
SECOND READING OF SCHOOL BOARD POLICIES

POLICY ISSUE/SITUATION:

Attached is the second reading of School Board policies:

- **ECAB** – Vandalism/Malicious Mischief/Theft
- **IGBAB-JO** – Education Records/Records of Students with Disabilities
- **JHFE** – Reporting of Suspected Child Abuse
- **JN** – Student Fees

BACKGROUND INFORMATION:

In January, 2004 the Oregon School Board Association performed an audit of the Beaverton School District Board policies. As a result of this audit, departments continue to work to reach compliance of the policies pertinent to their areas. Throughout the school year new policies and/or policy changes will be presented for your review.

RECOMMENDATION:

(12-155) It is recommended that the School Board adopt these policy changes.

Beaverton School District

Code: ECAB
Adopted: 9/8/97
Readopted: 12/13/04

VANDALISM/MALICIOUS MISCHIEF/THEFT

Because incidents of willful or malicious abuse, destruction, defacing and theft of school district property are clearly contrary to the best interests of the district and injurious to the rights and welfare of the entire community, the superintendent will seek appropriate legal remedies against persons found to have committed such acts. Students and citizens are urged to cooperate in reporting any incidents of vandalism/malicious mischief/theft and the name or names of the person or persons believed to be responsible.

Each district employee will report to the principal or other person in authority incidents of vandalism/malicious mischief/theft and the name of the person or persons responsible, if known.

Principals will submit a report of any vandalism/malicious mischief/theft or damage to their buildings, to the superintendent. The superintendent will report to the Board regarding major vandalism/malicious mischief/theft or damage to school property.

The superintendent may offer a reward to an individual(s) who provides information that results in the apprehension of a person(s) guilty of vandalism/malicious mischief/theft or other criminal acts against the district. The amount of reward shall be determined by the superintendent on a case-by-case basis within any guidelines set by the Board.

The superintendent or designee is authorized to sign a criminal complaint and to press charges against those committing acts of vandalism/malicious mischief/theft of or against school property. ~~Because incidents of willful or malicious abuse, destruction, defacing and theft of school district property are clearly contrary to the best interests of the district and injurious to the rights and welfare of the entire community, the superintendent will seek appropriate legal remedies against persons found to have committed such acts.~~ Full restitution for the damage will be sought from such persons, or, in the case of minors, from their parents. ~~The district may withhold grade reports, diplomas and records for failure to make restitution for assessed damages.~~

Anyone who willfully destroys school property through vandalism/malicious/mischief/theft or arson, who commits larceny or who creates a hazard to the safety of other people on district property will be dealt with in accordance with state law, and applicable Board policies.

END OF POLICY

Legal References:

ORS 30.765
ORS 164.345
ORS 164.365

ORS 332.107
~~ORS 339.260~~
ORS 339.270
ORS 419C.680

Cross Reference:

Policy JO - Education Records

Education Records/~~Records of Students with Disabilities~~**

1. Education records are those records maintained by the District that are directly related to a student.
2. The primary reason for the keeping and maintaining of education records for students is to help the individual student in his/her educational development by providing pertinent information for the student, his/her teachers and his/her parents. These records also serve as an important source of information to assist students in seeking productive employment and/or post-high school education.
3. The District shall maintain confidential education records of students in a manner that conforms with state and federal laws and regulations.
4. Information recorded on official education records should be carefully selected, accurate, verifiable and should have a direct and significant bearing upon the student's educational development.
5. The District annually notifies parents or adult students that it forwards educational records requested by an educational agency or institution in which the student seeks to enroll or receive services, including special education evaluation services.
6. The District will develop regulations for the maintenance, access and release of education records as well as for preserving confidentiality and for challenging the content of those records.
7. ~~The District shall withhold the grade reports, diploma and records of students or former students who owe fees, fines or damages of \$50 or more, and may withhold the grade reports, diploma and records of students or former students who owe less than \$50, until those fees, fines or damages are paid.~~
8. ~~The District may waive fees, fines and charges if the student or parents cannot pay, the payment of the debt could impact the health and safety of the student or if the cost of collection would be more than the total collected or there are mitigating circumstances, as determined by the Superintendent or designee.~~
9. Records requested by another district to determine a student's appropriate placement may not be withheld. ~~Students or parents will receive written notice at least 10 days in advance of withholding stating the District's intent to withhold records until the debt is paid. The notice will include the reason the student owes money to the District, an itemization of the fees, fines or damages owed and the right of parents to request a hearing. The notice will also state that the District may pursue the matter through a private collection agency or other method available to the District.~~

The District shall comply with a request from parents or an adult student to inspect and review records without unnecessary delay. ~~Within a reasonable amount of time, the District will provide to parents of a student with a disability or to an adult student with a disability the opportunity to examine all the records of the District pertaining to the student's identification, evaluation, educational placement and free appropriate public education.~~ Upon request, the District will provide parents or an adult student a list of the types and locations of education records collected, maintained and used by the District. The District must give parents

of children with disabilities an opportunity to examine all student education records in accordance with OAR 581-021-0220 through 581-021-0440. This includes all education records with respect to the identification, evaluation, and educational placement of the child and the provision of a free appropriate public education to the child. Unless authorized by federal law, the District will provide parents a copy of the student's education record, with the exception of copies of test protocols, test questions or other documents as described in ORS 192.50 (4). The District will respond to reasonable requests for explanations and interpretations of the records.

