

Medford School District 549C

Code: BBG - *new policy*
Adopted: xx/xx/xx

Board Member Concerns About Board Member Behaviors

The existence of this special process does not excuse the Board from following the law and/or other existing policies for certain complaints and only applies to Board Member to Board Member complaints. Any staff, student or community member would use existing procedures for complaints about a Board Member.

Step 1: One-on-One Communication: If a Board Member believes that another Board Member has violated the Board Norms, Board Code of Ethics, Board Operating Procedures, Board Policy, State or Federal law, it is the responsibility of the concerned Board Member to discuss the alleged violation with the other Board Member in private prior to taking any other action, unless the nature of the allegation requires immediate escalation to the Board Chair or legal authorities (for example, if a child is in imminent physical danger at that exact moment). Board members are strongly encouraged to address concerns directly with Board Member in question first, in a one-on-one format. Notably, the Board Member should not first go to other Board Members, social media, or anywhere else other than the Board Member who they believe has committed a violation. The Board Member is, however, strongly encouraged to provide a written follow-up after the one-on-one communication or to document that the other Board Member declined to meet one-on-one (which then allows for immediate escalation). One or both Board Members may record the meeting, provided that a copy of the recording shall be provided to other participating Board Members. If recorded, there must be notice to the other Board Member.

- If the Board Member facing allegation ~~does not participate in~~ is unresponsive to requests to **schedule** a meeting -- in person, via phone, or via video -- within 7 days of it being **scheduled requested**, the concerned Board Member may proceed to the next step.
- If Board Members have previously completed this step or this is based on an additional infraction, the concerned Board Member may proceed to the next step.
- If there are concerns regarding the threat of harm or accuracy of what is said, or if the Board Member is unwilling to have a private conversation with the other Board Member, the concerned Board Member may move on to Step 2 and involve the Board Chair or Board Vice Chair.

Step 2: Two-on-One Communication: If, after the concerned Board Member has privately discussed the alleged violation with the other Board Member, the concerned Board Member remains unsatisfied that the alleged violation has been addressed, the concerned Board Member may submit, in writing, the allegation to the Board Chair, **vice chair, third Board Member, or mutually agreed upon third party outside of district** (arbiter). If the Board Chair is involved in the allegation, the concerned Board Member may instead submit the allegation, in writing, to the Board Vice-Chair or the next most senior Board Member not involved in the allegation who is then obligated to serve as arbiter instead.

- The Board Members involved will conference to discuss the alleged violation. All parties are strongly encouraged not to allow any further escalation of these procedures and the arbiter's duty is to work to avoid such escalation.
- If the Board Member facing allegation ~~does not participate in~~ is unresponsive to requests to **schedule** a meeting -- in person, via phone, or via video -- within 7 days ~~of it being scheduled~~, the concerned Board Member may proceed to the next step.
- If Board Members have previously completed this step or this is based on an additional infraction, the concerned Board Member may proceed to the next step.

Step 3: Full Board Communication: If, after the conference, the concerned Board Member remains unsatisfied that the alleged violation has been addressed, the Board Chair will call a special meeting of the Board to discuss the alleged violation. ~~The Board Chair may call upon the District's General Counsel or an external legal advisor to investigate the nature of the allegations. The findings of this investigation will be presented at the special meeting of the Board.~~

- If, after the special meeting of the Board to discuss the alleged violation, the Board determines that the allegations are substantiated, the Board should inform the Board Member in question that the allegations have been substantiated and that the Board Member is to refrain from any further such behavior.
- If the Board Member facing allegation **does not participate in is unresponsive to email and text requests to schedule** a conference -- in person, via phone, or via video -- within 7 days **of it being scheduled**, the concerned Board Member may proceed to the next step.
- If Board Members have previously completed this step or this is based on an additional infraction, the concerned Board Member may proceed to the next step.
- ~~If, after the special meeting of the Board to discuss the alleged violation, the Board determines that further investigation is necessary, then the Board Chair may call upon the District's General Counsel~~ **or to help retain** an external legal advisor to investigate the nature of the allegations. The findings of this investigation will be presented at ~~the~~ **a future** special meeting of the Board.

Step 4: Full Board Action: If, after the Board Member has been informed that their behavior has been substantiated as being a violation **as set forth in Step 3 above**, any Board Member is concerned that the behavior has continued **after the conclusion of Step 3, they** must bring this concern to the Board Chair who will call a special meeting of the Board to consider the allegation. During the special meeting, in order for the alleged violation to be considered, one of the following three motions must be made and seconded: a motion to dismiss allegations, a motion to admonish, or a motion to censure.

