

# Gresham-Barlow SD 10

Code: DJC  
Adopted: 5/05/16  
Revised/Readopted: 6/09/22

## Bidding Requirements (Version 1)

The Board is the Local Contract Review Board (LCRB) for the district. The Board, acting as its own LCRB, adopts the *Oregon Attorney General's Model Public Contract Rules*, Oregon Administrative Rules (OAR) Chapter 137, Divisions 046 through 049.

All public contracts shall be invited in accordance with applicable competitive procurement provisions of the Oregon Revised Statutes and the adopted public contracting rules.

The district shall procure the construction manager/general contractor services in accordance with model rules the Attorney General adopts under Oregon Revised Statute (ORS) 279A.065.

Additionally, the Board may include as part of its rules portions of the Oregon Department of Administrative Services rules governing Public Contract Exemptions, OAR Chapter 125, Divisions 246-249 in effect at the time this policy is adopted.

The Board may make the written findings required by law for exemptions from competitive bidding. Such findings shall be maintained by the district and made available on request.

The district shall review its rules each time the Attorney General adopts a modification of the model rules, as required by ORS 279A.065(6)(b), to determine whether any modifications need to be made to district rules to ensure compliance with statutory changes. Modifications will be made only following review by the district's legal counsel. New rules, as necessary, shall be adopted by the Board. In the event it is unnecessary to adopt new rules, Board minutes will reflect that the review process was completed as required.

The Board, acting as the LCRB, may enact a resolution that authorizes the district to designate a public improvement as a community benefit contract per the requirements included in ORS 279C.300 to 279C.470.

## Emergency Procurements

The superintendent or designee shall make emergency declarations and procurements pursuant to ORS 279B.080.

## Special Procurements

The Board shall approve special procurements pursuant to ORS 279B.085 and exemptions pursuant to ORS 279C.335.

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## Sole Source Procurements

The superintendent or designee shall determine in writing that goods or services, or class of goods or services are available from only one source pursuant to ORS 279B.075. The Board may exempt specifications pursuant to ORS 279C.345.

Opportunity will be provided to all responsible suppliers to do business with the district. The chief financial officer will develop and maintain lists of potential vendors for various types of materials, equipment and supplies. Such lists may be used to develop a mailing list for distribution of specifications and solicitations for bids or proposals. Any supplier may be included in the list upon request. Proposal evaluation criteria should give preference to businesses based in Multnomah or Clackamas Counties and to businesses with at least one certification granted by the Certification Office of Business Inclusion and Diversity (COBID).

Procurements for services estimated to be in excess of \$250,000 shall go through the cost analysis and feasibility process when required as described in ORS 279B.

Records of bids, proposals and specifications will be kept in the district administration office and will conform to Oregon Revised Statutes and applicable records retention provisions of the *Oregon Attorney General's Model Public Contract Rules*.

The superintendent or designee shall develop administrative regulations necessary to implement this policy.

END OF POLICY

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### Legal Reference(s):

[ORS Chapter 279](#)  
[ORS Chapter 279A](#)  
[ORS Chapter 279B](#)

[ORS Chapter 279C](#)  
[ORS 670.600](#)  
[OAR Chapter 125](#), Divisions 246 - 249

[OAR Chapter 137](#), Divisions 045 - 049  
[OAR 459-005-0020](#)

[OREGON PROCUREMENT MANUAL](#), Oregon Department of Administrative Services.

### Cross Reference(s):

DJ - District Purchasing  
DJCA - Personal Services Contracts

# Gresham-Barlow SD 10

Code: DJC  
Adopted:  
Orig. Code(s): DJC

## Bidding Requirements

(Version 2)

{Highly recommended policy. The Board serves as the Local Contract Review Board (LCRB) and has the ability to adopt its own procurement rules. Many districts choose to use the *Oregon Attorney General's Model Public Contracting Rules* in OAR Chapter 137, Divisions 045 - 049. If the LCRB does not adopt rules, the Attorney General's Model Public Contracting Rules apply. This policy is based on those rules. The LCRB may also include as part of its rules portions of the Oregon Department of Administrative Services administrative rules in OAR Chapter 125, Divisions 269 - 249. If the LCRB adopts its own rules, delete portions of this policy that are inconsistent with those rules.}

[The Board is the Local Contract Review Board (LCRB) for the district. {The LCRB has not adopted its own rules of procurement. Consequently, the *Oregon Attorney General's Model Public Contracting Rules*<sup>1</sup> shall apply to the district.<sup>2}}</sup>

~~OR~~

~~[The Board is the Local Contract Review Board (LCRB) for the district. The LCRB has adopted its own rules of procedure that will govern district purchasing.<sup>3</sup> Consequently, the model rules<sup>4</sup> adopted by the Attorney General shall not apply to the district. The district shall review its rules each time the Attorney General adopts a modification of the model rules to determine whether any modifications need to be made to district rules, as required by ORS 279A.065(6)(b). New rules, as necessary, shall be adopted by the LCRB. In the event it is unnecessary to adopt new rules, Board minutes will reflect that the review process was completed as required.]~~

Additionally, the district may include as part of its procedures portions of the Oregon Department of Administrative Services administrative rules governing Public Contract Exemptions, OAR Chapter 125, Divisions 246 - 249.

The LCRB may make the written findings required by law for exemptions from competitive bidding. Such findings shall be maintained by the district and made available on request.

The district may not artificially divide or fragment a procurement to reduce the procurement requirements.

The superintendent may develop administrative regulations or procedures to assist with the implementation of this policy and applicable procurement rules.

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<sup>1</sup> Oregon Administrative Rules (OAR) 137-045 - 049

<sup>2</sup> See ORS 279A.065(5). {The LCRB can formally adopt the AG rules. If the LCRB formally adopts the rules, the district is required to review the AG rules each time there is a modification.}

<sup>3</sup> ~~[The district should insert date of adoption of such rules and their location here and remove brackets.]~~

<sup>4</sup> ~~Oregon Administrative Rules (OAR) 137-045 - 049~~

## Goods and Services

The district will purchase goods and services through the following procedures, unless an exception applies:

1. **Small Procurement.** For purchases of goods and services with a contract price not exceeding \$25,000, the district can use any manner deemed practical or convenient, including direct selection or award. Amendments to a contract awarded through small procurement must be in accordance with OAR 137-047-0800.
2. **Intermediate Procurement.** For purchases of goods and services with a contract price exceeding \$25,000, but not exceeding \$250,000, the district shall seek at least three informally solicited competitive price quotes or competitive proposals from prospective contractors. The district will keep record of the request and quotes. If three quotes are not reasonably available, fewer will suffice, but the district will make a written record of the effort made. The district may negotiate with a prospective contractor to clarify the quote or offer, or to effect modifications. Amendments to a contract awarded through intermediate procurement must be in accordance with OAR 137-047-0800.
3. **Regular Procurement.** For purchases exceeding \$250,000, the district will use competitive sealed bids (OAR 137-047-0255) or competitive sealed proposals (OAR 137-047-0260). Amendments to contracts awarded through regular procurement must be in accordance with OAR 137-047-0800.
4. **Emergency Procurements.** In situations of emergency<sup>5</sup>, the LCRB or designee may authorize an emergency procurement. In an emergency procurement, the district is not required to follow general procurement requirements. The district must ensure competition for the contract that is reasonable and appropriate under the circumstances. The district must document the nature of the emergency and the method used for the selection of the contractor.
5. **Sole-source Procurements.** If the LCRB or designee determines that the goods or services are available from only one source, the district may award a contract without competition. To the extent reasonably practicable, the district shall negotiate with the sole source to obtain contract terms that are advantageous to the district. The determination of sole source must be based on written findings and may include:
  - a. That the efficient utilization of existing goods requires acquiring compatible goods or services;
  - b. That the goods or services required to exchange software or data with other public or private agencies are available from only one source;
  - c. That the goods or services are for use in a pilot or experimental project; or
  - d. Other findings that support the conclusion that the goods or services are available from only one source.<sup>6</sup>

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<sup>5</sup> “Emergency” means circumstances that:

7. Could not have been foreseen;
8. Create a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety; and
9. Require prompt execution of a contract to remedy the condition.

