

Racial Equity Policy: A Roadmap for Closing the Gap

The mission of the Parkrose School District is for each student to reach high levels of reading and critical thinking, graduating college and career ready and become contributing members of society. Our vision is that our students' successful future is not determined by their race. We believe that every student has the potential to achieve, and it is the responsibility of our school district to give each student the access, opportunity and support to meet his or her highest potential. We believe that equity of opportunity and equity of access to all of our educational programs, services, and resources are critical to the achievement of successful outcomes for all of the children whom we serve which will lead to positive, lasting change.

The Board acknowledges that some groups in the Parkrose community are treated inequitably because of individual and systemic biases based on race, gender, socio-economic status, sexual orientation, ethnicity, culture, linguistic difference, religion, immigration status or disability. The Board further recognizes that such inequitable treatment leads to educational, social, and career outcomes that do not accurately reflect abilities, experiences and contributions of our students. This inequitable treatment, based on consistent educational data, has led to a persistent, pervasive, institutional and systemic achievement gap between white and Asian students, and other students of color in our school district.* The responsibility for these disparities rests with the adults, and not the students.

For the district to meet its mission, the achievement gap must close. Race, gender, socio-economic status, sexual orientation, ethnicity, culture, linguistic difference, religion, immigration status or disability cannot continue to be the predictor of student academic success in our district. In order to close this persistent achievement gap, students, teachers, staff and families need to work together to grow and support each student's individual determination to reach high levels of academic achievement. Furthermore, the Parkrose School District will work actively to remove any barriers to achievement that prevent students from reaching their fullest potential, specifically, barriers of institutional racism.

The Board of Education welcomes and empowers all of our families, including underrepresented families, as essential partners in their students' education, school planning and district decision-making. We believe that communities, teachers and community-based organizations have unique and important solutions to improving outcomes for all of our students. Our work will only be successful if we are able to truly partner with the community, engage with respect, authentically listen and have the courage to share decision-making, control and resources.

The Board of Education of the Parkrose School District directs the superintendent to convene, on a monthly basis, a Racial Equity and Data Team composed of a broad variety of membership. The superintendent will, in conjunction with the Equity Team, create Administrative Regulations corresponding to this policy that provide actionable steps to reaching the Board's mission of closing the achievement gap. The superintendent will present measurable indicators of success in this endeavor to the school board each year in the month of May. Finally, the superintendent is directed to continue to provide staff training on culturally responsible educational practices such as restorative justice, culturally responsive teaching practice, and AVID (Advancement Via Individual Determination).

END OF POLICY

**Asian and White are terms used by the State of Oregon's Assessment System. Parkrose School District realizes that the terms "Asian" and "White" are used broadly as there are many ethnicities involved in each designation.*

Legal References: ORS 329.025

Parkrose School District Racial Equity Lens

What it is

- A racial equity lens is a set of questions we ask ourselves to ensure equitable outcomes

When to use it

- When we are planning, developing, implementing or evaluating a policy, program or decision

Examples: *budgeting *hiring practices *curriculum adoption
*SUN offerings *athletic fees *course offerings *time resources
*discipline practices *contracting *classroom practices
*time *resources *extracurricular *instructional strategies
*event planning (field trips, holiday celebrations, school dances, etc.)
*gain community partnerships *outreach (parent, family & community)

How to use it

For any policy, program, practice or decision, consider the following questions:

- PEOPLE-How are people affected positively or negatively in terms of barriers they experience?
- PLACE-What kind of positive or negative environment are we creating?
- POWER-How is the power of decision-making shared with those it affects?
- PROCESS-Does the policy, program or decision improve, worsen or make no change to existing disparities?
- PLAN-How will you reduce the negative impacts and address the barriers?

❖ *This Racial Equity Policy is based on research and Parkrose School District academic and behavioral data. Race is our number one priority based on our data.*

Equity is the action that we as the Parkrose School District Community and Partners take to ensure that every student has the opportunity to achieve their dreams. It is the responsibility of all of us to provide each student the access, opportunity and support they need to meet their highest academic and social potential regardless of race, gender, socio-economic status, sexual orientation, ethnicity, culture, linguistic difference, religion, immigration status or disability.



END OF POLICY

Parkrose School District 3

Code: AC-AR
Adopted: 10/04

DISCRIMINATION COMPLAINT/GRIEVANCE PROCEDURE

Complaints regarding the interpretation or application of the district's nondiscrimination policy shall be processed in accordance with the following procedures:

Informal Procedure

Any person who feels that he/she has been discriminated against should discuss the matter with the building principal or supervisor, who shall in turn investigate the complaint and respond to the complainant within five school days. If this response is not acceptable to the complainant, he/she may initiate formal procedures.

If the building principal or supervisor is the subject of the complaint, the individual may file a complaint directly with the superintendent. If the superintendent is the subject of the complaint, the complaint may be filed with the Board chairman.

Formal Procedure

- Step I: A written complaint must be filed with the building principal or supervisor within five school days of receipt of the response to the informal complaint. The building principal shall further investigate, decide the merits of the complaint and determine the action to be taken, if any, and reply, in writing, to the complainant within 10 school days.
- Step II: If the complainant wishes to appeal the decision of the principal, he/she may submit a written appeal to the superintendent within five school days after receipt of the building principal's response to the complaint. The superintendent shall meet with all parties involved, as necessary, make a decision and respond, in writing, to the complainant within 10 school days.
- Step III: If the complainant is not satisfied with the decision of the superintendent, a written appeal may be filed with the Board within five school days of receipt of the superintendent's response to Step II. In an attempt to resolve the complaint, the Board shall meet with the concerned parties and their representative at the next regular or special Board meeting. A copy of the Board's decision shall be sent to the complainant within 10 days of this meeting.

If the complainant is not satisfied after exhausting local complaint procedures, or 90 days, whichever occurs first, he/she may appeal in writing to the Superintendent of Public Instruction.

Nondiscrimination

The district shall promote nondiscrimination and an environment free of harassment based on an individual's race, color, religion, sex, sexual orientation¹, national origin, marital status, age or disability, because of the race, color, religion, sex, sexual orientation, national origin, marital status, age or disability of any other persons with whom the individual associates.

In keeping with requirements of federal and state law, the district strives to remove any vestige of discrimination in employment, assignment and promotion of personnel; in educational opportunities and services offered students; in student assignment to schools and classes; in student discipline; in location and use of facilities; in educational offerings and materials; and in accommodating the public at public meetings.

The Board encourages staff to improve human relations within the schools and to establish channels through which citizens can communicate their concerns to the administration and the Board.

The superintendent shall appoint and make known the individuals to contact on issues concerning the Americans with Disabilities Act of 1990 and Americans with Disabilities Act Amendments Act of 2008 (ADA), Section 504 of the Rehabilitation Act of 1973, Title VI, Title VII, Title IX and other civil rights or discrimination issues². The Board will adopt and the district will publish grievance procedures providing for prompt and equitable resolution of student and employee complaints.

Federal civil rights laws prohibit discrimination against an individual because he/she has opposed any discrimination act or practice or because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing. ADA further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising the rights guaranteed under the Act.

END OF POLICY

¹“Sexual orientation” means an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individuals’s gender identity, appearance, expression or behavior differs from that traditionally associated with the individuals’s sex at birth.

²Districts are reminded that the district is required to notify students and employees of the name, office address and telephone number of the employee or employees appointed.

Legal Reference(s):

ORS 174.100	ORS 659A.009	ORS 659A.321
ORS 192.630	ORS 659A.029	ORS 659A.409
ORS 326.051(1)(e)	ORS 659A.030	
ORS 342.934(3)	ORS 659A.043	OAR 581-015-0054
ORS 659.150	ORS 659A.103	OAR 581-021-0044
ORS 659.805	ORS 659A.109	OAR 581-021-0045
ORS 659.815	ORS 659A.112 - 659A.139	OAR 581-021-0046
ORS 659.850	ORS 659A.142	OAR 581-021-0049
ORS 659.865	ORS 659A.145	OAR 581-022-1140
ORS 659.870	ORS 659A.233	OAR 839-003-0000
ORS 659A.003	ORS 659A.236	
ORS 659A.006	ORS 659A.309	

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2006).

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 (2006); 29 C.F.R Part 1626 (2006).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2006).

Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794 (2006).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2006); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2006).

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2006).

Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).

Americans with Disabilities Act Amendments Act of 2008.

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. § 4212.

Title II of the Genetic Information Nondiscrimination Act of 2008.

Americans with Disabilities Act (Version 2)

The district is committed to maintaining equitable employment practices, services, programs and activities that are accessible and usable by qualified individuals with disabilities.

The Board directs the superintendent to develop and implement an appropriate plan that provides for district compliance with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA).

END OF POLICY

Legal Reference(s):

Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2006).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).
Chevron U.S.A. Inc. v. Echazabal, 536 U.S. 73 (2002).
Americans with Disabilities Act Amendments Act of 2008.

Americans with Disabilities Act

In compliance with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA), the following procedures shall be followed:

Compliance Officer

1. The student services department shall be designated as the district's ADA compliance officer. The compliance officer will:
 - a. Coordinate the district's ADA responsibilities and compliance efforts;
 - b. Make available to all interested individuals the name, office address and telephone number of the district ADA compliance officer;
 - c. Investigate any complaint alleging noncompliance or actions prohibited under the ADA;
 - d. Administer the district's ADA grievance procedure to provide for the prompt investigation and equitable resolution of complaints.

Self Evaluation

2. A self-evaluation study¹ shall be completed by the district to include:
 - a. An evaluation of all current Board policies and practices to ensure district compliance with the requirements of the ADA;
 - b. A description of areas examined and identification of any barriers to accessibility and usability by qualified individuals with disabilities;
 - c. An opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities to participate in the self-evaluation study by submitting comments;
 - d. A plan(s) for the removal of any identified barrier and/or modification of Board policies and practices necessary to ensure ADA compliance;
 - e. A description of any modification made.

Self-evaluation records will be maintained and available for public inspection at the district office. The records will include a list of interested persons consulted, a description of the areas examined and the problems identified and a description of any modifications made.

Transition Plan

¹If self-evaluation and/or transition plan requirements of Section 504 of the Rehabilitation Act of 1973 have been completed, these requirements apply only to the employment practices, services, programs and activities not included in the previous self-evaluation and/or transition plan. It is recommended that districts review their self-evaluation study and transition plan periodically for progress and continue to maintain and make available each document to interested individuals, organizations or agencies for verification purposes, as needed.

3. A transition plan¹ shall be developed by the district to address any structural changes required to achieve employment practices, services, programs and activities accessibility to include:
 - a. An opportunity for interested persons, including individuals with disabilities or organizations representing individuals with disabilities to participate in the development of the transition plan by submitting comments;
 - b. An identification of physical obstacles in facilities that limit accessibility to individuals with disabilities;
 - c. A description in detail of the methods that will be used in removing barriers and making facilities accessible and/or steps and schedule necessary to complete the identified changes;
 - d. An identification of the official responsible for implementation of the plan;
 - e. An identification of steps that will be taken during each year of the transition period if longer than one year.

