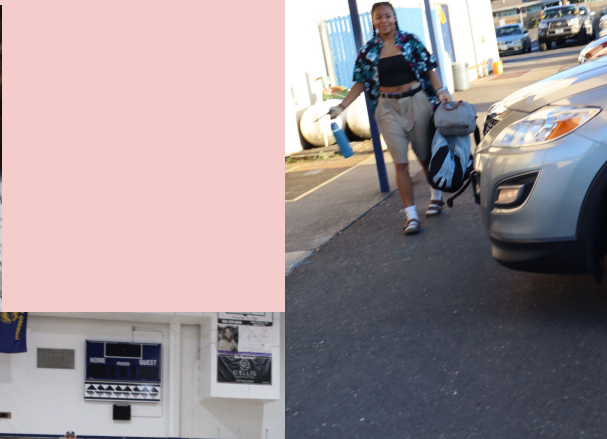
Tuesday: Tacky Tourist Tuesday

Wednesday: 'Murica Day

Thursday: Theme day (Freshmen:Medieval, Sophomores: Prehistoric, Juniors: Futuristic, Seniors: Roarin' 20s, and Staff: 80s)

Friday: Blue and Gold Day





Upcoming Events

Financial Aid Night is Wednesday, October 15th at 6:30 pm.

The PSAT is sometime later this month and is voluntary for all Juniors.

Multiple volunteer opportunities have come up and a good amount of BHS students are giving back to the community.



See you next time!

If you have any questions, I will try my best to answer them.



Superintendent's Monthly Report

October 2025

The purpose of this monthly report is to provide Board members with succinct updates on timely and relevant issues, as well as recurring information from committees and key district initiatives. Please feel free to send any requests for additional information directly to the Superintendent.

Banks School District Report Card

During the October work session, the Board will hear updates from each school regarding their goals and actions for the current school year. Following those presentations, the Superintendent will share district goals. These goals are directly aligned to our strategic plan and informed by a wide range of data sources—including student, staff, and community voice, as well as classroom and standardized measures.

We believe these “scorecards” and action plans demonstrate the broad and meaningful impact our schools have on students and the community. They also serve as a clear measure of accountability to our strategic plan and our commitment that every person in our community feels **Happy and Proud** of their experience with our school district.

Accountability and State Report Card

Another important accountability tool is the Oregon State Report Card. These report cards track student success using several measures, including the Oregon Statewide Assessment System (OSAS), high school credits earned, and regular attendance. (Note: “Regular attendance” is defined as attending more than 90% of school days—no more than one absence per month.)

Highlights include:

- **Elementary School Literacy:** Continued growth on OSAS exams, with “All Students” receiving a rating of 4 out of 5 for growth.
- **Elementary School Math:** Highest possible state rating, with all students and all subgroups earning 5 out of 5 for growth.
- **Middle School Attendance:** Regular attenders increased by more than 15% compared to two years ago.
- **High School Achievement:** A Level 4 in 9th-grade on-track and a Level 5 in four-year graduation rates.

Continuous Growth

While we are proud of these accomplishments, we recognize that our academic results still fall short of what we believe our students can achieve. Our staff and administration are committed to refining leadership and instructional practices to help every student reach their fullest potential.

Community Engagement and State Exam Participation

A continued area of focus is aligned to our strategic goal of **Engaging Our Community**. Participation rates on state exams remain among the lowest in the state, with each school and subgroup currently rated “Level 1.” This is a complex issue in Oregon. By law, schools must send annual letters informing families of their right to opt out of state exams without penalty. However, in state reporting, students who opt out are counted the same as those who do not meet proficiency.

Moving forward, we will work with our community to:

- Elevate the value of state exams.
- Communicate their importance and relevance.
- Frame them as tools to measure districtwide effectiveness.

Our partnership with families and the community is essential as we continue to celebrate successes, face challenges honestly, and pursue the shared goal of ensuring all students thrive.

OSBA Regional Fall Meeting

Recently, Directors Sipp and Frame joined Superintendent Sica in a meeting with representatives from surrounding school districts, to hear a legislative update from the Oregon School Boards Association. Our conversation centered heavily on the looming fiscal pressures and legislative constraints in Salem — and how they might force very difficult choices for K-12 education in the coming biennium. Below is an outline of their key talking points.

Legislative Landscape & Constraints

- This year’s short legislative session is expected to be tight and highly constrained. The abbreviated timeline means fewer bills will move forward, and the opportunities for substantial new education legislation are limited.
- At present, there are no major K-12-specific bills on the radar..

- The session will likely focus on smaller, essential technical fixes or adjustments, rather than sweeping reforms.
- Nevertheless, the pressure is intense to respond to the state's revenue picture and to consider cost containment measures.

Oregon's Revenue Shortfall & Its Implications

- Oregon's rolling conformity to the federal tax code means that federal tax cuts automatically reduce Oregon's income tax revenues. The Legislative Revenue Office currently projects an \$888 million shortfall over the 2025–27 biennium.
- The state has already set aside a modest buffer in the new budget — a \$472 million cushion — but forecasts now suggest a \$373 million deficit remains once the federal impacts fully take hold.
- Oregon has lost around 25,000 jobs over the past year, with impacts concentrated in sectors like manufacturing, trade, construction, and professional services.
- Reductions in federal support for SNAP and Medicaid are expected to ripple into school systems — reducing school nutrition reimbursements, health-related supports, and placing additional demand on districts to fill gaps.

K-12's Share & Risk of Cuts

- Historically, K-12 is the largest allocation from Oregon's general fund. Currently, it accounts for roughly 27% of the general fund.
- That share has declined about 15% over the past two decades in its proportionate share of state resources. (In other words, although absolute dollars have increased, K-12's slice of the overall budget pie has shrunk.)
- The Oregon School Boards Association (OSBA) has issued warnings about the risk of under-funding at "lower than current service level" budgets in the 2027–29 cycle.
- In recent years, the legislature passed a record \$11.36 billion in State School Fund allocations for 2025–27. That represents a necessary baseline just to maintain operations, but many argue it does not provide sufficient margin for growth or new initiatives.

Reserves, Tradeoffs & Strategic Imperatives

- The state does maintain reserves (e.g., Rainy Day Fund, Education Stability Fund) that could help smooth shortfalls or reduce the need for mid-biennium cuts.
- Still, those reserves are not infinite, and tapping them too aggressively risks leaving the state vulnerable to further downturns.

Cell Phone Policy

The Board will be considering our Policy in the consent agenda of the regular session.

Governor Kotek's Executive Order 25-09, issued July 2, 2025, requires all public schools to adopt policies prohibiting student use of personal electronic devices (cell phones, smartwatches, smart glasses, etc.) during school hours.

Policies must specify:

- Where devices are stored
- Consequences for use during the day
- Allowable exceptions

Policies must also be made publicly available.

The District will present draft policy and AR documents to the Board during the September work session. Adoption is scheduled for the October Board Meeting.

OSAA Reclassification

The OSAA Classification and Districting Committee for the 2026–2030 cycle continues to meet, deliberate, and take public feedback. The most recent proposals are linked below. Mr. Pence, who serves on the committee, will provide an update at the November Board work session. Please let Molly know if you have any specific questions.

[View OSAA Committee Update \(September 11, 2025\)](#)

[View OSAA Committee Update \(Released October 9, 2025\)](#)

Student Success Committee (SSC)

The SSC is working on the following in the month of October:

1. Multicultural Clubs – BMS has had its first few meetings and are off to a strong start with student participation and enthusiasm. Their club meets weekly during lunch. BHS's Multicultural club is starting this week
2. Data review - the team will start looking at student data next week to analyze trends and connect it to student experience. In the next few meetings, they will review and summarize disaggregated data on attendance and qualitative focus group data.

3. Bias response tools - the SSC also continues to work on our tools for responding to bias. We have already refined a lesson on understanding the impacts of hate speech related to race, and next they are working on one related to immigration.
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Instruction Materials Adoption - DWL 9/29

Science Instructional Materials Review

This year, the district is reviewing science instructional materials as part of our curriculum cycle. High-quality science materials are critical to providing students with engaging, hands-on learning that prepares them for future opportunities. Because instructional materials represent a significant budget investment, we are approaching this process thoughtfully, with a students-first philosophy guiding all decisions.

To ensure broad input, we are engaging our Community Curriculum Advisory Committee alongside our district science teachers. Their collaboration will help us identify resources that best support rigorous standards, reflect our community's values, and promote meaningful learning for every student.

The Community Curriculum Advisory Committee held their first meeting in September. Ms. Everett provided the committee with an overview of the science standards and facilitated a thoughtful discussion, helping lay the foundation for more informed and engaging work ahead.

Instructional Leadership

We are excited to welcome an Instructional Leadership Coach who will support administrators and teachers. This role focuses on collaboration, coaching, and targeted support, with the goal of strengthening teaching practices and improving student learning outcomes. This investment reflects our ongoing commitment to continuous improvement and high-quality instruction for every student.

Instructional coaching support has included work with individual teachers, grade-level teams, and the instructional cabinet. Coaching is focused on supporting instruction with high-leverage tools and moving towards on-the-fly coaching where teachers and leaders are given feedback in the moment.

Attendance and Engagement - The district attendance team is working diligently to streamline practices and ensure continuity across schools, always keeping students and families at the center of this work. A new **Attendance Manual** is in

development to guide supportive, student- and family-centered approaches to attendance challenges.

Last year, the district saw meaningful improvement in attendance rates, and our goal is to continue building on that progress. Our priority is not only to increase regular attendance, but also to create conditions where students feel happy, connected, and proud to be at school. The attendance team has been reviewing practices, gathering input, and identifying ways to strengthen consistency, while maintaining a focus on care and support.

Transformational Social and Emotional Learning (TSEL) - We are proud of the tailored professional learning opportunities we are providing for our staff this year. As part of our TSEL (Transformative Social Emotional Learning) work, staff will select professional learning topics that best align with their individual interests and needs. This responsive approach was designed based on feedback collected after the first year of training, with the goal of increasing voice, choice, and relevance for all participants.

By making professional learning more engaging and personalized, we aim to strengthen both staff capacity and student outcomes. Session options this year include:

- Behavior Management
- De-escalation Strategies
- Trauma-Informed Care
- Youth Anxiety
- Collaborative Problem Solving
- QPR (suicide prevention)

We believe this model not only demonstrates our commitment to staff growth, but also ensures that the strategies learned directly support the well-being and success of our students.

Tradition and Innovation Committee -

Honoring Our Past, Building Our Future

The District Traditions and Innovations Committee—made up of staff, students, a member of the historical society, alumni, parents, administrators, and our district architect—recently met to review items that could be salvaged from the Banks Union High School brick building.

The committee has created a long list of meaningful pieces to preserve, including original lighting, wood flooring, handrails, the bannister, mural, class photos, and more. The purpose of this work is to find creative, lasting ways to use these materials for storytelling and honoring our history, while also celebrating the exciting future of our schools.

Stay tuned—more information will be shared as plans develop.

SUMMARY OF OSBA POLICY UPDATES (Proposed 9.8.25)

[JFCEB, JFCEB AR](#): PERSONAL ELECTRONIC DEVICES

Summary

Governor Kotek issued Executive Order No. 25-09 (EO) on July 2, 2025. The EO requires school districts to adopt a policy prohibiting student use of personal electronic devices during instructional time. The policy must be adopted by October 31, 2025, with full implementation required by January 1, 2026. OSBA anticipates the Oregon State Board of Education to adopt administrative rules aligning with the EO in the next several months.

Policy Update - August 2025

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Existing Oregon law, ORS 336.840, also requires policy language regarding student use and possession of personal electronic devices by students.

Although full implementation is not required until January 1, 2026, districts may decide to implement at the beginning of the school year in order to avoid changing practice during the middle of the year. Districts can adopt this policy early, but should be aware of the possibility that a subsequent policy update may be necessary due to the adoption of rules or other changes.

Any previous versions of sample policy JFCEB – Personal Electronic Devices and Social Media**and sample administrative regulation, JFCEB-AR - Personal Electronic Devices and Social Media adopted are recommended to be deleted in lieu of the new sample policy, JFCEB

[BCF & DBEA](#): EDUCATIONAL EQUITY ADVISORY COMMITTEES

Summary

In 2021, the Oregon Legislature passed SB 731, requiring school districts to create educational equity advisory committees (EEAC). This requirement went into effect in 2021 for districts with more than 10,000 students and was delayed until September 15, 2025 for districts with fewer than 10,000 students. Based on the experience of larger districts, the Oregon Legislature passed HB 2453 (2025), which removes some of the requirements of the EEAC, allowing them to function as a superintendent committee instead of a board committee.

OSBA previously added language about EEACs to Board policy BCF – Advisory Committees to the Board. Because EEACs no longer report to the Board, OSBA is recommending this language be deleted. OSBA has created a new optional policy, CEA – Educational Equity Advisory Committee for districts that want policy language outlining EEAC requirements. Many of the smaller districts have not added policy language about EEACs as the requirement does not go into effect until September 15, 2025 (the district may not need to delete anything). Additionally, one member of the EEAC will serve on the district's budget committee. This does not create a new position on the budget committee, rather, a member of the EEAC will fill a vacancy on the budget committee when it becomes available. Language can be added to Board policy DBEA – Budget Committee.

[IE](#): CHOOSING INSTRUCTIONAL MATERIALS AND SCHOOL OR CLASSROOM LIBRARY MATERIALS

Summary

The changes include new provisions of law from Senate Bill 1098 (2025) governing persons responsible for the selection or retention of library materials, and also governing persons responsible for the use of, or refuse to approve the use of, textbooks and other instructional materials on American history and government. New provisions require compliance with nondiscrimination practices under ORS 659.850 and ensuring compliance with ORS 337.260, i.e., a person may not prohibit the use of, or refuse to approve the use of, textbooks or other instructional materials on the basis that the textbooks or materials include a perspective, study or story of, or are created by, any individual or group identified in ORS 337.260 (1). The law identifies individuals or groups who are: Native American, European, African, Asian, Pacific Island, Chicano, Latino, Middle Eastern or Jewish descent, have disabilities, are immigrants or refugees, or are lesbian, gay, bisexual or transgender.

The law does not prohibit the district from choosing to apply these provisions to other textbooks and instructional materials.

[IGBAB/JO, JO/IGBAB, JO/IGBAB AR, JOA](#); STUDENT RECORDS

Summary

The State Board of Education recently made changes to the rules regarding directory information and student permanent records (OAR 581-021-0220). This update reflects these changes. OSBA will be doing a more comprehensive review of policies related to student records and releasing additional updates in the future.

[LBEA](#); Summary

The State Board of Education adopted changes to OAR 581-026-0305 and -0310 on the process for parents to provide notice about enrolling their student in a virtual public charter school and a district's response. The changes are reflected in policy LBEA – Denial for Virtual Public Charter School Student Enrollment.

[JEA, JEA AR](#); These are District Policy updates made to better align with current legislation.

Request for Personal Electronic Devices Exception

A parent or guardian may request an exception to the personal electronic device prohibition by submitting the following form to the principal or designee.

Name of student: _____ Grade: _____

School: _____

If the reason for the request is included in the student’s individualized education program, as defined in ORS 343.025 or an education plan developed for the student in accordance with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, this form is not required.

This request is:

- In compliance with the student’s medical provider’s order for the care and treatment of a medical condition (attach a copy of the order);
- Accommodate the individual circumstances of the student;
- Further specific educational outcomes for the student.

Exemption requested (describe the requested possession or use of a personal electronic device to be allowed and reason for the requested exemption):

Duration for requested exemption: _____¹

Signed: _____ Date: _____

Parent or guardian name: _____

Parent or guardian phone: _____ Email: _____

For Completion by School Administration

Request: Granted Expiration of exemption: _____

¹ The maximum duration of an exemption is [one year] [the end of the current school year] [the end of the student’s enrollment at this school].

