



## **SECOND READING OF SCHOOL BOARD POLICIES**

### **POLICY ISSUE/SITUATION:**

Attached is the second reading of School Board policies:

- **EEACA** – School Bus Driver Selection and Training
- **IIBGA** – Electronic Communications System
- **II/IIA** – Instructional Resources, Instructional Materials

### **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:**

**(15-532)** It is recommended that the School Board adopt this policy change.

**District Goal:** All students will show continuous progress toward their personal learning goals, developed in collaboration with teachers and parents, and will be prepared for post-secondary education and career success.

The Beaverton School District recognizes the diversity and worth of all individuals and groups. It is the policy of the Beaverton School District that there will be no discrimination or harassment of individuals or groups based on race, color, religion, gender, sexual orientation, gender identity, gender expression, national origin, marital status, age, veterans' status, genetic information or disability in any educational programs, activities or employment.

## SCHOOL BUS DRIVER SELECTION AND TRAINING

The District shall design and implement selection and training procedures to ensure that all District bus drivers can fully *and safely* perform their job responsibilities. ~~School bus driver selection procedures will be utilized that ensure employment of drivers whose capabilities are commensurate with job responsibilities.~~

1. School bus driver selection will be based on: results from investigating application references; a motor vehicles report from the department of motor vehicles; a criminal records check; a verification that a physical examination was performed by a medical examiner whose certificate was listed in the Federal Motor Carrier safety Administration's National Registry of Certified Medical Examiners as of the date of the issuance of the bus driver's examination certificate; a drug and alcohol test; other physical requirements tests; planned oral interview; and a driver-training program. Continued employment requires adherence to ongoing driver training, physical examination, maintaining driving performance standards, maintaining an average of eight training hours per year and participation in drug screening as outlined in the Omnibus Transportation Employee Testing Act of 1991.
2. No school bus driver shall drive a route or in any vehicle transporting students without a school bus certificate issued by the Oregon Department of Education.
3. In emergencies, only school bus drivers who are on the Oregon Department of Education emergency drivers' list will be used.

### END OF POLICY

### Legal References:

ORS 659.840  
ORS 659A.300  
ORS 659A.306  
ORS Chapters 801, 802, 807, 809, 811, 813  
ORS 807.038  
ORS 820.110

OAR 581-053-0002 to 0004  
~~OAR 581-053-0006~~  
~~OAR 581-053-0015~~  
OAR 581-053-0031  
OAR 581-053-0040  
OAR 581-053-0053  
OAR 581-053-0060

Omnibus Employee Testing Act of 1991, 49 U.S.C. Sections 31301-31317; 49 CFR Parts 40, 382 and 391-395 (2006).  
Federal Motor Carrier Safety Administration Regulations, 49 C.F.R. Part 391, Sections 391.42, 391.43 (2014)

Cross References:

Policy GBEDA - Drug and Alcohol Testing - Transportation Personnel

Policy GCDA/GDDA - Criminal History Checks/Fingerprinting

## Electronic Communications System

The Board is committed to the development and establishment of a quality, equitable and cost-effective electronic communications system. The system's sole purpose shall be for the advancement and promotion of learning and teaching.

The district's system will be used to provide statewide, national and global communications opportunities for staff and students.

The superintendent will establish administrative regulations for use of the district's system by staff using their own personal electronic devices to download and store district proprietary information including personally recognizable information about the district students or staff. Regulations shall insure compliance with privacy rights under applicable federal and state laws and regulations, including but not limited to the Age Discrimination in Employment Act of 1967 (ADEA), the Americans with Disabilities Act (ADA), the Genetic Information Nondiscrimination Act of 2008 (GINA) and the Health Insurance Portability and Accountability Act of 1996 (HIPPA), and the Children's Internet Protection Act:  
~~The superintendent will establish administrative regulations for the use of the district's system including compliance with the following provisions of the Children's Internet Protection Act:~~

1. Technology protection measures, installed and in continuous operation, that protect against Internet access by both adults and minors to visual depictions that are obscene, child pornography or, with respect to the use of the computers by minors, harmful to minors;
2. Educating minors about appropriate online behavior, including cyberbullying awareness and response, and how to interact with other individuals on social networking sites and in chat rooms;
3. Monitoring the online activities of minors;
4. Denying access by minors to inappropriate matter on the Internet and World Wide Web;
5. Ensuring the safety and security of minors when using electronic mail, chat rooms and other forms of direct electronic communications;
6. Prohibiting unauthorized access, including so-called "hacking" and other unlawful activities by minors on-line;
7. Prohibiting unauthorized disclosure, use and dissemination of personal information regarding minors;

8. Installing measures designed to restrict minors' access to materials harmful to minors.

The administrative regulations will be consistent with sound guidelines as may be provided by the education service district, the Oregon Department of Education and/or the Government Standards and Practices Commission and will include a complaint procedure for reporting violations.