Services, Programs, Activities Accessibility

4. All district services, programs and activities shall be readily accessible to and usable by individuals with disabilities. In order to achieve accessibility, structural and nonstructural methods such as the acquisition or redesign of equipment, assignment of aides to beneficiaries and the provision of services at alternate accessible sites will be considered. Final decision of an appropriate method of providing program accessibility will be determined by the district in accordance with the provisions of the ADA:
 - a. Physical changes to an existing building, acquisition or construction of additional facilities will be required only when there is no other feasible way to make the services, programs or activities accessible;
 - b. Priority will be given to the method that results in the most integrated setting to encourage interaction among all users of the services, programs or activities, including individuals with disabilities;
 - c. No action will be taken that would fundamentally alter the services, programs or activities or result in undue financial or administrative burden to the district. Any such determination will take place as follows:
 - (1) The decision will be made by the superintendent or his/her designee;
 - (2) All resources available for use in the funding and operation of the services, programs or activities will be considered;
 - (3) A written statement of the reasons for reaching such decision will be maintained on file;
 - (4) The district will take other action appropriate to ensure that individuals with disabilities receive the benefits of such services, programs and activities that would not result in such alteration or burden as determined by the district.

Job Descriptions

5. Job descriptions shall be maintained and provided in oral, written and/or videotaped form, reviewed and revised annually as needed to include:

- a. All essential job functions. Essential job functions are those job duties that include, but are not limited to, the following:
 - (1) The function is essential because the reason the position exists is to perform that function;
 - (2) The function is essential because of the limited number of employees available among whom the performance of that job function can be distributed;
 - (3) The function is so specialized that the incumbent is hired for his/her expertise or ability to perform the particular function.
- b. Physical, mental and emotional skills for each position as appropriate, and only to the extent such skills are in fact required and in practice;
- c. Vocational and/or educational preparation requirements;
- d. Attendance standards;
- e. A statement that new job descriptions supersede prior descriptions for the position. All past and present job descriptions that do not reflect current requirements of the position are rescinded;
- f. A statement on job descriptions, "I have read this job description and agree with its contents.";
- g. A provision for current employee signature and the date the job description was signed.

Job Posting

- 6. Job postings shall be reviewed to ensure:
 - a. All postings contain appropriate notice of the district's responsibilities under the ADA. For example:

"The Parkrose District, in support of employment practices free of barriers to individuals with disabilities and in compliance with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA), provides reasonable accommodations necessary upon request and appropriate notice. For further information or assistance, contact [name] at [phone]. Speech/Hearing impaired persons may reach the district through the Oregon Telecommunications Relay Service by dialing 1-800-735-2900 or 711."

OR

"Reasonable accommodations for the application and interview process will be provided upon request and as required in accordance with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA). Individuals with disabilities may contact the district offices at 503-408-2100 for additional information or assistance. Speech/Hearing impaired persons may contact the district for assistance through the Oregon Telecommunication Relay Service at 1-800-735-2900 or 711."

- b. All postings eliminate any discriminatory references;
- c. All job advertisements provide, in addition to a telephone number to which applicants may apply for additional information, an address and/or TDD (telecommunications device for the deaf) or Oregon Telecommunication Relay Service phone number for the hearing impaired.

Job Application Forms

- 7. Job application forms shall be reviewed and revised as appropriate to include:
 - a. Notice of the district's responsibilities under the ADA (see job posting notice);
 - b. A statement asking applicant whether he/she requires any reasonable accommodation for the hiring process. The hiring process may include, for example, an interview, a timed written test or job demonstration;
 - c. A request for applicant to provide documentation verifying the need for a reasonable accommodation, if deemed necessary by the district;
 - d. The elimination of any health questions such as:
 - (1) Have you ever had or been treated for any of the following conditions or diseases (followed by a checklist)?
 - (2) Please list any conditions or diseases for which you have been treated in the past three years.
 - (3) Have you ever been hospitalized? If so, for what condition?
 - (4) Have you ever been treated by a psychiatrist or a psychologist? If so, for what condition?
 - (5) Have you ever been treated for any mental or emotional condition?
 - (6) Is there any health-related reason that may prevent you from performing the job for which you are applying?
 - (7) Have you had a major illness in the past five years?
 - (8) Do you have any physical defects which prevent you from performing certain kinds of work? If yes, describe such defects and specific work limitations.
 - (9) Do you have any disabilities or impairments which may affect your performance in the position for which you are applying?
 - (10) Are you taking any prescribed drugs?
 - (11) Have you ever been treated for drug addiction or alcoholism?
 - (12) Have you ever filed for workers' compensation benefits or had a work-related injury?

Reasonable Accommodations - General

- 8. The district will provide reasonable accommodations to qualified individuals with disabilities who are part-time, full-time or probationary employees or applicants for employment, unless to do so would cause undue hardship. Reasonable accommodations include:
 - a. Modifications or adjustments to a job application process that enable a qualified applicant with a disability to be considered for the position the qualified applicant desires; or
 - b. Modifications or adjustments to the work environment or to the manner or circumstances under which the position held is customarily performed that enable a qualified individual with a disability to perform the essential functions of that position; or

- c. Modifications or adjustments that enable an employee with a disability to enjoy equal benefits and privileges of employment as are enjoyed by other similarly situated district employees without disabilities.

Reasonable Accommodations - Requests

9. A qualified individual with a disability should request a reasonable accommodation when he/she knows there is a workplace barrier that is preventing him/her, due to a disability, from effectively competing for a position, performing a job or gaining equal access to a benefit of employment. Reasonable accommodation requests will be guided by the following provisions:
 - a. To request a reasonable accommodation, an individual may use “plain English” and need not mention the ADA or use the phrase “reasonable accommodation”;
 - b. A request for a reasonable accommodation may be made on behalf of an individual with a disability by a family member, friend, health-care professional or other representative;
 - c. Requests will not be required to be in writing;
 - d. When the disability and/or the need for an accommodation is not obvious, the district may request reasonable documentation from a health-care or rehabilitation professional. The documentation requested shall be related to the particular disability for which an accommodation is requested. In requesting documentation, the district will specify what types of information it is seeking regarding the disability, its functional limitations and the need for reasonable accommodation. The district recognizes it may not request an individual’s complete medical record;
 - e. Documentation shall not be requested when both the disability and the need for the accommodation are obvious or the individual has already provided the district with sufficient information to substantiate that he/she has an ADA disability and needs the reasonable accommodation requested;
 - f. The district may send an individual to a health-care professional of the district’s choosing, at district expense, for the purpose of documenting a disability and/or the need for accommodation, only if the individual has provided insufficient information from his/her treating provider to substantiate that the disability exists or an accommodation is needed.

Job Interview Procedures

10. Job interview procedures shall be reviewed to ensure:
 - a. Physical and/or other barriers in the interview setting have been eliminated. The availability of accessible locations and accessible formats, such as a reader, Braille, audio recordings, written materials, sign language and interpreters for individuals with vision and hearing impairments and personal assistance for individuals with manual impairments have been considered as appropriate;
 - b. Questions relating to the health of the applicant, the applicant’s disabilities and work-related injuries and benefits have been eliminated;
 - c. Applicant’s previous work history will be ascertained without reference to the applicant’s disability. The specifics of prior job functions and the applicant’s ability to perform those specific functions may be discussed;
 - d. Requirements that an applicant describe or demonstrate how he/she would perform any or all job functions are required for all applicants in that job category. A particular applicant may be

- asked to describe or demonstrate how he/she would perform the job only when the district reasonably believes the applicant will not be able to perform a job function because of a known disability. The applicant's disability would be "known" either because it is obvious or because the applicant has voluntarily disclosed that he/she has a hidden disability;
- e. Questions related to the applicant's need to leave work to receive treatment or how often leave may be necessary as a result of a disability have been eliminated. Regular work hours, leave policies and attendance requirements may be explained and applicant asked if he/she will be able to meet those requirements. The district may ask about an applicant's prior attendance record (for example, how many days the applicant was absent from his/her last job). The district may also ask questions designed to detect whether an applicant abused his/her leave (for example, "How many Mondays or Fridays were you absent last year on leave other than approved vacation leave?") At the pre-offer stage, the district may not ask how many days an applicant was sick;
 - f. Questions relating to applicant's current illegal use of drugs are not likely to elicit information about an applicant's lawful drug use, unless the district administers a test for illegal use of drugs and the applicant tests positive for illegal drug use. In such cases, the district may validate the test results by asking about lawful drug use or possible explanations for the positive result other than the illegal use of drugs;
 - g. Questions relating to an applicant's prior illegal drug use are not likely to elicit information about a disability. The district may ask, for example, whether the applicant has ever used illegal drugs, when was the last time he/she used illegal drugs or if he/she has used illegal drugs in the last six months. The district will not ask questions about whether the applicant was a past drug addict. These questions are impermissible at the pre-offer stage;
 - h. Questions relating to an applicant's drinking habits are not likely to elicit information related to how much alcohol an applicant drinks or whether he/she has participated in an alcohol rehabilitation program. The district may ask, for example, whether the applicant drinks alcohol or whether he/she has been arrested for driving under the influence;
 - i. Questions relating to an applicant's arrest or conviction record have been included;
 - j. Selection and administration of employment tests will take place in a manner that leads to test results that accurately reflect the skills, aptitudes and whatever factors the tests purport to measure, rather than the impaired sensory, manual or speaking skills of the test subjects. Performance of any nonessential skills during any testing will not be allowed;
 - k. Physical agility/Physical fitness tests if required, will be specifically job related and administered to all applicants in a job category selected for interviews;
 - l. Applicant provides medical certification that he/she can safely perform a physical agility or physical fitness test when required by the district;
 - m. Applicant assumes responsibility and releases the district of liability for injuries incurred in performing physical agility/physical fitness test required by the district;
 - n. Applicant requests for reasonable accommodations in testing will be allowed for qualified individuals with a disability:
 - (1) Tests or exercises will be postponed as needed so that a reasonable accommodation can be provided;
 - (2) Modified tests or exercises will be provided unless such accommodation would change the measurement of the essential job function being tested (i.e., provide reader to assist with written test unless ability to read is essential job skill).

- o. Drug screening tests, if required, will be administered to **all** applicants in a job category selected for interviews;
- p. Pre-employment offer medical examinations shall not be conducted.

Reference Check Procedures

- 11. Reference check procedures shall be reviewed to ensure:
 - a. Reference checks will be conducted on all applicants in a job category who meet the job requirements and are selected for interviews. Careful and complete notes will be taken and maintained. District officials conducting reference checks:
 - (1) Before making a conditional offer of employment, may not ask previous employers or other sources about an applicant's:
 - (a) Disability;
 - (b) Illness;
 - (c) Workers' compensation history;
 - (d) Other questions that the district itself may not ask of the applicant.
 - (2) May ask a previous employer or other sources about the applicant's:
 - (a) Job functions and tasks performed;
 - (b) The quality and quantity of work performed;
 - (c) How the job functions were performed;
 - (d) Other job-related issues that do not relate to disability.