<sup>6</sup> If the contract does not exceed \$250,000, using intermediate procurement is likely less burdensome than sole source.

6. Special Procurements. “Special procurement” means a contract or class of contracts that use a contracting procedure other than competitive sealed proposals, competitive sealed bidding, small procurement or intermediate procurement. Special procurements require LCRB approval and will be conducted in accordance with ORS 279B.085, OAR 137-047-0285[, and] this policy [and administrative regulation DJC-AR - Exemptions from Competitive Bidding and Special Procurement].<sup>{7}</sup>
7. Personal Services Contracts. “Personal services contract,” as used in this policy, means a contract whose primary purpose is to acquire specialized skills, knowledge and resources in the application of technical or scientific expertise, or the exercise of professional, artistic or management discretion or judgment.<sup>8</sup> Unless otherwise designated by the LCRB, personal services contracts will be procured in accordance with applicable procurement laws. The LCRB may designate certain service contracts or classes of service contracts as personal services contracts and exempt them from competitive bidding.<sup>{9}</sup> All personal services contracts shall be based on demonstrated qualifications and competence to perform the required services, encourage competition, discourage favoritism and obtain services at a fair and reasonable price. Personal service contractors may be required to qualify as independent contractors in accordance with applicable laws.<sup>10</sup>

Procurements for services estimated to be in excess of \$250,000 shall go through the cost analysis and feasibility process in accordance with ORS 279B.030.

## Public Improvements

“Public improvement” means a project for construction, reconstruction or major renovation on real property by or for the district.<sup>11</sup> The district will contract for public improvements using the following procedures, unless an exception applies.

1. Public improvements contracts with a value of less than \$25,000 are exempt from competitive bidding.

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<sup>7</sup> {If the LCRB has designated contracts or classes of contracts as special procurements, include this information along with reference to the LCRB action.}

<sup>8</sup> This includes, but is not limited to, contracts for the services of an accountant, physician or dentist, educator, consultant (including a provider under an Architectural and Engineering Service Contract), broadcaster, or artist (including a photographer, filmmaker, painter, weaver or sculptor (OAR 137-045-0010(19)). Also includes architectural, engineering, photogrammatic mapping, transportation planning or land surveying services procured under ORS 279C.105 (ORS 279C.100) and related services procured under ORS 279C.120 (ORS 279C.100(5)).

<sup>9</sup> {If the LCRB has designated contracts or classes of contracts as personal services contracts, include this information along with reference to the LCRB action.}

<sup>10</sup> See ORS 670.600 and OAR 459-005-0020.

<sup>11</sup> Public improvement does not include:

1. Projects for which no funds of the district are directly or indirectly used, except for participation that is incidental or related primarily to project design or inspection; or
2. Emergency work, minor alternation, ordinary repair or maintenance necessary to preserve a public improvement.

2. Intermediate Procurements. For public improvement contracts not exceeding \$100,000, the district may utilize three quotes<sup>12</sup>:
  - a. The request for the quotes shall be in writing (unless not reasonably practicable)<sup>13</sup>;
  - b. The request for quotes shall include the selection criteria and if the criteria are not of equal value, their relative value or ranking.

The district shall award the contract to the prospective contractor whose quote will best serve the interest of the district, based on the selection criteria. If the award is not made to the offeror and quote with the lowest price, the district will make a written record of the basis for the award. Amendments to a contract awarded via intermediate procurement may be increased in accordance with OAR 137-049-0160(6)-(7).

3. Regular Procurements. For purchases exceeding \$100,000, the district will use invitation to bid or request for proposals except as otherwise allowed by law. See OAR 137-049-0130 and OAR 137-049-0640. Amendments to contracts awarded through regular procurement must be in accordance with OAR 137-049-0910.
4. Emergency Procurements. Emergency contracts for construction services are not considered public improvement contracts and will be procured in accordance with OAR 137-049-0140 and OAR 137-049-0150.
5. Community Benefit Contracts. “Community benefit contract” means a public improvement contract that includes, but is not limited to, terms and conditions that require the contractor to:
  - a. Qualify as a training agent, as defined in ORS 660.010, or provide apprenticeship training that meets applicable federal and state standards for apprenticeship training;
  - b. Employ apprentices to perform a specified percentage of work hours that workers in apprenticeable occupations perform on the community benefit project;
  - c. Provide employer -paid family health insurance; and
  - d. Meet any other requirements that the LCRB sets forth.

Community benefits contracts may be procured in accordance with ORS 279C.308.

6. Construction Manager/General Contractor (CM/GC) Procurement. The district shall procure CM/GC services in accordance with model rules the Attorney General adopts under Oregon Revised Statute (ORS) 279A.065(3) and OAR 137-049-0690, which requires “the assistance of legal counsel with substantial experience and necessary expertise in using the CM/GC Method, as well as knowledgeable staff, consultants or both staff and consultants who have demonstrated capability of managing the CM/GC process in the necessary disciplines of engineering, construction scheduling and cost control, accounting, legal, Public Contracting and project management.”

END OF POLICY

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<sup>12</sup> If three quotes are not reasonably available, the district shall make a written record of the effort made to obtain these quotes.

<sup>13</sup> For Public Works Contracts, oral quotations may only be utilized in the event that written copies of prevailing wage rates are not required by the Bureau of Labor and Industries.

**Legal Reference(s):**

[ORS Chapter 279](#)  
[ORS Chapter 279A](#)  
[ORS Chapter 279B](#)  
[ORS Chapter 279C](#)

[ORS 670.600](#)  
[OAR Chapter 125](#), Divisions 246 -  
249

[OAR Chapter 137](#), Divisions 045 -  
049  
[OAR 459-005-0020](#)

[OREGON PROCUREMENT MANUAL](#), Oregon Department of Administrative Services.



# Gresham-Barlow SD 10

Code: DJCA  
Adopted: 1/09/14  
Readopted: 5/05/16

## Personal Services Contracts

The district may enter into personal services contracts with qualified professionals as provided by ORS 279A.055. Personal services contracts, as used in this policy, means contracts for specialized skills, knowledge and resources in the application of highly technical or scientific expertise or the exercise of professional, artistic or management discretion or judgment. The district may enter into a personal services contract with a current district employee only when the individual meets independent contractor status in accordance with state, Public Employees Retirement System (PERS) and Internal Revenue Service (IRS) requirements.

The district adopts the *Attorney General's Model Public Contract Rules* OAR 137 Division 47 to govern the procurement of personal services contracts (other than the services of an architect, engineer, land surveyor or related services), except as modified by administrative rule promulgated by the Superintendent.