Denied Reason for denial: _____

More information needed. Please submit by [date] for reconsideration.

Signed: _____ Date: _____

School administration will consult with a school nurse and counselors when appropriate. School administration decisions will be issued and communicated to the parent or guardian within 10 school days of receipt and can be appealed in accordance with KL-AR(1) – Public Complaint Procedure

Guidelines for exemption consideration:

1. Exemptions will only be approved for legitimate needs of students and their families, not mere convenience;
2. Exemptions will be consistently granted in a non-discriminatory manner;
3. Exemptions will be limited to address the specific need, with limitations communicated to the student regarding other possession and use;
4. Exemptions will only be approved when other communication methods and device availability (school phones, laptops, computers, available internet, etc.) are not adequate for the specific need;
5. Exemptions will be communicated to necessary staff in a way that protects student privacy;
6. Exemptions will minimize disruption to other students, staff and the educational environment.

Personal Electronic Devices

Student use of a personal electronic device is prohibited from the initial entrance to a school building until the end of regular instructional hours, except as provided below. Personal electronic devices can be used when students are not on school grounds and are not under the supervision of school personnel.

Except as otherwise provided in this policy, “personal electronic device” means any portable, electrically powered device that is capable of making and receiving calls and text messages and accessing the internet independently from the school’s network infrastructure.^[1] This includes headphones and earbuds attached to personal electronic devices. This does not include a laptop computer or other device required to support academic activities.

Personal electronic devices may be used when use complies with the terms of:

1. The student’s individualized education program, as defined in ORS 343.035 or an education plan developed for the student in accordance with section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794);²
2. A written exemption provided for the student based on a request received in JFCEB-AR. School administration will respond to such a request within [10] school days.³

Personal electronic devices may be kept by students in lockers, backpacks, or stored on the student’s person, but may not be used during regular instructional hours. Storage requirements may vary by school and will be outlined in the student code of conduct.

Students in violation of this policy will be subject to disciplinary action. Discipline for mere possession or use of a personal electronic device may not include loss of instructional time for the student (including suspension or expulsion), but could include [verbal reminders, parental involvement, detention, a change

¹ [ODE’s guidance, *Fostering Student Learning, Well-Being, and Belonging* provides “This includes personal electronic devices that can make calls, send texts, or access the internet via cellular data are restricted. This includes smartphones, web-enabled flip phones, cellular-capable tablets and e-readers, smartwatches, smart glasses, and connected headphones or earbuds. This does not include laptop computers or other devices required to support academic activities.”]

² If use of the personal electronic device is included in the individualized education program or education plan, JFCEB-AR submission is not required.

³ JFCEB-AR must be submitted to the building administrator.

to storage requirements, etc. ⁴]. However, if the actions taken by a student violate another conduct policy, the student may be subject to discipline up to and including expulsion.⁵

Necessary communications during the school day while on school grounds between students and parents or guardians can be made through the school office.

The superintendent or designee shall ensure this policy is posted on the district website and made available to district personnel, students, parents, guardians, partners who are in school buildings during the school day, and the Oregon Department of Education.

Requests for exemptions to this policy can be processed in accordance with JFCEB-AR – Request for Personal Electronic Devices Exemption. Appeals can be filed in accordance with KL-AR (1) – Public Complaint Procedure

The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.

END OF POLICY

Legal Reference(s):

⁴ {Correction may include requiring a student to store their device in a school storage space instead of in the backpack.}

⁵ For example: a student could be disciplined with lost instructional time for using a personal electronic device to bully another student or for accessing inappropriate content. Discipline will be in accordance with Board policies.

DRAFT

Banks School District No. 13

Code: **JGD**

Adopted: 10/12/15,
9/8/25

Suspension

The Board authorizes student suspension for one or more of the following reasons:

1. Willful violation of Board policies, administrative regulations or school rules;
2. Willful conduct which materially and substantially disrupts the rights of others to an education;
3. Willful conduct which endangers the student, other students or staff members;
4. Willful conduct which damages or injures district property.

Students and parents are given notice of possible discipline actions resulting from student misconduct that may result in suspension in the *Student/Parent Handbook* made available by the district.

Each suspension will include a statement of the reasons for suspension, the length of the suspension, ~~and a~~ plan for readmission and may include a plan for the student to make up school work. No suspension shall extend beyond 10 school days. Every reasonable and prompt effort must be made to notify the parents of suspended students. The district may require a student to attend school during nonschool hours as an alternative to suspension.

In emergency situations that are a result of risk to health and safety, the district may postpone the suspension notice process above until the emergency condition has passed.

Students who are suspended may not attend after-school activities and athletic events, be present on district property without a parent or participate in activities directed or sponsored by the district.

~~Suspensions may be appealed to the Board.~~ Appeals may follow KL-AR (Formal Complaint Process) END

OF POLICY

Legal Reference(s):

[ORS 339.240](#)

[ORS 339.250](#)

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

Compulsory Attendance Notices and Citations

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

1. Attendance Supervisor

The attendance supervisor shall:

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

2. Superintendent or Designee

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

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

If an evaluation or review as described in item c. above has been requested, this conference will be scheduled after its completion.

3. Conference

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

- e. Review Oregon's attendance law and the student's attendance record;
- f. Determine the reasons for the noncompliance;
- g. Develop a plan for student attendance improvement (i.e., contract, etc.);
- h. Inform the parent and student of other available resources in the district and community, if available;
- i. Discuss the potential consequences for continued attendance noncompliance, including the potential for the issuance of a citation, if applicable.

Banks School District
12950 NW Main St.
Banks, OR 97106
Phone: 503-324-8591

***** ATTENDANCE SUPERVISOR'S NONENROLLMENT NOTICE *****

Date
Parent(s)/Guardian
Address

Dear ,
(Parent/Guardian)

A determination has been made that your student, (Student's Name), is not exempted from compulsory attendance in school, under provisions of ORS 339.030 and is not currently enrolled in school.

In accordance with Oregon law, you are hereby notified that you must enroll your student at [school name] no later than the next school day following receipt of this notice and maintain your student in regular attendance for the remainder of the school year.

Please be advised that failure to comply with Oregon's compulsory attendance law is a Class C violation and may result in a compulsory attendance citation and complaint issued by the superintendent and a fine by a court.

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

If you have questions, please contact (Principal) at (School Number).

Sincerely,

Principal

cc: Principal/Superintendent

Compulsory Attendance Notices and Citations -
Banks School District
12950 NW Main St.
Banks, OR 97106
Phone: 503-324-8591

******* ATTENDANCE SUPERVISOR'S IRREGULAR ATTENDANCE NOTICE *******

Date
Parent(s)/Guardian
Address

Dear (Parent/Guardian),

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

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

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

If your child is taught by a parent, guardian or private teacher, you must notify your local education service district and comply with ORS 339.035. Your local ESD is: Northwest Regional ESD.

If you have questions, please contact (Principal's Name) at (Principal's Number).

Sincerely,

Principal

cc: Superintendent

Banks School District
12950 NW Main St.
Banks, OR 97106
Phone: 503-324-8591

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

Date
Parent(s)/Guardian
Address

Dear ,
(Parent/Guardian)

According to district records, you were notified by the district's attendance supervisor on [date] that your student, [name], has [failed to enroll in school] [failed to maintain regular school attendance] as required by Oregon ~~compulsory attendance~~ laws.

Your student was required to appear in school no later than the next school day following your receipt of that notice and to maintain regular attendance for the remainder of the school year. District records indicate your student continues to be absent from a public school.

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

A student is required to regularly attend a full-time school. Failure to send the student to school and to maintain the student in regular attendance is a Class C violation. A citation for such compulsory attendance violations may result in a court fine.

You [did not request an evaluation of your student's individualized education program (IEP) or a review of your student's current IEP.] [requested an evaluation to determine if your student should have an individualized education program (IEP).] [requested a review of an existing IEP for your student] and the requested evaluation or review was completed on [date].]

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

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

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

~~3. 1. The development of a plan for improvement;~~

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

5. Any questions you may have concerning ~~the potential consequences for continued noncompliance with Oregon's compulsory attendance law, as set forth above and as provided in Board student conduct and truancy policies.~~

District programs and resources to help your child attend regularly.

~~Failure to attend this conference or failure to send your student to school and to maintain your student in regular school attendance following this conference will result in the issuance of a citation to you, as provided by law.~~

If your child is taught by a parent, guardian or private teacher, you must notify your local education service district and comply with ORS 339.035. Your local ESD is: Northwest Regional ESD.

If you have questions, please contact the building Principal.

Sincerely,

Superintendent

HR ~~5.244~~/4/24 | PH LF

Compulsory Attendance Notices and Citations -JEA-AR

DRAFT

Compulsory Attendance

Except when exempt by Oregon law, all students between ages 6 and 18 who have not completed the 12th grade are required to regularly attend a public, full-time school during the entire school term.

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

Persons having legal control of a student between the ages 6 and 18, who has not completed the 12th grade, are required to send the child to school and maintain the child in regular attendance during the entire school term. Persons having **legal** control of a student, who is five years of age and **has who have** enrolled the child in a public school, are required to **have send** the student **attend to school** attend and maintain the child in regular attendance during the school term.

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

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

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

Exemptions from Compulsory School Attendance

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

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

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

~~b. Each student being taught as described above shall be examined no later than August 15, following grades 3, 5, 8 and 10:~~

~~(1) If the student was withdrawn from public school, the first examination shall be administered at least 18 months after the date the student withdrew from a public school;~~

~~(2) If the student never attended public or private school, the first examination shall be administered prior to the end of grade 3;~~

~~(3) Procedures for home-schooled students with disabilities are set out in Oregon Administrative Rule (OAR) 581-021-0029.~~

~~e. Examinations testing each student shall be from the list of approved examinations from the State Board of Education;~~

~~d. The examination must be administered by a neutral individual qualified to administer tests on the approved list provided by the Oregon Department of Education;~~

~~e. The person administering the examination shall score the examination and report the results to the parent or guardian. Upon request of the ESD superintendent, the parent or guardian shall submit the results of the examination to the ESD;~~

~~f. All costs for the test instrument, administration and scoring are the responsibility of the parent or guardian;~~

~~g. In the event the ESD superintendent finds that the student is not showing satisfactory educational progress, the ESD superintendent shall provide the parent with a written statement of the reasons for the finding, based on the test results and shall follow the guidelines in Oregon Revised Statutes and Oregon Administrative Rules.~~

b. Each child being taught as described above shall be examined no later than August 15, following grades 3, 5, 8 and 10:

(1) If the student was withdrawn from public school, the first examination shall be administered at least 18 months after the date the student withdrew from public school;

(2) If the child never attended public or private school, the first examination shall be administered prior to the end of grade 3.

b. Procedures for homeschooling students with disabilities are set out in Oregon Administrative Rule (OAR) 581-021-0029;

c. Examinations shall be from the list of approved examinations from the State Board of Education;

d. The examination must be administered by a neutral, individual qualified to administer tests on the approved list provided by the Oregon Department of Education;

e. The person administering the examination shall score the examination and report the results to the parent or guardian. Upon request of the ESD superintendent, the parent or guardian shall submit the results of the examination to the ESD;

f. All costs for the test instrument, administration and scoring are the responsibility of the parent or guardian;

g. In the event the ESD superintendent finds that the child is not showing satisfactory educational progress, the ESD superintendent shall follow the guidelines in Oregon Revised Statutes and Oregon Administrative Rules.

6. Children whose sixth birthday occurred on or before September 1 immediately preceding the beginning of the current school year, if the parent or guardian notified the child's resident district in writing that the parent or guardian is delaying the enrollment of their child for one school year to better meet the child's needs for cognitive, social or physical development, as determined by the parent or guardian.
7. Children who are present in the United States on a nonimmigrant visa and who are attending a private, accredited English language learner program in preparation for attending a private high school or college.
8. Students excluded from attendance as provided by law.
9. Students who are eligible military children¹ are exempt up to 10 days after the date of military transfer or pending transfer indicated in the official military order.

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

Compulsory Attendance – JEA 2-3

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

END OF POLICY

Legal Reference(s):

[ORS 153.018](#)

[ORS 163.577](#)

[ORS 339.010 - 339.095](#)

[ORS 339.139](#)

[ORS 339.990](#)

~~[ORS 807.065](#)~~

~~[ORS 807.066](#)~~

[OAR 581-021-0026](#)

[OAR 581-021-0029](#)

[OAR 581-021-0076](#)

[OAR 581-021-0077](#)

DRAFT

Advisory Committees to the Board

In an ongoing effort to increase communication with the public and to provide for citizen involvement, the Board may appoint advisory committees which include community members to consider matters of districtwide importance. The Board shall have no permanent or standing advisory committees other than those required by statute.

Recommendations of such committees will be given careful consideration by the Board, but such recommendations will not relieve the Board of its legal responsibility to make final decisions about such matters.

All meetings of advisory committees shall be considered open meetings. The press may attend and report proceedings. Visitors shall sit apart from the committee members and shall speak only when invited to do so by the committee chairman.

The composition of advisory committees to the Board will be broadly representative and will take into consideration the specific tasks assigned to the committee. The process for the appointment of community members to an advisory committee will be determined by the Board. ~~Appointment of staff members, when appropriate, will be made by the superintendent.~~ When requested and approved by the Board, appointment of staff members, when appropriate, will be made by the superintendent.

The Board will adopt guidelines for each committee as appropriate, which will include, but not be limited to, the following:

1. The committee's written charge which shall include, but not be limited to, a statement of purpose and responsibility;
2. The resources the Board will provide;
3. The length of time the committee is asked to serve and the approximate date(s) on which the Board wishes to receive committee report(s).

Except as specifically provided by the Board, citizen advisory committees will cease to function when their reports have been received by the Board or when the purposes for which they were established have been accomplished.

The Board may be represented on lay and professional committees that serve the Board in an advisory capacity, with specific Board members appointed by the chairman, but normally such Board members will function as ex-officio members of the committees.

~~The Board's responsibility cannot be delegated or surrendered to others. Therefore, all recommendations of an advisory committee must be submitted to the Board for action and must be recognized as advisory in nature.~~

END OF POLICY

Legal Reference(s):

ORS 192.610
ORS 192.630
ORS 294.336

ORS 329.704
ORS 332.107

"Attorney General's Public Records and Meetings Manual" pp. 90-92 (1999)

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END OF POLICY

Legal Reference(s):

ORS 192.610
ORS 192.630
ORS 294.336

ORS 329.704
ORS 332.107

"Attorney General's Public Records and Meetings Manual" pp. 90-92 (1999)

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Budget Committee

Organization, Membership and Terms of Office

The district budget committee will consist of the five members of the Board and five electors appointed by the Board as required by law. Terms of the appointed members will be three years each with appointments made so that, as nearly as possible, the terms of one-third of the members expire each year. [At least one member of the budget committee must be a member of the district's educational equity advisory committee.](#) The Board will establish appropriate timelines and procedures for appointment of budget committee members.

A majority of the constituted committee is required for passing an action item. Majority for a 10-member budget committee is 6. Therefore, if only 6 members are present, a unanimous vote is needed for passing an action item.

Presiding Officer and Orientation of Budget Committee

1. Organization: The budget committee will hold its first regular organizational meeting on a day set by the Board. A presiding officer shall be elected from among its members at this meeting. Such meeting may be prior to or on the date the budget message and document are presented.
2. Background Information: Budget committee members will be provided with data for the ensuing year, such as the Board's educational plan, and other pertinent material bearing on the preparation of a school budget.

Meetings of the Budget Committee

The budget committee shall hold one or more meetings to receive the budget message, the budget document and to provide members of the public with an opportunity to ask questions about and comment on the budget document. The budget committee shall announce the time and place for all such meetings, as provided by law. All meetings of the budget committee are open to the public.