The superintendent will also establish administrative regulations for use of the district's electronic communications system to comply with copyright law.

Failure to abide by district policy and administrative regulations governing use of the district's system may result in the suspension and/or revocation of system access. Additionally, student violations will result in discipline up to and including expulsion. Staff violations will also result in discipline up to and including dismissal. Violations of law will be reported to law enforcement officials and may result in criminal or civil sanctions. Fees, fines or other charges may also be imposed.

END OF POLICY

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**Legal Reference(s):**

<a href="#">ORS 30.765</a>	<a href="#">ORS 167.090</a>
<a href="#">ORS 133.739</a>	<a href="#">ORS 167.095</a>
<a href="#">ORS 163.435</a>	<a href="#">ORS Ch. 192</a>
<a href="#">ORS 164.345</a>	<a href="#">ORS 332.107</a>
<a href="#">ORS 164.365</a>	<a href="#">ORS 336.222</a>
<a href="#">ORS 167.060</a>	<a href="#">ORS 339.250</a>
<a href="#">ORS 167.065</a>	<a href="#">ORS 339.270</a>
<a href="#">ORS 167.070</a>	<a href="#">OAR 581-021-0050</a>
<a href="#">ORS 167.080</a>	<a href="#">OAR 581-021-0055</a>
<a href="#">ORS 167.087</a>	<a href="#">OAR 584-020-040 to 584-020-0041</a>
<a href="#">ORS 167.090</a>	
<a href="#">ORS 167.095</a>	
<a href="#">ORS Chapter 192</a>	
<a href="#">ORS 332.107</a>	
<a href="#">ORS 336.222</a>	
<a href="#">ORS 339.250</a>	
<a href="#">ORS 339.260</a>	
<a href="#">ORS 339.270</a>	
<a href="#">OAR 581-021-0050</a>	
<a href="#">OAR 581-021-0055</a>	
<a href="#">OAR 584-020-0040</a>	
<a href="#">OAR 584-020-0041</a>	

[Children's Internet Protection Act, 47 U.S.C. Sections 254 \(h\) and \(l\) \(2008\); 47 CFR Section 54.520 \(2001\).](#)

[Copyrights, Title 17, as amended, United States Code; 19 CFR Part 133 \(2000\).](#)

[Oregon Attorney General's Public Records and Meetings Manual, pp. 24-26, Appendix H, Department of Justice \(2001\).](#)

[Safe and Drug-Free Schools and Communities Act, 20 U.S.C. Sections 7101-7117.](#)

[Drug-Free Workplace Act of 1988, 41 U.S.C. Sections 701-707; 34 CFR Part 85, Subpart F.](#)

[Controlled Substances Act, 21 U.S.C. Section 812, schedules I through V, 21 CFR 1308.11-1308.15 \(2000\).](#)

[Drug-Free Schools and Communities Act Amendments of 1989, P.L. 101-226, 103 Stat. 1928.](#)

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

[Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 CFR Part 99 \(2000\).](#)

[Oregon Government Standards and Practices Commission, Advisory Opinion No. 98A-1003 \(July 9, 1998\).](#)

[No Child Left Behind Act of 2001, P.L. 107-110, Title II, Section 2441.](#)

[Americans with Disabilities Act Amendments Act of 2008.](#)

