

Regular Meeting

Thursday, October 22, 2020 6:00 PM
@northwascoschools

1. **Call Meeting to Order and Pledge of Allegiance** **Presenter:** John Nelson, Chair
2. **Review / Revision of the Agenda**
3. **District Mission / Vision Statement**
4. **Student / Staff Recognition**
5. **Student Representative Reports**
6. **Comments from the Audience about Non Agenda Items**
7. **Approve the Consent Agenda as presented**
 - a. School Board Meeting Minutes from September 24th, 2020
 - b. School Board Work Session Meeting Minutes from October 8th, 2020
 - c. Personnel Report
8. **Board Action Calendar - Review**
9. **Board Discussion around Legislative Advocacy**
10. **School Board Sub Committee Reports**
11. **New Business:**
 - a. **Presentations / Reports:**
 1. **Superintendent's Report:**
 - a. **Action Item:** Approve the Report on Division 22 Standards / Assurances as presented.
 - b. **Action Item:** Approve the Student Investment Account (SIA) final grant plan & award

(please click here to be redirected to the District's website for the plans submitted to ODE)
 2. **Chief Financial Officer's Report**
 - a. **Financial Statements:**
 - Month Ending June 30th, 2020
 - Month Ending September 30th, 2020
 - b. **Student Enrollment:**

c. **Action Item:** Approve the Intent to Award engineering services for the seismic rehabilitation of The Dalles High School Gymnasium as described in the District's RFP to ZCS Engineering & Architecture, and authorize District Administration to negotiate and execute a contract with the firm.

d. **Action Item:** Approve Resolution 20-21-05: Resolution Making Appropriations, US Department of Education, Title VI - Indian Education

e. **Action Item:** Approve Resolution 20-21-06: Resolution Making Appropriations, Oregon Department of Education (State and IDEA Funding), JDEP (Juvenile Detention Education Program)

3. **Board Attorney's Report**

12. **Discussion / Action Items:**

a. **Action Item:** Approve / Adopt the revised 2020-2021 School Year Calendar as presented.

b. **Discussion:** Community Clean Up Co-host Opportunity

13. **1st Reading on School Board Policies (informational only):**

a. Board Policy FF: **Naming Schools, Programs and Properties (DRAFT)**

b. Board Policy BCE/BCF: **Board Committees (DRAFT)**

14. **2nd Reading / Adoption on School Board Policies (action required):**

a. **Board Policy JHCC:** Communicable Diseases - Students

b. **Board Policy GBEB:** Communicable Diseases - Staff

c. **Board Policy GBN/JBA:** Sexual Harassment

d. **Board Policy GBN/JBA - AR (2):** Federal Law (Title IX) Sexual Harassment Complaint Procedure

e. **Board Policy GBN/JBA-AR:** Sexual Harassment Complaint Procedure

15. **Informational Only:**

a. School Facilities Report for September 2020

16. **Adjourn the Regular School Board Meeting**

North Wasco County School District

Human Resource Office • Brian Schimel - Director
3632 West 10th Street • The Dalles, Oregon 97058 • (541) 506-3420

PERSONNEL CHANGES AND VACANCIES School Board Meeting – October 22, 2020 *Current as of – October 15, 2020*

Reference ORS 332.505 (2b) A District Board may employ personnel, including teachers and administrators, necessary to carry out the duties and powers of the board and fix the duties, terms and conditions of employment and the compensation.

Licensed Staff – New Hires

NAME	POSITION	BUILDING	COMMENTS
Gina Furth	Special Ed Teacher-LTCT (Crossroads)	Wahtonka	Began September 14, 2020
Morgan Dill	Science Teacher (Temporary)	TDMS	Began October 8, 2020

Licensed Staff – Internal Transfer and or Hires

NAME	CURRENT BUILDING AND ASSIGNMENT	NEW BUILDING AND ASSIGNMENT
N/A		

Licensed Staff – Resignation/Retirements/Separation of Employment

NAME	POSITION	BUILDING	COMMENTS
Nichols James	Science Teacher	TDMS	Resigned October 8, 2020

Licensed Staff– Request for Leave of Absence

NAME	POSITION	BUILDING	COMMENTS
N/A			

Administrative Staff – New Hires

NAME	POSITION	BUILDING	COMMENTS
N/A			

Please Note: The following information regarding ESP employment is presented to the Board for purposes of (Information Only) and requires no action.