Function of the Budget Committee

It is the function of the budget committee to approve budget estimates for an educational plan previously determined by the Board. No new program should be considered for the budget estimate that has not previously been submitted to the Board and approved as a part of the educational plan. The budget committee will determine levels of spending, but will not determine programs. ~~However, educational policy decisions are the responsibility of the Board, not the budget committee.~~

Final Action

The budget committee will approve an estimated budget document for submission to the Board.

END OF POLICY

Districts with ADM over 10,000 must convene an educational equity advisory committee no later than September 15, 2022. Districts with ADM of 10,000 or under are not required to convene an educational equity advisory committee until September 15, 2025. [The budget committee is not required to include a member of the educational equity advisory committee until a vacancy on the budget committee occurs by a member who is not also a member of the school district board.](#)

Legal Reference(s):

ORS 174.130
ORS 192.610 - 192.710

ORS 294.305 - 294.565

Cross Reference(s):

DBG - Budget Hearing

District Curriculum ~~Development~~

~~The Board deems it essential that the district continually develop and modify its curriculum to meet the changing needs and diversity of our citizenry and to assure the full, rounded and continuing development of the individual student.~~

The Board believes it is necessary to continually develop and modify the district's curriculum to meet changing needs in technology and fields of knowledge and to assure the full, rounded and continuing development of students. While keeping with the requirements of state law, the Board authorizes the superintendent, in consultation with staff, parents and the community, to review the curriculum and to advise the Board on needed curriculum changes.

~~While the Board retains its full rights and responsibilities for the determination of the curriculum, it authorizes the administration to set up a procedure to evaluate and review curriculum. The procedure will be on a regular basis and any major modifications to the curriculum will be subject to Board review.~~

The Board or a committee or administrator responsible for making a decision for regarding the use of, textbooks or other instructional materials must not prohibit the use of or refuse to approve the use of textbooks or instructional materials on the basis that the textbooks or instructional materials include a perspective, study or story of, or are created by, any individual or group identified in ORS 337.260.

END OF POLICY

Legal Reference(s):

[ORS 243.650](#)

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

[ORS 336.035](#)

[ORS 336.067](#)

[ORS 337.260](#)

[ORS 659.850](#)

[OAR 581-021-0045](#)

[OAR 581-021-0046](#)

[OAR 581-022-2000](#)

[OAR 581-022-2030](#)

[OAR 581-022-2250](#)

[OAR 581-022-2300](#)

[OAR 581-022-2305](#)

[OAR 581-022-2310](#)

[OAR 581-022-2315](#)

Senate Bill 1098 (2025)

Education Records/Records of Students with Disabilities Management

1. Student Education Record

Student education records are those records that are directly related to a student and maintained by the district, or by a party acting for the district; however, this does not include the following:

- a. Records of instructional, supervisory and administrative personnel and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record, used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- b. Records of the law enforcement unit of the district subject to the provisions of Oregon Administrative Rule (OAR) 581-021-0225;
- c. Records relating to an individual who is employed by the district that are made and maintained in the normal course of business, that relate exclusively to the individual in that individual's capacity as an employee and that are not available for use for any other purpose. Records relating to an individual in attendance at the district who is employed as a result of his/her status as a student are education records and are not excepted under this section;
- d. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:
 - (1) Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his/her professional capacity or assisting in a paraprofessional capacity;
 - (2) Made, maintained or used only in connection with treatment of the student; and
 - (3) Disclosed only to individuals providing the treatment. For purposes of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the district.
- e. Records that only contain information relating to activities in which an individual engaged after he/she is no longer a student at the district;
- f. Medical or nursing records which are made or maintained separately and solely by a licensed health-care professional who is not employed by the district, and which are not used for education purposes or planning.

The district shall keep and maintain a permanent record on each student which includes the:

- a. Name and address of educational agency or institution;
- b. Full legal name of the student;
- c. Student birth date ~~and place of birth~~;
- d. Name of parents/~~guardians~~;

- e. Date of entry into the school;
- f. Name of school previously attended;
- g. Courses of study and marks received;
- h. Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;
- i. Credits earned;
- j. Attendance; and
- k. Date of withdrawal from school; and
- l. ~~Such additional information as the district may prescribe.~~

The district may also request the social security number of the student ~~and will include the social security number on the permanent record only if the eligible student or parent complies with the request.~~ The request shall include notification to the eligible student or the student's parent(s) that the provision of the social security number is voluntary and notification of the purpose for which the social security number will be used.

The district shall retain permanent records in a minimum one-hour fire-safe place in the district, or keep a duplicate copy of the permanent records in a safe depository in another district location.

1. Confidentiality of Student Records

- a. The district shall keep confidential any record maintained on a student in accordance with OAR 581-021-0220 through 581-021-0430.
- b. Each district shall protect the confidentiality of personally identifiable information at collection, storage, disclosure and destruction stages.
- c. Each district shall identify one official to assume responsibility for ensuring the confidentiality of any personally identifiable information.
- d. All persons collecting or using personally identifiable information shall receive training or instruction on state policies and procedures.

2. Rights of Parents and Eligible Students

The district shall annually notify parents and eligible students through the district student/parent handbook or any other means that are reasonably likely to inform the parents or eligible students of their rights. This notification shall state that the parent(s) or an eligible student has a right to:

- a. Inspect and review the student's education records;
- b. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy or other rights;
- c. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the applicable state or federal law authorizes disclosure without consent;
- d. Pursuant to OAR 581-021-0410, file with the Family Policy Compliance Office, United States Department of Education a complaint under 34 C.F.R. § 99.64 concerning alleged failures by the district to comply with the requirements of federal law; and
- e. Obtain a copy of the district policy with regard to student education records.

The notification shall also inform parents or eligible students that the district forwards education records requested under OAR 581-021-0255. The notification shall also indicate where copies of the district policy are located and how copies may be obtained.

If the eligible student or the student's parent(s) has a primary or home language other than English, or has a disability, the district shall provide effective notice.

These rights shall be given to either parent unless the district has been provided with specific written evidence there is a court order, state statute or legally binding document relating to such matters as divorce, separation or custody that specifically revokes these rights.

When a student becomes an eligible student, which is defined as a student who has reached 18 years of age or is attending only an institution of postsecondary education and is not enrolled in a secondary school, the rights accorded to, and the consent required of, the parents transfer from the parents to the student. Nothing prevents the district from giving students rights in addition to those given to parents.

3. Parent's or Eligible Student's Right to Inspect and Review

The district shall permit an eligible student or student's parent(s) or a representative of a parent or eligible student, if authorized in writing by the eligible student or student's parent(s), to inspect and review the education records of the student, unless the education records of a student contain information on more than one student. In that case the eligible student or student's parent(s) may inspect, review or be informed of only the specific information about the student.

The district shall comply with a request for access to records:

- a. Within a reasonable period of time and without unnecessary delay;
- b. For children with disabilities before any meeting regarding an individualized education program (IEP), or any due process hearing, or any resolution session related to a due process hearing¹;
- c. In no case more than 45 days after it has received the request.

The district shall respond to reasonable requests for explanations and interpretations of the student's education record.

The parent(s) or an eligible student shall comply with the following procedure to inspect and review a student's education record:

- a. Provide a written, dated request to inspect a student's education record; and
- b. State the specific reason for requesting the inspection.

The written request will be permanently added to the student's education record.

¹ Records must be provided without undue delay, which may not exceed 10 business days from the date of the request for the records. Records may be redacted only to the extent necessary to protect personally identifiable information of other children unless disclosure is authorized by law or court order.

The district shall not destroy any education record if there is an outstanding request to inspect and review the education record.

While the district is not required to give an eligible student or student's parent(s) access to treatment records under the definition of "education records" in OAR 581-021-0220(6)(b)(D), the eligible student or student's parent(s) may, at their expense, choose a physician or other appropriate professional and have those records reviewed.

If an eligible student or student's parent(s) so requests, the district shall give the eligible student or student's parent(s) a copy of the student's education record. The district may recover a fee for providing a copy of the record, but only for the actual costs of reproducing the record unless the imposition of a fee effectively prevents a parent or eligible student from exercising the right to inspect and review the student's educational records. The district may not charge a fee to search for or to retrieve the education records of a student.

The district shall not provide the eligible student or student's parent(s) with a copy of test protocols, test questions and answers and other documents described in Oregon Revised Statutes (ORS) 192.345(4) unless authorized by federal law.

The district will maintain a list of the types and locations of education records maintained by the district and the titles and addresses of officials responsible for the records.

Student education records will be maintained at the school building at which the student is in attendance except for special education records which may be located at another designated location within the district. The [administrator/principal or designee] shall be the person responsible for maintaining and releasing the education records.

2. Release of Personally Identifiable Information

Personally identifiable information shall not be released without prior written consent of the eligible student or student's parent(s) except in the following cases:

- a. The disclosure is to other school officials, including teachers, within the district who have a legitimate educational interest.

As used in this section, "legitimate educational interest" means a district official employed by the district as an administrator, supervisor, instructor or staff support member; a person serving on a school board who needs to review an educational record in order to fulfill their professional responsibilities, as delineated by their job description, contract or conditions of employment. Contractors, consultants, volunteers or other parties to whom an agency or institution has outsourced institutional services or functions may be considered a school official provided that party performs an institutional service or function for which the district would otherwise use employees, is under the direct control of the district with respect to the use and maintenance of education records, and is subject to district policies concerning the redisclosure of personally identifiable information.

The district shall maintain, for public inspection, a listing of the names and positions of individuals within the district who have access to personally identifiable information with respect to students with disabilities.

- b. The disclosure is to officials of another school within the district;
- c. The disclosure is to authorized representatives of:

[The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division] in connection with an audit or evaluation of federal or state-supported education programs, or the enforcement of or compliance with federal or state-supported education programs, or the enforcement of or compliance with federal or state regulations.

- d. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:
 - (1) Determine eligibility for the aid;
 - (2) Determine the amount of the aid;
 - (3) Determine the conditions for the aid; or
 - (4) Enforce the terms and condition of the aid.

As used in this section “financial aid” means any payment of funds provided to an individual that is conditioned on the individual’s attendance at an educational agency or institution.

- e. The disclosure is to organizations conducting studies for, or on behalf of, the district to:
 - (1) Develop, validate or administer predictive tests;
 - (2) Administer student aid programs; or
 - (3) Improve instruction.

The district may disclose information under this section only if disclosure is to an official listed in paragraph (c) above and who enters into a written agreement with the district that:

- (1) Specifies the purpose, scope and duration of the study and the information to be disclosed;
- (2) Limits the organization to using the personally identifiable information only for the purpose of the study;
- (3) The study is conducted in a manner that does not permit personal identification of parents or students by individuals other than representatives of the organization; and
- (4) The information is destroyed when no longer needed for the purposes for which the study was conducted.

For purposes of this section, the term “organization” includes, but is not limited to, federal, state and local agencies, and independent organizations.

- b. The district may disclose information under this section only if the disclosure is to an official listed in paragraph (c) above who is conducting an audit related to the enforcement of or compliance with federal or state legal requirements and who enters into a written agreement with the district that:

- (1) Designates the individual or entity as an authorized representative;
 - (2) Specifies the personally identifiable information being disclosed;
 - (3) Specifies the personally identifiable information being disclosed in the furtherance of an audit, evaluation or enforcement or compliance activity of the federal or state-supported education programs;
 - (4) Describes the activity with sufficient specificity to make clear it falls within the audit or evaluation exception; this must include a description of how the personally identifiable information will be used;
 - (5) Requires information to be destroyed when no longer needed for the purpose for which the study was conducted;
 - (6) Identifies the time period in which the personally identifiable information must be destroyed; and
 - (7) Establishes policies and procedures which are consistent with Family Education Rights and Privacy Act (FERPA) and other federal and state confidentiality and privacy provisions to insure the protection of the personally identifiable information from further disclosure and unauthorized use.
- c. The disclosure is to accrediting organizations to carry out their accrediting functions;
- d. The disclosure is to comply with a judicial order or lawfully issued subpoena. The district may disclose information under this section only if the district makes a reasonable effort to notify the eligible student or student's parent(s) of the order or subpoena in advance of compliance, unless an order or subpoena of a federal court or agency prohibits notification to the parent(s) or student;
- e. The disclosure is to comply with a judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependency matters;
- f. The disclosure is to the parent(s) of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;
- g. The disclosure is in connection with a health or safety emergency. The district shall disclose personally identifiable information from an education record to law enforcement, child protective services and health care professionals, and other appropriate parties in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. If the district determines that there is an articulable and significant threat, the district will document the information available at that time of determination and the rationale basis for the determination for the disclosure of the information from the educational records.
- In making a determination whether a disclosure may be made under the health or safety emergency, the district may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. As used in this section a "health or safety emergency" includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnap, abduction or custodial interference and law enforcement or child protective services efforts to respond to a report of child abuse or neglect pursuant to applicable state law, or other such reasons that the district may in good faith determine a health or safety emergency;
- h. The disclosure is information the district has designated as "directory information" (See Board policy JOA – Directory Information);
- i. The disclosure is to the parent(s) of a student who is not an eligible student or to an eligible student;

- j. The disclosure is to officials of another school, school system, institution of postsecondary education, an education service district (ESD), state regional program or other educational agency that has requested the records and in which the student seeks or intends to enroll or is enrolled or in which the student receives services. The term “receives services” includes, but is not limited to, an evaluation or reevaluation for purposes of determining whether a student has a disability;
- k. The disclosure is to the Board during an executive session pursuant to ORS 332.061;
- l. The disclosure is to a caseworker or other representative, who has the right to access the student’s case plan, of a state or local child welfare agency or tribal organization that are legally responsible for the care and protection of the student, provided the personally identifiable information will not be disclosed unless allowed by law.

The district will use reasonable methods to identify and authenticate the identity of the parents, students, school officials, and any other parties to whom the district discloses personally identifiable information from educational records.

2. Record-Keeping Requirements

The district shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student. Exceptions to the record-keeping requirements shall include the parent, eligible student, school official or assistant responsible for custody of the records and parties authorized by state and federal law for auditing purposes. The district shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure the record must include:

- a. The party or parties who have requested or received personally identifiable information from the education records; and
- b. The legitimate interests the parties had in requesting or obtaining the information.

The following parties may inspect the record of request for access and disclosure to a student’s personally identifiable information:

- a. The parent(s) or an eligible student;
- b. The school official or assistants who are responsible for the custody of the records;
- c. Those parties authorized by state or federal law for purposes of auditing the record-keeping procedures of the district.

2. Request for Amendment of Student’s Education Record

If an eligible student or student’s parent(s) believes the education records relating to the student contain information that is inaccurate, misleading or in violation of the student’s rights of privacy or other rights, the student or parent(s) may ask the building level principal where the record is maintained to amend the record.

The principal shall decide, after consulting with the necessary staff, whether to amend the record as requested within a reasonable time after the request to amend has been made.

The request to amend the student's education record shall become a permanent part of the student's education record.

If the principal decides not to amend the record as requested, the eligible student or the student's parent(s) shall be informed of the decision and of a right to appeal the decision by requesting a hearing.

3. Hearing Rights of Parents or Eligible Students

If the building level principal decides not to amend the education record of a student as requested by the eligible student or the student's parent(s), the eligible student or student's parent(s) may request a formal hearing for the purpose of challenging information in the education record as inaccurate, misleading or in violation of the privacy or other rights of the student. The district shall appoint a hearings officer to conduct the formal hearing requested by the eligible student or student's parent. The hearing may be conducted by any individual, including an official of the district, who does not have a direct interest in the outcome of the hearing. The hearings officer will establish a date, time and location for the hearing, and give the student's parent or eligible student notice of date, time and location reasonably in advance of the hearing. The hearing will be held within [10] working days of receiving the written or verbal request for the hearing.

The hearings officer will convene and preside over a hearing panel consisting of:

- a. The principal or designee;
- b. A member chosen by the eligible student or student's parent(s); and
- c. A disinterested, qualified third party appointed by the superintendent.