- In order to protect the overriding principle of freedom of speech, the Board shall not impose admonition or censure on any of its members solely for the exercise of their First Amendment rights. In order to ensure the right to a fair jury trial, the Board shall not impose admonition or censure on any of its members for the violation of any law while civil or criminal charges are pending. However, when the civil or criminal proceedings are final, the Board need not be bound by the conclusions of the Court and may again pursue admonition or censure.
- **Dismissal:** A motion to dismiss allegations concludes these procedures and exonerates the accused Board Member. Once a motion to dismiss allegations has passed concerning a given alleged violation, no other motions concerning that alleged violation are in order. A motion to dismiss allegations requires a majority vote to pass. **If there is not a majority vote in favor of the motion, the motion fails.**
- **Admonition:** An admonition is a one-time punitive action which serves as a penalty imposed for wrongdoing but carries no fine or suspension of the rights of the Board Member as an elected official. A motion to admonish must be presented in writing and must contain the exact **language wording** of the alleged violation and the proposed admonition. A copy of the motion to admonish must be provided to the accused Board Member at least seventy-two (72) hours prior to discussion of the motion. A motion to admonish requires a majority vote to pass. **If there is not a majority vote in favor of the motion, the motion fails.**
- **Censure:** A censure is an action that is a permanent change in status **of Board Member** until lifted by the Board via a majority vote of the Board. A censure serves as a penalty imposed for wrongdoing but carries no fine or suspension of the rights of the Board Member as an elected official. A motion to censure must be presented in writing and must contain the exact **wording language** of the alleged violation and the proposed censure. A copy of the motion to censure must be provided to the accused

Board Member at least seventy-two (72) hours prior to discussion of the motion. A motion to censure requires a 2/3 majority vote to pass. ~~If there is not a 2/3 majority vote in favor of the motion, then the motion fails. If the motion fails, a motion for Admonition may be made.~~ A motion to censure can only be lifted by a motion to dismiss allegations that occurs at least one (1) meeting after the motion to censure was passed, ~~and requires a 2/3 vote to lift.~~ If the censure is imposed by the Board, it carries ~~two key~~ the following enforcement ~~elements~~:

~~• **Status:** The social status of the Board Member shall change from "Board Member" to "Censured Board Member". In all official meetings, oral or written records, and communication, this is the only title or status that the district or district officials may use when referring to them. This change in social status remains in effect until the censure is lifted.~~
(Commenting board members both also requested removal of this section)

- **Privileges:** All privileges that have been extended to the Censured Board Member are immediately revoked and must remain revoked until the censure is lifted. This in no way harms or alters the statutory rights of an elected official — to be in meetings, to participate/vote, and to make special public information requests (PIR) as provided by law. Anything that is not a statutorily protected right of elected officials, however, is revoked. This includes, but is not limited to, officer roles, committee roles, access to district staff, access to district facilities, access to district events, access to district athletics, access to district graduation, ~~access to travel reimbursements approval of board member travel~~, and access to any requests not covered by special PIR rights. In effect, they have the same privileges that a member of the general public would have except for the aforementioned rights afforded to school board members by law. ~~The Censured Board Member may meet with district staff, access district facilities, access district events, access district athletics, and access district graduation in the same manner as any other member of the general public, but will not receive any special board member access.~~

~~If a motion for Censure is made and fails, then a motion for admonition is made and also fails, the matter shall be dismissed.~~

Red comments – OSBA suggested changes

Green comments – Board Chair Ferguson suggested changes

Blue comments – Board Director Johnsen suggested changes

Purple comments - Board Director Caballero suggested change

Orange comments - Revisions suggested at Oct. 16 meeting

Bright Blue comments - Revisions suggested at Nov. 6 meeting

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- If the Board Member facing allegation is unresponsive to requests to schedule a meeting -- in person, via phone, or via video -- within 7 days of it being requested, the concerned Board Member may proceed to the next step.
- If Board Members have previously completed this step or this is based on an additional infraction, the concerned Board Member may proceed to the next step.
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Step 2: Two-on-One Communication: If, after the concerned Board Member has privately discussed the alleged violation with the other Board Member, the concerned Board Member remains unsatisfied that the alleged violation has been addressed, the concerned Board Member may submit, in writing, the allegation to the Board Chair, vice chair, third Board Member, or mutually agreed upon third party outside of district (arbiter). If the Board Chair is involved in the allegation, the concerned Board Member may instead submit the allegation, in writing, to the Board Vice-Chair or the next most senior Board Member not involved in the allegation who is then obligated to serve as arbiter instead.

- The Board Members involved will conference to discuss the alleged violation. All parties are strongly encouraged not to allow any further escalation of these procedures and the arbiter's duty is to work to avoid such escalation.
- If the Board Member facing allegation is unresponsive to requests to schedule a meeting -- in person, via phone, or via video -- within 7 days, the concerned Board Member may proceed to the next step.
- If Board Members have previously completed this step or this is based on an additional infraction, the concerned Board Member may proceed to the next step.

Step 3: Full Board Communication: If, after the conference, the concerned Board Member remains unsatisfied that the alleged violation has been addressed, the Board Chair will call a special meeting of the Board to discuss the alleged violation.

- If, after the special meeting of the Board to discuss the alleged violation, the Board determines that the allegations are substantiated, the Board should inform the Board Member in question that the allegations have been substantiated and that the Board Member is to refrain from any further such behavior.
- If the Board Member facing allegation is unresponsive to email and text requests to schedule a conference -- in person, via phone, or via video -- within 7 days, the concerned Board Member may proceed to the next step.
- If Board Members have previously completed this step or this is based on an additional infraction, the concerned Board Member may proceed to the next step.
- If, after the special meeting of the Board to discuss the alleged violation, the Board determines that further investigation is necessary, then the Board Chair may call upon the District's General Counsel to help retain an external legal advisor to investigate the nature of the allegations. The findings of this investigation will be presented at a future special meeting of the Board.