Job Offers

- 12. The process for all job offers shall be reviewed to ensure:
 - a. Job offers will be made to the most qualified applicant who with or without a reasonable accommodation can perform the essential functions of the job. The district will adhere to the following job offer procedures:
 - (1) After a conditional offer of employment is extended, the district may inquire as to whether the successful applicant will need a reasonable accommodation related to anything connected with the job (i.e., job performance or access to benefits/privileges of the job, etc.). If the district makes such an inquiry, it will consistently seek similar information from all other successful applicants in the same job category;
 - (2) The successful applicant will be informed of medical examination and/or medical history requirements after an offer of employment has been made and before the applicant begins his/her employment duties. All entering employees in the same job category will be subjected to such medical examination and/or medical history requirements. An individual's workers' compensation history will be included in all such medical history inquiries;
 - (3) The successful applicant will be informed that the job offer may be contingent upon disability-related questions, medical examination and/or medical history inquiries;

- (4) A completed medical history form and release for medical records with the successful applicant's signature and date may be required;
- (5) Information obtained from medical examinations and/or medical history inquiries may be used for such purposes as:
 - (a) The verification of employment history;
 - (b) To screen out applicants with a history of fraudulent workers' compensation claims;
 - (c) To provide information to state officials as required by state laws regulating workers' compensation and "second injury" funds;
 - (d) To screen out individuals who would pose a direct threat to the health and safety of self or others in the workplace, which could not be reduced to an acceptable level or eliminated by a reasonable accommodation.
- (6) Reasonable accommodations will be provided if the medical examination or medical history inquiry discloses the successful applicant is a qualified individual with a disability as defined by the ADA. Reasonable accommodations will be provided by the district if such accommodation would enable the individual with a disability to perform the essential functions of the job or otherwise meet eligibility requirements. The reasonable accommodation will be established by the district. In determining the appropriate reasonable accommodation the district will:
 - (a) Determine the essential functions of the job;
 - (b) Consult with the individual who has the disability to determine his/her precise limitations and how they may be overcome;
 - (c) Identify, with assistance of the individual with the disability, potential reasonable accommodations and assess their effectiveness;
 - (d) Consider the preference of the individual with the disability, and then implement the reasonable accommodation that is most appropriate for the employee and the employer. (In order to be reasonable, an accommodation must be effective. It is not required that the best accommodation be selected as long as the selected accommodation provides an equal opportunity to perform the job.).
- (7) Reasonable accommodations considered may include:
 - (a) Job restructuring;
 - (b) Modified work schedules;
 - (c) Job reassignment;
 - (d) Making existing facilities used by employees accessible to and usable by individuals with disabilities;
 - (e) Acquisitions and/or modification of work policies including:
 - i) Modification of leave or attendance procedures or other such policies related to working conditions (i.e., modification of a policy prohibiting employees from eating or drinking for an employee with insulin-dependent diabetes, etc.);
 - ii) Qualified interpreters, note takers, transcription services, written materials, telephone handset amplifiers, assistive listening systems, telephones compatible with hearing aids, closed caption decoders, open and closed

- captioning, telecommunications devices for deaf persons (TDD's), videotext displays or other effective methods of making aurally delivered materials available to individuals with hearing impairments;
- iii) Qualified readers, taped texts, audio recordings, Brailled materials, large print materials or other effective methods of making visually delivered materials available to individuals with visual impairments;
 - iv) Acquisition or modification of equipment or devices;
 - v) Other similar services and actions for individuals with hearing, visual and/or manual impairments.
- (8) A determination will be made whether an accommodation is reasonable or an undue burden by considering:
- (a) Nature and cost of accommodation;
 - (b) Overall financial resources of facility;
 - (c) Number of persons employed;
 - (d) Impact on operation of facility;
 - (e) Effect on expenses and resources;
 - (f) Type of operation. Composition and functions of workforce. Geographic separation, fiscal or administrative relationship of facilities.
- (9) The successful applicant who has been offered employment contingent on medical examination results and/or medical history inquiries will be rejected if the medical condition poses a direct threat to the health or safety of others in the workplace. The district shall consider whether the risk can be eliminated or reduced by a reasonable accommodation by considering the following:
- (a) The nature and severity of the potential harm to applicant or others in the workplace;
 - (b) The likelihood that the potential harm will occur;
 - (c) Specific risk is identified and documented;
 - (d) Risk is current and not speculative or remote;
 - (e) Assessment of risk is based on objective medical or factual evidence;
 - (f) Medical condition is a direct threat.
- (10) Should an offer of employment be withdrawn because of medical examination or medical history inquiry results, the exclusionary criteria must be job related and consistent with business necessity;
- (11) Documentation will also include any determination that no reasonable accommodation was available that would enable the individual to perform the essential job functions or that accommodation would impose an undue hardship on the district;
- (12) Medical information will be kept confidential:
- (a) Medical information must not be maintained in personnel file;
 - (b) Medical information will be released only to those with "need to know" and/or "need to reach in emergency situations" (i.e., immediate supervisors, etc.);
 - (c) Medical information records will be maintained a minimum of one year.

Public Notice, Communications

13. Notice of the district's compliance with 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) shall be displayed at each district facility and provided, as necessary, in appropriate accessible formats to applicants, participants, beneficiaries, professional organizations and other interested persons to include:
 - a. Pertinent provisions, duties and requirements of the ADA and its applicability to the district's employment practices, services, programs and activities, including the duty to reasonably accommodate upon request and with advance notice. In its effort to provide communications with individuals with disabilities that are as effective as communications with others, the district will also provide the following:
 - (1) Individual to contact for services or questions, including office location and phone number;
 - (2) Notice of Equal Employment Opportunity Commission (EEOC) requirements displayed in conspicuous places for all job applicants and employees;
 - (3) Signage displayed at all inaccessible entrances to each of the district's facilities directing users to accessible entrances or to location at which information can be obtained about accessible facilities;
 - (4) Signage displayed at all accessible entrances to the district's facilities. The international symbol for accessibility shall be used;
 - (5) Appropriate auxiliary aids and services that may include:
 - (a) Qualified interpreters, note takers, computer-aided transcription services, written materials, telephone handset amplifiers, assistive listening systems, telephones compatible with hearing aids, telecommunications devices for deaf persons (TDD's), videotext displays and/or exchange of written notes for individuals with hearing impairments;
 - (b) TDD's, computer terminals and/or communications boards for individuals with speech impairments;
 - (c) Qualified readers, taped texts, audio recordings, Brailled materials, large print materials and assistance in locating items for individuals with vision impairments;
 - (d) Telephone accessibility to enable individuals to seek immediate assistance from police, fire, ambulance and other emergency services;
 - (e) Other equally effective communications devices, services and actions.
 - (6) Consultation with the individual with a disability to determine the most appropriate auxiliary aid or service. Priority will be given to the auxiliary aid or service that results in the most integrated setting to encourage interaction among all users, including those with disabilities. Primary consideration will be given to the expressed request of the individual with a disability. The district may select an alternative auxiliary aid or service should it determine that another equally effective means of communication is available or that the means chosen by the individual with a disability would result in a fundamental alteration in the services, programs or activities or in undue financial and administrative burden to the district;
 - (7) Training to employees as needed on the acceptance and handling of telephone relay services for individuals with disabilities;

- (8) Information to employees through different means, including computers, bulletin boards, mailboxes, posters and public address systems. The district will ensure that employees with disabilities have access to information that is provided to other similarly situated employees without disabilities, regardless of whether they need such information to perform their jobs.

New Construction/Alterations

14. All facilities designed, constructed or altered after January 26, 1992 shall be readily accessible and usable by individuals with disabilities. The district will ensure:
 - a. Alterations to existing facilities will take place in a manner that results in the altered portion of the facility being readily accessible to persons with disabilities. Alterations must not decrease accessibility;
 - b. Alterations deemed necessary to the path of travel in existing facilities requiring extensive restructuring or burdensome expense will be made in a timely fashion. Priority will be given to the following (in order):
 - (1) Entrances and routes to the altered area;
 - (2) One accessible restroom;
 - (3) Accessible drinking fountains;
 - (4) Additional, accessible parking.
 - c. Appropriate requirements of either the Uniform Federal Accessibility Standards (UFAS) or Americans with Disabilities Act Accessibility Guidelines (ADAAG) will be met, including accessibility requirements related to work areas, parking, signs, entrances, water fountains, storage and shelves, telephones, assembly areas, bathrooms, detectable warnings, carpet and carpet tile, curb ramps and visual alarms.

Post hires/Current Employees

15. All post hire and current employee Board policies and practices shall be reviewed to ensure:
 - a. Medical examinations and/or medical history inquiries required by the district will be job related and consistent with business necessity. This will not prohibit the district from requiring proof of illness to substantiate a request for sick leave. Medical examinations and/or medical history inquiries may be administered by the district when:
 - (1) An employee is having difficulty performing his/her job effectively. The medical examination may be necessary to determine if the employee can perform essential job functions with or without a reasonable accommodation;
 - (2) An employee becomes disabled. An employee injured on or off the job, who becomes ill or otherwise suffers any other condition that meets the requirements of a disability as defined by the ADA is protected by the Act if he/she can perform the essential functions of the job with or without a reasonable accommodation. Such an examination or inquiry may also be required when the employee wishes to return to work after an illness or injury. The district will:

- (a) Determine if the employee meets the ADA definition of an individual with a disability if a reasonable accommodation has been requested;
 - (b) Determine if the employee can perform the essential functions of the job currently held (or held before the injury or illness), with or without reasonable accommodation, and without posing a direct threat to the health or safety of others which could not be reduced or eliminated by a reasonable accommodation;
 - (c) Identify an effective accommodation that would enable the employee to perform the essential job functions in the current (previous) job or in a vacant job for which the person is qualified with or without a reasonable accommodation.
- (3) An employee requests a reasonable accommodation on the basis of disability;
- (4) Administered as part of a voluntary employee “wellness” and health screening program.
- b. Procedures for reporting and investigating employee on-the-job injury or illness will be implemented. The district will:
 - (1) Require employees complete workers’ compensation form;
 - (2) Investigate, as necessary, documenting circumstances that led to injury and review all employee work-related injury or illness on a case-by-case basis.
- c. Procedures for communicating with health-care providers regarding employees off-work due to any injury or illness will be implemented. The district, as necessary, and at its discretion will:
 - (1) Provide health-care provider with detailed description of regular job activities, physical movement, duration of physical exertions and job description;
 - (2) Write detailed questions for the health-care provider to answer that may assist the district in determining any reasonable accommodation that may be necessary;
 - (3) Ask for employee written release authorizing district representative to consult with the employee’s own health-care provider.
- d. Procedures for employees not able to perform essential job functions completely after illness or injury will be implemented. The district will:
 - (1) Determine whether temporary light duty assignment is possible. In accordance with the ADA, the district is not required to create a “light duty” position unless the “heavy duty” tasks an injured employee can no longer perform are marginal job functions which may be reallocated to co-workers as part of a reasonable accommodation;
 - (2) Determine whether job can be restructured, shifting or trading duties with other workers. Job restructuring as a reasonable accommodation may involve reallocating or redistributing the marginal functions of the job, altering when and/or how an essential or marginal function is performed. Marginal functions of a job that cannot be performed by an individual with a disability may be exchanged for marginal job functions performed by one or more other employees. The district is not required to reallocate essential functions of a job as a reasonable accommodation. The district may switch the marginal functions of two or more employees in order to restructure a job as a reasonable accommodation;

- (3) Determine whether a modified or part-time work schedule may be selected as a reasonable accommodation unless modifications would cause an undue hardship. A modified schedule may involve adjusting arrival or departure times, providing periodic breaks, altering the time when certain functions are performed, allowing the employee to use accrued paid leave or providing additional unpaid leave. If modifying an employee's work schedule poses an undue hardship, the district shall consider reassignment to a vacant position that would enable the employee to work the hours requested. Requests for modified or part-time work schedules for an employee covered under both the ADA and Oregon Family Leave Act (OFLA) or Family Medical Leave Act (FMLA) will be considered separately. The district will determine the employee's rights under each statute to determine the appropriate actions to take;
- (4) Determine whether reassignment to a vacant position is possible. "Vacant" means that the position is available after the employee asks for a reasonable accommodation or that the district knows that it will become available within a reasonable amount of time. Reassignment is the reasonable accommodation of last resort and required only after it has been determined that there are no effective accommodations that will enable the employee to perform the essential functions of his/her current position or all other reasonable accommodations would impose undue hardship.
 - (a) The employee must be qualified for the position — satisfy the requisite skill, experience, education and other job-related requirements of the position — but need not be the best qualified person to fill the position.
 - (b) The employee must be able to perform the essential functions of the position with or without a reasonable accommodation.
 - (c) The district is not required to bump an employee from a job in order to create a vacancy, nor does it have to create a new position.
- (5) Gather information from employee, health-care provider(s), consultants, etc. as to needed modifications in policies, facilities, equipment, special aids and services that may be provided as a reasonable accommodation;
- (6) Document all district efforts to provide reasonable accommodations.