The parent or eligible student may, at own expense, choose one or more individuals to assist or represent them, including an attorney. The hearing shall be private. Persons other than the student, parent, witnesses and counsel shall not be admitted. The hearings officer shall preside over the panel. The panel will hear evidence from the school staff and the eligible student or student's parent(s) to determine the point(s) of disagreement concerning the records. Confidential conversations between a licensed employee or district counselor and a student shall not be part of the records hearing procedure. The eligible student or student's parent(s) has the right to insert written comments or explanations into the record regarding the disputed material. Such inserts shall remain in the education record as long as the education record or a contested portion is maintained and exists. The panel shall make a determination after hearing the evidence and make its recommendation in writing within [10] working days following the close of the hearing. The panel will make a determination based solely on the evidence presented at the hearing and will include a summary of the evidence and the reason for the decision. The findings of the panel shall be rendered in writing not more than [10] working days following the close of the hearing and submitted to all parties.

If, as a result of the hearing, the panel decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the eligible student or the student's parent(s) of the right to place a statement in the record commenting on the contested information in the record or stating why there is disagreement with the decision of the panel. If a statement is placed in an education record, the district will ensure that the statement:

- a. Is maintained as part of the student's records as long as the record or a contested portion is maintained by the district; and
- b. Is disclosed by the district to any party to whom the student's records or the contested portion are disclosed.

If, as a result of the hearing, the panel decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall:

- a. Amend the record accordingly; and
- b. Inform the eligible student or the student's parent(s) of the amendment in writing.

2. Duties and Responsibilities When Requesting Education Records

The district shall, within 10 days of a student seeking initial enrollment in or services from the district, notify the public or private school, ESD, institution, agency or detention facility or youth care center in which the student was formerly enrolled, and shall request the student's education records.

3. Duties and Responsibilities When Transferring Education Records

The district shall transfer originals of all requested student education records, including any ESD records, relating to the particular student to the new educational agency when a request to transfer the education records is made to the district. The transfer shall be made no later than 10 days after receipt of the request. For students in substitute care programs, the transfer must take place within five days of a request. Readable copies of the following documents shall be retained:

- a. The student's permanent records, for one year;
- b. Such special education records as are necessary to document compliance with state and federal audits, for five years after the end of the school year in which the original was created. In the case of records documenting speech pathology and physical therapy services, until the student reaches age 21 or 5 years after last seen, whichever is longer.

Note: Education records shall not be withheld for student fees, fines and charges if requested in circumstances described in ORS 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

Disclosure Statement

Required for use in collecting personally identifiable information related to social security numbers.

On any form that requests the social security number (SSN), the following statement shall appear just above the space for the SSN:

“Providing your social security number (SSN) is voluntary. If you provide it, the district will use your SSN for record-keeping, research, and reporting purposes only. The district will not use your SSN to make any decision directly affecting you or any other person. Your SSN will not be given to the general public. If you choose not to provide your SSN, you will not be denied any rights as a student. Please read the statement on the back of this form that describes how your SSN will be used. Providing your SSN means that you consent to the use of your SSN in the manner described.”

On the back of the same form, or attached to it, the following statement shall appear:

“OAR 581-021-0250 (1)(j) authorizes districts to ask you to provide your social security number (SSN). The SSN will be used by the district for reporting, research and record keeping. Your SSN will also be provided to the Oregon Department of Education. The Oregon Department of Education gathers information about students and programs to meet state and federal statistical reporting requirements. It also helps districts and the state research, plan and develop educational programs. This information supports the evaluation of educational programs and student success in the workplace.”

The district and Oregon Department of Education may also match your SSN with records from other agencies as follows:

The Oregon Department of Education uses information gathered from the Oregon Employment Division to learn about education, training and job market trends. The information is also used for planning, research and program improvement.

State and private universities, colleges, community colleges and vocational schools use the information to find out how many students go on with their education and their level of success.

Other state agencies use the information to help state and local agencies plan educational and training services to help Oregon citizens get the best jobs available.

Your SSN will be used only for statistical purposes as listed above. State and federal law protects the privacy of your records.

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Education Records/Records of Students with Disabilities Management

1. Student Education Record

Student education records are those records that are directly related to a student and maintained by the district, or by a party acting for the district; however, this does not include the following:

- a. Records of instructional, supervisory and administrative personnel and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record, used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- b. Records of the law enforcement unit of the district subject to the provisions of Oregon Administrative Rule (OAR) 581-021-0225;
- c. Records relating to an individual who is employed by the district that are made and maintained in the normal course of business, that relate exclusively to the individual in that individual's capacity as an employee and that are not available for use for any other purpose. Records relating to an individual in attendance at the district who is employed as a result of his/her status as a student are education records and are not excepted under this section;
- d. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:
 - (1) Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his/her professional capacity or assisting in a paraprofessional capacity;
 - (2) Made, maintained or used only in connection with treatment of the student; and
 - (3) Disclosed only to individuals providing the treatment. For purposes of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the district.
- e. Records that only contain information relating to activities in which an individual engaged after he/she is no longer a student at the district;
- f. Medical or nursing records which are made or maintained separately and solely by a licensed health-care professional who is not employed by the district, and which are not used for education purposes or planning.

The district shall keep and maintain a permanent record on each student which includes the:

- a. Name and address of educational agency or institution;
- b. Full legal name of the student;
- c. Student birth date ~~and place of birth~~;
- d. Name of parents/~~guardians~~;

- e. Date of entry into the school;
- f. Name of school previously attended;
- g. Courses of study and marks received;
- h. Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;
- i. Credits earned;
- j. Attendance; and
- k. Date of withdrawal from school; and
- l. ~~Such additional information as the district may prescribe.~~

The district may also request the social security number of the student ~~and will include the social security number on the permanent record only if the eligible student or parent complies with the request.~~ The request shall include notification to the eligible student or the student's parent(s) that the provision of the social security number is voluntary and notification of the purpose for which the social security number will be used.

The district shall retain permanent records in a minimum one-hour fire-safe place in the district, or keep a duplicate copy of the permanent records in a safe depository in another district location.

1. Confidentiality of Student Records

- a. The district shall keep confidential any record maintained on a student in accordance with OAR 581-021-0220 through 581-021-0430.
- b. Each district shall protect the confidentiality of personally identifiable information at collection, storage, disclosure and destruction stages.
- c. Each district shall identify one official to assume responsibility for ensuring the confidentiality of any personally identifiable information.
- d. All persons collecting or using personally identifiable information shall receive training or instruction on state policies and procedures.

2. Rights of Parents and Eligible Students

The district shall annually notify parents and eligible students through the district student/parent handbook or any other means that are reasonably likely to inform the parents or eligible students of their rights. This notification shall state that the parent(s) or an eligible student has a right to:

- a. Inspect and review the student's education records;
- b. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy or other rights;
- c. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the applicable state or federal law authorizes disclosure without consent;
- d. Pursuant to OAR 581-021-0410, file with the Family Policy Compliance Office, United States Department of Education a complaint under 34 C.F.R. § 99.64 concerning alleged failures by the district to comply with the requirements of federal law; and
- e. Obtain a copy of the district policy with regard to student education records.

The notification shall also inform parents or eligible students that the district forwards education records requested under OAR 581-021-0255. The notification shall also indicate where copies of the district policy are located and how copies may be obtained.

If the eligible student or the student's parent(s) has a primary or home language other than English, or has a disability, the district shall provide effective notice.

These rights shall be given to either parent unless the district has been provided with specific written evidence there is a court order, state statute or legally binding document relating to such matters as divorce, separation or custody that specifically revokes these rights.

When a student becomes an eligible student, which is defined as a student who has reached 18 years of age or is attending only an institution of postsecondary education and is not enrolled in a secondary school, the rights accorded to, and the consent required of, the parents transfer from the parents to the student. Nothing prevents the district from giving students rights in addition to those given to parents.

3. Parent's or Eligible Student's Right to Inspect and Review

The district shall permit an eligible student or student's parent(s) or a representative of a parent or eligible student, if authorized in writing by the eligible student or student's parent(s), to inspect and review the education records of the student, unless the education records of a student contain information on more than one student. In that case the eligible student or student's parent(s) may inspect, review or be informed of only the specific information about the student.

The district shall comply with a request for access to records:

- a. Within a reasonable period of time and without unnecessary delay;
- b. For children with disabilities before any meeting regarding an individualized education program (IEP), or any due process hearing, or any resolution session related to a due process hearing¹;
- c. In no case more than 45 days after it has received the request.

The district shall respond to reasonable requests for explanations and interpretations of the student's education record.

The parent(s) or an eligible student shall comply with the following procedure to inspect and review a student's education record:

- a. Provide a written, dated request to inspect a student's education record; and
- b. State the specific reason for requesting the inspection.

The written request will be permanently added to the student's education record.

¹ Records must be provided without undue delay, which may not exceed 10 business days from the date of the request for the records. Records may be redacted only to the extent necessary to protect personally identifiable information of other children unless disclosure is authorized by law or court order.

The district shall not destroy any education record if there is an outstanding request to inspect and review the education record.

While the district is not required to give an eligible student or student's parent(s) access to treatment records under the definition of "education records" in OAR 581-021-0220(6)(b)(D), the eligible student or student's parent(s) may, at their expense, choose a physician or other appropriate professional and have those records reviewed.

If an eligible student or student's parent(s) so requests, the district shall give the eligible student or student's parent(s) a copy of the student's education record. The district may recover a fee for providing a copy of the record, but only for the actual costs of reproducing the record unless the imposition of a fee effectively prevents a parent or eligible student from exercising the right to inspect and review the student's educational records. The district may not charge a fee to search for or to retrieve the education records of a student.

The district shall not provide the eligible student or student's parent(s) with a copy of test protocols, test questions and answers and other documents described in Oregon Revised Statutes (ORS) 192.345(4) unless authorized by federal law.

The district will maintain a list of the types and locations of education records maintained by the district and the titles and addresses of officials responsible for the records.

Student education records will be maintained at the school building at which the student is in attendance except for special education records which may be located at another designated location within the district. The [administrator/principal or designee] shall be the person responsible for maintaining and releasing the education records.

2. Release of Personally Identifiable Information

Personally identifiable information shall not be released without prior written consent of the eligible student or student's parent(s) except in the following cases:

- a. The disclosure is to other school officials, including teachers, within the district who have a legitimate educational interest.

As used in this section, "legitimate educational interest" means a district official employed by the district as an administrator, supervisor, instructor or staff support member; a person serving on a school board who needs to review an educational record in order to fulfill their professional responsibilities, as delineated by their job description, contract or conditions of employment. Contractors, consultants, volunteers or other parties to whom an agency or institution has outsourced institutional services or functions may be considered a school official provided that party performs an institutional service or function for which the district would otherwise use employees, is under the direct control of the district with respect to the use and maintenance of education records, and is subject to district policies concerning the redisclosure of personally identifiable information.

The district shall maintain, for public inspection, a listing of the names and positions of individuals within the district who have access to personally identifiable information with respect to students with disabilities.

- b. The disclosure is to officials of another school within the district;
- c. The disclosure is to authorized representatives of:

[The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division] in connection with an audit or evaluation of federal or state-supported education programs, or the enforcement of or compliance with federal or state-supported education programs, or the enforcement of or compliance with federal or state regulations.

- d. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:
 - (1) Determine eligibility for the aid;
 - (2) Determine the amount of the aid;
 - (3) Determine the conditions for the aid; or
 - (4) Enforce the terms and condition of the aid.

As used in this section “financial aid” means any payment of funds provided to an individual that is conditioned on the individual’s attendance at an educational agency or institution.

- e. The disclosure is to organizations conducting studies for, or on behalf of, the district to:
 - (1) Develop, validate or administer predictive tests;
 - (2) Administer student aid programs; or
 - (3) Improve instruction.

The district may disclose information under this section only if disclosure is to an official listed in paragraph (c) above and who enters into a written agreement with the district that:

- (1) Specifies the purpose, scope and duration of the study and the information to be disclosed;
- (2) Limits the organization to using the personally identifiable information only for the purpose of the study;
- (3) The study is conducted in a manner that does not permit personal identification of parents or students by individuals other than representatives of the organization; and
- (4) The information is destroyed when no longer needed for the purposes for which the study was conducted.

For purposes of this section, the term “organization” includes, but is not limited to, federal, state and local agencies, and independent organizations.

- b. The district may disclose information under this section only if the disclosure is to an official listed in paragraph (c) above who is conducting an audit related to the enforcement of or compliance with federal or state legal requirements and who enters into a written agreement with the district that:

- (1) Designates the individual or entity as an authorized representative;
 - (2) Specifies the personally identifiable information being disclosed;
 - (3) Specifies the personally identifiable information being disclosed in the furtherance of an audit, evaluation or enforcement or compliance activity of the federal or state-supported education programs;
 - (4) Describes the activity with sufficient specificity to make clear it falls within the audit or evaluation exception; this must include a description of how the personally identifiable information will be used;
 - (5) Requires information to be destroyed when no longer needed for the purpose for which the study was conducted;
 - (6) Identifies the time period in which the personally identifiable information must be destroyed; and
 - (7) Establishes policies and procedures which are consistent with Family Education Rights and Privacy Act (FERPA) and other federal and state confidentiality and privacy provisions to insure the protection of the personally identifiable information from further disclosure and unauthorized use.
- c. The disclosure is to accrediting organizations to carry out their accrediting functions;
- d. The disclosure is to comply with a judicial order or lawfully issued subpoena. The district may disclose information under this section only if the district makes a reasonable effort to notify the eligible student or student's parent(s) of the order or subpoena in advance of compliance, unless an order or subpoena of a federal court or agency prohibits notification to the parent(s) or student;
- e. The disclosure is to comply with a judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependency matters;
- f. The disclosure is to the parent(s) of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;
- g. The disclosure is in connection with a health or safety emergency. The district shall disclose personally identifiable information from an education record to law enforcement, child protective services and health care professionals, and other appropriate parties in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. If the district determines that there is an articulable and significant threat, the district will document the information available at that time of determination and the rationale basis for the determination for the disclosure of the information from the educational records.
- In making a determination whether a disclosure may be made under the health or safety emergency, the district may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. As used in this section a "health or safety emergency" includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnap, abduction or custodial interference and law enforcement or child protective services efforts to respond to a report of child abuse or neglect pursuant to applicable state law, or other such reasons that the district may in good faith determine a health or safety emergency;
- h. The disclosure is information the district has designated as "directory information" (See Board policy JOA – Directory Information);
- i. The disclosure is to the parent(s) of a student who is not an eligible student or to an eligible student;

- j. The disclosure is to officials of another school, school system, institution of postsecondary education, an education service district (ESD), state regional program or other educational agency that has requested the records and in which the student seeks or intends to enroll or is enrolled or in which the student receives services. The term “receives services” includes, but is not limited to, an evaluation or reevaluation for purposes of determining whether a student has a disability;
- k. The disclosure is to the Board during an executive session pursuant to ORS 332.061;
- l. The disclosure is to a caseworker or other representative, who has the right to access the student’s case plan, of a state or local child welfare agency or tribal organization that are legally responsible for the care and protection of the student, provided the personally identifiable information will not be disclosed unless allowed by law.

The district will use reasonable methods to identify and authenticate the identity of the parents, students, school officials, and any other parties to whom the district discloses personally identifiable information from educational records.

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The district shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student. Exceptions to the record-keeping requirements shall include the parent, eligible student, school official or assistant responsible for custody of the records and parties authorized by state and federal law for auditing purposes. The district shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure the record must include:

- a. The party or parties who have requested or received personally identifiable information from the education records; and
- b. The legitimate interests the parties had in requesting or obtaining the information.

The following parties may inspect the record of request for access and disclosure to a student’s personally identifiable information:

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If an eligible student or student’s parent(s) believes the education records relating to the student contain information that is inaccurate, misleading or in violation of the student’s rights of privacy or other rights, the student or parent(s) may ask the building level principal where the record is maintained to amend the record.