ESP Staff – New Hires – No Action Required

NAME	POSITION	BUILDING	COMMENTS
N/A			

ESP Staff –Transfers and Internal Hires – No Action Required

NAME	POSITION	COMMENTS
N/A		

ESP Staff – Request for Leave of Absence – No Action Required

NAME	POSITION	BUILDING	COMMENTS
N/A			

ESP Staff – Resignation/Retirements/Separation of Employment – No Action Required

NAME	POSITION	BUILDING	COMMENTS
Jessica Burgener	Bus Driver	Transportation	Resigned October 9, 2020

Confidential Staff – New Hires – No Action Required

NAME	POSITION	BUILDING	COMMENTS
N/A			

Confidential Staff – Resignation/Retirements/Separation of Employment – No Action Required

NAME	POSITION	BUILDING	COMMENTS
N/A			

Coaching Staff – New Hires – No Action Required

NAME	POSITION	BUILDING	COMMENTS
N/A			

Coaching Staff – Resignations/Separation of Employment – No Action Required

NAME	POSITION	BUILDING	COMMENTS
N/A			

Advertised Vacancies

Position	HRS/FTE	Building	Close Date	Comments
Educational Assistant III-SPED	7.5 Hrs	District Wide	Open Until Filled	Advertised
Substitute Bus Driver (Pool)	Substitute	Transportation	Open Until Filled	Advertised
Assistant Volleyball Coach	Seasonal	TDHS	Open Until Filled	Advertised

NORTH WASCO COUNTY SCHOOL DISTRICT

FY 2021 Expenditure Status Report

For the month ending September 30th, 2020*

DESCRIPTION	Budget	Year to Date Expenditures	Encumbrances	Balance
100 General Fund				
1000 - Instruction	20,975,768	2,155,077	15,916,001	2,904,690
2000 - Support Services	13,717,049	2,685,656	9,233,254	1,798,139
5000 - Debt Service & Fund Transfers	870,000	870,000	-	-
6000 - Contingency	300,000	-	-	300,000
7000 - Unappropriated Ending Fund Balance	1,000,000	-	-	1,000,000
Totals	\$ 36,862,817	\$ 5,710,733	\$ 25,149,255	\$ 6,002,829
210-242 Special Revenue Funds				
1000 - Instruction	4,857,889	306,316	2,306,509	2,245,064
2000 - Support Services	2,983,218	294,458	282,252	2,406,508
3000 - Enterprise & Community Services	185,319	11,444	1,396	172,479
4000 - Capital Outlay	2,276,980	-	-	2,276,980
7000 - Unappropriated Ending Fund Balance	45,000	-	-	45,000
Totals	\$ 10,348,406	\$ 612,218	\$ 2,590,157	\$ 7,146,031
250 Nutrition Services Fund				
3000 - Enterprise & Community Services	1,586,288	129,343	566,044	890,901
Totals	\$ 1,586,288	\$ 129,343	\$ 566,044	\$ 890,901
285 Technology Fund				
1000 - Instruction	-	-	-	-
2000 - Support Services	160,000	26,207	2,868	130,925
Totals	\$ 160,000	\$ 26,207	\$ 2,868	\$ 130,925
292-298 Replacement Funds				
1000 - Instruction	480,000	-	2,866	477,134
2000 - Support Services	488,000	282,424	-	205,576
7000 - Unappropriated Ending Fund Balance	178,500	-	-	178,500
Totals	\$ 1,146,500	\$ 282,424	\$ 2,866	\$ 861,210
302-304 Debt Service Funds				
5000 - Debt Service & Fund Transfers	2,053,193	-	-	2,053,193
7000 - Unappropriated Ending Fund Balance	13,137	-	-	13,137
Totals	\$ 2,066,330	\$ -	\$ -	\$ 2,066,330
Total All Funds	\$ 52,170,341	\$ 6,760,925	\$ 28,311,190	\$ 17,098,226

NOTE: Student Body Funds (290) are not included on this report. Reported on annual audit only.

NORTH WASCO COUNTY SCHOOL DISTRICT

FY 2021 Financial Statements*

9/30/2020*

Balance Sheet	General Fund	Special Revenue Funds	Nutrition Services Fund	Technology Fund	Replacement Funds	Debt Service Funds	Totals
ASSETS:							
Cash & Investments	811,349	(6,569)	(79,905)	148,286	747,204	989,883	2,610,248
Accounts Receivable	1,046,211	240,000	2,391				1,288,602
Inventory/Prepaid expense	336,710	45,000	3,560				385,270
Total Assets	2,194,270	278,431	(73,954)	148,286	747,204	989,883	4,284,120
LIABILITIES:							
Accounts Payable	-	-					-
Payroll Liabilities	423,616	-	-				423,616
Deferred Revenue	604,857	-	3,985				608,842
Total Liabilities	1,028,473	-	3,985	-	-	-	1,032,458
FUND BALANCE:							
Total Fund Balance	1,165,797	278,431	(77,939)	148,286	747,204	989,883	3,251,662
Revenues & Expenditures: 2020-21 Year to Date							
Beginning Fund Balance	485,687	877,775	(4,019)	74,493	637,213	14,840	1,584,750
Year to Date Revenues	6,390,843	12,874	55,423	100,000	392,415	975,043	7,926,598
Year to Date Expenditures	5,710,733	612,218	129,343	26,207	282,424	-	6,760,925
Year to Date Net Income (Loss)	680,110	(599,344)	(73,920)	73,793	109,991	975,043	1,165,673
Ending Fund Balance	1,165,797	278,431	(77,939)	148,286	747,204	989,883	2,750,423