Step 4: Full Board Action: If, after the Board Member has been informed that their behavior has been substantiated as being a violation as set forth in Step 3 above, any Board Member is concerned that the behavior has continued after the conclusion of Step 3, must bring this concern to the Board Chair who will call a special meeting of the Board to consider the allegation. During the special meeting, in order for the alleged violation to be considered, one of the following three motions must be made and seconded: a motion to dismiss allegations, a motion to admonish, or a motion to censure.

- In order to protect the overriding principle of freedom of speech, the Board shall not impose admonition or censure on any of its members solely for the exercise of their First Amendment rights. In order to ensure the right to a fair jury trial, the Board shall not impose admonition or censure on any of its members for the violation of any law while civil or criminal charges are pending. However, when the civil or criminal proceedings are final, the Board need not be bound by the conclusions of the Court and may again pursue admonition or censure.
- **Dismissal:** A motion to dismiss allegations concludes these procedures and exonerates the accused Board Member. Once a motion to dismiss allegations has passed concerning a given alleged violation, no other motions concerning that alleged violation are in order. A motion to dismiss allegations requires a majority vote to pass. If there is not a majority vote in favor of the motion, the motion fails.
- **Admonition:** An admonition is a one-time punitive action which serves as a penalty imposed for wrongdoing but carries no fine or suspension of the rights of the Board Member as an elected official. A motion to admonish must be presented in writing and must contain the exact wording of the alleged violation and the proposed admonition. A copy of the motion to admonish must be provided to the accused Board Member at least seventy-two (72) hours prior to discussion of the motion. A motion to admonish requires a majority vote to pass. If there is not a majority vote in favor of the motion, the motion fails.
- **Censure:** A censure is an action that is a permanent change in status of Board Member until lifted by the Board via a majority vote of the Board. A censure serves as a penalty imposed for wrongdoing but carries no fine or suspension of the rights of the Board Member as an elected official. A motion to censure must be presented in writing and must contain the exact wording of the alleged violation and the proposed censure. A copy of the motion to censure must be provided to the accused Board Member at least seventy-two (72) hours prior to discussion of the motion. A motion to censure requires

a 2/3 majority vote to pass. If there is not a 2/3 majority vote in favor of the motion, then the motion fails. If the motion fails, a motion for Admonition may be made. A motion to censure can only be lifted by a motion to dismiss allegations that occurs at least one (1) meeting after the motion to censure was passed, and requires a 2/3 vote to lift. If the censure is imposed by the Board, it carries the following enforcement:

- **Privileges:** All privileges that have been extended to the Censured Board Member are immediately revoked and must remain revoked until the censure is lifted. This in no way harms or alters the statutory rights of an elected official — to be in meetings, to participate/vote, and to make special public information requests (PIR) as provided by law. Anything that is not a statutorily protected right of elected officials, however, is revoked. This includes, but is not limited to, officer roles, committee roles, access to district staff, access to district facilities, access to district events, access to district athletics, access to district graduation, approval of board member travel, and access to any requests not covered by special PIR rights. In effect, they have the same privileges that a member of the general public would have except for the aforementioned rights afforded to school board members by law. The Censured Board Member may meet with district staff, access district facilities, access district events, access district athletics, and access district graduation in the same manner as any other member of the general public, but will not receive any special board member access.

If a motion for Censure is made and fails, then a motion for admonition is made and also fails, the matter shall be dismissed.

Policy BBG draft (EJ)

Old Wording:

Admonition: An admonition is a one-time punitive action which serves as a penalty imposed for wrongdoing but carries no fine or suspension of the rights of the Board Member as an elected official. A motion to admonish must be presented in writing and must contain the exact language wording of the alleged violation and the proposed admonition. A copy of the motion to admonish must be provided to the accused Board Member at least seventy-two (72) hours prior to discussion of the motion. A motion to admonish requires a majority vote to pass. If there is not a majority vote in favor of the motion, the motion fails.

Censure: A censure is an action that is a permanent change in status of Board Member until lifted by the Board via a majority vote of the Board. A censure serves as a penalty imposed for wrongdoing but carries no fine or suspension of the rights of the Board Member as an elected official. A motion to censure must be presented in writing and must contain the exact wording of the alleged violation and the proposed censure. A copy of the motion to censure must be provided to the accused Board Member at least seventy-two (72) hours prior to discussion of the motion. A motion to censure requires a 2/3 majority vote to pass. If there is not a 2/3 majority vote in favor of the motion, then the motion fails. If the motion fails, a motion for Admonition may be made. A motion to censure can only be lifted by a motion to dismiss allegations that occurs at least one (1) meeting after the motion to censure was passed, and requires a 2/3 vote to lift. If the censure is imposed by the Board, it carries the following enforcement:

- Privileges: All privileges that have been extended to the Censured Board Member are immediately revoked and must remain revoked until the censure is lifted. This in no way harms or alters the statutory rights of an elected official — to be in meetings, to participate/vote, and to make special public information requests (PIR) as provided by law. Anything that is not a statutorily protected right of elected officials, however, is revoked. This includes, but is not limited to, officer roles, committee roles, access to district staff, access to district facilities, access to district events, access to district athletics, access to district graduation, approval of board member travel, and access to any requests not covered by special PIR rights. In effect, they have the same privileges that a member of the general public would have except for the aforementioned rights afforded to school board members by law. The Censured Board Member may meet with district staff, access district facilities, access district events, access district athletics, and access district graduation in the same manner as any other member of the general public, but will not receive any special board member access.

