
SECOND READING OF SCHOOL BOARD POLICIES

POLICY ISSUE/SITUATION:

Attached are the second readings of School Board policies:

- **EEA** – Student Transportation Services
- **IGBAF** – Special Education – Individualized Education Program (IEP)
- **IGBHE** – Extended Options Program
- **KBA** – Right to Inspect Public Records

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:

(12-236) It is recommended that the School Board adopt these policy changes.

Student Transportation Services *

School transportation services will be provided for students to and from their neighborhood school, consistent with ORS 327.043. Transportation to and from parent/student selected optional program placements, as well as to curricular and extracurricular activities associated with District programs, may be provided at the discretion of the District. Transportation will be provided for homeless students to and from the student's school of origin¹ as required by the No Child Left Behind Act of 2001 (NCLBA).

Elementary students who live more than one mile from school will be transported. Secondary students who live more than one and one-half miles from school will be transported. Mileage exceptions for health, safety or disability will be made in accordance with the district's approved supplemental plans.

Special Education Students may be eligible for transportation for health or safety reasons.

Miles from school will be determined by District Transportation practice, in accordance with OAR 581-023-0040 (1)(c).

Upon parental request, transportation will be provided to a student of a school receiving Title I funds to attend a District school out of the student's attendance area if his/her home school has been identified as in need of improvement, corrective action or restructuring. Such transfers will be permitted and transportation provided only to a safe school that has not been identified for improvement, corrective action or restructuring. The obligation of the District to provide transportation will terminate at the end of the school year if the school from which the student transferred is no longer in need of school improvement.

In the event all other District schools a student may transfer to have also been identified as in need of improvement, corrective action or restructuring the District shall, to the extent practicable, establish a cooperative agreement with other districts in the area for a transfer. Transportation for students who transfer for such purposes will be provided in accordance with the agreement.

The District may also provide transportation using federal funds² or through cooperative agreements with local victims assistance units for a student to attend a safe District school³ out of the student's attendance area for any student who is a victim of a violent criminal offense occurring in or on the grounds of the school the student attends, or for a student who attends a school identified as persistently dangerous. Transportation provided will, to the extent possible, be to a school that is making adequate

¹"School of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

²Federal funds means funds available through Title IV, Part A, and Title V, Part A.

³If there is not another school in the district to which students can transfer, districts are encouraged, but not required to, explore other appropriate options, i.e., an agreement with a neighboring district.

yearly progress and that has not been identified as in need of improvement, corrective action or restructuring. If there are no other schools within the District a student may transfer to, the District may establish a cooperative agreement with other districts in the area for a transfer. Transportation for students who transfer for such purposes will be provided in accordance with the agreement.

Students attending private, parochial or public charter school under the compulsory school attendance laws will, where the private, parochial or public charter school is along or near the bus route, be provided riding privileges consistent with federal and state statute.

A seat that fully supports each person and meets the minimum standard and specifications of law will be provided at all times. Seating is not permitted on any portion of the vehicle not designed for that purpose. Passengers shall not be permitted to stand while the vehicle is in motion. A child under 40 inches in height or under 40 pounds must be properly secured with a child safety system that meets the minimum standards and specification established by the Oregon Department of Education. In accordance with ORS 811.210 and 811.215 vehicles in excess of 10,000 pounds used for student transportation are exempt from statutory requirements unless they have been equipped with lap belts. Vehicles in excess of 10,000 pounds that have been equipped with lap belts must meet child car seat requirements as set forth in law.

School buses carrying students will be considered extensions of the school experience. All students using school transportation will abide by the code of conduct posted in each school bus. Violations of such code, as well as other conduct which is improper or which jeopardizes the safety of self or others, will be reported by the school bus driver to the school. Violators, consistent with OAR 581-053-0010(16), may forfeit their bus rider privilege for a period of time as deemed proper by the building principal and/or transportation supervisor. A student entitled to home to school to home transportation services, and subject to suspension or expulsion from his/her assigned school under School Board Policy JGD/JGE, may be provided such transportation to a District determined alternate educational placement.