NORTH WASCO COUNTY SCHOOL DISTRICT

FY 2021 Expenditure Status Report

For the month ending September 30th, 2020*

Fund	Expected Revenue	Revenue Collected YTD	% Collected	Total Budget	Expended YTD	Projected	Budget Balance
100 - GENERAL FUND	\$36,862,817	\$ 6,390,843	17.34%	\$ 36,862,817	\$5,710,732	TBD	TBD
210 - FEDERAL PROGRAMS	\$ 2,938,010	\$ 12,633	0.43%	\$ 3,068,855	\$ 394,037	TBD	TBD
220 - STATE GRANTS	\$ 4,059,271	\$ -	0.00%	\$ 6,461,251	\$ 134,576	TBD	TBD
230 - LOCAL GRANT PROGRAMS	\$ 50,000	\$ -	0.00%	\$ 50,000	\$ -	TBD	TBD
240 - VOCATIONAL EDUCATION FUND	\$ 91,500	\$ 241	0.26%	\$ 91,500	\$ -	TBD	TBD
242 - ENTERPRISE ZONE PROJ FUND	\$ 676,800	\$ -	0.00%	\$ 676,800	\$ 83,606	TBD	TBD
250 - NUTRITION SERVICES	\$ 1,586,288	\$ 55,427	3.49%	\$ 1,586,288	\$ 129,343	TBD	TBD
285 - TECHNOLOGY & EQUIPMENT	\$ 160,000	\$ 100,000	62.50%	\$ 160,000	\$ 26,207	TBD	TBD
292 - TEXTBOOK REPLACEMENT FUND	\$ 560,000	\$ 151,384	27.03%	\$ 560,000	\$ -	TBD	TBD
295 - BUS REPLACEMENT	\$ 533,500	\$ 220,903	41.41%	\$ 533,500	\$ 282,424	TBD	TBD
298 - VEHICLE REPLACEMENT	\$ 53,000	\$ 20,128	37.98%	\$ 53,000	\$ -	TBD	TBD
302 - GEN OBLIGATION BONDS D-12	\$ -	\$ -	0.00%	\$ -	\$ -	TBD	TBD
303 - OSBA PERS BONDS	\$ 1,672,230	\$ 595,504	35.61%	\$ 1,672,230	\$ -	TBD	TBD
304 - FULL FAITH & CREDIT OBLIG	\$ 394,100	\$ 380,000	96.42%	\$ 394,100	\$ -	TBD	TBD
Total All Funds	\$49,637,516	\$ 7,927,063	15.97%	\$ 52,170,341	\$6,760,925	\$ -	\$ -

NOTE: Student Body Funds (290) are not included on this report. Reported on annual audit only.

NORTH WASCO COUNTY SCHOOL DISTRICT

Expenditure Status Report

For the twelve months ending June 30, 2020*

DESCRIPTION	Budget	Year to Date Expenditures	Encumbrances	Balance
100 General Fund				
1000 - Instruction	20,642,966	19,847,247	-	795,719
2000 - Support Services	12,888,189	12,761,982	-	126,207
5000 - Debt Service & Fund Transfers	2,351,000	2,343,032	-	7,968
6000 - Contingency	300,000	-	-	300,000
7000 - Unappropriated Ending Fund Balance	1,000,000	-	-	1,000,000
Totals	\$ 37,182,155	\$ 34,952,261	\$ -	\$ 2,229,894
210-242 Special Revenue Funds				
1000 - Instruction	2,916,378	2,462,037	-	454,341
2000 - Support Services	1,571,720	704,604	-	867,116
3000 - Enterprise & Community Services	92,755	43,348	-	49,407
7000 - Unappropriated Ending Fund Balance	45,000	-	-	45,000
Totals	\$ 4,625,853	\$ 3,209,989	\$ -	\$ 1,415,864
250 Nutrition Services Fund				
3000 - Enterprise & Community Services	1,541,488	1,411,112	-	130,376
Totals	\$ 1,541,488	\$ 1,411,112	\$ -	\$ 130,376
285 Technology Fund				
1000 - Instruction	-	-	-	-
2000 - Support Services	160,000	74,892	-	85,108
Totals	\$ 160,000	\$ 74,892	\$ -	\$ 85,108
292-298 Replacement Funds				
1000 - Instruction	225,000	5,803	-	219,197
2000 - Support Services	241,400	-	-	241,400
7000 - Unappropriated Ending Fund Balance	180,000	-	-	180,000
Totals	\$ 646,400	\$ 5,803	\$ -	\$ 640,597
302-304 Debt Service Funds				
5000 - Debt Service & Fund Transfers	3,859,443	4,496,275	-	(636,832)
7000 - Unappropriated Ending Fund Balance	14,352	-	-	14,352
Totals	\$ 3,873,795	\$ 4,496,275	\$ -	\$ (622,480)
Total All Funds	\$ 48,029,691	\$ 44,150,332	\$ -	\$ 3,879,359