- e. Qualified individuals with a disability not fully recovered from injury will not be returned to work when:
 - (1) The employee cannot perform the essential functions of the job he/she holds or desires with or without a reasonable accommodation;
 - (2) The return of the employee to work would pose a significant risk of substantial harm to self or others in the workplace and that could not be reduced to an acceptable level with a reasonable accommodation;
 - (3) The return of the employee to a light duty position involves a totally different job from the job that the employee performed before the injury. A vacant light duty position already available for which an injured employee is qualified may be a reasonable accommodation;
 - (4) It is demonstrated that the accommodation will cause an undue hardship or result in excessive financial and administrative burden as defined by the ADA, and as evidenced by the district.
- f. Unpaid leaves will be provided to qualified individuals with a disability when a reasonable accommodation cannot be made in the employee's current job. The district will comply with all workers' compensation reinstatement rights to available and suitable employment;
- g. Leave of absence or attendance policies will not discriminate against qualified individuals with disabilities. (Uniformly applied leave policies are not subject to challenge because they have a more severe effect on individuals due to their disability. "No leave" policies, such as those forbidding leave during the first six months of employment are also not subject to challenge because they may have a more severe impact upon individuals with disabilities. An employer with a "no-leave" policy, however, may have to consider providing leave as a reasonable accommodation unless doing so would impose an undue hardship on its operation.) The district will not provide additional paid leave, but accommodations may include leave flexibility and unpaid leave;
- h. Drug and alcohol policies will meet the requirements of the ADA. Policies will state:
 - (1) Illegal use of drugs and the use of alcohol at the workplace is prohibited by all employees;
 - (2) Employees will be required to behave in conformance with the requirements of the Drug-Free Workplace Act of 1988;
 - (3) Employees who engage in the illegal use of drugs or alcohol will be held to the same qualification standards for employment or job performance and behavior to which all other employees are held, even if unsatisfactory performance or behavior is related to employee's drug use or alcoholism;
 - (4) Employees taking drugs under the supervision of licensed health-care professionals will be protected by the provisions of the ADA;
 - (5) Employees who are no longer illegally using drugs and who have been either rehabilitated successfully or are in the process of completing a rehabilitation program will be protected by the provisions of the ADA (i.e., in-patient or out-patient programs, employee assistance programs, professionally recognized self-help programs, such as Narcotics Anonymous, or other programs that provide professional assistance and counseling for individuals).

- i. Health, life insurance, pension plans and other benefit plans offered by the district will not discriminate against qualified individuals with a disability (The ADA does not affect preexisting condition clauses in health insurance plans as long as the clauses are not used as a means to avoid complying with the ADA, and such clauses do not require that additional coverage be purchased to cover expenses related to a disability.). Employees will not be denied coverage for illness or injuries unrelated to the preexisting condition;
- j. Contractual or other business arrangements and relationships entered into by the district will not discriminate against qualified individuals with a disability. The district will:
 - (1) Not do indirectly what it is prohibited by the ADA from doing directly;
 - (2) Provide reasonable accommodations to enable access by employees with disabilities to training programs provided by the district and/or third parties, on district premises or elsewhere;
 - (3) Specify in contracts with outside entities providing training on behalf of the district, who have responsibility to fulfill the obligations of providing reasonable accommodations, as needed.

District Goals (Version 2)

The district shall maintain a coordinated K-12 program that supports the physical and cognitive growth and development of students, is designed to improve student achievement, supports the academic growth beyond proficiency in academic content standards and encourages the attainment of individual goals.

The following practices contribute to achieving this goal.

The district will develop a partnership with staff, parents and community members through 21st Century Schools Councils, local school committees and advisory committees] to identify and revise goals consistent with the goals adopted by the State Board of Education. To successfully prepare students to function effectively in a rapidly changing world and for the futures they choose to pursue, goals adopted by the district will:

1. Ensure that all students, regardless of linguistic background, culture, race, sex, capability or geographic location, have access to a quality education in a safe, motivating environment;
2. Hold all students to rigorous academic standards and expect them to succeed;
3. Provide students with opportunities to demonstrate their achievement in knowledge and skills;
4. Encourage parental and community involvement in their student's education;
5. Develop in students lifelong academic skills to prepare them for an ever-changing world;
6. Develop in students the core ethical values that our diverse society shares and holds important, including but not limited to: respect, responsibility, caring, trustworthiness, justice, fairness, civic virtue and citizenship; ~~and~~
7. Equip students with the knowledge and skills necessary to pursue the future of their choice and to prepare students to function effectively in various life roles; and
8. Utilizes valid and reliable data for evaluating the success of curriculum, instruction, resource allocation and school improvement.

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)
[ORS 192.630](#)
[ORS 329.025](#)
[ORS 329.035](#)

[ORS 332.107](#)
[ORS 659.850](#)
[ORS 659A.003](#)
[ORS 659A.006](#)

[ORS 659A.030](#)
[OAR 581-022-1020](#)
[OAR 581-022-1030](#)
[OAR 839-003-0000](#)

HB 2362 (2009)
HB 2693 (2009)

Parkrose School District 3

Code: BB
Adopted: 10/22/07

BOARD LEGAL STATUS

The Constitution of the state of Oregon charges the Legislature with providing by statute for a uniform and general system of common schools. The Legislature enacts laws to delegate the immediate control of the schools to locally elected boards of directors; thus, the Board is the governing body of the Parkrose School District.

Federal and state statutes and State Board of Education rules define and outline the general powers and duties of the Board. The Oregon statutes authorize the Board to transact all business within the jurisdiction of the district, control the district schools, and educate the children residing in the district. Oregon Administrative Rules establish further requirements and guidelines for districts. The Board's duty is to carry out those statutes and rules that are mandatory, e.g., "The Board shall...;" where the laws are permissive, e.g., "The Board may...," the Board is empowered to exercise judgment and discretion.

This district will be known as the Parkrose School District.

The regular term of office for Board members will be four years. The terms of office will commence on the first day of July following regular district elections. The term of office for members appointed to fill a vacancy will be until June 30 following the next regular district election. The term of office for members elected to fill a vacancy will be the time remaining in the vacated Board position.

END OF POLICY

Legal Reference(s):

ORS 255.335	ORS 332.075
ORS 332.018(1)	ORS 332.105
ORS 332.030(4)	ORS 332.107
ORS 332.072	ORS 335.505

OR. CONST., art. VIII, § 3.

Parkrose School District 3

Code: BBA
Adopted: 10/22/07

BOARD POWERS AND DUTIES

The Legislature of the state of Oregon delegates to the Board responsibility for the conduct and governance of programs and services in the district. The general powers granted to the Board are:

1. Legislative or Rule-Making Authority

In regular or special public meetings, after open discussion and after members' votes are recorded, the Board will establish rules or policy to govern the conduct of its members and the proceedings of the Board.

The Board shall establish policies and regulations for governing the programs and services of the district consistent with State Board of Education rules and with local, state and federal laws.

The Board is responsible for providing adequate and direct means for keeping informed about the needs and wishes of the public and for keeping local citizens informed about the schools.

2. Judicial Authority

As provided by law, policy or contract, the Board acts as a fact-finding body or a court of appeal for staff members, students and the public when issues involve Board policies or agreements and their implementation, and when the Board must determine the rights, duties or obligations of those who address the Board.

3. Executive/Administrative Authority

The Board will appoint a superintendent delegated to establish administrative regulations to implement Board policy and goals. The Board will evaluate the superintendent's performance.

The Board may establish academic and financial goals for the district and evaluate the superintendent's implementation of those goals.

The Board will oversee the district's financial affairs by authorizing, appropriating and adopting budgets and by proposing local option or bond elections, when appropriate and as allowed by law, to provide for program operation and maintenance or acquisition of district property.

The Board will authorize the superintendent to approve payment on all contracts and business transactions of the district in accordance with Board policies on purchasing and budget requirements. The Board will provide for an annual audit of the district's assets.

The Board will employ the staff necessary to carry out the educational program and will provide for regular evaluation of staff.

The Board will direct the collective bargaining process to establish collective bargaining agreements with the district's personnel. The Board will establish, through the collective bargaining process where appropriate, salaries and salary schedules, other terms and conditions of employment, and personnel policies for districtwide application.

The Board will establish the days of the year and the hours of the day when school will be in session.

END OF POLICY

Legal Reference(s):

ORS 192.630	OAR 581-024-0205
ORS 243.656	OAR 581-024-0206
ORS Chapters 279A, 279B and 279C	OAR 581-024-0208
ORS 294.305 - 294.565	OAR 581-024-0210
ORS 328.205-328.304	OAR 581-024-0225
ORS 330.080-330.310	OAR 581-024-0226
ORS 334.005	OAR 581-024-0228
ORS 334.125	OAR 581-024-0235
ORS 334.145	OAR 581-024-0250
ORS 334.175	OAR 581-024-0252
ORS 334.185	OAR 581-024-0260
ORS 334.215	OAR 581-024-0265
ORS 334.225	OAR 581-024-0280
ORS 334.240	OAR 581-024-0288
ORS Chapter 339	
ORS 342.805-342.937	
ORS Chapter 343	

Parkrose School District 3

Code: BBAA
Adopted: 10/22/07

INDIVIDUAL BOARD MEMBER'S AUTHORITY AND RESPONSIBILITIES

An individual Board member exercises the authority and responsibility of his/her position when the Board is in legal session only.

A Board member has the authority to act in the name of the Board when authorized by a specific Board motion. When authorized to act as the district's designated representative in collective bargaining, a Board member may make and accept proposals in bargaining subject to subsequent approval by the Board.

A Board member has the right to express personal opinions. When expressing such opinions in public, the Board member must clearly identify the opinions as his/her own.

Members will be knowledgeable of information requested through Board action, supplied by the superintendent and gained through professional Board activities.

Members of the Board will adhere to the following in carrying out the responsibilities of membership:

1. Request for Information

Any individual Board member who desires a copy of an existing written report or survey prepared by the administrative staff will make such a request to the superintendent. A copy of the material may be made available to each member of the Board. Requests for the generation of reports or information which require additional expense to the district must be submitted to the Board for consideration.