The principal or designee shall ensure transportation officials and drivers receive notification of students having special medical or behavioral protocols identified in student records.

Appropriate training, regarding specific protocols including confidentiality requirements, will be provided to drivers.

The school bus driver will be responsible for the school bus at all times from departure until return. The driver will not participate in any activities that might impair his/her driving abilities.

The District will comply with all state and federal laws and regulations pertaining to school bus transportation.

END OF POLICY

Legal Reference(s):

ORS 327.006
ORS 327.033
ORS 327.043
ORS 332.405

ORS 332.415
ORS 338.145
ORS 339.240 - 339.250
ORS 343.155 - 343.246
ORS 343.533
ORS 811.210
ORS 815.055
ORS 815.080
ORS 820.105 - 820.190

OAR 581-021-0050 to -0075
OAR 581-022-1530
OAR 581-023-0040
~~OAR 581-053-0002 to -0015~~
OAR 581-053-0002-0004, 0010, 0031, 0040, 0053, 0060, 0070, 0210, 0220, 0230, 0240
OAR 735-102-0010

Letter Opinion, Office of the Attorney General (Nov. 22, 1988).
No Child Left Behind Act of 2001, P.L. 107-110, Title I, Section 1116 and Title IX, Section 9532.
McKinney-Vento Homeless Education Assistance Improvements Act of 2001, P.L. 107-110, 42 U.S.C. Section 11431
Elementary and Secondary Education Act (ESEA) Flexibility Waiver, July 18, 2012

Beaverton School District

Code: IGBAF
Adopted: 5/11/81
Revised/Readopted:
2/9/98, 3/14/05
Orig. Code: 6410.1

SPECIAL EDUCATION - INDIVIDUALIZED EDUCATION PROGRAM (IEP)

An individualized education program (IEP) shall be developed and implemented for each student with disabilities in the district kindergarten through 21, including those who attend a public charter school located in the district, are placed in or referred to a private school or facility by the district or who receive related services from the district. The district is responsible for initiating and conducting the meetings to develop, review and revise the IEP of a student with disabilities. The district will ensure that one or both parents are present at each meeting or are afforded the opportunity to participate and are given a copy of the IEP. Parent concerns will be noted in the minutes of the IEP meeting. A meeting to develop an IEP shall be held within 30 calendar days of a determination that the student needs special education and related services, at least once every 365 days thereafter, and when considering a change in the IEP or placement.

If a student is to be referred to or placed in a private school or facility or attends a private or parochial school, the district will request that a representative of the private school or facility attend the IEP meeting.

END OF POLICY

Legal References:

ORS 343 .035
ORS 343 .149
ORS 343 .151
ORS 343 .155
OAR 581-015 -0005
OAR 581-015 -0064 to -0070
OAR 581-015 -0560
OAR 581-015 -0568
OAR 581-015 -0600 to -0605
OAR 581-015 -0703
OAR 581-015 -0704

Assistance to States for the Education of Children with Disabilities, 34 CFR Sections 300.308 - 300.311, 300.342 - 300.348, 300.350 and 300.501 (2000).

Expanded Options Program

The Board is committed to providing additional options to students enrolled in grades 11 and 12 to continue or complete their education, to earn concurrent high school and college credits and to gain early entry into post-secondary education. The district's Expanded Options Program will comply with all requirements of Oregon law.

Eligible Students

Eligible students may apply to take courses at a post-secondary institution through the Expanded Options Program. A student is eligible for the Expanded Options program if he/she: (1) is 16 years or older at the time of enrollment in a course under the Expanded Options Program; (2) is in grade 11 or 12 or has not yet completed the required credits for grade 11 or 12, but the district has allowed the student to participate in the program; (3) has developed an educational learning plan; and (4) has not successfully completed the requirements for a high school diploma. A student who has graduated from high school may not participate.

