

Lincoln County School District

Code: AC-AR

Adopted: 7/09/02

Revised/Readopted: 6/14/16 (Effective 7/01/16);

5/08/18; 11/12/19; 2/11/20

Orig. Code(s): AC-AR

Discrimination Complaint Procedure

Complaints regarding discrimination or harassment, on any basis protected by law, shall be processed in accordance with the following procedures:

Step 1: ^{1}Complaints may be oral or in writing and must be filed with the principal or administrator. Any staff member that receives an oral or written complaint shall report the complaint to the principal or administrator.

The principal or administrator shall investigate and determine the action to be taken, if any, and reply in writing, to the complainant within 10 school days of receipt of the complaint.

Step 2: If the complainant wishes to appeal the decision of the principal or administrator, the complainant may submit a written appeal to the superintendent or designee within five school days after receipt of the principal's or administrator's response to the complaint.

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

Step 3: If the complainant is not satisfied with the decision of the superintendent or designee, a written appeal may be filed with the Board within five school days of receipt of the superintendent's or designee's response to Step 2. The Board may decide to hear or deny the request for appeal at a Board meeting. If the Board decides to hear the appeal, the Board may meet with the concerned parties and their representative at the next regular Board meeting. The Board's decision will be final and will address each allegation in the complaint and contain reasons for the Board's decision. A copy of the Board's final decision shall be sent to the complainant in writing or electronic form within 5 days of receipt of the appeal by the Board.

If the principal or administrator is the subject of the complaint, the individual may start at Step 2 and should file a complaint with the superintendent or designee.

If the superintendent is the subject of the complaint, the complaint may start at Step 3 and should be referred to the Board chair. The Board may refer the investigation to a third party.

^{1} For district information. The district's timeline established by each step of the district's complaint procedure must be within 30 days of the submission of the complaint at any step, unless the district and complainant have agreed in writing to a longer time period for that step. The district's complaint procedure should not exceed a total of 90 days from the initial filing of the complaint, regardless of the number of steps involved, unless the district and the complainant have agreed in writing to a longer time period. (OAR 581-002-0005)}

Complaints against the Board as a whole or against an individual Board member, may start at Step 3 and should be submitted to the Board chair. Complaints against the Board chair may start at Step 3 and be referred directly to the Board vice chair.

The timelines established in each step of this procedure may be extended upon mutual consent of the district and the complainant in writing, but will not be longer than 30 days from the date of the submission of the complaint at any step. The overall timeline of this complaint procedure may be extended beyond 90 days from the initial filing of the complaint upon written mutual consent of the district and the complainant.

The complainant, if a person who resides in the district or a parent or guardian of a student who attends school in the district or a student, is not satisfied after exhausting local complaint procedures, the district fails to render a written decision within 30 days of submission of the complaint at any step or fails to resolve the complaint within 90 days of the initial filing of the complaint, may appeal² the district's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023.

Charter Schools of which the District Board is a Sponsor

The district Board will not review an appeal of a decision reached by the Board of the Charter School on a complaint alleging a violation of Oregon Revised Statute (ORS) 659.850 or Oregon Administrative Rule (OAR) 581-021-0045 or 581-021-0046 (Discrimination), for which the district Board has jurisdiction, and recognizes a decision reached by the Board of the charter school as the district Board's final decision. A final decision reached by this district Board may be appealed to the Oregon Department of Education under OAR 581-002-0001 - 581-002-0023.

² An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

DISCRIMINATION COMPLAINT FORM

Any person, including students, staff, visitors and third parties, may file a complaint.

Name of Person Filing Complaint _____ Date _____ School or Activity _____

Student/Parent ☐ Employee ☐ Job applicant ☐ Other ☐ _____

Type of discrimination:

- | | | |
|----------------------------------------------------|--------------------------------------------------------|-------------------------------------------------------------------------|
| <input type="checkbox"/> Race | <input type="checkbox"/> Mental or physical disability | <input type="checkbox"/> Age |
| <input type="checkbox"/> Color | <input type="checkbox"/> Marital status | <input type="checkbox"/> Sexual orientation |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Familial status | <input type="checkbox"/> Pregnancy |
| <input type="checkbox"/> Sex | <input type="checkbox"/> Economic status | <input type="checkbox"/> Discriminatory use of a Native American mascot |
| <input type="checkbox"/> National or ethnic origin | <input type="checkbox"/> Veterans' status | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Gender identity | | |

Specific complaint: (Please provide detailed information including names, dates, places, activities and results of the discussion.)

