
SECOND READING OF SCHOOL BOARD POLICIES

POLICY ISSUE/SITUATION:

Attached is the second reading of School Board policies:

- **IGBAJ** – Special Education – Free and Appropriate Public Education
- **JECA** – Admission of Resident Students
- **JHCCA** – Students – HIV, HBV and Aids

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:

(14-388) It is recommended that the School Board adopt these policy changes.

Beaverton School District

Code: IGBAJ
Adopted: 3/10/97
Readopted: 3/14/05, 4/7/08
11/23/09

Special Education – Free Appropriate Public Education (FAPE)**

The District admits all resident school age children with disabilities and makes special education and related services available at no cost to those:

- a. Who have reached five years of age but have not yet reached 21 years of age on or before September 1 of the current school year, even if they have not failed or have not been retained in a course or grade or are advancing from grade to grade;
- b. Who have not graduated with a regular diploma;
- c. Who have been suspended or expelled in accordance with special education discipline provisions; or
- d. Who reach age 21 before the end of the school year. These students remain eligible until the end of the school year in which they reach 21.

The District determines residency in accordance with Oregon law.

The District takes steps to ensure that its children with disabilities have available to them the variety of educational programs and services available to non-disabled children in the area served by the District and provides a continuum of services to meet the individual special education needs of all resident children with disabilities, including resident and children with disabilities who are enrolled in district public charter schools located in the district.

State law prohibits the District from recommending to parents, or requiring a child to obtain, a prescription for medication to affect or alter thought processes, mood or behavior as a condition of attending school, receiving an evaluation to determine eligibility for early childhood special education or special education, or receiving special education services.

If a parent revokes consent for a student receiving special education and related services, the District will not be considered to be in violation of the requirement to make FAPE available to the student because of the failure to provide the student with further special education and related services.

END OF POLICY

Legal References:

ORS 338.165
ORS 339.115
ORS 343.085
ORS 343.224

OAR 581-015-2020
OAR 581-015-2035
OAR 581-015-2040 to 2065
OAR 581-015-2050
OAR 581-015-2040 to 2075
OAR 581-015-2600

OAR 581-015-2350
OAR 581-015-2600
OAR 581-015-2605
OAR 581-021-0029

Assistance to State for the Education of Children with Disabilities, 34 CFR Sections 300.17, 300-101-110, 300.113 (2006)

Assistance to States for the Education of children with Disabilities, 34 C.F.R. Sections 300-300 (2008).

Admission of Resident Students**

A student is considered to be a resident student if they reside permanently or continuously with a Parent or person in a parental relationship within the District attendance area. School age students between the ages of 5-19, who live within the District attendance area, attend school without paying tuition.

1. ~~Residents over age 19 who have a diploma may be admitted with the approval of the Superintendent and upon payment of tuition at the rate established by the Board.~~ Students who turn 19 years of age during the school year shall continue to be eligible for a free and appropriate public education for the remainder of the school year.
2. The District may admit otherwise eligible students who have not yet attained 21 years of age prior to the beginning of the current school year if they are receiving special education services and ~~or if they have not earned a regular diploma; or age 21 if receiving special education services and have not yet received regular high school diploma.~~ These students may attend school without paying tuition for the remainder of the school year
3. Students with disabilities voluntarily placed outside the home by their parent may continue to attend the school the student was attending prior to the placement as a district resident based upon the factors set forth in ORS 339.134. ~~when the student's parent and school staff can demonstrate it is in the student's best interest.~~
4. The District will not deny school admission to students who have become residents and who are under expulsion from another school district for reasons other than a weapons policy violation. The District will place students appropriately. The District will uphold the conditions of expulsion for the designated time remaining for the expulsion.
5. The District shall deny for at least one calendar year from the date of the expulsion regular school admission to students who have become residents and who are under expulsion from another school district for a weapons policy violation. The Superintendent may modify the time period as warranted by circumstances.
6. The District will not provide alternative programs of instruction to students who are currently under expulsion for a weapons policy violation.

END OF POLICY

Legal References:

ORS 109.056
ORS 327.006
ORS 339.115
ORS 339.133
ORS 339.134
ORS 433.267
SB 215 (2007)

Cross Reference:

Policy JFCJ – Weapons in the Schools

Beaverton School District

Code: JHCCA

Adopted: 2/9/98

Readopted: 5/9/05

STUDENTS – HIV, ~~and~~ HBV and AIDS

~~This policy applies to students six years or older who are HIV or HBV* and are not special risk.~~

~~“Special risk” students as used in this policy and as defined by Oregon Department of Human Services, Health Services, means students who lack control of their body secretions or who display behaviors such as biting, spitting or scratching and/or who have uncoverable, oozing lesions.~~

The district will adhere strictly to policies and procedures in the Oregon Revised Statutes and the Oregon Administrative Rules as they relate to a student infected with HIV or HBV or diagnosed with AIDS¹.

The district recognizes a parent (student) has no obligation to inform the district of an HIV, ~~or~~ HBV or AIDS condition and that the student has a right to attend school.

If the district is informed of such a student, written guidelines shall be requested of the parent (student). These guidelines shall include who may have the information, who will give the information, how the information will be given and where and when the information will be given.

When informed of the infection, and with written permission from the parent (student), the district will develop procedures for formulating an evaluation team. The team shall address the nature, duration and severity of risk as well as any modification of activities. The team shall continue to monitor the student's condition.

Notification of alternative educational programs shall be made to the parent or eligible student, if ~~an~~ the student diagnosed with HIV, or HBV or AIDS student withdraws from school.

The district shall also develop procedures for rumor control, infection control, student accommodations and public relations/media.

END OF POLICY

Legal References:

" ORS 326.565

" ORS 339.030

" ~~OAR 333-012-0265~~

" ORS 326.575

" ORS 339.250

" ~~OAR 333-012-0270~~

" ORS 332.061

" ORS 433.008

" OAR 333-018-0000

" ORS 336.187

" ORS 433.045

" OAR 333-018-0005

" OAR 581-022-0705

¹ HIV – Human Immunodeficiency Virus; HBV – Hepatitis B Virus; AIDS – Acquired Immune Deficiency Syndrome

" OAR 581-022-1660

Oregon School Health Services Manual: Communicable Diseases Appendix IV.

Guidelines for Schools with Children who have Bloodborne Pathogens, Oregon Department of Education 2012

~~Guidelines for Schools with Children Who Have Hepatitis B Virus or Human Immunodeficiency Virus
Infection, Oregon Health Division (1995).~~

Cross Reference:

Policy IGBHC - Alternative Education Notification

~~*HIV~~ Human Immunodeficiency Virus

~~HBV~~ Hepatitis B Virus