2. Requests for Legal Opinions

Any Board member may request a legal opinion. Such request, however, shall be made through the Board chair to the superintendent. If the legal opinion sought involves the superintendent's employment or performance, the request should be made to the Board chair. Legal counsel is responsible to the Board.

3. Action on Complaints or Requests Made to Board Members

When Board members receive complaints or requests for action from staff, students or members of the public, such information is to be conveyed to the superintendent for action.

4. Board Member's Relationship to Administration

Individual Board members will be informed about the district's educational program, may visit schools or other facilities to gain information and may request information from the

superintendent. Board members will not intervene in the administration of the district or its schools.

5. Contracts or Agreements Made By Individual Board Members

Contracts or agreements made by individual Board members without the Board's authority are invalid.

END OF POLICY

Legal Reference(s):

[ORS 332.045](#)
[ORS 332.055](#)

[ORS 332.057](#)
[ORS 332.075](#)

38 OR. ATTY. GEN. OP. 1995 (1978)

S. Benton Educ. Ass'n v. Monroe Union High Sch. Dist., 83 Or. App. 425 (1987).

Parkrose School District 3

Code: BBB
Adopted: Unknown
Revised: 06/15/95
Re-Adopted: 08/17/95
Revised: 06/26/00

BOARD ELECTIONS

1. Number of Directors

The Board will consist of five members elected at large and will be known as the District School Board. The term of the office shall be four years.

2. Designation of Board Positions

Board members' positions and their respective successors in office will be designated by numbers as Position No. 1, No. 2, No. 3, No. 4 and No. 5. In all proceedings for the nomination or election of candidates for or to the office of Board member, every petition for nomination, declaration of candidacy, certificate of nomination, ballot or other document used in connection with the nomination or election will state the position number to which the candidate aspires.

Individuals may seek more than one elected position such as school board and education service district board. However, individuals may not seek more than one elected position in the same election. An exception would be if one of the districts has less than 10,000 registered voters.

Re-elections for Board positions will occur as follows:

- Position No. 1: Spring 2005, and every four years thereafter;
- Position No. 2: Spring 2007, and every four years thereafter;
- Position No. 3: Spring 2007, and every four years thereafter;
- Position No. 4: Spring 2005, and every four years thereafter;
- Position No. 5: Spring 2005, and every four years thereafter;

END OF POLICY

Legal Reference(s):

[ORS 249.013](#)
[ORS 255.075](#)
[ORS 255.235](#)
[ORS 255.245](#)
[ORS 255.335](#)
[ORS 332.011](#)
[ORS 332.018](#)

[ORS 332.118 - 332.138](#)
[ORS 332.136](#)
[ORS 335.505](#)

Parkrose School District 3

Code: BBBA
Adopted: 11/13/01

BOARD MEMBER QUALIFICATIONS

A person is eligible to serve as a Board member if he/she is an elector of the district. An “elector” means an individual qualified to vote under Section 2, Article II of the Oregon Constitution. The individual must be 18 years of age or older, registered to vote at least 20 calendar days immediately preceding any election in the manner provided by law and must have been a resident within the district for one year immediately preceding the election or appointment

No person who is an employee of the district is eligible to serve as a Board member while so employed. A person who is an employee of a public charter school may not serve as a member of the Board of the district in which the public charter school that employs the person is located.

END OF POLICY

Legal Reference(s):

[ORS 137.230 - 137.285](#)
[ORS 247.002](#)
[ORS 247.035](#)

[ORS 249.013](#)
[ORS 332.016](#)
[ORS 332.018](#)

[ORS 332.030](#)
[ORS 332.124](#)
[ORS 332.126](#)

Oregon Constitution, Article II, Section 2.
Oregon Constitution, Article VIII, Section 6.

BOARD MEMBER REMOVAL FROM OFFICE

The Board shall declare the office of a director vacant upon any of the following:

1. The death or resignation of an incumbent;
2. When an incumbent ceases to be a resident of the district;
3. When an incumbent ceases to discharge the duties of office for two consecutive months unless prevented by sickness or unavoidable cause;
4. When an incumbent ceases to discharge the duties of office for four consecutive months for any reason;
5. When an incumbent is removed from office by judgment or decree of any competent court;
6. When an incumbent has been recalled from office by district voters.

Vacancies will be filled through appointment by the Board unless a majority of the positions are vacant at the same time. In that case, vacancies will be filled by the Multnomah Education Service District.

END OF POLICY

Legal Reference(s):

[ORS 249.865 - 249.877](#)

[ORS 332.030](#)

[ORS 408.240](#)

Parkrose School District 3

Code: BBE
Adopted: 01/14/91
Readopted: 10/23/95
Reviewed: 03/13/00

FILLING VACANCIES ON THE BOARD

Appointment to un-expired terms will be made by the Board under the following guidelines:

1. Announcements of the vacancy will be published in district newsletters and area newspapers. Reporters will be asked to include information regarding the position in articles in their respective papers;
2. Letters announcing the vacancy will be sent to all candidates in the most recent school elections, the chairs of all district committees and to all members of the citizen advisory council;
3. The announcements will invite individuals to submit applications for nominations to the Board within two weeks;
4. Any member of the Board may recommend additional qualified candidates;
5. The Board will interview potential appointees in open session;
6. The Board will select the appointee by utilizing the following procedures:
 - a. When there are three or more candidates the Board will continue to vote until two candidates each have a greater number of votes than any other candidate. In such voting procedure, each member will vote for two candidates;
 - b. When there are only two candidates, either because there are only two or because the Board has reduced the list to two, the Board will select the new member by majority vote of Board membership.
7. All candidates will be notified by the Board Chair by phone of the Board's decision at the most immediate and appropriate time.

END OF POLICY

Legal References:

[ORS 249.865 - 249.877](#)
[ORS 255.245](#)
[ORS 255.335](#)

[ORS 332.030](#)
[ORS 332.122](#)
[ORS 332.124](#)

Board Member Ethics and Conflicts of Interest

No Board member will use his/her official position or office to obtain personal financial benefit or to avoid financial detriment for him or herself, relatives, household members or for any business with which the Board member, household member or a relative is associated.

This prohibition does not apply to any part of an official compensation package, honorarium allowed by ORS 244.042, reimbursement of expenses, or unsolicited awards of professional achievement. Further, this prohibition does not apply to gifts from one without a legislative or administrative interest. Nor does it apply if the gift is under the annual \$50 gift limit from one who has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. District-provided meals at board meetings are acceptable under the reimbursement of expenses exception.

I. Conflicts of Interest

“Business” means any corporation, partnership, proprietorship, enterprise, association, franchise, firm, organization, self-employed individual or any legal entity operated for economic gain. This definition excludes any income-producing tax exempt 501(c) not-for-profit corporation with which a public official or a relative of the public official is associated only as a member or board director or in a non-remunerative capacity.

“Business with which a Board member or relative is associated” means any private business or closely held corporation of which a Board member or relative is a director, officer, owner, employee or agent or any private business or closely held corporation in which a Board member or relative owns or has owned stock, another form of equity interest, stock options or debt instruments worth \$1,000 or more at any point in the preceding year; any publicly held corporation in which a Board member or relative owns or has owned \$100,000 or more in stock or another form of equity interest, stock options or debt instruments at any point in the preceding calendar year; or any publicly held corporation of which a Board member or relative is a director or officer.

“Relative” in the *conflict of interest context* is defined as a Board member’s spouse¹; any children of the Board member or of the Board member’s spouse; brothers, sisters, half-brothers, half-sisters, spouses of siblings, parents of a Board member or of spouse, aunts, uncles, nieces, nephews and step-parents.

“Member of the household” means any person who resides with the public official.

¹The term spouse includes domestic partners.

No Board member will solicit or receive, either directly or indirectly, any pledge or promise of future employment based on any understanding that the Board member's vote, official action or judgment would be thereby influenced.

No Board member will attempt to use or use for personal gain any confidential information gained through his/her official position or association with the district. A Board member will respect individuals' privacy rights when dealing with confidential information gained through association with the district.

If a Board member participates in the authorization of a public contract, the Board member may not have a direct beneficial financial interest in that public contract for two years after the date the contract was authorized.

Individual Board members and the Board as a public entity are bound by the Code of Ethics for public officials as stated in Oregon law.

Potential Conflict of Interest

"Potential conflict of interest" means any action or any decision or recommendation by a Board member that could result in a financial benefit or detriment for self or relatives or for a business with which the Board member or relatives are associated, unless otherwise provided by law.

A Board member must publicly declare a potential conflict of interest. A Board member may, after declaring his/her potential conflict of interest, either vote or abstain on the issue. Abstaining from a vote does not meet the legal requirement of publicly stating a potential conflict.

Actual Conflict of Interest

"Actual conflict of interest" means any action or any decision or recommendation taken by a Board member that would result in a financial benefit or detriment to self or relatives or for any business with which the Board member or relatives are associated, unless otherwise provided by law.

A Board member must publicly declare an actual conflict of interest. The Board member may not vote lawfully if an actual conflict of interest exists unless a vote is needed to meet a minimum requirement of votes to take official action. Such a vote does not allow the Board member to participate in any discussion or debate on the issue out of which an actual conflict arises.

Class Exception

It will not be a conflict of interest if the Board member's action would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person's relative or business with which the person or the person's relative is associated, is a member or is engaged. For example, if a Board member's spouse is a member of the collective bargaining unit, the Board member may vote to approve the contract, as it will affect all members of that class to the same degree. However, if the collective bargaining unit is very small, the class exception may not apply. Similarly, if the contract contains special provisions that might apply only to particular persons, then the class exception may not apply. For example, if a Board

member's spouse is the only one in the bargaining unit that has a doctorate and there is a pay differential for employees with doctorates in the collective bargaining agreement, the Board member should not vote on the contract.

II. Gifts

Board members are public officials and therefore will not solicit or accept a gift or gifts with an aggregate value in excess of \$50 from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. All gift related provisions apply to the Board member, their relatives, and members of their household. The \$50 gift limit applies separately to the Board member, and to the Board member's relatives or members of household, meaning that the Board member and each member of their household and relative can accept up to \$50 each from the same source/gift giver. "Gift" means something of economic value given to a Board member without valuable consideration of equivalent value, which is not extended to others who are not public officials on the same terms and conditions.

1. "Relative" *in the gift context* means the spouse of the Board member; any children of the Board member or of the Board member's spouse; siblings, spouses of siblings or parents of the Board member or of the Board member's spouse; any individual for whom the Board member has a legal support obligation; or any individual for whom the Board member provides benefits arising from the Board member's public employment or from whom the Board member receives benefits arising from that individual's employment.
2. "Member of the household" means any person who resides with the Board member.

Determining the Source of Gifts

Board members should not accept gifts in any amount without obtaining information from the gift giver as to who is the source of the gift. It is the Board member's personal responsibility to ensure that no single source provides gifts exceeding an aggregate value of \$50 in a calendar year, if the source has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. If the giver does not have a legislative/administrative interest, the ethics rules on gifts do not apply and the Board member need not keep track of it, although they are advised to do so anyway in case of a later dispute.

Determining Legislative and Administrative Interest

A legislative or administrative interest means an economic interest distinct from that of the general public, in any action subject to the decision or vote of a person acting in the capacity of a Board member. For example, everyone within a county has a general interest in the fire department, but the person who sells the uniforms to the fire department has a legislative/administrative interest in the fire department that is distinct from the general public.