New Wording:

Admonition: An admonition is a formal warning that the board member's conduct does not conform to the policies of the school district, the board operating agreement, or other standards which are expected of an elected official. Admonishment should include prescriptive guidance to bring the accused board member's conduct in line with board expectations. A motion to admonish must be presented in writing and must contain the exact wording of the alleged violation, the proposed admonition, and corrective action. A copy of the motion to admonish must be provided to the accused Board Member at least seventy-two (72) hours prior to discussion of the motion. A motion to admonish requires a majority vote to pass. If there is not a majority vote in favor of the motion, the motion fails.

Censure: A censure is a formal action of the board to declare that the accused board member's conduct does not conform to the policies of the school district, the board operating agreement, or other standards which are expected of an elected official. Actions taken by the board may restrict or revoke privileges of the accused board member as necessary to ensure the safe operations of the school district, and uphold the expectations of board member conduct. A censured board member will retain all rights of an elected official, and any limitations imposed on a censured board member should be necessary to achieve the aims of compliance with expected board member conduct and the functioning of the school district. Restrictions and limitations imposed on a censured board member should be reviewed and reaffirmed on a regular and frequent basis, at least quarterly. A motion to censure must be presented in writing and must contain the exact wording of the alleged violation, the proposed censure, and proposed corrective action. A copy of the motion to censure must be provided to the accused Board Member at least seventy-two (72) hours prior to discussion of the motion. A motion to censure requires a 2/3 majority vote to pass. If there is not a 2/3 majority vote in favor of the motion, then the motion fails. If the motion fails, a motion for Admonition may be made.

Medford School District 549C

Code: GCBDE/GDBDE
Adopted: 12/05/06
Revised/Readopted: 5/06/19; xx/xx/xx
Orig. Code(s): GCBDE/GDBDE

Military Leave of Absence

The district will grant military leave of absence to an employees on duty¹ with a uniformed service² in accordance with applicable state and federal law. Employees requesting military leave are required to provide written notice as soon as practicable following notification of military call up or reservist duty, unless precluded by military necessity.

~~Bargaining unit members who voluntarily or involuntarily enter the Armed Services shall be granted a leave of absence without pay.~~

~~Bargaining unit members who are members of the National Guard, National Guard Reserve, or any reserve component of the Armed Forces shall, upon written request, be granted up to but not exceeding fifteen (15) days in any one (1) calendar year for official training duty. If the bargaining unit member has been employed for a period of six (6) months prior to his/her request for leave, he/she shall be entitled to receive pay for any period while he/she is on military leave. The District will provide the cost of medical group insurance at District expense for military leave (temporary).~~

~~An employee may apply for military leave³ of absence from duties for up to 21 work days in any one training year⁴ or in accordance with ORS 408.290. An employee may use any accrued vacation or similar leave during the period of service exceeding 21 days. Military leave shall be in addition to any other leave the employee is entitled.~~

While on military leave, the employee will receive the same benefits as other employees on leave, as well as the following:

1. The employee may continue enrollment in the district's health insurance plan. During the first 18 months of leave, the employee may be required to pay any employee contributions required of other employees on a leave of absence. If the leave extends beyond 18 months, the employee will be required to pay not more than 102 percent of the full premium;

¹ "Duty" means the performance of duty on a voluntary or involuntary basis in a uniformed service and includes active duty; ~~active duty for training, initial active duty for training~~, or inactive duty training, ~~state active duty, full-time~~ National Guard duty, U.S. Armed Forces duty and absence to determine fitness for duty.

² "Uniformed service" means ~~being a member of the Armed Forces~~, the U.S. National Guard, ~~National Guard Reserve or of any reserve component of the U.S. Armed Forces~~, or of the commissioned corps of the U.S. Public Health Service and any other category of persons designated by the President in time of war or national emergency.

³ The employee may use military leave without loss of time, pay or regular leave if the employee has been employed by the district for six months or more.

⁴ "Training year" means the federal fiscal year for any particular unit of the National Guard or a reserve component.

2. Upon return from military service, the district will give retroactive employer contributions to the Public Employees Retirement System on the same basis as if the employee had not left, provided the employee was an enrolled member at the time of the leave. The employee may repay any required employee contributions over a period of three times the military service leave period or five years, whichever is less.