The district adopts the *Attorney General's Model Public Contract Rules* OAR Division 48 to govern the procurement of personal services contracts for the services of an architect, engineer, land surveyor or related services (as defined in ORS 279C.100) except as modified by administrative rule promulgated by the superintendent.

Selection of a personal services contractor will be based primarily on qualifications and performance history, expertise, knowledge and creativity and the ability to exercise sound professional judgment.

All personal services contracts shall be based on demonstrated qualifications and competence to perform the required services, encourage competition, discourage favoritism and obtain services at a fair and reasonable price.

Contracts for personal services in excess of \$150,000 shall require prior Board approval.

The superintendent will develop administrative regulations modifying OAR 137 Division 47 rules necessary to implement this policy, as appropriate.

END OF POLICY

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### Legal Reference(s):

[ORS Chapters 279](#)  
[ORS Chapters 279A, 279B and 279C](#)

[ORS 332.107](#)  
[ORS 670.600](#)

[OAR 459-010-0030](#)

INTERNAL REVENUE SERVICE, PUBLICATION 1779: INDEPENDENT CONTRACTOR OR EMPLOYEE.

### Cross Reference(s):

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# **Gresham-Barlow SD 10**

Code: **FF**

Adopted: 7/11/94

Revised/Readopted: 5/02/02; 1/09/14; 5/06/21

Orig. Code: FF

## **Naming of New Facilities**

The Board shall be responsible for naming any building, site or other facility which is the property of the district.

In considering names for facilities, the board will use an equity framework and give preference to names associated with the community. Names of historical persons, places and events may be considered. Names of living persons will not be considered.

Pursuant to OAR 581-021-0047, facilities will not use names associated with or significant to a Native American Tribe unless the school district enters into an approved written agreements with that federally recognized Native American Tribe in Oregon.

Recommendations from parent groups, students and residents of the district will be considered. The superintendent will, upon request of the Board, prepare a list of possible names for new facilities.

The Board may establish a committee for screening, reviewing and suggesting names. END OF

POLICY

**Legal Reference(s):**

[ORS 332.107](#)

[OAR 581-021-0047](#)

Naming of New Facilities –

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# Gresham-Barlow SD 10

Code: GBEBA  
Adopted: 12/05/19

## Staff - HIV, AIDS, and HBV

The district will strictly adhere in its policies and procedures, to Oregon law and Oregon Administrative Rules as they relate to staff infected with HIV, AIDS, or HBV<sup>1</sup>.

The district recognizes a staff member has no obligation under any circumstance to report a condition to the district, and the staff member has a right to continue working. If the staff member reports a condition to the district, strict adherence to written guidelines outlined by the staff member shall be followed. These guidelines shall identify who may have the information, who will give the information, how the information will be given, and where and when the information will be given. All such information will be held in confidence in accordance with Oregon law.

Accommodations for a staff member infected with HIV, AIDS, or HBV shall be the same as with any other illness.

END OF POLICY

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**Legal Reference(s):**

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<sup>1</sup> HIV - Human Immunodeficiency Virus; AIDS - Acquired Immune Deficiency Syndrome; HBV - Hepatitis B Virus

[ORS 243.650](#)  
[ORS 342.850\(8\)](#)  
[ORS 433.008](#)  
[ORS 433.045](#)

[ORS 433.260](#)

[OAR 333-017-0000](#)  
[OAR 333-018-0000](#)

[OAR 333-018-0005](#)  
[OAR 581-022-2220](#)

# DELETED

# Gresham-Barlow SD 10

Code: IIA  
Adopted:

## Instructional Materials\*\* (Version 2)

The Board believes proper care and judgment should be exercised in selecting core and supplemental instructional materials and school and classroom library materials[, and that those materials should be inclusive of populations represented in a global society]. [The process to select materials will reflect respect for all people, regardless of race, color, creed, national origin, age, sex, sexual orientation, gender identity, or disability.]

A material involved with a reconsideration will remain available throughout the reconsideration process. Materials will not be removed for discriminatory reasons. A request for reconsideration of materials may be processed through established procedures found in accompanying administrative regulations. Meetings of reconsideration committees may be subject to Public Meetings Law. Records regarding reconsideration procedures are subject to Public Records Law.

[This policy is not intended to cover classroom activities. Complaints regarding classroom activities unrelated to materials can be filed using other established district complaint procedures.]

The term “instructional material” includes core instructional materials, supplemental materials, school library materials, and classroom library materials.

Some materials may fall into more than one of the following categories. If there is a question regarding selection or reconsideration, the district administration may select which procedure to use.

### Definitions

“Core instructional material,”<sup>1</sup> sometimes referred to as basal, means any organized system, which constitutes the major instructional vehicle for a given course of study, or any part thereof. Core instructional materials may include adaptive or personalized learning programs, digital textbooks, and print textbooks and are adopted and paid for by the district. Core instructional materials may include such instructional materials as a hardbound or a softbound book or books, or sets or kits of print and non-print materials, including electronic and internet or web-based materials or media.

“Supplemental instructional materials” means instructional materials used as part of the course of study, which are not part of the core instructional materials. They contain materials to supplement and/or differentiate core instruction and are generally teacher selected. These materials are not adopted by the Board. Materials required or assigned to be used as part of a class may be considered supplemental instructional materials, regardless of the source or location of the material.

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<sup>1</sup> This comes from OAR 581-011-0050(1), referring to instructional materials which must be adopted by local school boards.

“School library materials” means materials which are kept in the school library for student selection and use. The use of these materials may not be required for a particular class, but they may be selected by students to use. These may include books, media, newspapers, magazines, videos, websites, or databases, including in digital or print, etc. These materials are not adopted by the Board.

“Classroom library materials” means materials which are kept in the classroom for student selection and use. The use of these materials is not required for the class, but they may be selected by students to use. These may include books, media, newspapers, magazines, videos, etc. These materials are not adopted by the Board.

### **Core Instructional Materials**

The Board retains the authority to approve core instructional materials used in district schools and authorizes the superintendent [or designee] to develop and implement administrative regulations governing selection and adoption of such materials. Procedures will provide for involvement of administrators, staff, parents, [students], and community members; will use established selection criteria to contribute to the attainment of district, program, and course or grade-level goals; and will reflect recent knowledge, trends, and technology in the field.

The district will review core instructional materials in accordance with the State Board of Education adoption cycle. Each core instructional program and its instructional materials will be reviewed [on a seven-year cycle], and any resulting recommendations will be issued by district administration to the Board for approval. All recommended core instructional materials shall be approved by the Board prior to use. [The adoption of textbooks [for American history and government] by the Board and any committee shall be done in a manner in accordance with ORS 337.260.] The district will establish a process and timeline for regularly determining and considering whether core instructional materials are available through online resources that enable students with print disabilities to receive textbooks and instructional materials free of charge. [All requests for reconsideration of core instructional materials may be considered under administrative regulation IIA-AR(2) - Reconsideration of Core Instructional Materials.]

[The district may choose to independently adopt core instructional materials which are not on the state-approved list, using state-approved selection criteria. (See administrative regulation IIA-AR(6) – Independent Adoption of Instructional Materials)]

### **Supplemental Instructional Materials**

All supplemental instructional materials will be selected by [teachers, principals, librarians, and/or others, as determined appropriate] [which may not be through any formal selection procedure]. Such materials will contain suitable readability levels and support the district’s adopted curriculum content. Materials will be used for their intended audience. [All requests for reconsideration of supplemental instructional materials may be considered under administrative regulation IIA-AR(3) - Reconsideration of Supplemental Instructional Materials.]