The principal shall decide, after consulting with the necessary staff, whether to amend the record as requested within a reasonable time after the request to amend has been made.

The request to amend the student's education record shall become a permanent part of the student's education record.

If the principal decides not to amend the record as requested, the eligible student or the student's parent(s) shall be informed of the decision and of a right to appeal the decision by requesting a hearing.

3. Hearing Rights of Parents or Eligible Students

If the building level principal decides not to amend the education record of a student as requested by the eligible student or the student's parent(s), the eligible student or student's parent(s) may request a formal hearing for the purpose of challenging information in the education record as inaccurate, misleading or in violation of the privacy or other rights of the student. The district shall appoint a hearings officer to conduct the formal hearing requested by the eligible student or student's parent. The hearing may be conducted by any individual, including an official of the district, who does not have a direct interest in the outcome of the hearing. The hearings officer will establish a date, time and location for the hearing, and give the student's parent or eligible student notice of date, time and location reasonably in advance of the hearing. The hearing will be held within [10] working days of receiving the written or verbal request for the hearing.

The hearings officer will convene and preside over a hearing panel consisting of:

- a. The principal or designee;
- b. A member chosen by the eligible student or student's parent(s); and
- c. A disinterested, qualified third party appointed by the superintendent.

The parent or eligible student may, at own expense, choose one or more individuals to assist or represent them, including an attorney. The hearing shall be private. Persons other than the student, parent, witnesses and counsel shall not be admitted. The hearings officer shall preside over the panel. The panel will hear evidence from the school staff and the eligible student or student's parent(s) to determine the point(s) of disagreement concerning the records. Confidential conversations between a licensed employee or district counselor and a student shall not be part of the records hearing procedure. The eligible student or student's parent(s) has the right to insert written comments or explanations into the record regarding the disputed material. Such inserts shall remain in the education record as long as the education record or a contested portion is maintained and exists. The panel shall make a determination after hearing the evidence and make its recommendation in writing within [10] working days following the close of the hearing. The panel will make a determination based solely on the evidence presented at the hearing and will include a summary of the evidence and the reason for the decision. The findings of the panel shall be rendered in writing not more than [10] working days following the close of the hearing and submitted to all parties.

If, as a result of the hearing, the panel decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the eligible student or the student's parent(s) of the right to place a statement in the record commenting on the contested information in the record or stating why there is disagreement with the decision of the panel. If a statement is placed in an education record, the district will ensure that the statement:

- a. Is maintained as part of the student's records as long as the record or a contested portion is maintained by the district; and
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If, as a result of the hearing, the panel decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall:

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On the back of the same form, or attached to it, the following statement shall appear:

“OAR 581-021-0250 (1)(j) authorizes districts to ask you to provide your social security number (SSN). The SSN will be used by the district for reporting, research and record keeping. Your SSN will also be provided to the Oregon Department of Education. The Oregon Department of Education gathers information about students and programs to meet state and federal statistical reporting requirements. It also helps districts and the state research, plan and develop educational programs. This information supports the evaluation of educational programs and student success in the workplace.”

The district and Oregon Department of Education may also match your SSN with records from other agencies as follows:

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State and private universities, colleges, community colleges and vocational schools use the information to find out how many students go on with their education and their level of success.

Other state agencies use the information to help state and local agencies plan educational and training services to help Oregon citizens get the best jobs available.

Your SSN will be used only for statistical purposes as listed above. State and federal law protects the privacy of your records.

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- b. Records of the law enforcement unit of the district subject to the provisions of Oregon Administrative Rule (OAR) 581-021-0225;
- c. Records relating to an individual who is employed by the district that are made and maintained in the normal course of business, that relate exclusively to the individual in that individual's capacity as an employee and that are not available for use for any other purpose. Records relating to an individual in attendance at the district who is employed as a result of his/her status as a student are education records and are not excepted under this section;
- d. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:
 - (1) Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in his/her professional capacity or assisting in a paraprofessional capacity;
 - (2) Made, maintained or used only in connection with treatment of the student; and
 - (3) Disclosed only to individuals providing the treatment. For purposes of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the district.
- e. Records that only contain information relating to activities in which an individual engaged after he/she is no longer a student at the district;
- f. Medical or nursing records which are made or maintained separately and solely by a licensed health-care professional who is not employed by the district, and which are not used for education purposes or planning.

The district shall keep and maintain a permanent record on each student which includes the:

- a. Name and address of educational agency or institution;
- b. Full legal name of the student;
- c. Student birth date ~~and place of birth~~;
- d. Name of parents/~~guardians~~;

- e. Date of entry into the school;
- f. Name of school previously attended;
- g. Courses of study and marks received;
- h. Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;
- i. Credits earned;
- j. Attendance; and
- k. Date of withdrawal from school; and
- l. ~~Such additional information as the district may prescribe.~~

The district may also request the social security number of the student ~~and will include the social security number on the permanent record only if the eligible student or parent complies with the request.~~ The request shall include notification to the eligible student or the student's parent(s) that the provision of the social security number is voluntary and notification of the purpose for which the social security number will be used.

The district shall retain permanent records in a minimum one-hour fire-safe place in the district, or keep a duplicate copy of the permanent records in a safe depository in another district location.

1. Confidentiality of Student Records

- a. The district shall keep confidential any record maintained on a student in accordance with OAR 581-021-0220 through 581-021-0430.
- b. Each district shall protect the confidentiality of personally identifiable information at collection, storage, disclosure and destruction stages.
- c. Each district shall identify one official to assume responsibility for ensuring the confidentiality of any personally identifiable information.
- d. All persons collecting or using personally identifiable information shall receive training or instruction on state policies and procedures.

2. Rights of Parents and Eligible Students

The district shall annually notify parents and eligible students through the district student/parent handbook or any other means that are reasonably likely to inform the parents or eligible students of their rights. This notification shall state that the parent(s) or an eligible student has a right to:

- a. Inspect and review the student's education records;
- b. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy or other rights;
- c. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the applicable state or federal law authorizes disclosure without consent;
- d. Pursuant to OAR 581-021-0410, file with the Family Policy Compliance Office, United States Department of Education a complaint under 34 C.F.R. § 99.64 concerning alleged failures by the district to comply with the requirements of federal law; and
- e. Obtain a copy of the district policy with regard to student education records.

The notification shall also inform parents or eligible students that the district forwards education records requested under OAR 581-021-0255. The notification shall also indicate where copies of the district policy are located and how copies may be obtained.

If the eligible student or the student's parent(s) has a primary or home language other than English, or has a disability, the district shall provide effective notice.

These rights shall be given to either parent unless the district has been provided with specific written evidence there is a court order, state statute or legally binding document relating to such matters as divorce, separation or custody that specifically revokes these rights.

When a student becomes an eligible student, which is defined as a student who has reached 18 years of age or is attending only an institution of postsecondary education and is not enrolled in a secondary school, the rights accorded to, and the consent required of, the parents transfer from the parents to the student. Nothing prevents the district from giving students rights in addition to those given to parents.

3. Parent's or Eligible Student's Right to Inspect and Review

The district shall permit an eligible student or student's parent(s) or a representative of a parent or eligible student, if authorized in writing by the eligible student or student's parent(s), to inspect and review the education records of the student, unless the education records of a student contain information on more than one student. In that case the eligible student or student's parent(s) may inspect, review or be informed of only the specific information about the student.

The district shall comply with a request for access to records:

- a. Within a reasonable period of time and without unnecessary delay;
- b. For children with disabilities before any meeting regarding an individualized education program (IEP), or any due process hearing, or any resolution session related to a due process hearing¹;
- c. In no case more than 45 days after it has received the request.

The district shall respond to reasonable requests for explanations and interpretations of the student's education record.

The parent(s) or an eligible student shall comply with the following procedure to inspect and review a student's education record:

- a. Provide a written, dated request to inspect a student's education record; and
- b. State the specific reason for requesting the inspection.

The written request will be permanently added to the student's education record.

¹ Records must be provided without undue delay, which may not exceed 10 business days from the date of the request for the records. Records may be redacted only to the extent necessary to protect personally identifiable information of other children unless disclosure is authorized by law or court order.

The district shall not destroy any education record if there is an outstanding request to inspect and review the education record.

While the district is not required to give an eligible student or student's parent(s) access to treatment records under the definition of "education records" in OAR 581-021-0220(6)(b)(D), the eligible student or student's parent(s) may, at their expense, choose a physician or other appropriate professional and have those records reviewed.

If an eligible student or student's parent(s) so requests, the district shall give the eligible student or student's parent(s) a copy of the student's education record. The district may recover a fee for providing a copy of the record, but only for the actual costs of reproducing the record unless the imposition of a fee effectively prevents a parent or eligible student from exercising the right to inspect and review the student's educational records. The district may not charge a fee to search for or to retrieve the education records of a student.

The district shall not provide the eligible student or student's parent(s) with a copy of test protocols, test questions and answers and other documents described in Oregon Revised Statutes (ORS) 192.345(4) unless authorized by federal law.

The district will maintain a list of the types and locations of education records maintained by the district and the titles and addresses of officials responsible for the records.

Student education records will be maintained at the school building at which the student is in attendance except for special education records which may be located at another designated location within the district. The [administrator/principal or designee] shall be the person responsible for maintaining and releasing the education records.

2. Release of Personally Identifiable Information

Personally identifiable information shall not be released without prior written consent of the eligible student or student's parent(s) except in the following cases:

- a. The disclosure is to other school officials, including teachers, within the district who have a legitimate educational interest.

As used in this section, "legitimate educational interest" means a district official employed by the district as an administrator, supervisor, instructor or staff support member; a person serving on a school board who needs to review an educational record in order to fulfill their professional responsibilities, as delineated by their job description, contract or conditions of employment. Contractors, consultants, volunteers or other parties to whom an agency or institution has outsourced institutional services or functions may be considered a school official provided that party performs an institutional service or function for which the district would otherwise use employees, is under the direct control of the district with respect to the use and maintenance of education records, and is subject to district policies concerning the redisclosure of personally identifiable information.

The district shall maintain, for public inspection, a listing of the names and positions of individuals within the district who have access to personally identifiable information with respect to students with disabilities.

- b. The disclosure is to officials of another school within the district;
- c. The disclosure is to authorized representatives of:

[The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division] in connection with an audit or evaluation of federal or state-supported education programs, or the enforcement of or compliance with federal or state-supported education programs, or the enforcement of or compliance with federal or state regulations.

- d. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:
 - (1) Determine eligibility for the aid;
 - (2) Determine the amount of the aid;
 - (3) Determine the conditions for the aid; or
 - (4) Enforce the terms and condition of the aid.

As used in this section “financial aid” means any payment of funds provided to an individual that is conditioned on the individual’s attendance at an educational agency or institution.

- e. The disclosure is to organizations conducting studies for, or on behalf of, the district to:
 - (1) Develop, validate or administer predictive tests;
 - (2) Administer student aid programs; or
 - (3) Improve instruction.

The district may disclose information under this section only if disclosure is to an official listed in paragraph (c) above and who enters into a written agreement with the district that:

- (1) Specifies the purpose, scope and duration of the study and the information to be disclosed;
- (2) Limits the organization to using the personally identifiable information only for the purpose of the study;
- (3) The study is conducted in a manner that does not permit personal identification of parents or students by individuals other than representatives of the organization; and
- (4) The information is destroyed when no longer needed for the purposes for which the study was conducted.

For purposes of this section, the term “organization” includes, but is not limited to, federal, state and local agencies, and independent organizations.

- b. The district may disclose information under this section only if the disclosure is to an official listed in paragraph (c) above who is conducting an audit related to the enforcement of or compliance with federal or state legal requirements and who enters into a written agreement with the district that:

- (1) Designates the individual or entity as an authorized representative;
 - (2) Specifies the personally identifiable information being disclosed;
 - (3) Specifies the personally identifiable information being disclosed in the furtherance of an audit, evaluation or enforcement or compliance activity of the federal or state-supported education programs;
 - (4) Describes the activity with sufficient specificity to make clear it falls within the audit or evaluation exception; this must include a description of how the personally identifiable information will be used;
 - (5) Requires information to be destroyed when no longer needed for the purpose for which the study was conducted;
 - (6) Identifies the time period in which the personally identifiable information must be destroyed; and
 - (7) Establishes policies and procedures which are consistent with Family Education Rights and Privacy Act (FERPA) and other federal and state confidentiality and privacy provisions to insure the protection of the personally identifiable information from further disclosure and unauthorized use.
- c. The disclosure is to accrediting organizations to carry out their accrediting functions;
- d. The disclosure is to comply with a judicial order or lawfully issued subpoena. The district may disclose information under this section only if the district makes a reasonable effort to notify the eligible student or student's parent(s) of the order or subpoena in advance of compliance, unless an order or subpoena of a federal court or agency prohibits notification to the parent(s) or student;
- e. The disclosure is to comply with a judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependency matters;
- f. The disclosure is to the parent(s) of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;
- g. The disclosure is in connection with a health or safety emergency. The district shall disclose personally identifiable information from an education record to law enforcement, child protective services and health care professionals, and other appropriate parties in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. If the district determines that there is an articulable and significant threat, the district will document the information available at that time of determination and the rationale basis for the determination for the disclosure of the information from the educational records.
- In making a determination whether a disclosure may be made under the health or safety emergency, the district may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. As used in this section a "health or safety emergency" includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnap, abduction or custodial interference and law enforcement or child protective services efforts to respond to a report of child abuse or neglect pursuant to applicable state law, or other such reasons that the district may in good faith determine a health or safety emergency;
- h. The disclosure is information the district has designated as "directory information" (See Board policy JOA – Directory Information);
- i. The disclosure is to the parent(s) of a student who is not an eligible student or to an eligible student;

- j. The disclosure is to officials of another school, school system, institution of postsecondary education, an education service district (ESD), state regional program or other educational agency that has requested the records and in which the student seeks or intends to enroll or is enrolled or in which the student receives services. The term “receives services” includes, but is not limited to, an evaluation or reevaluation for purposes of determining whether a student has a disability;
- k. The disclosure is to the Board during an executive session pursuant to ORS 332.061;
- l. The disclosure is to a caseworker or other representative, who has the right to access the student’s case plan, of a state or local child welfare agency or tribal organization that are legally responsible for the care and protection of the student, provided the personally identifiable information will not be disclosed unless allowed by law.

The district will use reasonable methods to identify and authenticate the identity of the parents, students, school officials, and any other parties to whom the district discloses personally identifiable information from educational records.

2. Record-Keeping Requirements

The district shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student. Exceptions to the record-keeping requirements shall include the parent, eligible student, school official or assistant responsible for custody of the records and parties authorized by state and federal law for auditing purposes. The district shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure the record must include:

- a. The party or parties who have requested or received personally identifiable information from the education records; and
- b. The legitimate interests the parties had in requesting or obtaining the information.

The following parties may inspect the record of request for access and disclosure to a student’s personally identifiable information:

- a. The parent(s) or an eligible student;
- b. The school official or assistants who are responsible for the custody of the records;
- c. Those parties authorized by state or federal law for purposes of auditing the record-keeping procedures of the district.

2. Request for Amendment of Student’s Education Record

If an eligible student or student’s parent(s) believes the education records relating to the student contain information that is inaccurate, misleading or in violation of the student’s rights of privacy or other rights, the student or parent(s) may ask the building level principal where the record is maintained to amend the record.

The principal shall decide, after consulting with the necessary staff, whether to amend the record as requested within a reasonable time after the request to amend has been made.

The request to amend the student's education record shall become a permanent part of the student's education record.

If the principal decides not to amend the record as requested, the eligible student or the student's parent(s) shall be informed of the decision and of a right to appeal the decision by requesting a hearing.