Who should we talk to and what evidence should we consider? _____

Suggested solution/resolution/outcome: _____

This complaint form should be mailed or submitted to the principal or administrator.

Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights. Direct complaints related to employment may be filed with the Oregon Bureau of Labor and Industries, Civil Rights Division, or the U.S. Department of Labor, Equal Employment Opportunities Commission.

Lincoln County School District

Code: EHB
Adopted: 6/13/2023

Cybersecurity

The purpose of information security is to protect the confidentiality, integrity and availability of district data as well as any information systems that store, process, or transmit district data, and protect the information resources of the district from unauthorized access or damage.

The underlying principles followed to achieve that objective are:

1. Information Confidentiality: The ability to access or modify information is provided only to authorized users for authorized purposes;
2. Information Integrity: The information used in the pursuit of the district objectives can be trusted to correctly reflect the reality it represents; and
3. Information Availability: The information resources of the district, including the network, the hardware, the software, the facilities, the infrastructure, and any other such resources, are available to support the objectives for which they are designated.

The requirement to safeguard information resources must be balanced with the need to support the pursuit of legitimate district objectives. The value of information as a resource increases through its appropriate use; its value diminishes through misuse, misinterpretation, or unnecessary restrictions to its access.

This policy and accompanying administrative regulation applies to all staff and third-party agents of the district as well as any other district affiliate, including students, who are authorized to access district data and to all computer and communication devices and systems that store, process, or transmit district data.

END OF POLICY

Legal Reference(s):

[ORS Chapter 192](#)
[ORS 332.107](#)

[ORS 336.184](#)
[ORS 646A.600 - 646A.626](#)

Children's Internet Protection Act, 47 U.S.C. §§ 254(h) and (l); 47 C.F.R. § 54.520.
Children's Online Privacy Protection Act of 1998, 15 U.S.C. §§ 6501 to 6505; 16 C.F.R. § 312.
Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g; 34 C.F.R. § 99.
Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. § 1320d; 45 C.F.R. §§ 160, 164.
Protection of Pupil Rights, 20 U.S.C. § 1232h; Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. § 98.

OSBA Model Sample Policy

Code: EHB-AR
Revised/Reviewed:

Cybersecurity

Throughout its lifecycle, an information system that stores, processes or transmits district data shall be protected in a manner that is considered reasonable and appropriate, as defined in documentation approved and maintained by the Information Technology Department, given the level of sensitivity, value and criticality that the district data has to the district.

Individuals who are authorized to access district data shall adhere to the appropriate Roles and Responsibilities, as defined in this administrative regulation.

Roles and Responsibilities

“Designated Information Security Officer (ISO)” means an employee designated by the superintendent to oversee the information security program. The ISO will be a senior-level employee in the district. The responsibilities of the ISO include the following:

1. Developing and implementing a district-wide information security program;
2. Documenting and disseminating information security policies and procedures;
3. Coordinating the development and implementation of required information security training and awareness program for staff and administrators;
4. Coordinating a response to actual or suspected breaches in the confidentiality, integrity or availability of district data and following statutory requirements;
5. Implement Multi-Factor Authentication (MFA) for logins; and
6. Implementing an IT security audit.

“Data owner” means a management-level employee of the district who oversees the lifecycle of one or more sets of district data. Responsibilities of a data owner include the following:

1. Assigning an appropriate classification to district data;
2. Determining the appropriate criteria for obtaining access to district data;
3. Ensuring that data custodians implement reasonable and appropriate security controls to protect the confidentiality, integrity and availability of district data;
4. Understanding and approving how district data is stored, processed, and transmitted by the district and by third-party agents of the district; and
5. Understanding how district data is governed by district policies, state and federal regulations, contracts and other legal binding agreements.