An employee on duty with a uniformed service is entitled to reemployment for a maximum of five years, unless retained on active duty because of war or national emergency. An individual returning from military leave shall notify the district of ~~his/her~~ **their** intent to return **to the district** as follows:

1. ~~An Employees~~ who ~~are~~ **is** a veterans ~~and~~ or reservists returning from training must only inform the district of their training obligations and report back at the next regularly scheduled working period.
2. ~~An Employees~~ returning from active duty must notify the district of their intention to return to their former jobs within 90 days ~~of after the employee is release~~ **relieved** from duty **or from hospitalization continuing after discharge for a period of not more than one year.**

An individual reemployed under this policy is entitled to the seniority and other currently existing rights and benefits the individual had when service started, plus the additional seniority and similar rights and benefits that would have been accrued if employment had been continuous.

This policy does not apply if the employee has been separated from service with a dishonorable or bad conduct discharge or under other than honorable conditions.

This policy does not apply if the employee has been separated from service with a dishonorable or bad conduct discharge or under other than honorable conditions.

END OF POLICY

Legal Reference(s):

[ORS 332.505](#)
[ORS 408.238](#)

[ORS 408.240](#)
[ORS 408.270](#)

[ORS 408.290](#)
[ORS 659A.082](#)
[ORS 659A.086](#)

Consolidated Omnibus Budget Reconciliation Act of 1985, 42 U.S.C. §§ 300bb-1-300bb-8 (~~2012~~ 2024).

I.R.C., U.S.C. 26 § 4980B(f)(4) (~~2012~~ 2024).

Employment and Reemployment Rights of Members of the Uniformed Services, 38 U.S.C. §§ 4301-4334 (~~2012~~ 2024).

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The district will grant military leave of absence to an employee on duty¹ with a uniformed service² in accordance with applicable state and federal law. Employees requesting military leave are required to provide written notice as soon as practicable following notification of military call up or reservist duty, unless precluded by military necessity.

An employee may apply for military leave³ of absence from duties for up to 21 work days in any one training year⁴ or in accordance with ORS 408.290. An employee may use any accrued vacation or similar leave during the period of service exceeding 21 days. Military leave shall be in addition to any other leave the employee is entitled.

While on military leave, the employee will receive the same benefits as other employees on leave, as well as the following:

1. The employee may continue enrollment in the district's health insurance plan. During the first 18 months of leave, the employee may be required to pay any employee contributions⁵ required of other employees on a leave of absence. If the leave extends beyond 18 months, the employee will be required to pay not more than 102 percent of the full premium;
2. Upon return from military service, the district will give retroactive employer contributions to the Public Employees Retirement System on the same basis as if the employee had not left, provided the employee was an enrolled member at the time of the leave. The employee may repay any required employee contributions over a period of three times the military service leave period or five years, whichever is less.

An employee on duty with a uniformed service is entitled to reemployment for a maximum of five years, unless retained on active duty because of war or national emergency. An individual returning from military leave shall notify the district of their intent to return to the district as follows:

¹ "Duty" means the performance of duty on a voluntary or involuntary basis in a uniformed service and includes active duty; or inactive duty training, state active duty, National Guard duty, U.S. Armed Forces duty and absence to determine fitness for duty.

² "Uniformed service" means being a member of the U.S. National Guard, National Guard Reserve or of any reserve component of the U.S. Armed Forces, or of the commissioned corps of the U.S. Public Health Service and any other category of persons designated by the President in time of war or national emergency.

³ The employee may use military leave without loss of time, pay or regular leave if the employee has been employed by the district for six months or more.

⁴ "Training year" means the federal fiscal year for any particular unit of the National Guard or a reserve component.

1. An employee who is a veteran-or reservist returning from training must only inform the district of their training obligations and report back at the next regularly scheduled working period.
2. An employee returning from active duty must notify the district of their intention to return to their former job within 90 days after the employee is relieved from duty or from hospitalization continuing after discharge for a period of not more than one year.

An individual reemployed under this policy is entitled to the seniority and other currently existing rights and benefits the individual had when service started, plus the additional seniority and similar rights and benefits that would have been accrued if employment had been continuous.

This policy does not apply if the employee has been separated from service with a dishonorable or bad conduct discharge or under other than honorable conditions.

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Employment and Reemployment Rights of Members of the Uniformed Services, 38 U.S.C. §§ 4301-4334 (2024).

Medford School District 549C

Code: JFE
Adopted: 1/21/92
Revised/Readopted: 9/19/19; xx/xx/xx
Orig. Code: JFE

Pregnant and/or Parenting Students**

{Required policy. The requirement for policy comes from ORS 336.640.}

The district shall not discriminate in its education program or activity against any student based on their current, potential, or past pregnancy, parenting, or related conditions. No pregnant or parenting student shall be excluded from the public schools on the basis of pregnancy or parenthood. A pregnant and/or parenting student shall be encouraged to continue with an educational program and to participate in all district-sponsored activities ~~unless physically unable~~. The ~~school~~ district shall ensure that pregnant and/or parenting students shall receive special services as temporarily necessitated by their condition.

Neither pregnancy nor parenting constitute an exemption from Oregon compulsory attendance law.