**These numbers are as of 10/16/2020; however, the fiscal year is not closed.*

NOTE: Student Body Funds (290) are not included on this report. Reported on annual audit only.

NORTH WASCO COUNTY SCHOOL DISTRICT

Financial Statements* As of 10/16/20

June 30, 2020

Balance Sheet	General Fund	Special Revenue Funds	Nutrition Services Fund	Technology Fund	Replacement Funds	Debt Service Funds	Totals
ASSETS:							
Cash & Investments	1,099,295	(598,050)	(51,840)	74,493	637,213	14,840	1,175,951
Accounts Receivable	3,278,132	1,435,579	99,433		-	-	4,813,144
Inventory/Prepaid expense	315,995	45,000	3,560	-	-	-	364,555
Total Assets	4,693,422	882,529	51,153	74,493	637,213	14,840	6,353,650

LIABILITIES:							
Accounts Payable	266,163	4,754	51,187	-	-	-	322,104
Payroll Liabilities	3,424,323	-	-	-	-	-	3,424,323
Deferred Revenue	517,249	-	3,985	-	-	-	521,234
Total Liabilities	4,207,735	4,754	55,172	-	-	-	4,267,661

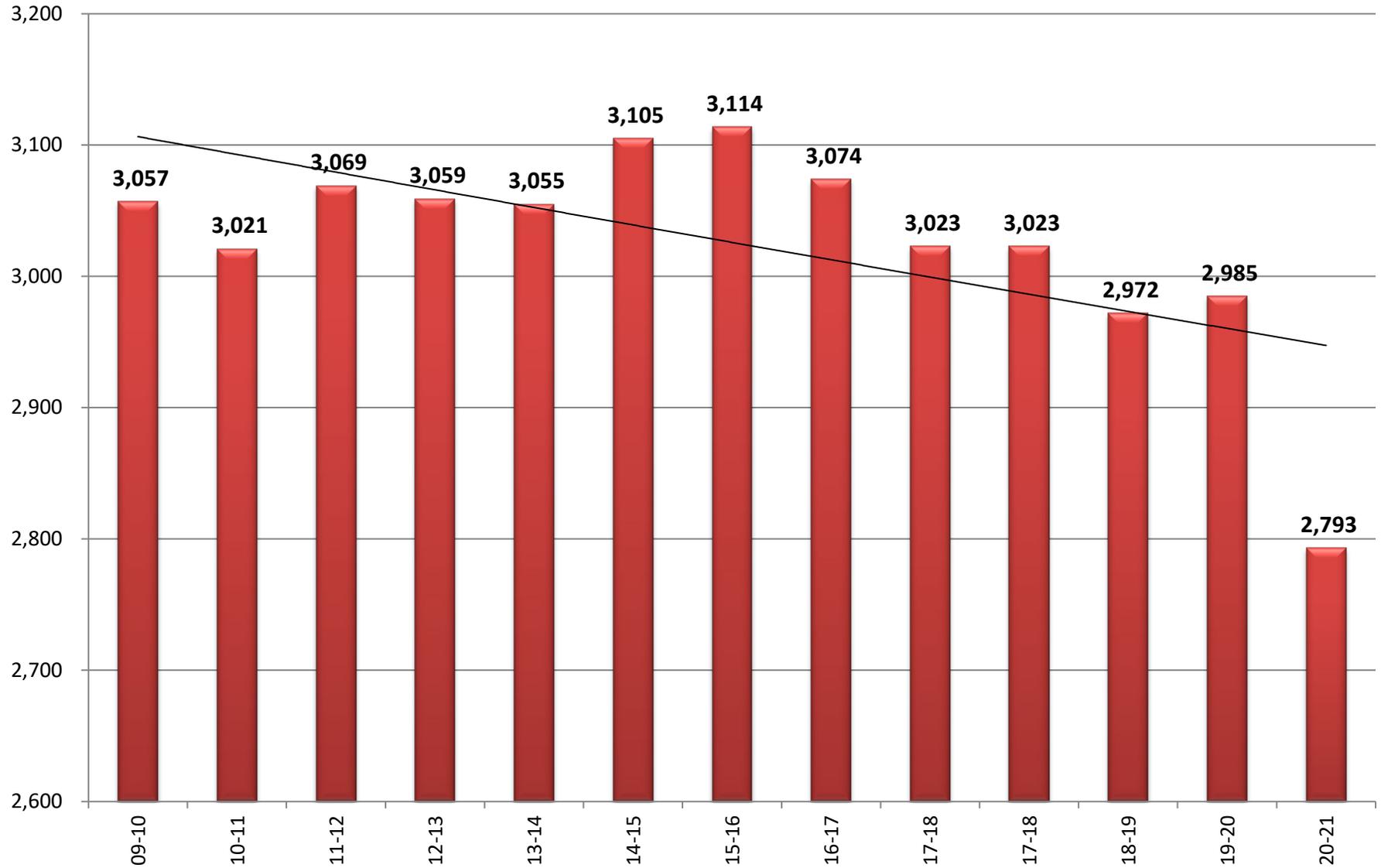
FUND BALANCE:							
Total Fund Balance	485,687	877,775	(4,019)	74,493	637,213	14,840	2,085,989