3. Hearing Rights of Parents or Eligible Students

If the building level principal decides not to amend the education record of a student as requested by the eligible student or the student's parent(s), the eligible student or student's parent(s) may request a formal hearing for the purpose of challenging information in the education record as inaccurate, misleading or in violation of the privacy or other rights of the student. The district shall appoint a hearings officer to conduct the formal hearing requested by the eligible student or student's parent. The hearing may be conducted by any individual, including an official of the district, who does not have a direct interest in the outcome of the hearing. The hearings officer will establish a date, time and location for the hearing, and give the student's parent or eligible student notice of date, time and location reasonably in advance of the hearing. The hearing will be held within [10] working days of receiving the written or verbal request for the hearing.

The hearings officer will convene and preside over a hearing panel consisting of:

- a. The principal or designee;
- b. A member chosen by the eligible student or student's parent(s); and
- c. A disinterested, qualified third party appointed by the superintendent.

The parent or eligible student may, at own expense, choose one or more individuals to assist or represent them, including an attorney. The hearing shall be private. Persons other than the student, parent, witnesses and counsel shall not be admitted. The hearings officer shall preside over the panel. The panel will hear evidence from the school staff and the eligible student or student's parent(s) to determine the point(s) of disagreement concerning the records. Confidential conversations between a licensed employee or district counselor and a student shall not be part of the records hearing procedure. The eligible student or student's parent(s) has the right to insert written comments or explanations into the record regarding the disputed material. Such inserts shall remain in the education record as long as the education record or a contested portion is maintained and exists. The panel shall make a determination after hearing the evidence and make its recommendation in writing within [10] working days following the close of the hearing. The panel will make a determination based solely on the evidence presented at the hearing and will include a summary of the evidence and the reason for the decision. The findings of the panel shall be rendered in writing not more than [10] working days following the close of the hearing and submitted to all parties.

If, as a result of the hearing, the panel decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the eligible student or the student's parent(s) of the right to place a statement in the record commenting on the contested information in the record or stating why there is disagreement with the decision of the panel. If a statement is placed in an education record, the district will ensure that the statement:

- a. Is maintained as part of the student's records as long as the record or a contested portion is maintained by the district; and
- b. Is disclosed by the district to any party to whom the student's records or the contested portion are disclosed.

If, as a result of the hearing, the panel decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall:

- a. Amend the record accordingly; and
- b. Inform the eligible student or the student's parent(s) of the amendment in writing.

2. Duties and Responsibilities When Requesting Education Records

The district shall, within 10 days of a student seeking initial enrollment in or services from the district, notify the public or private school, ESD, institution, agency or detention facility or youth care center in which the student was formerly enrolled, and shall request the student's education records.

3. Duties and Responsibilities When Transferring Education Records

The district shall transfer originals of all requested student education records, including any ESD records, relating to the particular student to the new educational agency when a request to transfer the education records is made to the district. The transfer shall be made no later than 10 days after receipt of the request. For students in substitute care programs, the transfer must take place within five days of a request. Readable copies of the following documents shall be retained:

- a. The student's permanent records, for one year;
- b. Such special education records as are necessary to document compliance with state and federal audits, for five years after the end of the school year in which the original was created. In the case of records documenting speech pathology and physical therapy services, until the student reaches age 21 or 5 years after last seen, whichever is longer.

Note: Education records shall not be withheld for student fees, fines and charges if requested in circumstances described in ORS 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

Disclosure Statement

Required for use in collecting personally identifiable information related to social security numbers.

On any form that requests the social security number (SSN), the following statement shall appear just above the space for the SSN:

“Providing your social security number (SSN) is voluntary. If you provide it, the district will use your SSN for record-keeping, research, and reporting purposes only. The district will not use your SSN to make any decision directly affecting you or any other person. Your SSN will not be given to the general public. If you choose not to provide your SSN, you will not be denied any rights as a student. Please read the statement on the back of this form that describes how your SSN will be used. Providing your SSN means that you consent to the use of your SSN in the manner described.”

On the back of the same form, or attached to it, the following statement shall appear:

“OAR 581-021-0250 (1)(j) authorizes districts to ask you to provide your social security number (SSN). The SSN will be used by the district for reporting, research and record keeping. Your SSN will also be provided to the Oregon Department of Education. The Oregon Department of Education gathers information about students and programs to meet state and federal statistical reporting requirements. It also helps districts and the state research, plan and develop educational programs. This information supports the evaluation of educational programs and student success in the workplace.”

The district and Oregon Department of Education may also match your SSN with records from other agencies as follows:

The Oregon Department of Education uses information gathered from the Oregon Employment Division to learn about education, training and job market trends. The information is also used for planning, research and program improvement.

State and private universities, colleges, community colleges and vocational schools use the information to find out how many students go on with their education and their level of success.

Other state agencies use the information to help state and local agencies plan educational and training services to help Oregon citizens get the best jobs available.

Your SSN will be used only for statistical purposes as listed above. State and federal law protects the privacy of your records.

PHR 6/06/13 8/25 | PHSL

Directory Information

“Directory information” means those items of personally identifiable information contained in a student education record which is not generally considered harmful or an invasion of privacy if released. ~~The following categories are designated as directory information. The following d~~Directory information may be released to the public through appropriate procedures and includes:

1. Student’s name;
2. ~~Student’s address;~~
3. ~~Student’s telephone listing;~~
4. ~~Student’s electronic address;~~
5. Student’s photograph;
6. ~~Date and place of birth;~~
7. Major field of study;
8. Participation in officially recognized ~~sports and~~ activities and sports;
9. Weight and height of ~~athletic team~~ members of athletic teams;
10. Dates of attendance;
11. ~~Grade level;~~
12. ~~Degrees, honors or~~ Degrees and awards received;
13. ~~Most recent previous school or program attended.~~

Public Notice

The district will give annual public notice to parents of students in attendance and students 18 years of age or emancipated. The notice shall identify the types of information considered to be directory information, the district’s option to release such information and the requirement that the district must, by law upon request, release secondary students’ names, addresses and telephone numbers to military recruiters and/or institutions of higher education, unless parents or eligible students request the district withhold this information. Such notice will be given prior to release of directory information.

Exclusions

Exclusions from any or all directory categories named as directory information or release of information to military recruiters and/or institutions of higher education must be submitted in writing to the principal by the parent, student 18 years of age or emancipated student within 15 days of annual public notice. A parent or student 18 years of age or an emancipated student may not opt out of directory information to prevent the district from disclosing or requiring a student to disclose their names or from requiring a student to disclose a student ID card or badge that exhibits information that has been properly designated directory information by the district in this policy.

Directory information shall be released only with administrative direction.

Directory information considered by the district to be detrimental will not be released.

Information will not be given over the telephone except in health and safety emergencies.

At no point will a student's Social Security Number or student identification number be considered directory information. The district shall not, in accordance with state law, disclose personal information for the purpose of enforcement of federal immigration laws.

END OF POLICY

Legal Reference(s):

[ORS 30.864](#)

[ORS 107.154](#)

[ORS 180.805](#)

[ORS 326.565](#)

[ORS 326.575](#)

[ORS 336.187](#)

[OAR 581-021-0220 - 021-0430](#)

[OAR 581-022](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1427 (~~2017~~2024).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (~~2017~~2024); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (~~2017~~2024).

Every Student Succeeds Act of 2015, 20 U.S.C. § 7908 (~~2017~~2024).

~~R9/28/17~~8/25 | SL

Resident Student Denial for Virtual Public Charter School Attendance Student Enrollment

The district is not required to approve a transfer of a resident student, when more than three percent of the students residing in the district are attending a virtual public charter school not sponsored by the district. The district will, semiannually (by October 1 and April 1), calculate the percentage of students residing in the district, who are attending a virtual public charter school not sponsored by the district. When the ~~established~~ **calculated** percentage is more than three percent, the district will not approve ~~additional~~ a student's enrollment to such a virtual public charter school.

A parent must give notice to the district **in which the parent/guardian resides** of their intent to enroll their student in a virtual public charter school ~~not sponsored by the district, before enrolling their student in such a school and notice of actual enrollment.~~ If the calculated percentage is three percent or less, or the district sponsors the desired virtual public charter school, the district will issue a notice of approval or choose not to respond.

~~If the district is not approving the enrollment, the district must respond with a decision to not give approval within 10 calendar days of receipt of the notice of intent from the parent. Such decision~~ If the calculated percentage is more than three percent and the desired virtual public charter school is not sponsored by the district, the district will issue a denial notice¹ within 10 calendar days of receiving notice from a parent and must include:

1. The notice the student is denied for enrollment to the virtual public charter school;
2. The percentage of students in the district that attend virtual public charter schools that are not sponsored by the district, based on **the most** recent calculations **at the time the intent to enroll was received by the district**;
- ~~3. The right to appeal the decision to the State Board of Education;~~
4. A list of two or more other online options available to the student; and
5. A copy of OAR 581-026-0305 and OAR 581-026-0310.

When calculating the percentage, ~~t~~he district is only required to use data that is reasonably available to the district, including but not limited to the following for such calculation:

1. The number of students residing in the district enrolled in the schools within the district;

¹ If a parent does not receive a notice of approval or disapproval from the district within 10 days of sending the notice of intent to enroll to the district, the student shall be deemed approved for enrollment by the district. (OAR 581-026-0305 (4))

2. The number of students residing in the district enrolled in **virtual and non-virtual** public charter schools located in the district;
3. The number of students residing in the district enrolled in virtual public charter schools **not sponsored by the district**;
4. The number of home-schooled students ~~who reside~~ **residing** in the district and who have registered with ~~the an~~ educational service district; and
5. The number of students ~~who reside~~ **residing** in the district enrolled in private schools located within the ~~school~~ district.

A parent may appeal ~~a decision of a the~~ district's ~~to not approve a denial for~~ student enrollment to a virtual public charter school to the State Board of Education under OAR 581-026-0310.

If the student was enrolled in a virtual public charter school while living in another district and has maintained continuous enrollment in such school since moving into, and residing in this district, approval is not required.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 338.125](#)

[OAR 581-026-0305](#)

[OAR 581-026-0310](#)

Bond Oversight Committee

9/16/25 Meeting #4



Bond Oversight Committee Responsibilities

The BOC is an independent citizens' committee that is responsible to the Superintendent, Board, and general public. The role is to monitor bond-funded construction projects, and help interested citizens stay informed about new construction and renovation projects in the district.

Responsibilities

- To serve as proper oversight and accountability to ensure that bond funds are used as they were intended.
- To provide information to the public on the progress of Bond projects and expenditures of Bond funds.
- To actively monitor all projects and expenditures approved by the voters.
- To report to members of the community on the progress of bond projects.
- To report to the Board on the progress on Bond Projects.
 - Need to select spokespeople to attend and present at Board meetings.

BOC Meeting #4 Agenda

1. Review Updated Program Schedule
2. Bond Budget Update
 - Bond Budget Executive Summary
 - Bond Budget Grand Summary
3. Summer 2025 Work Updates
4. Questions & Next BOC meeting date
5. Board Meeting Presentation

EXECUTIVE SUMMARY of Project Budgets

Banks School District

DRAFT

Date: 9/8/25

A		B	C	D	E	F	G	H	K
Budget		Description	Original	Current	Committed	Paid	Uncommitted	Remaining	Notes
Original budget #			Budget	Budget	to Date	to Date	Budget (D-E)	to be Paid (E-F)	
1	BHS		\$ 47,059,269	\$ 47,071,269	\$ 8,133,489	\$ 3,128,381	\$ 38,937,780	\$ 5,005,107	
2	AUX GYM		\$ 6,375,033	\$ 7,005,033	\$ 6,382,034	\$ 267,777	\$ 622,999	\$ 6,114,257	
3	HVAC ES		\$ 153,750	\$ 153,750	\$ 26,200	\$ 20,200	\$ 127,550	\$ 6,000	
4	ROOF ES		\$ 785,109	\$ 785,109	\$ 18,000	\$ -	\$ 767,109	\$ 18,000	
5	PARKING		\$ 559,650	\$ 547,650	\$ -	\$ -	\$ 547,650	\$ -	
6	SAFETY		\$ 372,383	\$ 404,888	\$ 401,389	\$ 45,213	\$ 3,499	\$ 356,176	
		Subtotal	\$ 55,305,194	\$ 55,967,699	\$ 14,961,112	\$ 3,461,572	\$ 41,006,587	\$ 11,499,540	
A	District Costs		\$ 2,919,018	\$ 1,056,513	\$ 756,762	\$ 753,433	\$ 299,751	\$ 3,328	
B	Program Contingency		\$ -	\$ 1,200,000					
C	Other Additional Funds - see table		\$ -	\$ -					
D	BSD Program Totals		\$ 58,224,211	\$ 58,224,211	\$ 15,717,873	\$ 4,215,005	\$ 41,306,338	\$ 11,502,869	

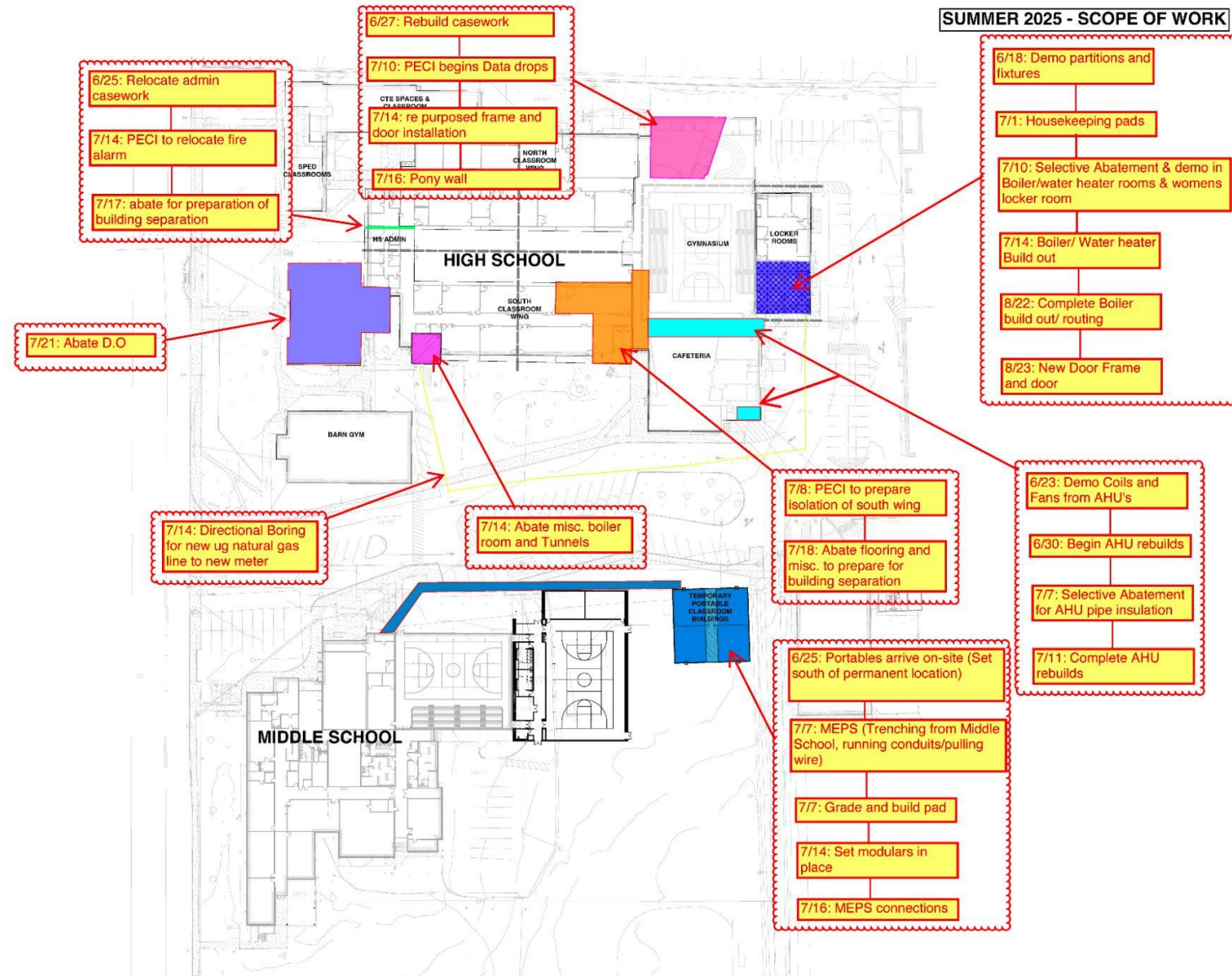
Funding Sources		
1	Bond	\$ 49,305,193
2	OSCIM	\$ 6,000,000
3	Bond Premium	\$ 2,919,018
4	Bond Interest	
6	Grants	
7		
8		
	Total	\$ 58,224,211