~~No pregnant or parenting student shall be excluded from the public schools on the basis of pregnancy or parenthood.~~

The district shall, in considering and obtaining special services for pregnant and/or parenting students:

1. Inform pregnant and/or parenting students and their parents of the availability of such services in the district, education service district or in the community;
2. Facilitate the provision of such services, including counseling, life skills and parenting education, child care, transportation, career development and health and nutrition services to pregnant and/or parenting students;
3. Inform pregnant and/or parenting students and their parents of the availability of resources provided by other agencies, including health and social services;
4. Provide educational programs and schedules that address the individual learning styles and needs of pregnant and/or parenting students;
5. Develop individualized educational programs or services, or both, to address the needs of pregnant and/or parenting students when their educational needs cannot be met by the regularly provided school program.

The superintendent or designee will develop ~~administrative regulations~~ guidelines^{1} as necessary to ensure compliance with the provisions of state and federal law.

¹ {Guidelines are required according to ORS 336.640 but do not rise to the level of an administrative regulation.}

END OF POLICY

Legal Reference(s):

~~ORS 109.520~~

~~ORS 336.640~~

~~ORS 339.010~~

~~ORS 339.030~~

~~OAR 581-021-0046~~

~~OAR 581-023-0100(3)~~

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

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Revised/Readopted: 9/19/19; xx/xx/xx
Orig. Code: JFE

Pregnant and/or Parenting Students**

The district shall not discriminate in its education program or activity against any student based on their current, potential, or past pregnancy, parenting, or related conditions. No pregnant or parenting student shall be excluded from the public schools on the basis of pregnancy or parenthood. A pregnant and/or parenting student shall be encouraged to continue with an educational program and to participate in all district-sponsored activities. The district shall ensure that pregnant and/or parenting students shall receive special services as temporarily necessitated by their condition.

Neither pregnancy nor parenting constitute an exemption from Oregon compulsory attendance law.

The district shall, in considering and obtaining special services for pregnant and/or parenting students:

1. Inform pregnant and/or parenting students and their parents of the availability of such services in the district, education service district or in the community;
2. Facilitate the provision of such services, including counseling, life skills and parenting education, child care, transportation, career development and health and nutrition services to pregnant and/or parenting students;
3. Inform pregnant and/or parenting students and their parents of the availability of resources provided by other agencies, including health and social services;
4. Provide educational programs and schedules that address the individual learning styles and needs of pregnant and/or parenting students;
5. Develop individualized educational programs or services, or both, to address the needs of pregnant and/or parenting students when their educational needs cannot be met by the regularly provided school program.

The superintendent or designee will develop guidelines as necessary to ensure compliance with the provisions of state and federal law.

END OF POLICY

Legal Reference(s):

[ORS 336.640](#)
[ORS 339.010](#)
[ORS 339.030](#)
[OAR 581-021-0046](#)
[OAR 581-023-0100\(3\)](#)

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

Medford School District 549C

Code: JHCA/~~JHCB~~
Adopted: 9/19/19
Revised/Readopted: 6/29/23; 12/19/24; xx/xx/xx

Immunization, ~~and~~ School Sports Participation, Concussions and Other Brain Injuries**

Immunization

Proof of immunization must be presented at the time of initial enrollment¹ in school or within 30 days of transfer to the district in accordance with Oregon law. Proof consists of a signed Certificate of Immunization Status form documenting either evidence of immunization, religious or philosophical beliefs and/or medical exemption, or immunity documentation.²

School Sports Participation

A student participating in extracurricular sports in grades 7 through 12 is required to submit to an appropriate School Sports Pre-Participation Examination³ prior to their initial participation in a related district program. The form⁴ is to be completed and signed by a parent or guardian giving permission for the student to participate and signed by a medical provider authorized by law⁵ who has examined and evaluated the student. The completed form(s) must be returned to the school office. A student who is subsequently diagnosed with a significant illness or has had a major surgery is required to have a physical examination prior to further participation.

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

Concussions and Other Brain Injuries

A student who exhibits signs, symptoms or behaviors consistent with a concussion following an observed or suspected blow to the head or body, or who has been diagnosed with a concussion will not be allowed to participate in any athletic event or training on that day, unless an athletic trainer licensed by the Board of Athletic Trainers or a physician licensed pursuant to ORS 677.100 - 677.228 has determined the student

¹ The district shall immediately enroll a student **experiencing houselessness** in the school selected even if the student is unable to produce records normally required for enrollment.

² Documentation requirements for exemptions are outlined in ORS 433.267.

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

⁴ The form may be used in either a hard copy or electronic format.

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

has not suffered a concussion.⁶ Except as allowed above, a student excluded for concussion reasons will not be allowed to return to participate in an athletic event or training until the following three conditions have been met:

1. It is not the same day as the student exhibited signs, symptoms or behaviors, experienced a blow to the head or body, or was diagnosed with a concussion;
2. The student no longer exhibits signs, symptoms or behaviors consistent with a concussion; and
3. The student has received a medical release form from a health care professional⁷.