“Data custodian” means an employee of the Technology Department who has administrative and/or operational responsibility over district data. In many cases, there will be multiple data custodians. A data custodian is responsible for the following:

1. Understanding and reporting on how district data is stored, processed and transmitted by the district and by third-party agents of the district;
2. Implementing appropriate physical and technical safeguards to protect the confidentiality, integrity and availability of district data;
3. Documenting and disseminating administrative and operational procedures to ensure consistent storage, processing and transmission of district data;
4. Provisioning and deprovisioning access to district data as authorized by the data owner;
5. Understanding and reporting on security risks and how they impact the confidentiality, integrity and availability of district data;
6. Back up data daily; and
7. Force email and domain passwords to expire at least annually.

“User,” for the purpose of information security, means any employee, contractor or third-party agent of the district who is authorized to access District Information Systems and/or district data. A user is responsible for the following:

1. Adhering to policies, guidelines and procedures pertaining to the protection of district data;
2. Reporting actual or suspected vulnerabilities in the confidentiality, integrity or availability of district data to a manager or the Technology Department; and
3. Reporting actual or suspected breaches in the confidentiality, integrity or availability of district data to the Technology Department.

Classification of Information

Data classification, in the context of information security, is the classification of data based on its level of sensitivity and the impact to the district should that data be disclosed, altered or destroyed without authorization. The classification of data helps determine what baseline security controls are appropriate for safeguarding that data. All district data should be classified into one of three sensitivity levels or classifications: confidential, sensitive and public. In some cases, data could fall into multiple categories, i.e., salaries.

Data should be classified as confidential when the unauthorized disclosure, alteration, or destruction of that data could cause a significant level of risk to the district or its affiliates. Examples of confidential data include data protected by state or federal privacy regulations and data protected by confidentiality agreements. The highest level of security controls should be applied to confidential data. Examples: student data, evaluation and disciplinary records.¹

¹ These examples are for IT purposes and may not be consistent with record request and disclosure requirements.

Data should be classified as sensitive when the unauthorized disclosure, alteration or destruction of that data could result in a moderate level of risk to the district or its affiliates. By default, all district data that is not explicitly classified as confidential or public data should be treated as sensitive data. A reasonable level of security controls should be applied to private data. Examples: salaries and staff personal contact information.

Data classified as sensitive may be disclosable as public record under Oregon Revised Statute (ORS) Chapter 192. However, the sensitivity level of the data can warrant the assigned data classification and associated safeguard security controls.

Data should be classified as public when the unauthorized disclosure, alteration or destruction of that data would result in little or no risk to the district and its affiliates. Examples of public data include information intended for broad use within the district community at large or for public use. While little or no controls are required to protect the confidentiality of public data, some level of control is required to prevent unauthorized modification or destruction of public data. Examples: board minutes and policies.

Online Services and Applications

District employees are encouraged to research online services or applications to support the pursuit of district objectives. However, district employees are prohibited from installing or using applications, programs or other software, or online systems/websites that store, collect or share confidential or sensitive data, until the ISO approves the vendor and software or service. Before approving the use or purchase of any such software or online service, the ISO, or designee, shall verify that it meets the requirements of all applicable laws, regulations and board policies, and that it appropriately protects district data. This prior approval is required whether or not the software or online service is obtained or used without charge.

Implementation

The Technology Department is directed to develop operating policies, standards, baselines, guidelines and procedures for the implementation of this administrative regulations to include, but not limited to, addressing data encryption, logical access control, physical access control, vulnerability management, risk management and security logging and monitoring. Employees have an obligation to learn about cybersecurity.

Violations of Policy and Misuse of Information

Violations of this administrative regulation include, but are not limited to: accessing information to which the individual has no legitimate right; enabling unauthorized individuals to access information; disclosing information in a way that violates applicable policy, procedure or other relevant regulations or laws; inappropriately modifying or destroying information; inadequately protecting information; or ignoring the explicit requirements of data owners for the proper management, use and protection of information resources.

Violations may result in disciplinary action in accordance with district policies, procedures and/or applicable laws. Sanctions may include one or more of the following:

1. Suspension or termination of access;
2. Disciplinary action up to and including dismissal; and
3. Civil or criminal penalties.