Revenues & Expenditures: 2019-20 Year to Date							
Beginning Fund Balance	1,960,243	618,855	30,459	49,385	352,659	714,517	3,726,118
Year to Date Revenues	33,477,705	3,468,909	1,376,634	100,000	290,357	3,796,598	42,510,203
Year to Date Expenditures	34,952,261	3,209,989	1,411,112	74,892	5,803	4,496,275	44,150,332
Year to Date Net Income (Loss)	(1,474,556)	258,920	(34,478)	25,108	284,554	(699,677)	(1,640,129)
Ending Fund Balance	485,687	877,775	(4,019)	74,493	637,213	14,840	2,085,989

**These numbers are as of 10/16/2020; however, the fiscal year is not closed.*

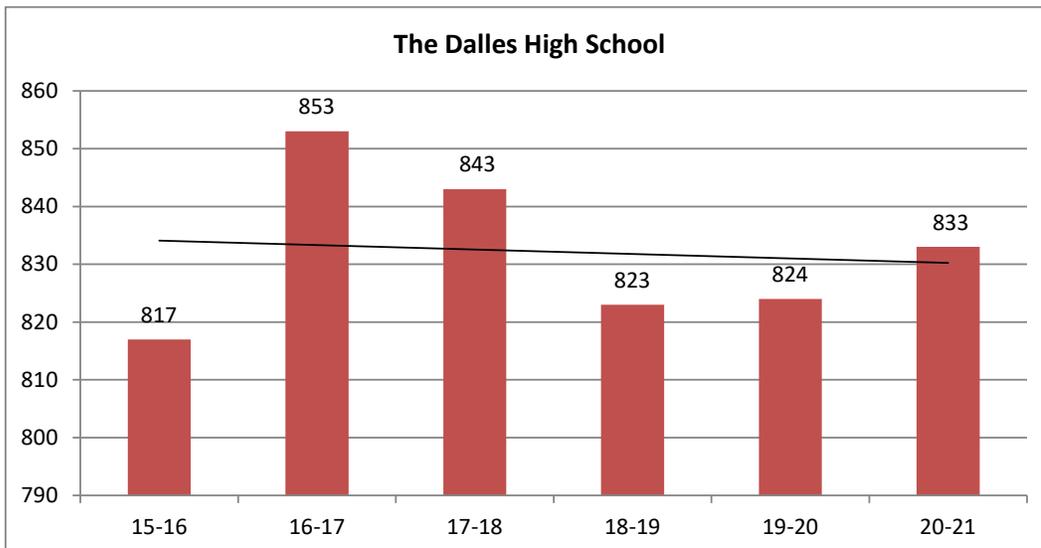
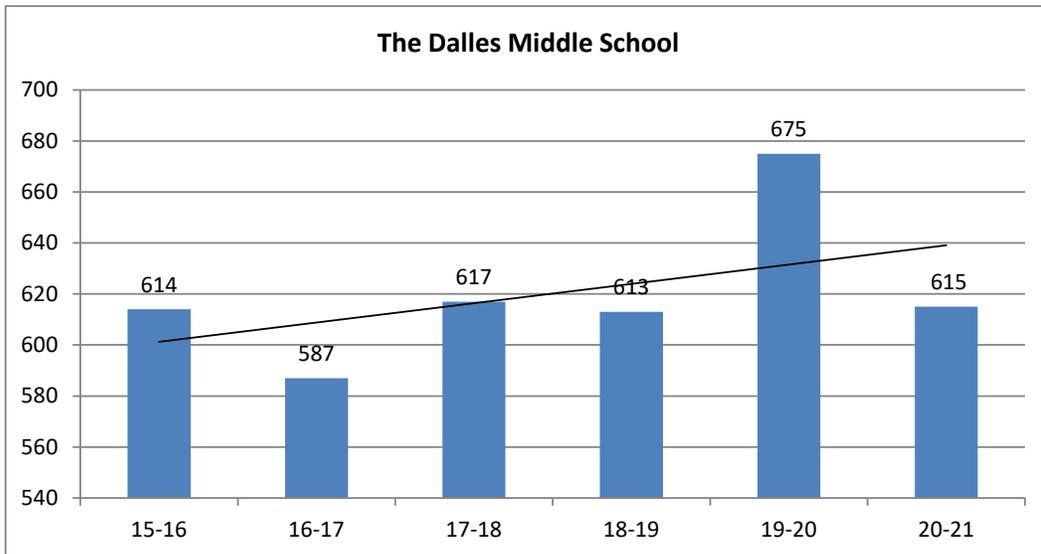
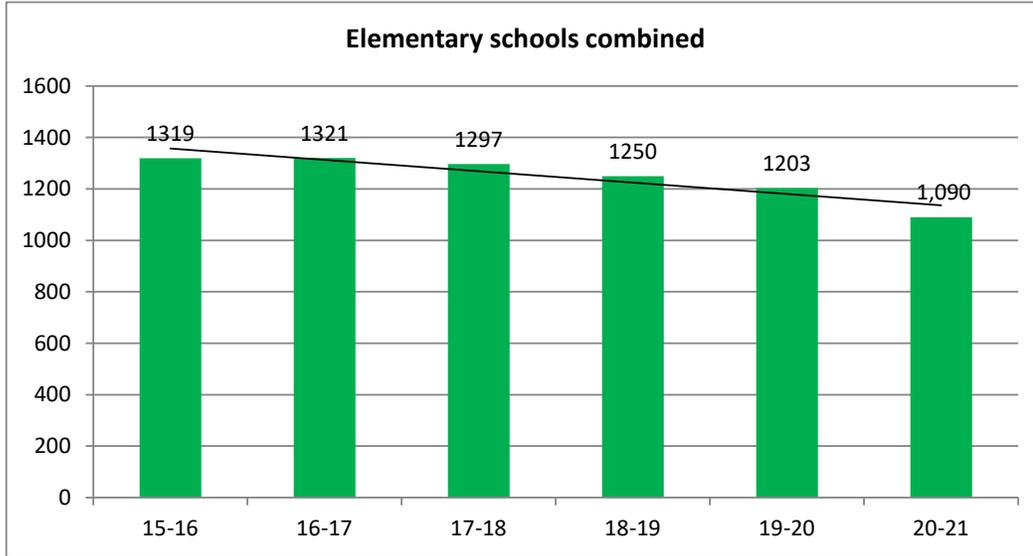


North Wasco County School District History of Student Enrollment (September 30th each year)