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

~~Upon receipt of written notification⁸ from a parent or guardian that a student has been diagnosed with a concussion or other brain injury by a health care professional and that accommodations are being requested, the district shall follow all procedures developed by the Oregon Department of Education (ODE) to develop and implement an immediate and temporary accommodation plan.⁹ Written notice is not required for the district to begin following concussion protocols.~~

~~Any accommodations will be communicated to the parent or guardian, to all teachers who provide instruction to the student and to other employees who have regular responsibilities for the student's supervision or health.¹⁰~~

~~Accommodations will be in effect no later than 10 school days after the written notification is received by the district and will be reviewed as needed, but no later than every two months.~~

END OF POLICY

Legal Reference(s):

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

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

⁸ "Written notification" means a written notice from a parent or guardian, supported by medical documentation from a health care professional, informing the district that they are requesting accommodation for a student who has been diagnosed with a concussion or other brain injury by a health care professional.

⁹ The district must use the sample form developed by ODE [add link when available] or a district form that includes all required content.

¹⁰ Including, but not limited to, school nurses, counselors, physical education teachers, coaches, athletic trainers and staff supervision recess or other physical activities.

[ORS 326.580](#)

[ORS 336.479](#)

[ORS 336.485 - ORS 336.490](#)

[ORS 433.235 - 433.280](#)

[OAR 333-019-0010](#)

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

[OAR 581-021-0041](#)

[OAR 581-021-3007](#)

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

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

[House Bill 3007 \(2025\)](#)

Medford School District 549C

Code: JHCA
Adopted: 9/19/19
Revised/Readopted: 6/29/23; 12/19/24; xx/xx/xx

Immunization, School Sports Participation, Concussions and Other Brain Injuries**

Immunization

Proof of immunization must be presented at the time of initial enrollment¹ in school or within 30 days of transfer to the district in accordance with Oregon law. Proof consists of a signed Certificate of Immunization Status form documenting either evidence of immunization, religious or philosophical beliefs and/or medical exemption, or immunity documentation.²

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

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A student who exhibits signs, symptoms or behaviors consistent with a concussion following an observed or suspected blow to the head or body, or who has been diagnosed with a concussion will not be allowed to participate in any athletic event or training on that day, unless an athletic trainer licensed by the Board of Athletic Trainers or a physician licensed pursuant to ORS 677.100 - 677.228 has determined the student

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

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

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

has not suffered a concussion.⁶ Except as allowed above, a student excluded for concussion reasons will not be allowed to return to participate in an athletic event or training until the following three conditions have been met:

1. It is not the same day as the student exhibited signs, symptoms or behaviors, experienced a blow to the head or body, or was diagnosed with a concussion;
2. The student no longer exhibits signs, symptoms or behaviors consistent with a concussion; and
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Any accommodations will be communicated to the parent or guardian, to all teachers who provide instruction to the student and to other employees who have regular responsibilities for the student's supervision or health.¹⁰

Accommodations will be in effect no later than 10 school days after the written notification is received by the district and will be reviewed as needed, but no later than every two months.

END OF POLICY

Legal Reference(s):

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

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¹⁰ Including, but not limited to, school nurses, counselors, physical education teachers, coaches, athletic trainers and staff supervision recess or other physical activities.

[ORS 326](#).580
[ORS 336](#).479
[ORS 336](#).485 - ORS 336.490

[ORS 433](#).235 - 433.280
[OAR 333](#)-019-0010

[OAR 333](#)-050-0010 - 050-0120
[OAR 581](#)-021-0041
[OAR 581](#)-021-3007

McKinney-Vento Homeless Assistance Act, Subtitle VII-B, reauthorized by Title IX-A of the Every Student Succeeds Act, 42 U.S.C. §§ 11431-11435 (2018).
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2024).
House Bill 3007 (2025)

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Medford School District 549C

Code: KL
Adopted: 9/19/19
Revised/Readopted: 2/20/20; 1/25/24; xx/xx/xx
Orig. Code: KL

Public Complaints**

Board members recognize that complaints about schools may be voiced by employees, students, parents of students who attend a school in the district, and persons who reside in the district. When such complaints are made to a Board member, the Board member shall refer the person making the complaint to the superintendent or designee. A Board member shall not attempt to respond, review, handle or resolve such complaints as the individual board member has no authority to do so.

A complaint of retaliation against a student who in good faith reported information that the student believes is evidence of a violation of state or federal law, rule or regulation, should be made to the superintendent.

A person may initiate a complaint by discussing the matter with the administrator. That administrator shall attempt to resolve the complaint within 10 working days of initiation of the complaint with the administrator. If the complainant is dissatisfied, the complainant may file a written complaint with the superintendent within 10 working days of the decision from the administrator. The superintendent will attempt to resolve the complaint. If the complaint remains unresolved after 10 working days of receipt of the complaint by the superintendent, the complainant may appeal to the Board. A written complaint referred to the Board may be considered at the next regularly scheduled or special Board meeting. A final written decision regarding the complaint shall be made by the Board within 20 days from receipt of the complaint. The written decision of the Board will be final and will address each allegation in the complaint and reasons for the district's decision. If the Board chooses not to hear the complaint, the superintendent's decision is final. The Board may hold the hearing in executive session if the subject matter qualifies under Oregon law.

The timelines may be extended upon written agreement between the district and the complainant.

The district may offer mediation or another alternative dispute resolution process as an option if all parties to the complaint agree in writing to participate in such mediation or resolution.