Student Notification

Prior to February 15 of each year, the district shall notify all high school students and the students' parent/guardian of the Expanded Options Program for the following school year. The district will notify a transfer high school student or a returning dropout of the Expanded Options Program if the student enrolls after the district has issued the Feb. 15 notice. The district will notify a high school student who has officially expressed an intent to participate in the Expanded Options program, and the student's parent or guardian, of the student's eligibility status within 20 business days of the expression of intent. The notice must include the following:

1. The definitions below:
 - a. **Eligible Students:** A student who is enrolled in a Beaverton public school and who is:
 - (1) Sixteen years or older at the time of enrollment in a course under the Expanded Options Program;
 - (2) Is in grade 11 or 12 or has not yet completed the required credits for grade 11 or 12, but the district has allowed the student to participate in the program;
 - (3) Has developed an educational learning plan as described in this policy; and
 - (4) Has not successfully completed the requirements for a high school diploma.

An eligible student who has completed course requirements for graduation but has not received a diploma, may participate.

An eligible student does not include a foreign exchange student enrolled in a school under a cultural exchange program;

- b. **Eligible Post-Secondary Institution:** A community college, a state institution of higher education listed in ORS 352.002 and the Oregon Health and Science University;
 - c. **Eligible Post-Secondary Course:** Any nonsectarian course or program offered through an eligible post-secondary institution if the course or program may lead to high school completion, a certificate, professional certification, associate degree or baccalaureate degree. An eligible post-secondary course does not include a duplicate course offered at the student's resident school. Eligible post-secondary courses include academic and professional technical courses and distance education courses;
2. Purposes of the Expanded Options Program which include the following:
- a. To create a seamless education system for students enrolled in grades 11 and 12 to:
 - (1) Have additional options to continue or complete their education;
 - (2) Earn concurrent high school and college credits; and
 - (3) Gain early entry into post-secondary education.
 - b. To promote and support existing accelerated college credit programs and to support the development of new programs that are unique to a community's secondary and post-secondary relationships and resources;
 - c. To allow eligible students who participate in the Expanded Options Program to enroll full-time or part-time in an eligible post-secondary institution; and
 - d. To provide public funding to the eligible post-secondary institutions for educational services to eligible students to offset the cost of tuition, fees, textbooks, equipment and materials for students who participate in the Expanded Options Program;
3. Financial arrangements for tuition, textbooks, equipment and materials;
4. Available transportation services;
5. The effect of enrolling in the Expanded Options Program on the student's ability to complete high school graduation requirements;
6. The consequences of failing or not completing a post-secondary course;
7. Notification that participation in the Expanded Options Program is contingent on acceptance by an eligible post-secondary institution;
8. District timelines affecting eligibility and duplicate course determinations;
9. The following information about eligibility for the Expanded Options Program:
- a. Eligible students may not enroll in eligible post-secondary courses for more than the equivalent of two academic years, and eligible students who first enroll in grade 12 may not enroll in eligible post-secondary courses for more than the equivalent of one academic year;
 - b. A student who completed the requirements for a high school diploma may not participate in the Expanded Options Program;

9. Notice(s) of any other program(s), agreements(s) or plan(s) in effect that provides access for public high school students to post-secondary courses;
10. The district's responsibility for providing any required special education and related services to the student;
11. The number of quarter credit hours that may be awarded each school year to eligible students by the resident high school;
12. The Board's process for selecting eligible students to participate in the Expanded Options Program if the district has not chosen to exceed the credit hour cap and has more eligible students who wish to participate than are allowed by the cap;
13. Information about program participation priority for at-risk students;
14. Exclusion of duplicate courses as determined by the district;
15. The process for a student to appeal the district's duplicate course determination to the Superintendent of Public Instruction or the Superintendent's designee;
16. Exclusion of post-secondary courses in which a student is enrolled if the student is also enrolled full time in the resident secondary school; and
17. Exclusion of foreign exchange students enrolled in a school under a cultural exchange program.

It is a priority for the district to provide information about the Expanded Options Program to high school students who have dropped out of school. The district shall establish a process to identify and provide those students with information about the program. The district shall send information about the program to the last-known address of the family of the student.