~~Children's Internet Protection Act, 47 U.S.C. Sections 254 (h) and (l) (2008); 47 CFR Section 54.520 (2001).~~  
~~Copyrights, Title 17, as amended, United States Code; 19 CFR Part 133 (2000).~~  
~~Oregon Attorney General's Public Records and Meetings Manual, pp. 24-26, Appendix H, Department of Justice (2001).~~  
~~Safe and Drug-Free Schools and Communities Act, 20 U.S.C. Sections 7101-7117.~~  
~~Drug-Free Workplace Act of 1988, 41 U.S.C. Sections 701-707; 34 CFR Part 85, Subpart F.~~  
~~Controlled Substances Act, 21 U.S.C. Section 812, schedules I through V, 21 CFR 1308.11-1308.15 (2000).~~  
~~Drug-Free Schools and Communities Act Amendments of 1989, P.L. 101-226, 103 Stat. 1928.~~  
~~Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).~~  
~~Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 CFR Part 99 (2000).~~  
~~Oregon Government Standards and Practices Commission, Advisory Opinion No. 98A-1003 (July 9, 1998).~~  
~~No Child Left Behind Act of 2001, P.L. 107-110, Title II, Section 2441.~~



## Instructional Resources/Instructional Materials\*\*

The District, with the assistance of teachers and administrators of the District, shall adopt instructional materials for each grade and subject field for which instruction is provided by the Board. The Board shall involve parents and citizens in the process.

The Board shall cause the instructional materials so adopted to be used in its schools at the beginning of the next school year following the state adoption, except when, pursuant to the rules of the State Board of Education, the Board is authorized by the Superintendent of Public Instruction to postpone such use for a reasonable period of time.

Instructional material for purposes of Oregon law is defined as any organized system which constitutes the major instructional vehicle for a given course of study, or any part thereof. A major instructional vehicle may encompass such instructional items as a hardbound or a softbound book or books, sets or kits of print and non-print materials, such as electronic and internet or web-based materials or media.

Upon prior notice to the State Board of Education, the Board may adopt and use instructional materials in place of or in addition to those adopted by the State provided they meet the established guidelines and criteria by the State.

The Board shall provide instructional materials for free use by all students enrolled in kindergarten through grade 12.

Instructional materials implement, enrich and support the educational program of the District. To this end, a wide range of instructional materials with diversity of appeal, points of view and levels of reading ability will be provided.

The responsibility for the selection of instructional materials is delegated to the Superintendent or designee. The selection of instructional materials shall implement the following objectives:

1. To provide a comprehensive collection of instructional materials which will implement, enrich, support and extend the curriculum and encompass the varied interests, ~~abilities~~, and socio-economic backgrounds of the students, and while ensuring materials are appropriate based on their age, abilities and maturity levels of the students;
2. To provide instructional materials which will stimulate growth in the areas of factual knowledge, critical thinking, literary appreciation and aesthetic values;
3. To provide instructional materials that are representative of the contributions of all people, regardless of race, color, religion, gender, sexual orientation, gender identity, gender expression, national origin, citizenship, marital status, age, disability, familial status, appearance or source of income, and to identify, mitigate and/or eliminate culturally biased materials; age, sex, religion, ethnic or cultural origin;

4. To provide for coordination of instructional materials between and within elementary, middle and high schools;
5. To provide a background of information which will enable students to make intelligent judgments in their daily lives;
6. To provide instructional materials on controversial issues which will enable students to develop under guidance, critical analysis of media;
7. To place principle above personal opinion and reason above prejudice in the selection of instructional materials of the highest quality in order to assure a comprehensive collection of instructional materials for all students;
8. To involve teachers, administrators, students, parents and citizens of the community in the development of criteria for the selection of instructional materials. Criteria developed by the District must not be in conflict with criteria approved by the State Board of Education;
9. To provide procedures whereby parents and citizens of the community may question the use of particular instructional materials in the school.

The district will establish a process and timeline for regularly determining and considering whether the textbooks and other instructional materials are available through online resources that enable students with print disabilities to receive the textbooks and instructional materials free of charge.

The Superintendent is instructed to develop procedures to implement this policy.

END OF POLICY

Legal References:

ORS 336.035	OAR 581-011-0050 to -0119
<u>ORS. 336.840</u>	OAR 581-022-1520
ORS 337.120	OAR 581-022-1640
ORS 337.141	
ORS 337.150	
ORS 337.260	
<u>ORS 337.511</u>	
ORS 339.155	

“Improving America’s Schools Act of 1994 (IASA),” [P.L. 103-382]. Title I, Sections 1001-1604.

Cross References:

Policy IIBGA – Electronic Communications  
Policy INB Studying Controversial Issues