Complaints against the principal should be filed with the superintendent or designee. The superintendent will attempt to resolve the complaint. If the complaint remains unresolved within 10 working days of receipt by the superintendent, the complainant may request to place the complaint on the Board agenda at the next regularly scheduled or special Board meeting. The Board may use executive session if the subject matter qualifies under Oregon law. The Board shall decide in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 30 days of receipt of the request to place the complaint on a Board meeting agenda. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. The Board shall decide in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 30 days of receipt of the complaint. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints Against an Individual Board Member

Step One- Initiate the Complaint Process

- A person may initiate a complaint by addressing the matter directly with the Board member in writing.
- Once the concern has been raised, the Board member shall attempt to resolve the issue within 10 working days of the initiation of the complaint. If the complainant is dissatisfied, the complainant may file a written complaint with the Board Chair.
- If the complainant is unwilling to address the matter directly with the Board Member, they may move on to step two after 10 working days of the initiation of the complaint.

Step Two- Dispute Resolution

- If the complaint remains unresolved after 10 working days of receipt of the complaint by the Board member, the complaint may be referred to the Board Chair.
- The district may offer mediation or another alternative dispute resolution process as an option if all parties to the complaint agree in writing to participate in such mediation or resolution. This includes but is not limited to a group discussion facilitated by a mutually agreed upon mediator such as the Board chair, another Board member, or a trusted third party.

The facilitator will attempt to resolve the complaint. If the complaint remains unresolved after 10 working days of receipt of the complaint by the Board Chair, the complainant may appeal to the Board.

The timelines will be extended upon written agreement between the Board member and the complainant.

A written complaint referred to the Board may be considered at the next regularly scheduled or special Board meeting.

Complaints against the Board as a whole or against an individual Board member [after following steps one and two may](#) be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board [at the next regularly scheduled or special](#) Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 30 days of receipt of the complaint. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the Board chair should be made directly to the Board vice chair on behalf of the Board. The Board vice chair shall present the complaint to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide, within 20 days, in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 10 days. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

A complainant must file a complaint within the later of either time limit set below, in accordance with State law:

1. Within two years after the alleged violation or unlawful incident occurred or the complainant discovered the alleged violation or unlawful incident. For incidents that are continuing in nature, the time limitation must run from the date of the most recent incident; or
2. Within one year after the affected student has graduated from, moved away from or otherwise left

the district.

The district's final decision for a complaint processed under this Board policy that alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Division 22 Standards), ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation), will be issued in writing or electronic form. The final decision will address each allegation in the complaint and contain reasons for the district's decision. If the complainant is a student, parent or guardian of a student attending school in the district or a person that resides in the district, and the complaint is not resolved through the complaint process above, the complainant may file an appeal to the Deputy Superintendent of Public Instruction under OAR 581-001-0001 – 581-001-0023.

Charter Schools of which the District Board is a Sponsor

The district Board, through this policy, will review an appeal of a decision reached by the Board of the district public charter school (i.e., Madrone Trail, Kids Unlimited Academy, Logos, or The Valley School) on a complaint alleging a violation of ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint or Seclusion), ORS 659.852 (Retaliation), or applicable OAR Chapter 581, Division 22 (Division 22 Standards). A complainant may appeal and will submit such appeal to the superintendent on behalf of the district Board within 30 calendar days of receipt of the decision from the public charter school board. A final decision reached by the district Board may be appealed to the Oregon Department of Education under OAR 581-002-0001 - 581-002-0023.

Review Process for a Public School Board Complaint Decision

The appeal of a complaint from a public charter school to be reviewed by the district Board will be presented by the Board chair and reviewed by the Board at a Board meeting. The Board may use executive session if the subject matter qualifies under Oregon law. The Board will review the appeal and make a decision about appropriate action, which may include, but is not limited to, holding a hearing, requesting information, and recognizing the decision reached by the public charter school board. A decision will be reached, within 20 days, in open session, unless allowed in executive session. A final written decision regarding the appeal shall be issued by the district Board within 10 days. The written decision of the district Board will address each allegation in the complaint and include reasons for the district Board's decision.

END OF POLICY

Legal Reference(s):

[ORS 192.660](#)
[ORS 332.107](#)

[ORS 659.852](#)
[OAR 581-002-0001 - 002-0005](#)

[OAR 581-022-2370](#)

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984).
Connick v. Myers, 461 U.S. 138 (1983).

Cross Reference(s):

IIA - Instructional Resources/Instructional Materials

Medford School District 549C

Code: KL
Adopted: 9/19/19
Revised/Readopted: 2/20/20; 1/25/24; xx/xx/xx
Orig. Code: KL

Public Complaints**

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A complaint of retaliation against a student who in good faith reported information that the student believes is evidence of a violation of state or federal law, rule or regulation, should be made to the superintendent.

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1. Within two years after the alleged violation or unlawful incident occurred or the complainant discovered the alleged violation or unlawful incident. For incidents that are continuing in nature, the time limitation must run from the date of the most recent incident; or
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END OF POLICY

Legal Reference(s):

[ORS 192.660](#)
[ORS 332.107](#)

[ORS 659.852](#)
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Cross Reference(s):

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