Enrollment Process

Prior to May 15 of each year, a student who is interested in participating in the Expanded Options Program shall notify the district of his/her intent to enroll in post-secondary courses during the following school year. A high school transfer student or returning dropout has 20 business days from the date of enrollment to indicate interest.

The district shall review with the student and the student's parent/guardian the student's current status toward meeting all state and district graduation requirements and the applicability of the proposed post-secondary course to the remaining graduation requirements.

A student who intends to participate in the Expanded Options Program shall develop an educational learning plan in cooperation with an advisory support team. An advisory support team may include the student, the student's parent/guardian and a teacher or a counselor. The educational learning plan may include:

1. The student's short-term and long-term learning goals and proposed activities; and
2. The relationship of the post-secondary courses proposed under the Expanded Options Program and the student's learning goals.

A student who enrolls in the Expanded Options Program may not enroll in post-secondary courses for more than the equivalent of two academic years. A student who first enrolls in the Expanded Options Program in grade 12 may not enroll in post-secondary courses for more than the equivalent of one academic year. If a student first enrolls in a post-secondary course in the middle of the school year, the time of participation shall be reduced proportionately. If a student is enrolled in a year-round program and begins each grade in the summer session, summer sessions are not counted against the time of participation.

Duplicate Courses

The district will establish a process to determine duplicate course designations. The district will notify an eligible student and the student's parent or guardian of any course the student wishes to take that the district determines is a duplicate course, within 20 business days after the student has submitted a list of intended courses. A student may appeal a duplicate course determination to the Deputy Superintendent for Teaching and Learning based on evidence of the scope of the course. The scope of the course refers to the depth and breadth of course content as evidenced through a planned course statement including content outlines, applicable state content standards, course goals and student outcomes. The Deputy Superintendent for Teaching and Learning will issue a decision on the appeal within five business days of receipt of the appeal. If the appeal is denied by the Deputy Superintendent for Teaching and Learning, the student may appeal to the School Board. The School Board will issue a decision on the appeal within 30 business days of receipt of the appeal. If the appeal is denied by the School Board, the student may appeal the district's determination to the Superintendent of Public Instruction.

Expanded Options Program Annual Credit Hour Cap

The number of quarter credit hours that may be awarded by a high school under the Expanded Options Program is limited to an amount equal to the number of students in grades 9 through 12 enrolled in the high school multiplied by a factor of 0.33. For example, the cap for a high school with 450 students in grades 9 through 12 would be 148.5 ($450 \times 0.33 = 148.5$). [The caps must be established separately for each high school.]

At the district's discretion, the district may choose to exceed both the individual high school level cap and the aggregate district level cap. If the district chooses not to exceed the cap it will establish a process for selecting eligible students for participation in the program. The process will give priority for participation to students who are "at risk." An "at-risk student" means (1) a student who qualifies for a free or reduced price lunch program; or (2) an at-risk student as defined by rules adopted by the State Board of Education if it has adopted rules to define an at-risk student.

Post-Secondary Institution Credit

Prior to beginning a post-secondary course, the district shall notify the student of the number and type of credits that the student will be granted upon successful completion of the course. If there is a dispute between the district and student regarding the number or type of credits that the district will or has granted to a student for a particular course, the student may appeal the district's decision using an appeals process adopted by the Board.

Credits granted to a student shall be counted toward high school graduation requirements and subject area requirements of the state and the district. Evidence of successful completion of each course and credits granted shall be included in the student's education record. A student shall provide the district with a copy of the student's grade in each course taken for credit under the Expanded Options Program. The student's education record shall indicate that the credits were earned at a post-secondary institution.

Financial Agreement

The district shall negotiate in good faith a financial agreement with the eligible post-secondary institution for the payment of instructional costs associated with the student's enrollment, including tuition and fees and the costs of textbooks, equipment and materials.

A district may request a waiver from the Superintendent of Public Instruction if:

1. Compliance would adversely impact the finances of the school district; or
2. The district offers dual credit technical preparation programs, i.e. two-plus-two programs, advanced placement or International Baccalaureate programs and other accelerated college credit programs.