### **School Library Materials**

All school library materials will be selected by a librarian using established selection criteria. Such materials will contain suitable readability levels. [All requests for reconsideration of school library



materials may be considered under administrative regulation IIA-AR(4) - Reconsideration of School or Classroom Library Materials.]

## Classroom Library Materials

All classroom library materials will be selected by a classroom teacher and/or others[, with no formal selection procedure]. Such materials will contain suitable readability levels. Teachers are responsible for knowing the available materials in their classroom library. [All requests for reconsideration of classroom library materials may be considered under administrative regulation IIA-AR(4) - Reconsideration of School or Classroom Library Materials.]

END OF POLICY

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### Legal Reference(s):

<a href="#">ORS 174.100</a>	<a href="#">ORS 337.150</a>	<a href="#">OAR 581-021-0045</a>
<a href="#">ORS 332.107</a>	<a href="#">ORS 337.260</a>	<a href="#">OAR 581-021-0046</a>
<a href="#">ORS 336.035</a>	<a href="#">ORS 337.511</a>	<a href="#">OAR 581-022-2310</a>
<a href="#">ORS 336.082</a>	<a href="#">ORS 339.155</a>	<a href="#">OAR 581-022-2340</a>
<a href="#">ORS 336.840</a>	<a href="#">ORS 659.850</a>	<a href="#">OAR 581-022-2350</a>
<a href="#">ORS 337.120</a>		<a href="#">OAR 581-022-2355</a>
<a href="#">ORS 337.141</a>	<a href="#">OAR 581-011-0050 - 0117</a>	

Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2018).

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

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2024).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).

# Gresham-Barlow SD 10

Code: **IKF**  
Adopted: 9/12/02  
Revised/Readopted: 5/06/04; 4/12/07; 3/06/08; 6/11/09; 1/06/11;  
2/02/12; 11/06/14; 4/07/16; 12/01/16;  
11/02/17; 4/05/18; 6/28/19; 4/02/20; 4/01/21;  
4/07/22

## Graduation Requirements\*\*

The district adopts the policy statements contained herein in compliance with Oregon Administrative Rule Chapter 581, Division 022. The ~~Board~~ district will review this policy ~~IKF – Graduation Requirements and its administrative regulations~~ annually.

The Board ~~will establish~~ graduation requirements for the awarding of a ~~Gresham-Barlow School District~~ the following in Gresham-Barlow School District:

- High school diploma
- Scholars diploma
- Modified diploma
- Extended diploma
- ~~Alternative certificate which meet or exceed state requirements.~~ Certificate of attendance

A student may satisfy graduation requirements in less than four years<sup>1</sup>. The district will award a diploma to a student fulfilling graduation requirements in less than four years if ~~written~~ consent is given by the student's parent or guardian or by the student if ~~the student is~~ 18 years of age or older or emancipated.

If the district requires diploma requirements beyond the state requirements, the district shall grant a waiver for those requirements to any student who, at any time from grade 9 to 12, was:

1. ~~A~~ In foster care<sup>2</sup>;
2. Experiencing houselessness<sup>3</sup>;
3. ~~Houseless;~~
4. ~~A~~ A runaway;

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<sup>1</sup> A student who wishes to graduate from high school in less time than the ordinary grade 9-12 sequence may request permission to complete graduation requirements on an altered schedule. The student and their parents or guardian will consult with high school guidance personnel to develop a graduation plan. Their intention to accomplish this plan will be stated in writing to the principal.

<sup>2</sup> "Foster child" is ~~As~~ defined in ORS 30.297.

<sup>3</sup> {ORS 329.451(2) and OAR 581-022-use the term "homeless."} See OAR 581-022-2000 for additional information.

5. A child in a military family covered by the Interstate Compact on Educational Opportunity for Military Children;
6. A child of a migrant worker;~~or~~
7. Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education Program; ~~or~~
8. <sup>4</sup>Enrolled in an approved recovery school under ORS 336.680.

For any student identified above, the district shall accept any credits earned by the student in an educational program<sup>5</sup> in this state~~another district or public charter school~~, applying those credits toward the state requirements for a diploma if the credits satisfied those requirements in that ~~educational program in this state, other district or public charter school.~~

#### **DISTRICT ATTENDANCE REQUIREMENT**

In order to earn a diploma, students must be in attendance a minimum of half-time status during the last semester of their senior year. Exceptions may be granted by the district for students who have been in previous attendance and approved for early graduation or approved for graduation under Board policy IHGA - Alternative Instructional Programs.

#### **GRESHAM-BARLOW SCHOOL DISTRICT HIGH SCHOOL DIPLOMA**

A high school diploma will be awarded to students in grades 9 through 12 who complete a minimum of <sup>{6}</sup>24 high school credits which include at least:

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1. ~~Four credits of English language arts<sup>7</sup> (shall include the equivalent of one unit in written composition);~~
2. Three credits ~~in~~of mathematics ~~(shall include one unit at the Algebra I level and two units that are at a level higher than Algebra I);~~
3. Three credits ~~in~~of science;
4. ~~Three credits of social sciences (including history, civics<sup>8</sup>, geography and economics (including personal finance));~~¶

<sup>4</sup> Applies to high school diplomas awarded on or after January 1, 2026.

<sup>5</sup> “Educational program in this state” means an educational program that is provided by a school district, a public charter school, an approved recovery school (applies to diplomas awarded on or after January 1, 2026), the Youth Corrections Education Program or the Juvenile Detention Program, or funded as provided by ORS 343.243 for students in a long-term care or treatment facility described in ORS 343.961 or a hospital identified in ORS 343.261.

~~<sup>6</sup> {If the district has additional credit or graduation requirements beyond the state minimum of 24, the district is required to include those additional credits and graduation requirements in the following list.}~~

<sup>7</sup> “Language arts” includes reading, writing and other communications in any language, including English.

~~<sup>8</sup> Civics becomes a half credit requirement beginning on January 1, 2026 (Senate Bill 513, 2021).~~¶

5. ~~Three credits in social sciences (shall include 0.5 unit of US civics<sup>9</sup>) credit in addition to at least 2.5 units of credit aligned to the Oregon State Board adopted standards for US and world history, geography, economics and <sup>10</sup>financial literacy);~~

6. <sup>11</sup>One-half credit of higher education and career path skills;

7. <sup>12</sup>One-half credit of personal financial education;

8. One credit in health education;

9. One credit in physical education; and

10. Three credits in career and technical education, the arts or world languages<sup>13</sup> (units shall be earned in any one or a combination); and

11. ~~Six~~ Five credits of electives.

The district shall offer students credit options provided the method for obtaining such ~~credits~~ credit is described in the student's personal education plan and the credit is earned by meeting requirements described in Oregon Administrative Rule (OAR) 581-022-2025.

To receive a diploma, in addition to credit requirements ~~as outlined above~~ in OAR 581-022-2000<sup>14</sup>, a student must<sup>15</sup>.

1. <sup>16</sup>Demonstrate proficiency in the Essential Skills of reading, writing and ~~apply~~applying mathematics in a variety of settings;

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<sup>9</sup> Civics becomes a half-credit requirement beginning on January 1, 2026 (ORS 329.451).

<sup>10</sup> This requirement is replaced with a one-half credit of personal financial education requirement for students who were first enrolled in grade 9 during the 2023-2024 school year or first enrolled in grade 9 in any subsequent school year.