The District annually notifies parents of all students, including adult students, currently in attendance that they have the right to:

1. Inspect and review the student's records;
2. Request the amendment of the student's educational records to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy or other rights;
3. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the student educational record rules authorize disclosure without consent. (See Board policy JOB – personally Identifiable Information);
4. File with the U.S. Department of Education a complaint concerning alleged failures by the District to comply with the requirements of the Family Educational Rights and Privacy Act; and
5. Obtain a copy of the District's education records policy.

Regarding records to be released to District officials within the agency, the District's notice includes criteria for determining legitimate educational interest and the criteria for determining which school officials have legitimate educational interests.

The District annually notifies parents and adult students of what it considers to be directory information and the disclosure of such. (See Board policy JOA – Directory Information).

The District shall give full rights to education records to either parent, unless the District has been provided legal evidence that specifically revokes these rights. Once the student reaches age 18 those rights transfer to the student.

The District may impose a fee for the copy of an educational record unless this fee would effectively bar a parent or eligible student from inspection of the record.

A copy of this policy and administrative regulation shall be made available upon request to parents and students 18 years or older or emancipated and the general public.

END OF POLICY

ORS 30.864	OAR 166-405-0010 to 166-415-0010
ORS 107.154	OAR 581-021-0220 to -0430
ORS 326.565	OAR 581-022-1660
ORS 326.575	OAR 581-022-1670
ORS 339.260	
ORS 339.270	
ORS 343.177(3)	

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 – 1427 (2006).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2006); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2006).

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300-501 (2006).

Reporting of Suspected Child Abuse

Any District employee who has reasonable cause or reasonable suspicion to believe that any child with whom he/she has come in contact has suffered abuse or neglect, as defined in state law, or that any adult with whom he/she is in contact has abused a child, will immediately notify the Washington County Department of Human Services, or the local law enforcement agency. The District employee shall also immediately inform his/her supervisor, building principal or superintendent or designee.

Child abuse by district employees will not be tolerated. ~~All District employees are subject to this policy and the accompanying administrative regulation.;~~ if a District employee is a suspected abuser, the reporting requirements remain the same. The District will designate the Superintendent or designee to receive reports of child abuse by District employees and specify the procedures to be followed upon receipt of a child abuse report. The District will post in each school building the name and contact information of the person designated to receive child abuse reports, as well as the procedures the Superintendent or designee will follow upon receipt of a report. When the Superintendent or designee takes action on the report, the person who initiated the report must be notified.

Upon request, the District shall provide records of investigations of suspected child abuse by a District employee or former District employee to law enforcement, Department of Human Services or Teachers Standards and Practices Commission.

Any District employee participating in good faith in the making of a report, pursuant to this policy and Oregon law and who has reasonable grounds for the making thereof, shall have immunity from any liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making or content of any such report. Further, the initiation of a report in good faith about suspected child abuse may not adversely affect any terms or conditions of employment or the work environment of the complainant. If a student initiates a report of suspected child abuse by a District employee in good faith, the student will not be disciplined by any District employee. Intentionally making a false report of child abuse is a Class A violation.

The Superintendent or designee will implement such regulations as are necessary to accomplish the intent of this policy and to comply with state law. Copies of this policy and applicable state laws will be given to all school employees.

District staff shall receive training each school year in the prevention and identification of child abuse and on the obligations of school employees under ORS 419B.005 and as directed by Board policy to report suspected child abuse. In addition, an annual training for parents and legal guardians of students attending district schools shall be provided on the prevention, identification of child abuse and the obligation of school employees to report suspected child abuse. Annual training designed to help prevent child abuse will be made available to students attending district-operated schools.

END OF POLICY

Legal References(s) and District Administrative Regulations:

ORS 418.746 – 418.751
ORS 418.990

ORS 339.372
ORS 339.377

ORS 419B.005 – 419B.045

OAR 581-022-0711

Letter Opinion, Office of the Attorney General (May 25, 1984).

Letter Opinion, Office of the Attorney General (Aug. 18, 1986).

JHFE-AR (Reporting of Suspected Child Abuse)

Senate Bill 755 (2005)

Beaverton School District

Code: JN
Adopted: 1/25/82
Readopted: 3/10/97,
5/9/05
Orig. Code: 5135.1

STUDENT FEES

The Board recognizes ~~reserves~~ the need for student ~~option of establishing user fees to fund certain school activities for~~ students consistent with the provisions of Oregon Revised Statutes.

No student will be denied an education because of his/her inability to pay supplementary fees.

No student, however, is exempt from charges for lost or damaged books, locks, materials, supplies and equipment.

~~In accordance with Oregon law, the district shall withhold the grade reports, diploma and records of any student or former student who owes \$50 or more. The district may withhold the grade reports, diploma and records of any student who owes less than \$50. Documents withheld will be released upon payment of the debt.~~

Fee structures and consequences of non-payment of fees will be communicated to the students and community annually.

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

Students or parents owing money to the District will receive written notice that includes the reason the student owes money to the District, and an itemization of the fees, fines or damages owed and the right to request a hearing.

END OF POLICY

Legal References:

ORS 326.565
ORS 326.575
ORS 339.115
ORS 339.155
~~ORS 339.260~~
ORS 339.270

Cross Reference:

Policy JO - Education Records