Approved by: _____ Date: 6/4/2024
 Brian Sica Superintendent

Review Grand Summary Budget pdf dated 9/8/25

Summer 2025 Projects - BHS

6/16/2025



Summer 2025 Projects

Boiler Room Before and After Abatement work



Summer 2025 Projects

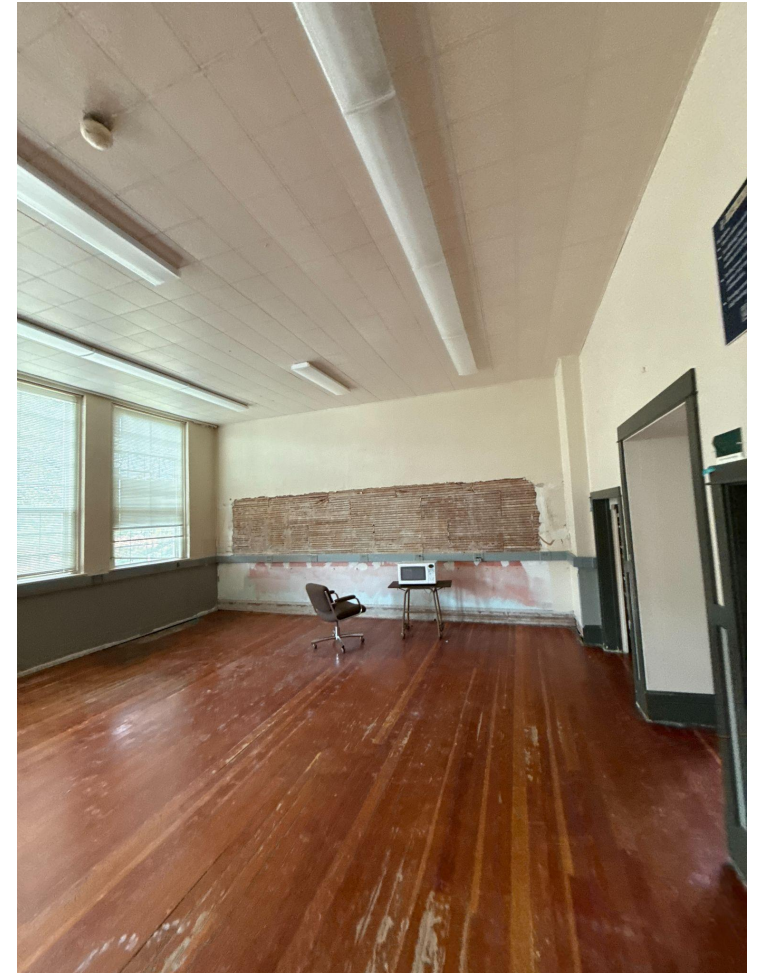
Banks High School Abatement (prep for Phase 1 Demo work)



Summer 2025 Projects

District Office Demo & Abatement (prep for Phase 1 Demo work)

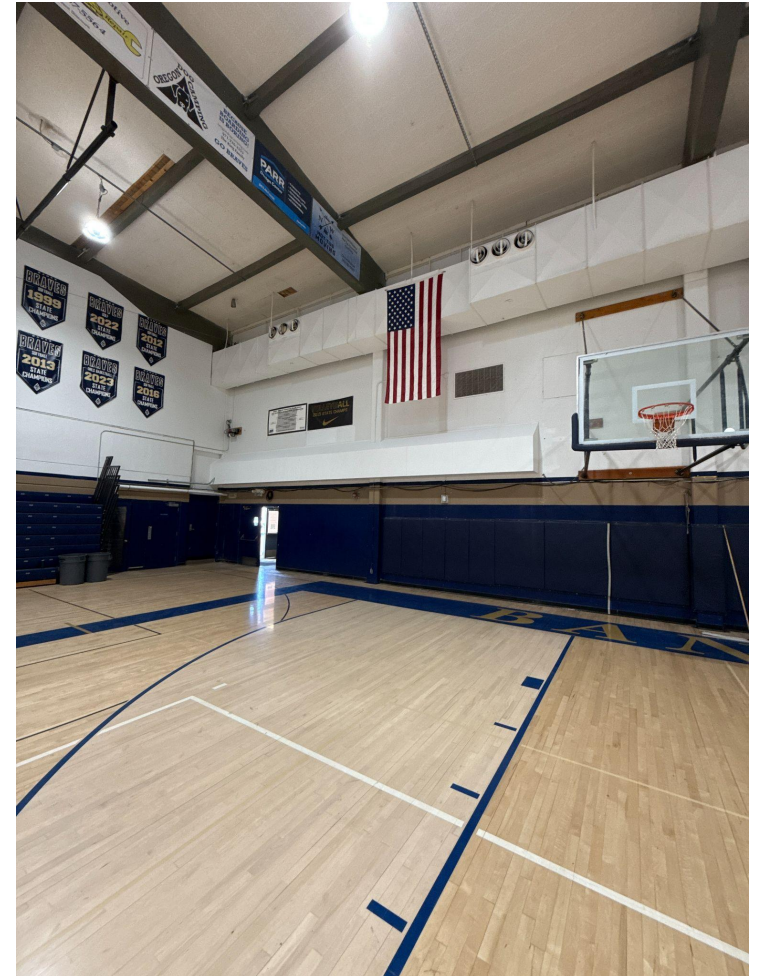
Abatement included Bathroom Flooring, Carpet/Mastic, Wall Mastic



Summer 2025 Projects

New BHS Gym & Cafeteria Boiler and Water Heater

Rebuilt and Re-fed Gym, Stage & Cafe AHU's (cafeteria has heat!)



Summer 2025 Projects

Gas Line and Water relocated.

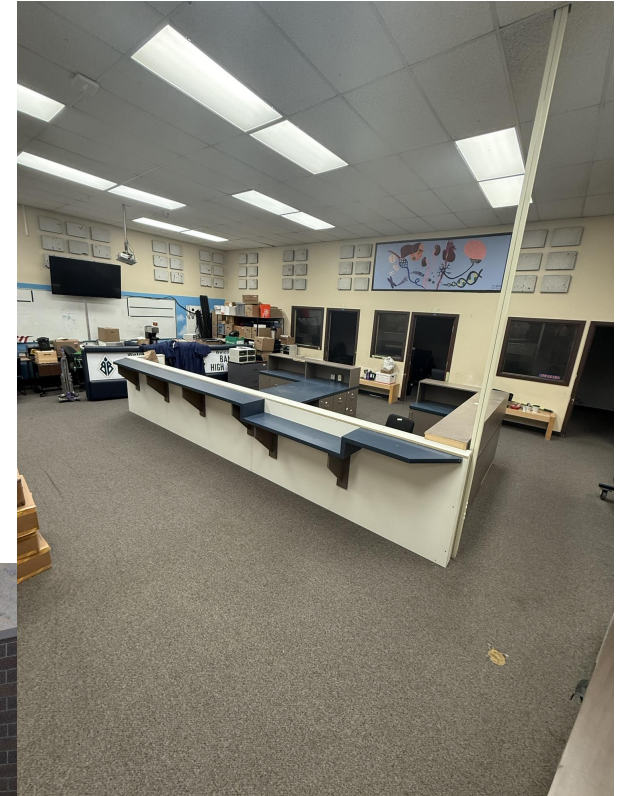
HVAC, Elec, FA, Low Volt relocated for Phase 1 Demo



Summer 2025 Projects

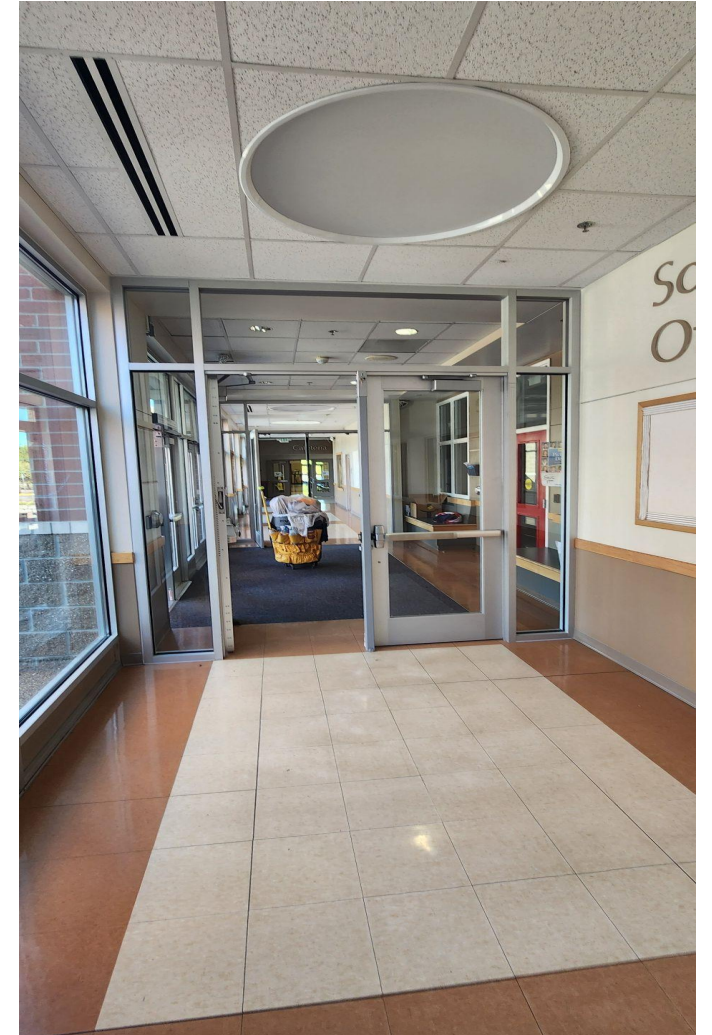
Fiber Line relocation from Banks MS to Banks HS

BHS Administration Office relocated



Summer 2025 Projects

Banks MS and Banks ES Secure Vestibules



BOC Next Steps

Board Presentation

Next BOC Meeting

Bond Oversight Committee Report to the Banks School Board

Meeting #4 Summary – September 16, 2025

To: Banks School Board

From: Bond Oversight Committee

Date: September 17, 2025

Subject: BOC Meeting #4 Summary and Project Updates

Overview

The Bond Oversight Committee (BOC) met on September 16, 2025, to review the status of bond-funded projects, monitor progress against plans, and ensure fiscal transparency. This report outlines key updates, budget information, project developments, and next steps.

Committee Responsibilities

As a reminder, the BOC is an independent citizens' committee that:

- Ensures bond funds are used as intended.
- Monitors all bond-approved projects and expenditures.
- Reports to the Board and public on progress.

Key Project Updates

1. High School & Gym Projects

- High School is in the Design Development Phase.
 - Pre-application meeting scheduled for October 18.
 - Estimated completion: 2027.
- Gym Project is in the Land Use Phase.
 - Planning Commission hearing expected in November 2025.
 - Completion expected by end of 2025.
- Community meeting scheduled for October 16 to present design concepts.

2. Summer 2025 Construction Highlights

- BHS: Completed abatement work, boiler room upgrades, fiber and utility relocations, and rebuilt HVAC systems for the gym, cafeteria, and stage.
- District Office: Demo and abatement completed (bathroom flooring, carpet, wall mastic).
- Secure Vestibules installed at Banks MS and ES.
- Administration Office relocated to prepare for Phase 1 demo.

3. Safety & Security

- Added or planned:
 - Secure entry vestibules at multiple campuses.
 - Cabling for security cameras.
 - Roof and HVAC assessments at the elementary school.
 - New boiler and water heater at the high school.

Budget Overview

- Bond Sale: \$49 million
- Awesome Grant: \$6 million
- Bond Premium: \$2.9 million
- Major costs include:
 - High school and gym construction.
 - Safety and security projects.
 - District program costs and contingencies.
- Budget summaries (Executive and Grand) were reviewed by the committee, with tracking in place for commitments and expenditures.

Permitting & Timeline

- Demolition permits obtained for barn and district office.
 - Demo scheduled for December 2025 or January 2026.
- Traffic improvements and final safety work scheduled for Summer 2027.

Action Items & Next Steps

- A written board report is being submitted (this document).
- Next BOC Meeting: Planned for early December.
- Follow-ups:
 - Coordinate with fire department regarding use of buildings slated for demo.
 - Bring potential cosmetic upgrade “wish list” to the next meeting.
 - Address board and public questions during October community engagement.

The BOC remains committed to providing transparent oversight and will continue monitoring project timelines, expenditures, and community impact.

Respectfully submitted,
Bond Oversight Committee

Banks School District
Board of Directors
Superintendent's Evaluation

Annually and by March 15th, the Board will evaluate the Superintendent. The evaluation will consist of two components, the criteria and the goals. The criteria are the goals and descriptors of the Banks School District Adopted strategic plan. The goals are presented annually at the October Board meeting.

Superintendent Goals
All goals will have evidence of progress/attainment by March of 2026
Leadership - Culture - Strategy
Educational Excellence

Goal Statement One: The Banks School District will provide a positive school culture.

Performance Indicators of Success for Goal One:

- **Summative Indicators**
 - Increase the number of students affirming that they feel they belong at school as measured by the Student Survey. (2025-26 =3.67). The target score for 2025-26 is 3.77.
 - Increase the number of students affirming that they feel safe at school as measured by the Student Survey. (2025-26= 3.81). The target score for 2025-26 is 4.00.
 - Increase the percentage of students “Regularly Attending School” (defined as having a greater than 90% attendance rate), from 70% in 2024-2025 to 80% in 2025-2026.
- **Quarterly Indicators of progress (We refer to these as “Leading Indicators”)**
 - Empathy Interviews (Attendance Focus, Darla)
 - Positive Recognitions
 - Mid Year Pulse Checks (Brief Survey Questions)

Goal Statement Two: The Banks School District will provide engaging and challenging instruction that will increase student learning in Reading, Writing, and Math, as follows:

Performance Indicators of Success for Goal Two:

- **Summative Indicators:**
 - Increase percentage of 5th grade students **meeting** Literacy benchmark from 47% to 66% by the Spring of 2025.(iReady)
 - Increase the percentage of third grade students **meeting the Literacy** benchmark, as measured by the OSAS, from 39% to 55% by the Spring of 2025.**
 - Increase percentage of 5th grade students **meeting** Math benchmark from 54% to 63% by the Spring of 2025.(iReady)
 - Increase percentage of 8th grade students **meeting** Literacy benchmark from 35% to 48% by the Spring of 2025. (iReady)
 - Increase percentage of 8th grade students **meeting** Math benchmark from 30% to 42% by the Spring of 2025. (iReady)
 - Increase percentage of 8th grade students **meeting** Math benchmark, as measured by the OSAS, from 29% to 50% by the Spring of 2025**
 - Increase percentage of 9th grade students on track for graduation from 90% to 95% in Spring of 2026

- Banks High School on-time graduation rate will exceed 95%, annually.
- **Quarterly Indicators of progress**
 - iReady **growth** percentages
 - Standards Based Assessments
 - High School Credits Earned

Goal Statement Three: The Banks School District will empower and support all staff members to feel more welcomed, engaged, and appreciated, as follows:

Performance Indicators of Success for Goal Three:

- **Summative Indicators**
 - Increase the Staff Survey Mean from 3.90 to 4.10 in May of 2025 (Studer Employee Experience Survey)
 - Increase the affirmative responses to survey item #1 from 3.88 to 4.00 in May of 2025 (Studer Employee Experience Survey)
 - *I feel supported with good processes and the appropriate resources to do my job*
- **Quarterly Indicators of progress**
 - Pulse check (single item) mid year survey
 - Staff meeting and professional development evaluation/exit tickets
 - Leader Rounding and Supervisor 1:1 Meetings.
 - Feedback from Instructional Coaching

Goal Statement Four: The Banks School District will Enrich our Facilities so that they are a resource and a source of pride for the community :

Performance Indicators of Success for Goal Four:

- **Summative Indicators**
 - Maintain an on-time and on-budget projected completion of the Auxiliary Gym through the opening in Early Winter of 2026.
 - Maintain an on-time and on-budget projected completion of the High School Modernization through the opening in September of 2027.
 - Secure at least \$1.5 million in pledged donations to the Kelly Field 365 project.
- **Quarterly Indicators of progress:**
 - Monitor and Feedback in sub-committees
 - Bond Oversight Committee
 - Bond Steering Committee
 - Bond Management Team

**Banks School District
Superintendent's Evaluation Criteria
OSBA/COSA Supplement**

In 2024 the Banks School Board and Superintendent agreed to shift the Evaluation Criteria from the OSBA/COSA workbook to the Priorities and Descriptors of the Bank's Strategic Plan. Those Priorities and Descriptors are listed in the next five rows.