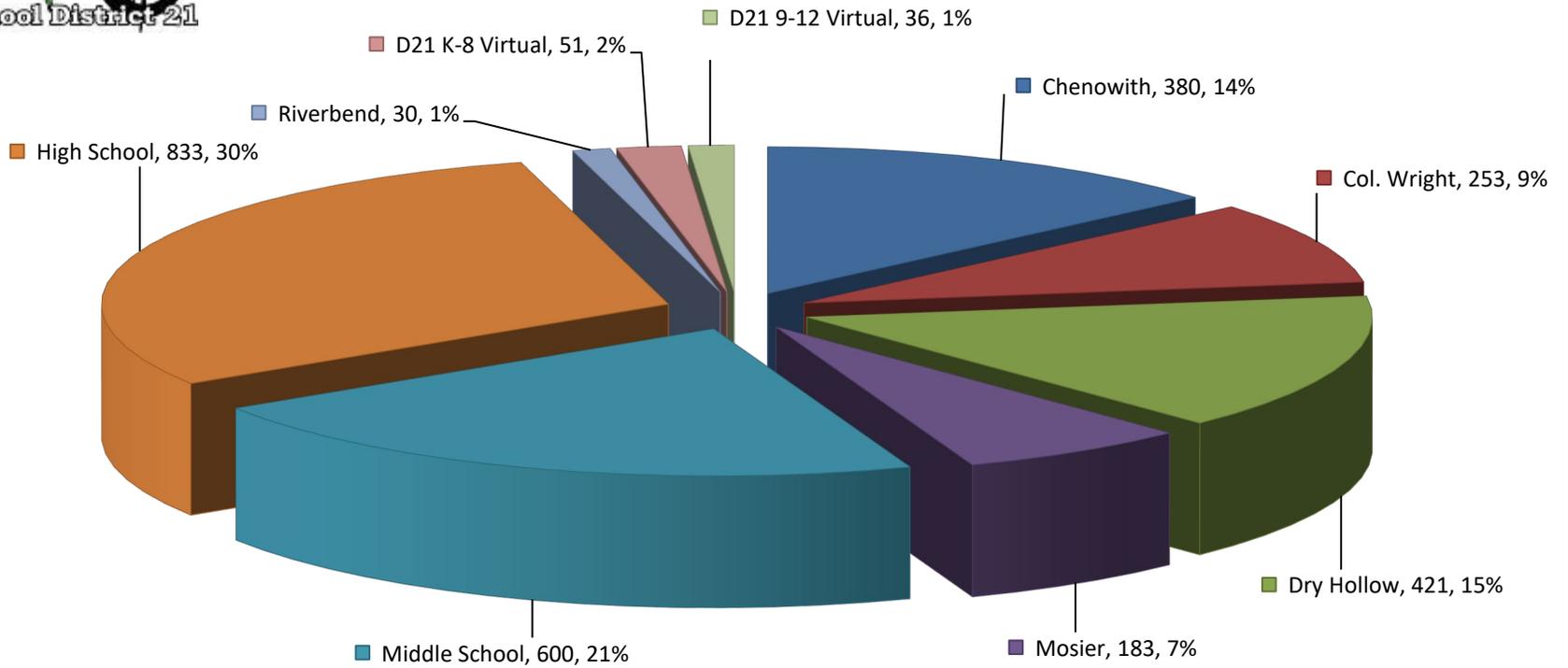
Enrollment change by grade level-trailing six years

As of September 30 of each year-excludes charter & virtual schools





September 30 Enrollment by School School Year 20-21



October 22, 2020

TO: Board of Directors
FR: Kara Flath, Chief Financial Officer
RE: Approval of Engineering & Architectural Services Firm

EXPLANATION:

The District issued a request for proposal for engineering services on September 14 which was published in The Daily Journal of Commerce, Columbia Gorge News and on the District's web page. Proposals were due on October 8. The District received five proposals.

Two firms interviewed with the District's evaluation committee on October 14. Members of the District's selection committee were Don Carter, Facilities Director; Phil Brady, TDHS Teacher; Dan Spatz, CGCC; Nancy Lathrop, NWCSA Accounting Specialist; Jose Aparicio, Board Member; and Greg Cummings, TDHS Boys Basketball Coach.

The selection committee recommends approval of the firm, ZCS Engineering & Architecture, to provide engineering services for the seismic rehabilitation of The Dalles High School Gymnasium as described in the RFP.

Funding for this contract will be from the Seismic Rehabilitation Grant awarded to the District in March 2020.

PRESENTERS: Kara Flath, Chief Financial Officer

SUPPLEMENTARY MATERIALS: Request for Proposal and Scoring Matrix

RECOMMENDATION: The administration recommends the approval of the firm, ZCS Engineering & Architecture, to provide engineering services for the seismic rehabilitation of The Dalles High School Gymnasium as described in the RFP.

PROPOSED MOTION: I move to approve ZCS Engineering & Architecture to provide engineering services for the seismic rehabilitation of The Dalles High School Gymnasium as described in the District's RFP and to authorize the administration to negotiate and execute a contract with the firm.

RESOLUTION MAKING APPROPRIATIONS
US DEPARTMENT OF EDUCATION
TITLE VI - INDIAN EDUCATION

Resolution No. 20-21-05

Whereas, the US Department of Education has awarded North Wasco County School District 21 a grant under Title VI, Indian Education. These funds are a passthrough of grant funds to the Columbia Gorge Education Service District to empower Indian education related activities.

Whereas, the District did not anticipate grant revenue from this source when the budget for fiscal year 2020-21 was created;

Therefore, be it resolved, that the additional amounts for the fiscal year beginning July 1, 2020, for the purposes shown below are hereby appropriated as follows:

210 - FEDERAL PROGRAMS

INSTRUCTION	42,213
Total Federal Programs	\$ 42,213

Adopted this 22nd day of October, 2020.