Determining the Value of Gifts

The fair market value of the merchandise, goods, or services received will be used to determine benefit or value.

“Fair market value” is the dollar amount goods or services would bring if offered for sale by a person who desired, but was not obligated, to sell and purchased by one who is willing, but not obligated, to buy. Any portion of the price that was donated to charity, however, does not count toward the fair market value of the gift if the Board member does not claim the charitable contribution on personal tax returns. Below are acceptable ways to calculate the fair market value of a gift:

1. In calculating the per person cost at receptions or meals the payor of the Board member’s admission or meal will include all costs other than any amount donated to a charity.

For example, a person with a legislative or administrative interest buys a table for a charitable dinner at \$100 per person. If the cost of the meal was \$25 and the amount donated to charity was \$75, the benefit conferred on the Board member is \$25. This example requires that the Board member does not claim the charitable contribution on personal tax returns.

2. For receptions and meals with multiple attendees, but with no price established to attend, the source of the Board member’s meal or reception will use reasonable methods to determine the per person value or benefit conferred. The following examples are deemed reasonable methods of calculating value or benefit conferred:
 - a. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons whom the payor reasonably expects to attend the reception or dinner;
 - b. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons who actually attend the reception or dinner; or
 - c. The source calculates the actual amount spent on the Board member.
3. Upon request by the Board member, the source will give notice of the value of the merchandise, goods, or services received.
4. Attendance at receptions where the food or beverage is provided as an incidental part of the reception is permitted without regard to the fair market value of the food and beverage provided.

Value of Unsolicited Tokens or Awards: Resale value

Board members may accept unsolicited tokens or awards that are engraved or are otherwise personalized items. Such items are deemed to have a resale value under \$25 (even if the personalized item cost the source more than \$50), unless the personalized item is made from gold or some other valuable material that would have value over \$25 as a raw material.

Entertainment

Board members may not solicit or accept any gifts of entertainment over \$50 in value from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the Board member unless:

1. The entertainment is incidental to the main purpose of another event (i.e. a band playing at a reception). Entertainment that involves personal participation is not incidental to another event (such as a golf tournament at a conference); or

2. The Board member is acting in their official capacity for a ceremonial purpose.

Entertainment is ceremonial when a Board member appears at an entertainment event for a “ceremonial purpose” at the invitation of the source of the entertainment who requests the presence of the Board member at a special occasion associated with the entertainment. Examples of an appearance by a Board member at an entertainment event for a ceremonial purpose include throwing the first pitch at a baseball game, appearing in a parade and ribbon cutting for an opening ceremony.

Exceptions

The following are exceptions to the ethics rules on gifts.

3. Campaign contributions are not considered gifts under the ethics rules.
4. Gifts from “relatives” and “members of the household” are permitted in an unlimited amount; they are not considered gifts under the ethics rules.
5. Informational or program material, publications, or subscriptions related to the recipient’s performance of official duties.
6. Contributions made to a legal expense trust fund if certain requirements are met.
7. Food, lodging, and travel generally count toward the \$50 aggregate amount per year from a single source with a legislative/administrative interest, with the following exceptions:
 - a. Organized Planned Events. Board members are permitted to accept payment for travel conducted in the Board member’s official capacity, for certain limited purposes:
 - (1) Reasonable expenses (i.e., food, lodging, travel, fees) for attendance at a convention, fact-finding mission or trip, or other meeting do not count toward the \$50 aggregate amount IF:
 - (a) The Board member is scheduled to deliver a speech, make a presentation, participate on a panel, or represent the district; AND
 - i) The giver is a unit of a:
 - a) Federal, state, or local government;
 - b) An Oregon or federally recognized Native American Tribe; OR
 - c) Non-profit corporation ~~that receives less than 5 percent of its funding from a for-profit entity.~~
 - (b) The Board member is representing the district:
 - i) On an officially sanctioned trade-promotion or fact-finding mission; OR
 - ii) Officially designated negotiations or economic development activities *where receipt of the expenses is approved in advance by the Board.*

- (2) The purpose of this exception is to allow Board members to attend organized, planned events and engage with the members of organizations by speaking or answering questions, participating in panel discussions or otherwise formally discussing matters in their official capacity. This exception to the gift definition does not authorize private meals where the participants engage in discussion.

8. Food or beverage, consumed at a reception, meal, or meeting IF held by an organization and IF the Board member is representing the district. Again, this exception does not authorize private meals where the participants engage in discussion.

“Reception” means a social gathering. Receptions are often held for the purpose of extending a ceremonial or formal welcome and may include private or public meetings during which guests are honored or welcomed. Food and beverages are often provided, but not as a plated, sit-down meal.

9. Food or beverage consumed by Board member acting in an official capacity in the course of financial transactions between the public body and another entity described in ORS 244.020(6)(b)(I)(i).
10. Waiver or discount of registration expenses or materials provided to Board member at a continuing education event that the Board member may attend to satisfy a professional licensing requirement.
11. A gift received by the Board member as part of the usual or customary practice of the Board member’s private business, employment or position as a volunteer that bears no relationship to the Board member’s holding of public office.

Honoraria

A Board member may not solicit or receive, whether directly or indirectly, honoraria for the Board member or any member of the household of the Board member if the honoraria are solicited or received in connection with the official duties of the Board member. The honoraria rules do not prohibit the solicitation or receipt of an honorarium or a certificate, plaque, commemorative token or other item with a value of \$50 or less; or the solicitation or receipt of an honorarium for services performed in relation to the private profession, occupation, avocation or expertise of the Board member or candidate.

END OF POLICY

Legal Reference(s):

[ORS 162.015 to-162.035](#)

[OAR 199-005-0003 to-199-020-0020](#)

[ORS 162.405 to-162.425](#)

[ORS 244.010 to-244.400](#)

[ORS 332.055](#)

[ORS 659A.006](#)

38 OR. ATTY. GEN. OP. 1995 (1978)

OR. ETHICS COMM’N, OR. GOV’T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS (2008).

HR5/27/10 | RC

Board Member Ethics and Nepotism

In order to avoid both potential and actual conflicts of interests, Board members will abide by the following rules when a Board member's relative or member of the household is seeking and/or holds a position with the district:

1. A Board member may not appoint, employ, promote, discharge, fire, or demote or advocate for such an employment decision for a relative or a member of the household, unless the Board member complies with the conflict of interest requirements of ORS Chapter 244;
2. This policy does not apply to decisions regarding unpaid volunteer positions unless it is a Board member position or another Board-related unpaid volunteer position (i.e. a Board committee position);
3. A Board member may not participate as a public official in any interview, discussion, or debate regarding the appointment, employment, promotion, discharge, firing, or demotion of a relative or a member of the household. A Board member may still serve as a reference or provide a recommendation.

For the purposes of this policy, a "member of the household" means any person who resides with the Board member and "relative" means:

1. The Board member's spouse¹;
2. Any children of the Board member, or his/her spouse and
3. Brothers, sisters, half-brothers, half-sisters, brothers-in-law, sisters-in-law, sons-in-law, daughters-in-law, mothers-in-law, fathers-in-law, aunts, uncles, nieces, nephews, stepparents, stepchildren, or parents of the Board member, or the parents of his/her spouse.

Class Exception

It will not be a conflict of interest if the Board member's action would affect to the same degree a class including the Board member's relative or household member. For example, if a Board member's spouse is a member of the collective bargaining unit, the Board member may vote to approve the contract, as it will affect all members of that class to the same degree. However, if the collective bargaining unit is very small, the class exception may not apply. Similarly, if the contract contains special provisions that might apply only to particular persons, then the class exception may not apply. For example, if a Board member's spouse is the only one in the bargaining unit that has a doctorate and there is a pay differential

¹The term spouse includes domestic partners.

for employees with doctorates in the collective bargaining agreement, the Board member should not vote on the contract.

END OF POLICY

Legal Reference(s):

[ORS 244.010 to-244.400](#)

[ORS 332.016](#)

[ORS 659A.309](#)

[OAR 199-005-0003 to-199-020-0020](#)

[OAR 584-020-0040](#)

OR. ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS (2008).

Board Member Standards of Conduct (Version 1)

Individual Board members and the Board as a public entity must comply with the Code of Ethics for public officials provided in state law.

Board members will treat other Board members, the superintendent, staff and the public with dignity and courtesy and will provide an opportunity for all parties to be heard with due respect for their opinions.

Board members will recognize the superintendent as the chief executive officer to whom the Board has delegated administrative authority to establish regulations and oversee the implementation of Board policy.

A Board member has the right to express personal opinions. When expressing such opinions in public, the Board member should clearly identify the opinions as personal.

A Board member will respect the privacy rights of individuals when dealing with confidential information gained through association with the district.

A Board member will keep information discussed in executive session confidential.

A Board member will utilize social media Web sites judiciously by not posting confidential information about students, staff or district business. Board members will treat fellow Board members, staff, students and the public with respect while posting and will adhere to Oregon Public Meetings Laws when communicating with other Board members via Web sites or other electronic means.

END OF POLICY

Legal Reference(s):

[ORS 162.015 - 162.035](#)
[ORS 162.405 - 162.425](#)
[ORS 192.630](#)

[ORS 244.040](#)
[ORS 244.120](#)
[ORS 332.055](#)

Parkrose School District 3

Code: BC/BCA
Adopted: 10/23/95
Reviewed: 03/13/00

BOARD ORGANIZATION/BOARD ORGANIZATIONAL MEETING

No later than the next regular meeting following July 1, the Board of Education will organize itself for the year. In accordance with law, the Board's annual organizational meeting will be held at any time during the month of July deemed appropriate by the Board, and in no circumstance earlier than July 1.

The organizational meeting will consist of, but not be limited to, the following actions:

1. Election of a Board chair;
2. Election of a vice chair;
3. Provision for a time and place for regular meetings;
4. Other organizational actions prescribed by law or by Board practice.

The incumbent Board chair will preside until a successor is elected, whereupon the successor will assume the chair. In the event no incumbent chair or vice chair remains on the Board, or neither is able to continue to serve as an officer, the Board will select a temporary chair to conduct the election.

END OF POLICY

Legal References:

[ORS 255.335](#)
[ORS 332.040 - 332.045](#)
[ORS 332.057](#)

Cross Reference:

Policy BCB - Board Officers

Parkrose School District 3

Code: BCB
Adopted: 11/08/76
Revised: 03/13/00
Reviewed: 11/13/01

BOARD OFFICERS

At its first scheduled meeting after July 1, the Board will elect one of its members to serve as Chair and one to serve as vice Chair. No member of the Board may serve as Chair more than four years in succession. If a Board member is unable to continue to serve as an officer, a replacement will be elected immediately. The replacement officer will serve the remainder of the officer's term until the following July.

The Board Chair will:

1. Assist the superintendent in establishing the agenda for regular Board meetings;
2. Call special meetings when required;
3. Preside at all meetings of the Board and enforce the rules of order;
4. Sign the minutes and other official documents that require the signature of the Chair;
5. Represent the district and the Board at official functions, unless this duty is delegated by the Board Chair to another Board member;
6. Appoint all committees [and will be an ex-officio member of all such committees] unless otherwise ordered by the Board;
7. Have the right to discuss issues and vote.

In the absence, incapacitation or death of the Chair, the vice Chair will perform the duties of Chair and, when so acting, will have the Chair's powers. The vice Chair will perform other functions as designated by the Board.