Student Reimbursement

Students are not eligible for any state student financial aid, but students may apply to the district for reimbursement for any textbooks, fees, equipment or materials purchased by the student that are required for a post-secondary course. All textbooks, fees, equipment and materials provided to a student and paid for by the district are the property of the district.

Transportation Services

The district may provide transportation services to eligible students who attend post-secondary institutions within the education service district boundaries. Of which the district is a component district.

Special Education Services

The district of a student participating in the Expanded Options Program shall be responsible for providing any required special education and related services to the student. If a post-secondary institution intends to provide special education and related services to an Expanded Options Program participant, the institution shall enter into a written contract with the district of the student. The contract shall include the following at a minimum:

1. Allowance for the student to remain in the program during the pendency of any special education due process hearing unless the parent/guardian and district agree otherwise;
2. Immediate notification to the district if the institution suspects that a student participating in the program may have a disability and requires special education or related services;
3. Immediate notification to the district if the student engaged in conduct that may lead to suspension or expulsion; and

4. Immediate notification to the district of any complaint made by the parent/guardian of the student regarding the student's participation in the program at the institution.

District Alternative Programs

The Expanded Options Program does not affect any program, agreement or plan that existed on January 1, 2006 between the district and a post-secondary institution, which has been continued or renewed.

Any new program, agreement or plan that is developed after January 1, 2006 may be initiated at the discretion of the District and the post-secondary institution.

END OF POLICY

Legal Reference(s):

[ORS 329.035](#)

[ORS 329.485](#)

[ORS 332.072](#)

[ORS 336.615 - 336.665](#)

[SB 300 \(Chapter 674\), effective January 1, 2006](#)

[ORS Chapter 340](#)

[OAR 581-022-1360 to 1370](#)

[SB23 \(2007\)](#)

Beaverton School District

Code: KBA
Adopted: Unknown;
9/26/89

Revised/Readopted:
2/9/98, 11/15/04, 6/22/09
Orig. Codes: 1000-10; 3000-25

RIGHT TO INSPECT PUBLIC RECORDS

Every person has a right to inspect any public record of the school district, except as expressly provided by law including ORS 192.410-192.505.

Public record means any information that:

1. Is prepared, owned, used or retained by the District;
2. Is related to an activity, transaction or function of the District; and
3. Is necessary to satisfy the fiscal, legal, administrative or historical policies, requirements or needs of the District.

~~includes any writing containing information relating to the conduct of the district's business. Writing means handwriting, typewriting, printing, photographing and every means of recording, including letters, words, pictures, sounds or symbols or combination thereof, and papers, maps, files, facsimiles, electronic recording and E-Mail, including deleted E-Mail on back-up.~~ Public record does not include messages on voice mail or on other telephone message storage and retrieval systems or spoken communication that is not recorded.

Requests for copies of documents shall be in writing and will be presented to the Superintendent or the Communications & Community Involvement Department.

Upon receipt of a request, the district will respond as soon as practicable and may charge a fee to reimburse the district for the actual cost of making such records available.

All such information will be made available to individuals with disabilities in an appropriate format upon request and with appropriate advance notice. Auxiliary aids and services available to ensure equally effective communications to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.

No records will be released for inspection by the public or any unauthorized persons either by the Superintendent or any other person designated as custodian for district records if such disclosure would be contrary to the public interest, as described in state law.

Petition to appeal the denial of the right to inspect any public record held by the District may be made pursuant to ORS192.540.

The District shall retain and maintain its public records in accordance with OAR 166, Division 400.

END OF POLICY

Legal References:

ORS Chapter 192

OAR 137-004-0800 (1)

OAR 166-400

Americans with Disabilities Act of 1990, 42 U.S.C. Section 12101 et seq. 29 CFR Part 1630 (2006)
28 CFR Part 35 (2006)

"Attorney General's Public Records and Meetings Manual" pp. 21-23; Appendix H (1997)
"Attorney General's Public Records and Meetings Manual," pp. 22-24, Appendix H (1999)