EMPOWERING OUR STUDENTS

DESCRIPTORS

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

DESCRIPTORS

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

DESCRIPTORS

The Banks School District will empower and support all staff members:

- To create positive and caring learning experiences

**Banks School District
Superintendent's Evaluation Criteria
OSBA/COSA Supplement**

- 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

DESCRIPTORS

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

DESCRIPTORS

All Banks School District resources are:

- Responsibly and transparently maintained and maximized
- Clearly aligned to achieve the strategic plan goals

OSBA/COSA Standards that are observable throughout all district actions.

VISIONARY DISTRICT LEADERSHIP

DESCRIPTORS

- Leads a collaborative process with the board to design (or reaffirm) the district mission and vision that reflects a core set of values and priorities.

**Banks School District
Superintendent's Evaluation Criteria
OSBA/COSA Supplement**

- Leads the diverse stakeholder involvement in the development (or revision) of the district's continuous improvement plan based upon the district's mission and vision.
- Implements the district's continuous improvement plan and communicates its progress.

ETHICS AND PROFESSIONAL NORMS

DESCRIPTORS

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

INCLUSIVE DISTRICT CULTURE

DESCRIPTORS

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

EFFECTIVE ORGANIZATIONAL MANAGEMENT

**Banks School District
Superintendent's Evaluation Criteria
OSBA/COSA Supplement**

DESCRIPTORS

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

POLICY, GOVERNANCE AND ADVOCACY

DESCRIPTORS

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

OSBA/COSA Standards Aligned to 'Empowering our Students and Energizing our Team

**Banks School District
Superintendent's Evaluation Criteria
OSBA/COSA Supplement**

CULTURALLY RESPONSIVE INSTRUCTIONAL LEADERSHIP AND IMPROVEMENT

DESCRIPTORS

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

OSBA/COSA Standards Aligned to 'Empowering our Students and Energizing our Team

EFFECTIVE FINANCIAL MANAGEMENT

DESCRIPTORS

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

**Banks School District
Superintendent's Evaluation Criteria
OSBA/COSA Supplement**

budget.



BANKS SCHOOL DISTRICT

12950 NW Main St.
Banks, OR 97106
503-324-8591

Open Until Filled

Campus Security

40 Hours/Week
186 Day Contract

GENERAL DUTIES

The Campus Security Specialist supports a safe, positive, and orderly school environment by supervising students, monitoring facilities, and responding to safety concerns. The role focuses on preventing, detecting, and addressing threats to the safety of students, staff, and property while fostering respectful relationships and maintaining campus discipline.

ESSENTIAL REQUIREMENTS

- High school diploma or equivalent.
- Two years of experience working with adolescents or young adults in a structured environment (e.g., school, community agency, or security setting) preferred.
- Experience in security operations and supervision, and school district safety operations.
- Valid First Aid and CPR certification.
- Ability to build and maintain positive relationships with students, staff, administrators, and law enforcement.
- Ability to effectively work and communicate with students, parents, school personnel from diverse cultures or backgrounds.
- Ability to work harmoniously with others.
- Ability to meet physical and situational demands of the job.

Job Description:

Campus Supervision and Safety

- Maintain a consistent, visible presence on campus before, during, and after school hours.
- Supervise students in hallways, common areas, parking lots, cafeterias, and school grounds to promote a secure and respectful atmosphere.
- Monitor campus entry and exit points, reporting unauthorized visitors or suspicious activities.
- Assist with investigations of property loss, theft, vandalism, assault, or other safety concerns; collect and preserve evidence for law enforcement when appropriate.
- Maintain accurate security-related records, logs, and reports.
- Positively engage with students and staff to build trust and encourage appropriate behavior.
- Assist in de-escalating conflicts and responding to emergencies in accordance with school and district procedures.
- Report to administrators all suspected criminal activity or rumors of such activity that could pose a risk to the school community.

Safety Coordination and Response

- Collaborate with law enforcement, fire officials, and emergency responders as needed.
- Notify administrators and coordinate with them in contacting law enforcement regarding potential or actual criminal activity.
- Follow the district's emergency response plan and assist during drills, evacuations, and critical incidents.
- Support the enforcement of school and district behavior policies in a fair, consistent, and restorative manner.

Planning and Collaboration

- Work with administrators and staff to develop and maintain school safety plans and procedures.
- Contribute to the development of positive, restorative approaches to student behavior.
- Promote a culture of mutual respect, trust, and accountability among students and staff.
- Participate in staff meetings, trainings, and safety exercises.
- Perform other related duties as assigned.

Banks School District

Board Agreements

The Banks School District welcomes ALL students onto our campuses and into our programs. We strive to ensure that each student feels loved, seen and represented by our actions and efforts. We are committed to making sure that all of our policies and actions align to these values.

General Board Meeting & Work Session Agendas

- The Board Chair, Vice Chair and Superintendent will set the board agenda. A draft agenda will be available approximately 2 weeks prior to each regular scheduled meeting
- Individual board members may request that items be added to the agenda by contacting the Superintendent, Board Chair, or Board Secretary or discussing their desire in public session.
- Items will not be added to the current agenda by individual board members unless the majority of the present board members vote to approve the addition at the meeting.
- The Board and Superintendent will seek to include multiple perspectives on agenda items of key concern for the community in order to provide for balanced conversation.
- The Board Chair, with assistance from the Superintendent, will act as parliamentarian at board meetings to help ensure each motion is clear and there is no missing or misunderstood information.

Before Meetings

- Board members will come prepared for the meeting by having read all packet materials. If additional items are provided during the meeting, the Board will take time to review them before voting.
- Always abstain from conducting Board business or decision-making outside of board meetings or executive sessions.
- The board packet will normally be available via Boardbook to board members on the Wednesday before regularly scheduled board meetings. The Board will be notified if there is a delay. If requested, a printed copy may be provided.
- Board members will contact the Superintendent prior to meetings with any questions on agenda items. When an individual board member asks the Superintendent a substantive question about an agenda item, the response will be shared with all board members.

Norms for Public Meetings

- The Board and Superintendent will strive to have no surprises at board meetings
- All questions will be directed towards the superintendent or the board chair
- Each board member has an opportunity to be heard
- Come prepared having read the information provided
- Stay engaged in the meeting at all times
- Discussions between members of the Board will serve as a model for positive and constructive public dialogue
- Honor the right of individual members to express opposing viewpoints and vote their convictions
- Regardless of one's vote, support the decision of the majority
- Respect executive session confidentiality

- The Board is elected to represent all members of the community
- Board members will strive to show respect at board meetings and refrain from surprising or embarrassing other board members, administrators, staff members or the audience.

Board Communications (external)

The Board values transparency and recognizes its role as a representative of the community.

Board members will make an effort to understand the perspectives of their constituents and help clarify misunderstandings when appropriate.

If a community member's concern requires a detailed or extended response, Board members should refer them to the Superintendent. When communicating publicly, Board members should clarify that they are speaking as individuals, not on behalf of the Board.

When a collective Board response is necessary, the Superintendent and Board Chair will collaborate on the message. All media inquiries should be directed to the Superintendent and copied to the Board Chair.

Public Comment

1. We are committed to providing an opportunity for Banks School District citizens to make public comments. Public comment / input will be scheduled at regular Board Meetings and is limited to its designated place on the agenda, and while time allows. The Board will limit the public's participation to the public comment section of the agenda. There should not be cross-discussion between the Board and the public during other agenda items.
2. The board will not tolerate any audience comments from staff, students or community members that violate the Banks School District's anti-discrimination policies, including but not limited to statements that are false, untrue, racist, or discriminatory toward or against the district, or any person or group. If an individual makes a comment that violates District policy, the speaker will be told that their comment violates district policy and that they must refrain from making statements that violate District policy. If the speaker refuses to comply, the board may request that the individual leave the board room. If the meeting is taking place virtually, the speaker may be muted if their comments continue to violate District policy.
3. A person wishing to provide public comment, if an opportunity is provided by the Board during a meeting open to the public, will do so as directed prior to the Board meeting. A request to give public comment in-person or electronically does not guarantee time will be available.
4. A person giving public comment is limited to an established time limit of five minutes. Statements should be brief and concise. If a person has more comments than time allows or is unable to comment due to time constraints, the person is encouraged to submit additional written comments to the Board through the district office as directed.

5. Each public speaker will identify themselves by name, will state if they are a resident of the district, and if speaking for an organization / group, the name of the organization / group. Each public speaker will submit a form with basic contact information to the Board Secretary before they are recognized to speak.
6. Groups with a common purpose will designate a spokesperson so the same issue is not repeated.
7. A person speaking during the public comment portion of the meeting may comment on a topic not on the published agenda.
8. All public comment is to be directed respectfully to the Board through the Chair. Comments will not be directed at any individual board member.
9. Public comment is not a cross-discussion with the Board. However, the board may ask for clarifying questions of the commenter. The Board will not answer questions during the meeting, but will refer questions to the administration or board chair for answer at a later time.
10. All material an audience speaker wants to distribute to Board members must be submitted along with the request to speak submission. No materials will be accepted during or after the speaker's comments. Any material that violates District policy will not be distributed.
11. Comments and inquiries from the public during the designated portion of the agenda will not generally be responded to immediately by the Board Chair, although Board members may ask clarifying questions, keeping dialogue to a minimal amount of time. Comments and inquiries may be referred to the superintendent for reply at a later date. The Board will not respond to inquiries that are expected to be addressed during another designated portion of the agenda.
12. A person speaking during the designated portion of the agenda for public comment may offer objective criticism of district operations and programs. The Board will not hear complaints regarding any individual district staff members in public. All complaints must go through the structure detailed in Policy KL ("Public Complaints") and Procedure KL-AR ("Complaint Form"). The Board chair will direct the public commenter to the procedures in Board policy KL - Public Complaints for consideration of a legitimate complaint involving a staff member. Any association contract governing the employee's rights will be followed. A commendation involving a staff member should be sent to the superintendent, who will forward it to the employee, a supervisor and the Board. *This statement shall be made in writing on the agenda, or by the board chair as an announcement at the beginning of the public comment session.*

Example: "The Banks School District Board of Directors requests comments be limited to five (5) minutes per speaker. Speakers will state their name and city of residence for the record. The

Board appreciates community members sharing information during public comments. While the Board does not respond to public comment, following the meeting, the Chair, Vice Chair, and Superintendent will together determine the appropriate level response. Speakers may offer objective criticism of district operations or programs but the Board will not hear complaints concerning specific Banks School District personnel.”

13. The Board will clearly explain the 'rules' for public comment in writing on the meeting agenda and verbally by the chair at the start of the public comment section of the meeting.

Example: “The meeting will now be open to receive public comment. The Board appreciates community members sharing information during public comments. The Board will listen, and possibly ask clarifying questions but generally will not comment on information we hear from the audience. However, following the meeting, the chair, vice chair and superintendent will together determine the appropriate response. The response may be in a public way, a private way or the issue will be added to a future board meeting or work session agenda. Please note that speakers will have five minutes to express their thoughts.”

EXECUTIVE SESSIONS

The Board may meet in executive session to discuss subjects allowed by statute but may not take final action, except for specific instances pertaining to student matters. Executive sessions may be held during regular, special or emergency meetings for any reason permitted by law.

Content discussed in executive sessions is confidential. Members of the media may attend executive sessions, except in specific instances (Board Policy BDC and BDD).

The Board may be called to meet in executive session or decide to go into executive session at any time during a regular, special or emergency meeting to discuss certain matters. By Oregon law, the chair may call a Board into executive session without a vote of the Board.

Whenever an executive session is called, the presiding officer must identify the section and subsection of ORS 192.660 (listed reasons) or 332.061 (expulsion or medical records of a minor student) that authorize the executive session's purpose.

Purposes for which executive session may be called:

- To consider the employment of a public officer, employee, staff member or individual agent. ORS 192.660(2)(a)
- To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or agent, unless he or she requests an open meeting. ORS 192.660(2)(b)
- To conduct deliberations with persons designated to carry on labor negotiations. ORS 192.660(2)(d)
- To conduct deliberations to negotiate real property transactions. ORS 192.660(2)(e)
- To consider records exempt by law from public inspection. ORS 192.660(2)(f)
- To consult with counsel concerning current or possible litigation. ORS 192.660(2)(h)
- To review and evaluate the performance of the superintendent or any other public officer, employee or staff member, unless that person requests an open hearing. ORS 192.660(2)(i)
- Conduct a hearing on the expulsion of a student or to review a student's confidential medical records. ORS 332.061(1)

Boards may never meet in executive session to conduct the following business:

- Fill a vacancy in an elective office
- Fill a vacancy on any public committee, commission or other advisory group
- Consider general employment policies
- Discuss an employee's performance, unless that employee has been notified and has been given the option of having the discussion held in public
- Hire the superintendent or any other employee if the vacancy has not been advertised, hiring procedures have not been adopted by the board, and there has been no opportunity for public input about the hiring

Board Participation on Committees

List of Committees - At least annually and any time at the request of the Board, the Superintendent will provide a list of all Superintendent Advisory Committees. The list will denote any current board representation.

Timing. Preferably at the annual organizational meeting, but at any time deemed necessary by Board leadership (in consultation with the Superintendent), the Board will denote director assignments to superintendent advisory committees for the ensuing year. Board Advisory Committees will follow Policy BCE.

Method. Board members may indicate their interest in serving on committees by notifying the Board Chair and Superintendent. Each committee may include no more than two Board members. If more than two members express interest in serving on the same committee, the Board Chair will work with the members to reach an informal resolution. If the matter cannot be resolved, the full Board will determine the appointments by majority vote..

OR

~~{ Board Chair, after consulting all members on interests and availability, will propose assignments; appointments are finalized by consensus or a majority vote of the Board. No more than two Board members shall serve on any committee. }~~

Equity & rotation. Assignments should provide a **balanced workload** and, when feasible, **rotate annually** to broaden experience.

Role clarity. Board liaisons **serve in a non-voting, observer/connector role**, do not direct staff or committee work, and **report back** to the full Board as needed.

Vacancies. The Chair may make **interim appointments** to fill vacancies, subject to subsequent Board confirmation.

Posting. Final assignments will be **listed in the meeting minutes** and posted on the district website (where applicable).