The superintendent will designate a staff member to serve as Board secretary and will directly supervise and evaluate the secretary. The secretary to the Board will take notes at Board meetings, compile minutes and perform related work as assigned by the superintendent or requested by the Board Chair. These duties will include, but not be limited to, the following:

1. Record the disposition of all matters on which the Board considered action;
2. Prepare and distribute minutes in advance for approval at the next Board meeting;
3. Maintain properly authenticated official copies of the minutes;

4. Maintain the official record of Board policies.

Board or District Spokesman

The Board may appoint one of its members, usually the Chair, or another person to make authorized statements to the public or the media when the Board deems that, under the circumstances, the district's position should be articulated by a single voice. The spokesman serves at the Board's direction and may be removed or replaced at any time by action of the entire Board.

END OF POLICY

Legal Reference(s):

[ORS 255.335](#)

[ORS 332.040](#)

[ORS 332.045](#)

[ORS 332.057](#)

Parkrose School District 3

Code: BCD
Adopted: 6/23/86
Readopted: 10/23/95
Reviewed: 03/13/00

BOARD-SUPERINTENDENT RELATIONSHIP

The Board of Education of the Parkrose Public Schools believes that the legislation of policies is a function of the Board and that the execution of the policies should be the function of the superintendent. While the Board reserves to itself the ultimate decision of all matters concerning policy and expenditures of funds, the delegation by the Board of its executive powers to the superintendent provides flexibility for that official to manage the school system according to the Board's policies and decisions, and allows Board members to devote their time to policy making and appraisal functions.

Only the actions of the Board, determined and taken in legally held meetings, have any validity or authority. Individual Board members shall have no authority to make decisions or act in the name of the Board except in the performance of specific responsibilities given to the chair in the performance of certain legal duties.

The Board holds the superintendent responsible for the administration of its policies and regulations, the execution of Board actions and decisions, the operation of school and auxiliary services and for keeping the Board informed about school system activities, operations and concerns.

The Board as a whole, and individual members, will:

1. Give the superintendent complete administrative authority for properly discharging all professional and legal responsibilities and duties;
2. Hold all meetings of the Board in the presence of the superintendent, except when his/her contract and salary are under consideration.
3. Refer all concerns and complaints to the superintendent for appropriate investigation and actions;
4. Provide adequate safeguards for the superintendent/designee and his/her staff members so they can discharge their professional and legal responsibilities and duties.

The superintendent will assist the Board in making decisions and establishing policies by giving Board members relevant facts, information and reports. The superintendent may not perform, cause or allow to be performed any act that is unlawful, in violation of commonly accepted business and professional ethics, in violation of any contracts into which the Board has entered or in violation of policies and regulations adopted by the Board.

END OF POLICY

Legal Reference: [ORS 332.505](#) [ORS 332.515](#)

Parkrose School District 3

Code: **BCE**
Adopted: 10/28/13

Board Committees

The Board shall have no standing committees. Special committees may be appointed by the Board for specific purposes to serve until their assignment is completed. The entire Board may meet as a committee-of-the-whole.

The function of special committees will be fact-finding, deliberative and advisory rather than legislative or administrative. The committee will make recommendations directly to the Board as a whole, which alone may take action. Committee meetings may be called by the Board chair, the committee chair or any committee member.

Committee-of-the-whole meetings, called “work sessions,” may be held. Committee-of-the-whole meetings may be called by the chair.

All meetings of special committees and of committees-of-the-whole will follow public meeting laws. The Board and its committees may sit in executive sessions to discuss matters when such sessions are required or permitted by law.

All matters referred to a committee will be thoroughly investigated. A committee will not have the power to act for the Board except as the Board has specifically authorized, but will make recommendations to the Board. Committee recommendations and reports will become an official part of Board minutes.

A Board committee may appoint, subject to Board approval, advisory members from the staff, student body or community. Advisory members will be instructed in the committee’s functions and their status. These members may not be included in considering whether a quorum of the committee is present, nor may they vote on recommendations to be made to the Board. Either an advisory member or an ex-officio member may present a written minority report to the Board.

END OF POLICY

Legal Reference(s):

[ORS 192.610 - 192.690](#)
[ORS 332.045](#)

[ORS 332.105](#)

Advisory Committees to the Board

In an ongoing effort to increase communication with the public and to provide for citizen involvement, the Board may appoint advisory committees which include community members to consider matters of districtwide importance.

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

All meetings of advisory committees shall follow all public meeting laws. The press may attend and report proceedings. Visitors shall sit apart from the committee members and shall speak only when invited to do so by the committee chair.

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

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

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

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

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

END OF POLICY

Legal Reference(s):

[ORS 192.610](#)

[ORS 329.704](#)

[ORS 192.630](#)

[ORS 332.107](#)

[ORS 294.414](#)

OR. DEP'T OF JUSTICE, OR. ATT'Y GENERAL'S MODEL PUBLIC CONTRACT RULES MANUAL (2003).

6/01/10 | JW

Parkrose School District 3

Code: BCG
Adopted: 10/23/95
Revised: 03/13/00

DISTRICT'S ATTORNEY

The Board of Education shall appoint its own legal counsel. Every three years the Board will review the services and determine whether to issue a request for proposal.

Legal counsel shall advise the Board on emerging legal issues affecting school governance and shall advise the Board on specific legal problems requested by the Board and/or superintendent. A decision to seek legal advice or assistance on behalf of the district may be made by the Board chairman or the superintendent. It may also take place as a consequence of formal Board action.

END OF POLICY

Legal References:

[ORS 332.072](#)

[ORS 332.505](#)

Parkrose School District 3

Code: BD/BDA-AR

Adopted: 10/23/95

Revised: 03/13/00

Revised: 10/04

BOARD MEETINGS/REGULAR BOARD MEETINGS

1. Regular Meetings

Regular meetings of the Board shall be held on the second Monday of every month and the fourth Monday of all months except July, August and December or in those instances when the regular meeting dates fall on either of the following legal holidays: Memorial Day (4th Monday in May), Veterans' Day (November 11).

In these specified instances, the regular meeting shall be held on the Tuesday following the legal holiday.

Meetings of the Board shall be held in the Parkrose High School Community Center Rm. L-13-14 unless Board action is taken to move meeting(s) to one of the district school buildings to accommodate attendance from a specified area of the district. When the Board meeting is scheduled in an alternate site, the published notices of the meeting and the advance agenda of the meeting will specify the meeting place and a notice of the change will be posted on the door of the administration building.

2. Special Meetings

Special meetings may be called from time to time as circumstances may demand at the call of the chair, on request of three (3) members of the Board or by common consent of the Board members.

No special meeting shall be held without at least 24 hours notice to the Board members and the general public. Whenever possible, the dates for special meetings will be planned and announced at regular meetings preceding the special meetings. When this procedure is not feasible, the agenda for the special meeting shall be posted on the door of the administration building at least 24 hours before the date of the meeting.

3. Emergency Meetings

Emergency meetings of the Board may be called by the chair of the Board without 24 hours notice required for other meetings, but the minutes of the emergency meeting must include an explanation of the emergency. No business other than that related to the emergency will be discussed at these meetings.

4. Time of Meetings

All regular and special meetings of the Board shall convene at 7:00 p.m., unless

otherwise specified in the notice of the meeting.

5. Executive Sessions

Nothing contained in Oregon Revised Statutes or in this policy shall be construed to prevent the Board from holding executive session during a regular, special or emergency meeting, after the chair has identified the authorization under Oregon Revised Statutes for the holding of such executive session.

Executive session may be held:

- a. To consider the employment of a public officer, employee, staff member or individual agent. The exception contained in this paragraph does not apply to:
 - (1) The filling of a vacancy on the Board;
 - (2) The filling of a vacancy on any committee, commission or other advisory group;
 - (3) The consideration of general employment policies;
 - (4) The employment of the superintendent, other public officers, employees and staff members of any public body unless the vacancy in that office has been advertised, regularized procedures for hiring have been adopted by the Board and there has been opportunity for public input into the employment of the officer. The standards, criteria and policy directives to be used in hiring or evaluating the superintendent shall be adopted by the Board in meetings open to the public in which there has been opportunity for public input.
- b. To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, unless such public officer, employee, staff member or individual agent requests an open hearing;
- c. To conduct deliberations with persons designated by the Board to carry on labor negotiations;
- d. To conduct deliberations with persons designated by the Board to negotiate real property transactions;
- e. To consider records that are exempt by law from public inspection;
- f. To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed;
- g. To review and evaluate, pursuant to standards, criteria and policy directives adopted by the Board, the employment-related performance of the superintendent, a public officer, employee or staff member, unless the person whose performance

is being reviewed and evaluated requests an open hearing;

- h. To carry on negotiations under ORS Chapter 293 with private persons or businesses regarding proposed acquisition, exchange or liquidation of public investments.

Labor negotiations shall be conducted in open meetings unless both sides of the negotiators request that negotiations be conducted in executive session. Labor negotiations conducted in executive session are not subject to the notification requirements of ORS 192.640.

Representatives of the news media shall be allowed to attend executive sessions of the Board other than those held under paragraph c. above (deliberations concerning labor negotiations) or held pursuant to subsection 7 below, but the Board may require that specified information subject of the executive session be undisclosed.

When the Board meets in executive session pursuant to paragraph f. above relating to conferring with counsel on current litigation or litigation likely to be filed, the Board shall bar any member of the news media from attending the executive session if the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the litigation.

6. Meetings by Telephone or Electronic Communication

Any meeting, including an executive session, of the Board which is held through the use of telephone or other electronic communication shall be conducted in accordance with this policy statement and the Public Meetings Law.

When telephone or other electronic means of communication is used and the meeting is not an executive session, the Board shall make available to the public at least one place where the public can listen to the communication at the time it occurs by means of speakers or other devices. Special accommodations may be necessary to ensure accessibility for persons with disabilities. The place provided may be a place where no member of the Board is present.

Communications between and among a quorum of members of the Board convening on electronically linked personal computers are subject to the Public Meetings Law if the communications constitute a decision or deliberation toward a decision for which a quorum is required or the gathering of information on which to deliberate.

7. Hearing to Expel Minor Student

The provisions of ORS 332.061 are quoted as follows:

"Notwithstanding ORS 192.610 to 192.690 governing public meetings:

- (1) Any hearing held by a district school board or its hearings officer on any of the

following matters shall be conducted in executive session of the Board or privately by the hearings officer unless the student or the student's parents or guardian requests a public hearing-

- a. Expulsion of a minor student from a public elementary or secondary school;
- b. Matters pertaining to or examination of the confidential medical records of a student, including that student's educational program.

(2) If an executive session is held by a district school board or a private hearing is held by its hearings officer under this section, the following shall not be made public:

- a. the name of the minor student,
- b. the issue, including a student's confidential medical records and that student's educational program,
- c. the discussion,
- d. the school board members' vote on the issue.

(3) The school board members may vote in an executive session conducted pursuant to this section."

Parkrose School District 3

Code: BD/BDA
Adopted: 9/13/93
Re-Adopted: 10/23/95
Orig. Code: 2.06
Reviewed: 03/13/00
Policy Audit: 07/2004

BOARD MEETINGS/REGULAR BOARD MEETINGS

All meetings of the Board shall be open to the public in accordance with the Public Meetings Law.