<sup>11</sup> Higher education and career path skills becomes a one-half credit graduation requirement for students who were first enrolled in grade 9 during the 2023-2024 school year or first enrolled in grade 9 in any subsequent school year (a requirement for a high school diploma awarded on or after January 1, 2027; a district may request a one-year waiver in accordance with law).

<sup>12</sup> Personal finance education becomes a one-half credit graduation requirement for students who were first enrolled in grade 9 during the 2023-2024 school year or first enrolled in grade 9 in any subsequent school year (a requirement for a high school diploma awarded on or after January 1, 2027; a district may request a one-year waiver in accordance with law).

<sup>13</sup> "World languages" includes sign language, heritage languages and languages other than a student's primary language.

<sup>14</sup> ~~For the 2020-21 school year, the diploma requirements outlined in OAR 581-022-2000 have been waived in accordance with OAR 581-022-0104. ¶~~

<sup>15</sup> ~~The proficiency in Essential Skills requirement has been waived and is not a condition of receiving a high school diploma during the 2021-2022, 2022-2023 or 2023-2024 school year (Senate Bill 744, 2021). ¶~~

<sup>16</sup> The State Board of Education has waived this requirement in Essential Skills for students graduating through the 2027-2028 school year.

2. Develop an education plan and build an education profile;
3. Demonstrate extended application of standards through a collection of evidence (or include evidence in existing collection(s)); and
4. Participate in career-related learning experiences outlined in the education plan.

### **GRESHAM-BARLOW SCHOOL DISTRICT SCHOLARS' DIPLOMA**

In addition to meeting all requirements for the Gresham-Barlow School District high school diploma, students will qualify for a Scholars' diploma based on their enrollment in advanced courses and provide confirmation that they have accomplished each of the requirements listed below.

Students must remain enrolled in their advanced courses through their eighth semester, as their final GPA and class ranking will be determined by their highest GPA with the Scholars' program and final grade report. Course lists are available from the schools.

### **Requirements**

1. Successfully complete all graduation requirements, including credit requirements, requirements, education plan and profile, extended application and career related learning experiences required in the district diploma;
2. Earn an accumulative GPA of at least 3.50 at the end of the eighth semester;
3. Earn a minimum of 25 credits, at least eight of which must be earned in designated advanced courses;
4. Demonstrate proficiency in a world language in addition to English or successfully complete two years of study in the same world language;
5. Have been an active participant in at least one co-curricular activity (e.g., sports, clubs, theater, music, student government, etc.);
6. May earn only one elective credit using the PASS/NO PASS option;

Any appeal regarding qualification for a Scholars' diploma must be presented to the Scholars' Diploma Review Panel.

### **Modified Diploma**

A modified diploma will be awarded only to students who have demonstrated the inability to meet the full set of academic content standards adopted by the State Board of Education for a high school diploma while receiving even with reasonable modifications and accommodations. A modified diploma may only be awarded to a student who meets the eligibility criteria listed below and other criteria, if applicable, outlined in OAR 581-022-2010(3):

1. The student has Has a documented history of an inability to maintain grade level achievement due to significant learning and instructional barriers; or

2. The student has~~Has~~ a documented history of a medical condition that creates a barrier to achievement.

Having met the above eligibility criteria, a modified diploma will be awarded to students who, while in grade nine through completion of high school, complete 24 credits with at least 13 of those credits to~~which shall~~ include:

1. Three credits in ~~English~~ language arts;
2. Two credits in mathematics;
3. Two credits in science;
4. Two credits in social sciences ~~(which may include history, civics, geography and economics (including personal finance))~~;
5. <sup>17</sup>One-half credit in personal financial education;
6. <sup>18</sup>One-half credit in higher education and career path skills;
7. One credit in health education;
8. One credit in physical education;
9. One credit in career technical education, the arts or ~~a~~ world languages (units may be earned in any one or a combination); and
10. ~~Twelve~~ ~~Eleven~~ credits of electives.

Students may earn additional credits to earn a modified diploma pursuant to OAR 581-022-2010<sup>19</sup>.

In addition to credit requirements as outlined in OAR 581-022-2010<sup>5</sup>, a student must:

1. <sup>20</sup>Demonstrate proficiency in the Essential Skills of reading, writing and apply mathematics in a variety of settings;
1. Develop an education plan and build an education profile; and
2. Demonstrate extended application of standards through a collection of evidence (or include evidence in existing collection(s)).

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<sup>17</sup> This unit of credit applies to all students who are awarded a modified diploma on or after January 1, 2027.

<sup>18</sup> This unit of credit applies to all students who are awarded a modified diploma on or after January 1, 2027.

<sup>19</sup> ~~For the 2020-21 school year, the diploma requirements outlined in OAR 581-022-2010 have been waived in accordance with OAR 581-022-0104.~~

<sup>20</sup> The State Board of Education has waived this requirement in Essential Skills for students graduating through the 2027-2028 school year.

~~A student must also demonstrate proficiency in the <sup>216</sup>Essential Skills with reasonable modifications and accommodations. ¶~~

Districts may make modifications to the assessment for students who seek a modified diploma when the following conditions are met:

1. For a student on an individualized ~~education program~~ Education Program (IEP) or Section 504 plan, any modifications to work samples must be consistent with the requirements established in the IEP or 504 plan. Modifications include practices and procedures that compromise the intent of the assessment through a change in ~~the achievement level, construct learning expectations, construct, or content that is to be measured, grade level standard, or measured outcome of the assessment.~~ This means that IEP or 504 school teams responsible for approving modifications for a student's assessment may adjust the administration of the assessment and/or the assessment's achievement standard. ~~The IEP or 504 team must inform the student's parent that the use of a modification on an assessment will result in an invalid assessment;~~
2. For a student not on an IEP or 504 plan, any modifications to work samples must have been provided to the student during ~~their~~his/her instruction in the content area to be assessed; and in the year in which the student is being assessed, and modifications must be approved by the school team that is responsible for monitoring the student's progress toward the modified diploma.

Students not on an IEP or a Section 504 Plan may not receive a modified ~~statewide~~Smarter Balanced assessment.

A student's school team (which must include an adult student, parent/guardian of the student) shall decide ~~if that a student will~~should work toward a modified diploma no earlier than the end of grade six and no later than two years before the student's anticipated exit from high school.

A student's school team may decide to revise a modified diploma decision.

A student's school team may decide that a student who was not previously working ~~toward~~towards a modified diploma should work ~~toward~~towards one when the student is less than two years from anticipated exit from high school if the documented history has changed.

~~Beginning in grade five or beginning after a documented history to qualify for a modified diploma, the district shall annually provide to the parents or guardians of the student, information about the availability and requirements of a modified diploma.~~

For students with a documented history as described above, the district shall annually provide the parents or guardians of students, beginning in grade five or after such documented history has been established, the following:

1. Information about the availability of high school diplomas, modified diplomas and the requirements for such diplomas; and

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~~<sup>21</sup> The proficiency in Essential Skills requirement has been waived and is not a condition of receiving a high school diploma during the 2021-2022, 2022-2023 or 2023-2024 school year (Senate Bill 744, 2021). ¶~~

2. A disclosure that students awarded a certificate of attendance will not be counted as a high school graduate in any reporting for the State or district and that such students awarded a certificate of attendance may not indicate they received a high school diploma on applications for employment, military service, financial aid, admittance to an institution of higher education or any other purpose.