Employees will report suspected violations of this administrative regulation to the ISO or to the appropriate data owner. Reports of violations are considered sensitive information until otherwise designated.

Lincoln County School District

Code: GCBDF/GDBDF
Adopted: 6/13/2023

Paid Family Medical Leave Insurance

The district provides an equivalent plan for paid family and medical leave and does not participate in Paid Leave Oregon. This plan has been approved by the Employment Department.^{1} The district will file the Oregon Quarterly Tax Report as required.

The district will make available a notice poster that outlines the requirements and procedures for the equivalent plan.² This poster will be displayed in each of the district's buildings or worksites in an area that is accessible to and regularly frequented by employees. This poster will be provided³ to remote employees upon hire or assignment to remote work.

END OF POLICY

Legal Reference(s):

[ORS 657B.210 – 657B.260](#)

[OAR 471-070-2200 - 2460](#)

^{1} Deadlines for the district to file an exemption application can be found on OAR 471-070-2205. Application requirements can be found in OAR 471-070-2210.

² For poster requirements, see OAR 471-070-2330.

³ By hand delivery, regular mail, or through an electronic delivery method.

Lincoln County School District

Code: IGBHD
Adopted: 6/13/2023

Program Exemptions

The district may excuse students from a state-required program or learning activity for reasons of religion, disability¹ or other reasons deemed appropriate by the district. Requests for excusal or accommodation must be in writing and must include the reasons for the request and a proposed alternative for an individualized learning activity which substitutes for the period of time exempt from the program and meets the goals of the learning activity or course being exempt. Requests may be filed by the student's parent or guardian, or by a student who is 18 years of age or older or who is an emancipated minor. Requests must be submitted to the principal.

The district will determine if credit will be granted for any alternative activity.

END OF POLICY

Legal Reference(s):

[ORS 336.035\(2\)](#)
[ORS 336.465](#)
[ORS 336.615](#)
[ORS 336.625](#)

[ORS 336.635](#)
[OAR 581-002-0035](#)
[OAR 581-021-0009](#)

[OAR 581-021-0071](#)
[OAR 581-022-2050](#)
[OAR 581-022-2110](#)
[OAR 581-022-2505](#)

¹ If the district receives a request for a disability accommodation, the district should consider its obligations under the Individuals with Disabilities in Education Act and Section 504 of the Rehabilitation Act.

Lincoln County School District

Code: JB
Adopted: 7/09/02
Revised/Readopted: 6/14/16 (Effective 7/01/16); 1/12/21; 1/11/22, 6/13/23
Orig. Code: JB

Equal Educational Opportunity

Every student of the district will be given equal educational opportunities regardless of age, sex, sexual orientation, gender identity, race¹, religion, color, national origin, disability, marital status, familial status, citizen status, parental status, linguistic background, culture, socioeconomic status, capability or geographic location.

A student or parent may also access and use the district's general complaint procedure through Board policy KL - Public Complaints.

All reports, complaints or information will be investigated.

The district will communicate the availability of policy and available complaint procedures to students and their parents through available district communication systems and handbooks and will be published to the district website and made available at the district office during regular business hours.

A student of the district may not be subjected to retaliation by the district for the reason that the student has in good faith reported information that the student believes is evidence of a violation of a state or federal law, rule or regulation.

Other resources: Policy AAA, AAA-AR. ACB

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)
[ORS 192.630](#)
[ORS 326.051](#)
[ORS 329.025](#)
[ORS 332.107](#)
[ORS 336.086](#)
[ORS 659.850](#)

[ORS 659.852](#)
[ORS 659A.001](#)
[ORS 659A.003](#)
[ORS 659A.006](#)
[ORS 659A.103 - 659A.145](#)
[ORS 659A.400](#)
[ORS 659A.403](#)

[ORS 659A.406](#)
[OAR 581-021-0045](#)
[OAR 581-021-0046](#)
[OAR 581-022-2310](#)
[OAR 839-003-0000](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019).

Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2018); 34 C.F.R. Part 104 (2019).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

¹ Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001 (as amended by House Bill 2935 (2021)).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12333 (2018).
House Bill 2935 (2021).
House Bill 3041 (2021).

Lincoln County School District

Code: JGE
Adopted: 6/13/2023

Expulsion

A principal, after reviewing available information, may recommend to the superintendent that a student be expelled. Expulsion of a student shall not extend beyond one calendar year.

A student may only be expelled for the following circumstances:

1. When a student's conduct poses a threat to the health or safety of students or employees;
2. When other strategies to change the student's conduct have been ineffective, except that expulsion may not be used to address truancy; or
3. When required by law.

The use of expulsion for discipline of a student in fifth grade or lower is limited to:

1. Nonaccidental conduct causing serious physical harm to a student or employee;
2. When a school administrator determines, based on the administrator's observations or upon a report from an employee, the student's conduct poses a direct threat to the health or safety of students or employees; or
3. When the expulsion is required by law.

The age of the student and the past pattern of behavior will be considered prior to imposing the expulsion.

No student may be expelled without a hearing unless the student's parents, or the student if 18 years of age, waive the right to a hearing, either in writing or by failure to appear at a scheduled hearing.

The Board delegates the authority to decide on an expulsion to the superintendent. The superintendent may designate another person to handle the potential expulsion, and the superintendent, a designee or another individual may act as the hearings officer. The district may contract with an individual who is not employed by the district to serve as the hearings officer. The hearings officer will not be associated with the initial actions of the building administrators. The hearings officer will conduct the hearing and make a final decision regarding the expulsion. A decision of the hearings officer may be appealed by the parent or the student if age 18 or over to the Board for review.

If the decision of the hearings officer is appealed to the Board for review, the findings as to the facts and the hearings officer's decision will be submitted to the Board, and will be available in identical form to the Board, the student and the student's parents at the same time. At a future meeting, the Board will review the hearings officer's decision and will affirm, modify or reverse the decision.

When a recommendation for an expulsion is made and a hearing is not waived, the following procedure is required:

1. Notice will be given to the student and the parent by personal service¹ or by certified mail² at least [five] days prior to the scheduled hearing. Notice shall include:
 - a. The specific charge or charges and the specific facts that support the charge or charges;
 - b. A statement of intent to consider the charges as reason for expulsion;
 - c. The student's right to a hearing;
 - d. When and where the hearing will take place; and
 - e. The student may be represented by counsel or other persons.
2. If the parent or student does not understand the English language, the district will provide an interpreter during the hearing. All communications will be in a manner that is understandable to the parents and student;
3. The student shall be permitted to have representation present at the hearing to advise and to present arguments. The representation may be an attorney, parent or other person. The district's attorney may be present;
4. The student shall be afforded the right to present their version of the events underlying the expulsion recommendation and to introduce evidence by testimony, writings or other exhibits;
5. The student shall be permitted to be present and to hear the evidence presented by the district;
6. The hearings officer or the student may record the hearing;
7. Strict rules of evidence shall not apply to the proceedings. However, this shall not limit the hearings officer's control of the hearing;
8. A Board-conducted hearing or a Board review of the hearings officer's decision will be conducted in executive session unless the student or the student's parent requests a public hearing. If an executive session is held by the Board or a private hearing held by the hearings officer, the following will not be made public:
 - a. The name of the minor student;
 - b. The issues involved, including a student's confidential records;
 - c. The discussion;
 - d. The vote of Board members, which may be taken in executive session when considering an expulsion.

Prior to expulsion for reasons other than a weapons violation, the district must notify the student and parents of alternative programs of instruction or instruction combined with counseling and document this notification.

END OF POLICY

Legal Reference(s):

[ORS 192.660](#)

¹ The person serving the notice shall file a return of service. (OAR 581-021-0070)

² When "certified mail is given to a parent of a suspended student, the notice shall be placed in the mail at least five days before the date of the hearing." (OAR 581-021-0070)

[ORS 332](#).061
[ORS 336](#).615 - 336.665
[ORS 339](#).115
[ORS 339](#).240
[ORS 339](#).250
[OAR 581](#)-021-0050 - 021-0075