"Meeting" means the convening of the Board as the district's governing body to make a decision or to deliberate toward a decision on any matter. The Board has the authority to act only when a quorum is present at a duly called regular or special meeting.

The secretary to the Board shall provide for and give public notice, reasonably calculated to give actual notice to interested persons, of the dates for holding regular and special meetings.

END OF POLICY

Legal Reference(s):

[ORS 174.104](#)

[ORS Chapter 192](#)

[ORS Chapter 193](#)

[ORS 332.045 - 332.111](#)

[ORS 433.835 - 433.875](#)

38 Op Atty Gen 1995 (1978).

41 Op Atty Gen 28 (1980).

Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).

Parkrose School District 3

Code: **BDDC**
Adopted: 4/09/01
Revised: 6.22.15

Board Meeting Agenda

The Board chair, with the assistance of the superintendent will prepare an agenda for all regular meetings of the Board. Items of business may be suggested by any Board member, staff member, student or citizen of the district by notifying the superintendent at least 10 working days prior to the meeting.

A consent agenda may be used by the Board for noncontroversial business. The consent agenda will consist of routine business that requires action but not necessarily discussion. These items may all be approved at the same time. A Board member may ask that any item be removed from the consent agenda. The removed item will then be placed on the regular agenda.

The agenda will follow a general order established by the Board. Opportunities for the audience to be heard will be included during regular meetings. The Board will follow the order of business set up by the agenda unless the order is altered by a consensus of the Board.

Items of business not on the agenda may be discussed and acted upon if the majority of the Board agrees to consider them.

The agenda, together with supporting materials, will be distributed by the district office or superintendent to Board members at least two full working days prior to the meeting. The agenda will be available to the press and to interested patrons through the superintendent's office at the same time it is available to the Board members. Copies of the agenda for the press and public will not contain any confidential information included in the Board members' packets.

A copy of the agenda will be posted at the district office on or before the day of the meeting. Members of the public may request a copy of the agenda at the superintendent's office.

The district will ensure equally effective communications are provided to qualified persons with disabilities upon request as required by the Americans with Disabilities Act. Appropriate auxiliary aids and services may include large print, Braille, audio recordings and readers. Primary consideration will be given to the requests of the person with a disability in the selection of appropriate auxiliary aids and services. Should the Board demonstrate such requests would result in a fundamental alteration in the service, program or activity or in undue financial and administrative burdens, alternate, equally effective communications will be used. Auxiliary aids and services for persons with disabilities will be available at no charge to the individual.

END OF POLICY

Legal Reference(s):

[ORS 192.640](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).
Americans with Disabilities Act Amendments Act of 2008.

6/01/10 | JW

Parkrose School District 3

Code: BDDH
Adopted: 11/08/76
Re-Adopted: 10/23/95
Orig. Code: 2.11
Reviewed: 03/13/00

PUBLIC PARTICIPATION IN BOARD MEETINGS

All Board of Education meetings, with the exception of executive sessions, will be open to the public.

The Board invites district citizens to attend Board meetings to become acquainted with the program and operation of the schools.

Members of the public are encouraged to share their ideas and opinions with the Board by:

1. Participating in discussions at Board meetings during the time(s) on the agenda designated for "public participation";
2. Submitting to the superintendent a written request to have an item placed on a Board agenda.

END OF POLICY

Legal References:

[ORS 165.535](#)

[ORS 165.540](#)

[ORS 192.610 - 192.690](#)

[ORS 332.057](#)

Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).

PUBLIC PARTICIPATION IN BOARD MEETINGS

1. Time is set aside on the Board's meeting agenda for Citizen Comments at Regular Board Business meetings. The purpose of this specified time frame is to encourage public involvement in its school district and at the same time allow enough time for the Board to conduct the necessary business for which it is legally responsible.
2. A group of visitors with a common purpose should designate a spokesperson for the group.
3. Discussion or presentation concerning a published agenda item, other than announced items, is limited to its designated place on the agenda, unless otherwise authorized by the chair.
4. A visitor may introduce a topic not on the published agenda. However, the Board of Education, at its discretion, may require that a proposal, inquiry, or request be submitted in writing and reserves the right to refer the matter to the administration for action or for study and to report at a subsequent meeting. The Board shall make a decision at the meeting where information is presented only if the issue is considered an emergency by the Board.
5. At the discretion of the Board chair, when meetings are large or controversial, anyone wishing to speak before the Board, either as an individual or as a member of a group, on any agenda item or other topic, may do so by providing information to the board secretary on a citizen comment card prior to the meeting. This will help the chair provide adequate time for each agenda item and remain within the established time frame.
6. Statements by members of the public should be brief and concise. The chair may, at his/her discretion, establish a time limit on discussion or oral presentation by a visitor on any topic to ensure compliance with the established time frame.
7. Speakers may offer objective criticism of school operations and programs but the Board will not hear complaints concerning specific school personnel. The chair will direct the visitor to the appropriate means for Board consideration and disposition of legitimate complaints involving individuals.
8. These procedures will be published on the back of every Board meeting agenda.

Parkrose School District 3

Code: BF
Adopted: 01/14/91
Re-Adopted: 10/23/95
Orig. Code: 2.12
Reviewed: 03/13/00

POLICY DEVELOPMENT

Adoption of new policies or the revision or repeal of existing policies is solely the responsibility of the Board of Education.

Policies will be adopted and/or amended only by the affirmative vote of a majority of the members of the Board when such action has been scheduled on the agenda of a regular or special meeting.

The Board will adhere to the following procedure in considering and adopting policy proposals to ensure that they are well examined before final action:

1. First meeting - the proposal will be presented for a first reading and discussion;
2. Second meeting - the proposal will be presented for a second reading and final vote for adoption.

During discussion of a policy proposal, the views of the public and staff will be considered. Amendments may be proposed by Board members. An amendment will not require that the policy go through an additional reading except as the Board determines that the amendment needs further study and that an additional reading would be desirable.

Under unusual circumstances, the Board may temporarily approve a policy to meet emergency conditions; however, the above procedure is required before the policy will be considered permanent.

Policies will be effective upon the adoption date unless otherwise specified. The date will ensure that affected persons have an opportunity to become familiar with the requirements of the new policy prior to its implementation.

END OF POLICY

Legal References:

[ORS 332.107](#)
[ORS 332.505](#)
[OAR 581-022-1610](#)
[OAR 581-022-1720](#)

Cross References:

Policy BFD - Board Policy Implementation
Policy BFG/BFGA - Policy Review and
Evaluation/Manual Accuracy Check

Parkrose School District 3

Code: BFCA
Adopted: 01/14/91
Re-Adopted: 10/23/95
Orig. Code: 2.12
Reviewed: 03/13/00

ADMINISTRATIVE REGULATIONS

Administrative regulations are detailed directions governing the operation of the district.

The superintendent is authorized to formulate such administrative regulations appropriate for the implementation of policies adopted by the Board and necessary for the consistent operation of the district.

The Board may review any administrative regulation and may direct its revision if, in the Board's judgment, such regulation is not consistent with adopted policies.

END OF POLICY

Legal References:

[ORS 332.107](#)

[OAR 581-022-1610](#)

[OAR 581-022-1720](#)

Cross Reference:

Policy BFG/BFGA - Policy Review and Evaluation/Manual Accuracy Check

Parkrose School District 3

Code: **BFD**
Adopted: 1/14/91
Revised: 3.10.14

Board Policy Implementation

Effective Date of Policies

All new or amended policies will become effective on the day after adoption by the Board, unless a specific date is included in the motion for adoption.

Policy Implementation

The superintendent and administrative staff will implement Board policies. The superintendent may formulate administrative regulations and procedures to assist policy implementation.

It will be the Board's duty to evaluate the effectiveness of the policy and the effectiveness of the administration's implementation of the policy.

Policy Dissemination

The written policies that govern the district will be maintained in an online policy listing to be updated by district staff as new policies are developed or existing policies are revised or repealed.

Each Board member will be provided access to the policies online.

The Board's online policy listing will be considered a public record and will be open for inspection at all times online. One hard policy manual copy will be updated and kept in the office of the superintendent.

The superintendent will provide channels for disseminating appropriate policies to the community.

END OF POLICY

Legal Reference(s):

[ORS 192.410\(4\)](#)
[ORS 332.107](#)

[ORS 332.505](#)

[OAR 581-022-1610](#)
[OAR 581-022-1720](#)

Parkrose School District 3

Code: BFG/BFGA

Adopted: 10/23/95

Reviewed: 03/13/00

POLICY REVIEW AND EVALUATION/MANUAL ACCURACY CHECK

In an effort to keep its written policies current so they may be consistently used as a basis for Board of Education action and administrative decision, the Board will continually review its policies through consent agendas at Board meetings.

The Board will evaluate the execution and results of its policies. It will rely on the school staff, students and community to provide evidence of the adopted policies' effects.

The superintendent has continuing responsibility to alert the Board of all policies that may need revision.

The Board directs the superintendent to recall all policy and regulations manuals periodically for purposes of administrative updating and Board review.

END OF POLICY

Legal References:

[ORS 332.107](#)

[OAR 581-022-1610](#)

[OAR 581-022-1720](#)

Parkrose School District 3

Code: BG
Adopted: 10/23/95
Reviewed: 03/13/00

BOARD-STAFF COMMUNICATIONS

The Board of Education desires to maintain open channels of communication between itself and the staff. The basic line of communication will, however, be through the superintendent.

Staff Communications to the Board

All formal communications or reports to the Board or any Board committee from principals, teachers or other staff members will be submitted through the superintendent. This procedure will not be construed as denying the right of any employee to address the Board about issues which are neither part of an active administrative procedure, nor disruptive to the operation of the district. Staff members are invited to Board meetings, which provide an opportunity to observe the Board's deliberations on matters of staff concern.

Board Communications to Staff

All official Board communications, policies and directives of staff interest and concern will be communicated to staff members through the superintendent/designee. The superintendent will provide appropriate communication to keep staff fully informed of the Board's priorities, concerns and actions.

Visits to Schools

School visits by Board members will be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes. Official visits by Board members will be carried on only under Board authorization and with the full knowledge of staff, including the superintendent, principals and other supervisors.

END OF POLICY

Legal References:

[OAR 581-022-1720](#)

Anderson v. Central Point School District
No. 6, 554 F. Supp. 600 (D. Oregon
1982); aff'd in part, 746 F. 2d 505
(9th Cir. 1984).

Connick v. Myers, 461 U.S. 138 (1983).

Cross Reference:

Policy GBD - Board-Staff Communication

Parkrose School District 3

Code: BHD
Adopted: 04/24/00

BOARD MEMBER COMPENSATION AND EXPENSE REIMBURSEMENT

No Board member will receive any compensation for services other than reimbursement for approved expenses actually incurred on District business. Such expenses may include the cost of attendance at meetings, conferences or visitations when such attendance has been approved by the Board.

Reimbursement includes, but is not limited to, transportation, meals, lodging and miscellaneous expenses.

Reimbursement for Board members will be consistent with District practice for regular employees and in accordance with Board policy.

END OF POLICY

Legal Reference(s):

[ORS 244.020](#) (15)

[ORS 244.040](#) (1)(a)

[ORS 332.018](#) (3)

Oregon Government Standards and Practices Commission Advisory Opinion 93A-1007 (November 18, 1993).