### [<sup>22</sup>] Essential Skills

The district [will] [will not] allow English Language Learner (ELL) students to demonstrate proficiency in Essential Skills in the student's language of origin for a high school diploma or a modified diploma.

The district will develop procedures to provide local performance assessment options as described in the *Local Performance Assessment Manual*, in the ELL student's language of origin, and will develop procedures to ensure that locally scored assessment options administered in an ELL student's language of origin are scored by a qualified rater.

### Essential Skills Appeal

The district will [establish an appeal process] [follow Board policy KL - Public Complaints] in the event of an appeal for the denial of a diploma based on the Essential Skills graduation requirement. The district will retain student work samples and student performance data to ensure that sufficient evidence is available in the event of an appeal.]

### EXTENDED DIPLOMA

An extended diploma will be awarded only to students who have demonstrated the inability to meet the full set of academic content standards adopted by the State Board of Education for a high school diploma while receiving reasonable modifications and accommodations. To be eligible for an extended diploma, a student must:

1. While in grade nine through completion of high school, complete 12 credits, which may not include more than six credits in a self-contained special education classroom, and will include:
  - a. Two credits in mathematics;
  - b. Two credits in English language arts;
  - c. Two credits in science;
  - d. Three credits in history, geography, economics or civics social science;
  - e. One credit in health;
  - f. One credit in physical education; and
  - g. One credit in the arts or a world language; and.
2. Have a documented history of:

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<sup>22</sup> {[OAR 581-022-2120(2) requires districts to have "policy whether to allow ELL students to demonstrate proficiency in all required Essential Skills in the students' language of origin." OAR 581-022-2120(4) waives this requirement through the 2027-28 school year.] Therefore, these two sections, i.e., Essential Skills and Essential Skills Appeal, are not required to be in policy at this time. The district could elect to keep the language and the bracketed portion of this footnote.}



- a. An inability to maintain grade level achievement due to significant learning and instructional barriers;
- b. A medical condition that creates a barrier to achievement; or
- c. A change in the student's ability to participate in grade level activities as a result of a ~~serious~~ serious illness or injury that occurred after grade eight.

~~Beginning in grade five or beginning after a documented history to qualify for an extended diploma, the district shall annually provide to the parents or guardians of the student, information about the availability and requirements of an extended diploma.~~¶

For students with a documented history, the district shall annually provide the parents or guardians of such students, beginning in grade five or after such documented history has been established, the following:

1. Information about the availability of high school diplomas, modified diplomas and the requirements for such diplomas; and
2. A disclosure that students awarded a certificate of attendance will not be counted as a high school graduate in any reporting for the state or district and that such students awarded a certificate of attendance may not indicate they received a high school diploma on applications for employment, military service, financial aid, admittance to an institution of higher education or any other purpose.

#### ~~ALTERNATIVE CERTIFICATES~~¶

~~Alternative certificates will be awarded to students who do not satisfy the requirements for a diploma, modified diploma or extended diploma if the students meet minimum credit requirements established by the district.~~¶

~~Beginning in grade five or beginning after a documented history to qualify for an alternative certificate, the district shall annually provide to the parents or guardians of the student, information about the availability and requirements of an alternative certificate.~~¶

#### CERTIFICATE OF ATTENDANCE

A {<sup>23</sup>} certificate of attendance<sup>24</sup> will be awarded to students who:

2. [Have maintained regular full-time attendance<sup>25</sup> for at least four years beginning in grade nine;

<sup>23</sup> {The Board shall define criteria for a certificate of attendance. OAR 581-022-2200 (3). See the Oregon Department of Education's [Certificates for School Completion: Questions and Answers Related to the Implementation of SB 992.](#)}

<sup>24</sup> A student who began grade 9 before July 1, 2020, may be awarded an alternative certificate if the student satisfies the requirements for an alternative certificate which are in effect on the day before July 1, 2024.

<sup>25</sup> {There is no established definition of "regular full-time attendance. The district should review any existing attendance definitions, consider the needs of students in the district and establish clear criteria. This should include how excused and unexcused absences are counted. A few options are provided.}

["Regular full-time attendance" means not being absent for more than 10 percent of school days that the student is enrolled in a school year. See OAR 581-020-0631 for definition of chronic absenteeism. Excused absences [are considered absences for this purpose] [will not be counted against a student.]]

3. Do not satisfy requirements for a high school diploma, modified diploma or extended diploma; and

4. Have a documented history<sup>26</sup>.]

For students with a documented history<sup>27</sup>, the district shall annually provide the parents or guardians of such students, beginning in grade five or after such a documented history has been established, the following:

5. Information about the availability of high school diplomas, modified diplomas and the requirements for the diplomas; and

6. A disclosure that students awarded a certificate of attendance will not be counted as a high school graduate in any required reporting for the State or district and that such students awarded a certificate of attendance may not indicate they received a high school diploma on applications for employment, military service, financial aid, admittance to an institution of higher education or any other purpose.

#### OTHER DISTRICT RESPONSIBILITIES

The district will ensure that all students have onsite access to the appropriate resources and courses to achieve high school diplomas, to earn a diploma, a modified diploma, and diploma, an extended diploma, diploma, or an alternative certificate at each high school in the district. The district will provide age-appropriate and developmentally appropriate literacy instruction to all students until graduation.

~~A student who receives a modified diploma, an extended diploma or an alternative certificate will have the option of participating in a high school graduation ceremony with the student's graduating class.~~

#### MODIFIED DIPLOMA, EXTENDED DIPLOMA AND ~~ALTERNATIVE CERTIFICATE~~ OF ATTENDANCE

The district may not deny a student the opportunity to pursue a diploma with more stringent requirements, ~~than a modified diploma or an extended diploma~~ for the sole reason the student has the documented history listed under the above modified diploma or extended diploma requirements.

The district may award a modified diploma or an extended diploma to a student only upon the written consent of a student who is an emancipated minor or who has reached the age of 18 (adult student) at the time the modified or extended diploma is awarded, or the student's parent or guardian. The district ~~must~~ shall receive the written consent during the school year in which the modified diploma or the extended diploma is awarded.

¶

A student shall have the opportunity to satisfy the requirements for a modified diploma, an extended diploma or ~~an alternative~~ certificate of attendance in the later of 4 ~~either four~~ years after starting the ninth grade 9, or

[“Regular full-time attendance” means not having eight or more unexcused absences in any four-week period during which school is in session. See ORS 339.065 for definition of irregular attendance. This will be calculated on an annual basis and equates to having unexcused absences for less than 20 percent of the days or class periods during which school is in session.]

<sup>26</sup> “Documented history” means evidence in the cumulative record and education plans of a student that demonstrates the inability over time to maintain grade level achievement even with appropriate modifications and accommodations.

<sup>27</sup> “Documented history” means evidence in the cumulative record and education plans of a student that demonstrates the inability over time to maintain grade level achievement even with appropriate modifications and accommodations.

until the student reaches the age of 21 years; if the student is entitled to a public education until the age of 21 under state or federal law.

¶ A student may complete/satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate of attendance in less than four years but not less than three years. To/In order to satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate of attendance in less than 4/four years, the student's parent or guardian or a student who is emancipated or has reached the age of 18 must provide written consent which clearly states the parent, guardian or student is waiving the fourth year and/or years until the student reaches the age of 21. A copy of the consent will be forwarded to the district superintendent who will annually report to the Superintendent of Public Instruction the number of such consents.

¶ Beginning in grade five or after a documented history to qualify for a modified diploma, an extended diploma or an alternative certificate has been established, the district will annually provide to the parents or guardians of the student information about the availability and requirements of a modified diploma, an extended diploma and an alternative certificate.¶

¶ A student who qualifies to receive or receives a modified diploma, an extended diploma, or an alternative certificate of attendance shall have the option of participating in a high school graduation ceremony with the student's class.

¶ A student who receives a modified diploma, an extended diploma, or an alternative certificate of attendance shall have access to instructional hours, hours of transition services and hours of other services that are designed to meet the unique needs of the student. When and when added together, the district will provide a total number of hours of instruction and or services to the student that equals at least the total number of instructional hours that are is required to be provided to students who are attending a public high school. The district may not unilaterally decrease the total number of hours of instruction and services to which the student has access regardless of the age of the student.

The district will award to students with disabilities a document certifying successful completion of program requirements. No document issued to students with disabilities educated in full or in part in a special education program shall indicate that the document is issued by such a program. When a student who has an IEP completes high school, the district will give the student an individualized summary of performance.

Eligible students with disabilities are entitled to a free appropriate public education/Free Appropriate Public Education (FAPE) until the age of 21, even if they have earned a modified diploma, an extended diploma, an alternative certificate of attendance or completion of a General Education Development document. The continuance of services for students with disabilities for a modified diploma, an extended diploma or an alternative certificate of attendance is contingent on the IEP team determining the student's continued eligibility and special education services are needed.

Students and their parents will be notified of graduation and diploma requirements.

#### ¶ DISTRICT ATTENDANCE REQUIREMENT ¶

¶ In order to earn a diploma, students must be in attendance a minimum of half-time status during the last semester of their senior year. Exceptions may be granted by the district for students who have been in

~~previous attendance and approved for early graduation or approved for graduation under Board policy HIGA Alternative Instructional Programs.~~

## **Diploma Options**

~~The district believes that all students should be provided a rigorous and relevant curriculum that will prepare them for success in the 21st century workforce. With this belief as a foundation to our graduation policy, the Board also recognizes that diploma options are important to address all students' needs in our district. As such, the district will make available the following diploma options with the requirements as follows:~~

- ~~1. Gresham-Barlow School District Diploma: must meet all district and state requirements as defined in administrative regulation IKF AR;~~
- ~~2. Gresham-Barlow School District Scholars' Diploma: see administrative regulation IKF AR;~~
- ~~3. Oregon Diploma: see administrative regulation IKF AR;~~
- ~~4. Modified Diploma: see administrative regulation IKF AR;~~
- ~~5. Extended Diploma: see administrative regulation IKF AR;~~
- ~~6. Alternative Certificate: see administrative regulation IKF AR.~~

~~The district may not deny a diploma to a student who has opted-out of the statewide assessments if the student is able to satisfy all other requirements for the diploma. Students may opt-out of the Oregon statewide assessments in language arts and/or mathematics Smarter Balanced or alternate Oregon Extended Assessment by completing the Oregon Department of Education's Opt-out Form<sup>28</sup> and submitting the form to the district who opt-out will need to meet the Essential Skills graduation requirement using another approved assessment option.~~

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<sup>28</sup> Oregon Department of Education page for: ~~30-day notice and opt-out form~~

The district will issue a high school diploma pursuant to Oregon law (ORS 332.114), to a veteran if the veteran resides within the boundaries of the district or is an Oregon resident and attended a high school of the district, or to a deceased veteran, upon request from a representative of the veteran, if the deceased veteran resided within the boundaries of the district at the time of death or was an Oregon resident at the time of death and attended a high school of the district.

¶  
The act of ~~district shall establish conduct and discipline consequences for~~ student-initiated test impropriety is prohibited. A student that participates in an act of student-initiated test impropriety will be subject to disciplinediscipline. “Student-initiated test impropriety” means student conduct that is inconsistent with the Test *Administration Manual* or accompanying guidance; or results in a score that is invalid.

## END OF POLICY

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### Legal Reference(s):

[ORS 329.007](#)  
[ORS 329.045](#)  
[ORS 329.451](#)  
[ORS 329.479](#)  
[ORS 332.107](#)  
[ORS 332.114](#)  
[ORS 336.585](#)  
[ORS 336.590](#)

[ORS 339.115](#)  
[ORS 339.505](#)  
[ORS 343.295](#)  
  
[OAR 581-021-0009](#)  
[OAR 581-022-0102](#)  
[OAR 581-022-2000](#)  
[OAR 581-022-2005](#)

[OAR 581-022-2010](#)  
[OAR 581-022-2015](#)  
[OAR 581-022-2020](#)  
[OAR 581-022-2025](#)  
[OAR 581-022-2030](#)  
[OAR 581-022-2115](#)  
[OAR 581-022-2120](#)  
[OAR 581-022-2505](#)

*Test Administration Manual*, published by the OREGON DEPARTMENT OF EDUCATION.

*Certificates for School Completion: Questions and Answers Related to the Implementation of SB 992*, published by the OREGON DEPARTMENT OF EDUCATION.

# Gresham-Barlow SD 10

Code: JBAA  
Adopted: 7/09/09  
Readopted: 12/04/14

## Section 504 – Students\*\*

In compliance with the requirements of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA), the district shall ensure that no otherwise qualified individual with disabilities shall, solely by reason of ~~this/her~~ disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity conducted by the district or those provided by the district through contractual or other arrangements. Programs and activities shall be accessible and usable by individuals with disabilities as prescribed by law.

The superintendent will ensure all ~~Section 504-qualified students with disabilities~~ are identified annually who qualify for Section 504. Students will be evaluated by a team of individuals knowledgeable about the student, the meaning of the evaluation data and placement options. Services will be provided as required by law.

The superintendent will develop administrative regulations as needed for the implementation of this policy and to meet the requirements of state and federal law. Regulations will include provisions to ensure notice of the district's responsibilities are provided as required and that procedures are established for students, parents and staff with complaints concerning district compliance with the provisions of law.

END OF POLICY

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### Legal Reference(s):

[ORS 192.630](#)  
[ORS 326.051\(1\)\(e\)](#)  
[ORS 343.068](#)  
[ORS 659.850](#)

[ORS 659.865](#)  
[ORS 659A.103](#)  
[ORS 659A.109](#)

[OAR 581-015-2030](#)  
[OAR 581-021-0045](#)  
[OAR 581-021-0046](#)  
[OAR 581-021-0049](#)  
[OAR 581-022-2310](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2017); 28 C.F.R. Part 35 (2017).  
Nondiscrimination on the Basis of Handicap in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 104 (2017).  
Rehabilitation Act of 1973, 29 U.S.C. § 791, 793-794 (2012).  
Americans with Disabilities Act Amendments Act of 2008.

# Gresham-Barlow SD 10

Code: JEA  
Adopted: 9/13/01  
Revised/Readopted: 5/02/02; 12/04/14; 4/07/16;  
11/02/17; 4/05/18; 6/11/20

## Compulsory Attendance\*\*

Except when exempt by Oregon law, all ~~children~~ ~~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. Persons having control of a child 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.

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

Attendance supervisors shall monitor and report any violation of the compulsory attendance law to the superintendent or designee. ~~Failure to send a student and maintain a student in regular attendance is a Class C violation.~~ [A citation for violation of ORS 339.035 may be issued.]

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

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

## Exemptions from Compulsory School Attendance

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

1. ~~Children~~ ~~Students~~ being taught in a private or parochial school in courses of study usually taught in kindergarten through grade 12 in the public schools, and in attendance for a period equivalent to that required of students attending public schools.
2. ~~Children~~ ~~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. ~~Children~~ ~~Students~~ who have received a ~~regular or modified~~ high school diploma ~~or a modified diploma~~.



4. ~~Children~~Students being taught, by a private teacher, the courses of study usually taught in kindergarten through grade 12 in the public school for a period equivalent to that required of students attending public schools.
5. ~~Children~~Students 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 private teacher must notify the Multnomah Education Service District (ESD), as the district's ESD of record, in writing within 10 days of such occurrence. In addition, when ~~such a home-schooled~~ student moves to a new ESD, the parent, guardian or 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 ~~child~~student being taught by a parent or private teacher as described above shall be examined no later than August 15, following grades 3, 5, 8 and 10:
    - (1) If the student was withdrawn from public school, the first examination shall be administered at least 18 months after the date the student withdrew from public school;
    - (2) If the ~~child~~student never attended public or private school, the first examination shall be administered prior to the end of grade 3;
  - c. Procedures for home-schooled students with disabilities are set out in Oregon Administrative Rule (OAR) 581-021-0029;
  - d. Examinations ~~testing each student~~ shall be from the list of approved examinations from the State Board of Education;
  - e. The examination must be administered by a neutral, individual qualified to administer tests on the approved list provided by the Oregon Department of Education;
  - f. The person administering the examination shall score the examination and report the results to the parent or guardian. Upon request of the ESD superintendent, the parent or guardian shall submit the results of the examination to the ESD;
  - g. All costs for the test instrument, administration and scoring are the responsibility of the parent or guardian;
  - h. In the event the ESD superintendent finds that the ~~child~~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.~~
6. Children whose sixth birthday occurred on or before September 1 immediately preceding the beginning of the current school year, if the parent or guardian notified the child's resident district in writing that the parent or guardian is delaying the enrollment of their child for one school year to better meet the child's needs for cognitive, social or physical development, as determined by the parent or guardian.
7. Children who are present in the United States on a nonimmigrant visa and who are attending a private, accredited English language learner program in preparation for attending a private high school or college.



8. ~~Children~~~~Students~~ excluded from attendance as provided by law.
9. ~~Children~~~~Students~~ who are eligible military children<sup>1</sup> are exempt up to 10 days after the date of military transfer or pending transfer indicated in the official military order.
10. An exemption may be granted to the parent or guardian of any ~~child~~~~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~~~~define~~ in ORS 336.615.
11. An exemption may be granted ~~to~~~~for~~ 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

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**Legal Reference(s):**

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<sup>1</sup> “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.

[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

# Gresham-Barlow SD 10

Code: JHCA/JHCB  
Adopted: 12/04/14  
Readopted: 10/06/16

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

### Immunization

Proof of immunization must be presented ~~at prior to~~ the time of initial enrollment<sup>1</sup> in school or within 30 days of transfer to the district in accordance with Oregon law. Proof consists of a signed Certificate of Immunization Status form documenting either evidence of immunization, ~~or a religious, philosophical beliefs and/or medical exemption or immunity documentation.~~<sup>2</sup>

### School Sports Participation~~Physical Examination~~

~~The district recommends that all students initially enrolling in school have a physical examination. Parents will be asked to complete a district Health History form when initially enrolling their student in the district and when registering them for seventh grade.~~

~~All students~~ A student participating in extracurricular sports in grades 7 through 12 ~~athletic programs are~~ required to submit to an appropriate ~~the district a~~ School Sports Pre-Participation~~participation~~ Examination<sup>3</sup> ~~form~~ prior to their initial participation in a ~~related~~ district ~~athletic~~ program. The form<sup>4</sup> is to be completed and signed by a parent or guardian ~~and physician~~ giving permission for the student to participate and be signed by a medical provider authorized by law<sup>5</sup> who has examined and evaluated the student. The completed form(s) must be returned ~~[as directed] [to the school office]~~.

A student who is subsequently diagnosed with a significant illness or has had a major surgery is required to have a physical examination prior to further participation ~~in extracurricular sports.~~

A student who exhibits signs, symptoms or behaviors consistent with a concussion following an observed or suspected blow to the head or body, or who has been diagnosed with a concussion will not be allowed to

<sup>1</sup> The district shall immediately enroll a student experiencing homelessness in the school selected even if the student is unable to produce records normally required for enrollment.

<sup>2</sup> Documentation requirements for exemptions are outlined in ORS 433.267.

<sup>3</sup> The required form is available at <https://www.osaa.org/governance/forms>, a copy may be obtained from a school office, or a form generated by the medical provider may be used if it meets requirements of law in OAR 581-021-0041.

<sup>4</sup> The form may be used in either a hard copy or electronic format.

<sup>5</sup> This physical examination must be conducted by a physician possessing an unrestricted license to practice medicine, a licensed naturopathic physician, a licensed physician assistant, a licensed nurse practitioner or a licensed chiropractic physician who has clinical training and experience in detecting cardiopulmonary diseases and defects.

participate in any athletic event or training on that day, unless an athletic trainer licensed by the Board of Athletic Trainers or a physician licensed pursuant to ORS 677.100 - 677.228 has determined the student has not suffered a concussion.<sup>6</sup> Except as allowed above, a student excluded for concussion reasons will not be allowed to return to participate in an athletic event or training until the following three conditions have been met:

1. It is not the same day as the student exhibited signs, symptoms or behaviors, experienced a blow to the head or body, or was diagnosed with a concussion;
2. The student no longer exhibits signs, symptoms or behaviors consistent with a concussion; and
3. The student has received a medical release form from a health care professional<sup>7</sup>.

A student who continues to participate in extracurricular sports in grades 7 through 12 shall be required to complete a sportsphysical examination once every two years, thereafter.¶

#### ~~Vision Screening or Eye Examination~~¶

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

- ~~4. A vision screening or eye examination; and¶~~
- ~~5. Any further examination, treatments or assistance necessary.¶~~

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

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

#### ~~Dental Screening~~¶

~~The district shall file in the student's dental health record any dental screening certifications and any results of a dental screening known by the district. If the district is causing the dental screening to be conducted, the district will follow the requirements of the law. The district will provide to the parent or guardian of each student, standardized information developed by the Oregon Health Authority's dental director regarding dental screenings, further examinations or necessary treatments and preventative care including fluoride varnish, sealants and daily brushing and flossing.¶~~

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

<sup>7</sup> "Health care professional" includes a chiropractic physician, a naturopathic physician, a psychologist, a physical therapist, an occupational therapist, a physician assistant or a nurse practitioner who is licensed or registered under the laws of Oregon.

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

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

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

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

- ~~1. Student's name;~~¶
- ~~2. Date of screening; and~~¶
- ~~3. Name of entity conducting the dental screening.~~¶

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

END OF POLICY

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**Legal Reference(s):**

[ORS 326.580](#)

[ORS 336.479](#)

[ORS 336.485](#) - [ORS 336.490](#)

[ORS 433.235](#) - [433.280](#)

[OAR 333-019-0010](#)

[OAR 333-050-0010](#) - [050-0120](#)

[OAR 581-021-0041](#)

McKinney-Vento Homeless Assistance Act, Subtitle VII-B, reauthorized by Title IX-A of the Every Student Succeeds Act, 42 U.S.C. §§ 11431-11435 (2018).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2024).