John Nelson, Board Chair

Kara Flath, CFO

RESOLUTION MAKING APPROPRIATIONS
OREGON DEPARTMENT OF EDUCATION
(US DEPT OF EDUCATION - IDEA FUNDING)
JDEP (JUVENILE DETENTION EDUCATION PROGRAM)

Resolution No. 20-21-06

Whereas, the Oregon Department of Education has awarded North Wasco County School District 21 a grant under IDEA B federal funds and state funds for the juvenile detention education program.

Whereas, the District did not anticipate grant revenue from this source when the budget for fiscal year 2020-21 was created;

Therefore, be it resolved, that the additional amounts for the fiscal year beginning July 1, 2020, for the purposes shown below are hereby appropriated as follows:

210 - FEDERAL PROGRAMS

SPECIAL PROGRAMS	7,300
Total Federal Programs	\$ 7,300

220 - STATE GRANTS

SPECIAL PROGRAMS	-
Total State Grants	\$ -

TOTAL PROGRAM	\$ 7,300
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Adopted this 22nd day of October, 2020.

John Nelson, Board Chair

Kara Flath, CFO

North Wasco County School District 21
2020-2021 School District Calendar
REVISED - 10.22.20

Late Start - Early Release
Wednesday

July 2020				
Mon	Tue	Wed	Thu	Fri
		1	2	3
6	7	8	9	10
13	14	15	16	17
20	21	22	23	24
27	28	29	30	31

August 2020				
Mon	Tue	Wed	Thu	Fri
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31				
1	Teaching		5	Contract

September 2020				
Mon	Tue	Wed	Thu	Fri
	1	2	3	4
7 H	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30		
21	Teaching		22	Contract

October 2020				
Mon	Tue	Wed	Thu	Fri
			1	2
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30
21	Teaching		21	Contract

November 2020				
Mon	Tue	Wed	Thu	Fri
2	3	4	5	6
9	10	11 H	12	13
16	17	18	19	20
23	24 NC	25 NC	26 H	27 NC
30				
15	Teaching		18	Contract

December 2020				
Mon	Tue	Wed	Thu	Fri
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30	31	
13	Teaching		14	Contract

LEGEND				
Non-Contract = NC, Holiday = H (No School)				
State Inservice, Trainings (No School)				
Conference Comp Day = CC (No school)				
Teacher Work Day (No school for students)=W				
Late Start (6-12th) / Early Release (K-5th)				
Break (No school)				
District Staff Inservice Day (No school for students)				

August	
18-21	Invitation to attend trainings (Principal designated)
24	New Staff Inservice & Invitation to attend
25-26	District / Building Inservice
27-28	Teacher Work Day / No School for students
31	Parent/Student Orientation

September	
1 - 2	Parent/Student Orientation
3	First day of online instruction
7	Holiday: Labor Day

October	
9	State Inservice - Non-Contract - No School

November	
11	Holiday: Veterans' Day
23	Conf Comp Day / No School
24	Non contract day / No School
25	Non contract day / No School
26	Holiday: Thanksgiving
27	Non contract day / No School

December	
3	End of Trimester
4	Teacher Work Day / No School for students
21-31	Winter Break

January	
1-Jan	Winter Break
4	School resumes after Winter Break
18	Holiday: MLK / Non-Contract Day / No School

February	
15	Holiday: Non-Contract Day / No School

March	
11	End of Trimester
12	Teacher Work Day / No school for students
22-26	Spring Break

April	
28	Conference Comp Day / No school
31	Holiday: Memorial Day

June	
5	High School Graduation
11	Last Day of School for students / end of trimester
14-15	Teacher Work Day / No school for students

January 2020				
Mon	Tue	Wed	Thu	Fri
				1
4	5	6	7	8
11	12	13	14	15
18 NC	19	20	21	22
25	26	27	28	29
19	Teaching		19	Contract

February 2021				
Mon	Tue	Wed	Thu	Fri
1	2	3	4	5
8	9	10	11	12
15 NC	16	17	18	19
22	23	24	25	26
19	Teaching		19	Contract

March 2021				
Mon	Tue	Wed	Thu	Fri
1	2	3	4	5
8	9	10	11	12
15	16	17	18	19
22	23	24	25	26
29	30	31		
17	Teaching		18	Contract

April 2021				
Mon	Tue	Wed	Thu	Fri
			1	2
5	6	7	8	9
12	13	14	15	16
19	20	21	22	23
26	27	28	29	30
22	Teaching		22	Contract

May 2021				
Mon	Tue	Wed	Thu	Fri
3	4	5	6	7
10	11	12	13	14
17	18	19	20	21
24	25	26	27	28
31 H				
19	Teaching		21	Contract

June 2021				
Mon	Tue	Wed	Thu	Fri
	1	2	3	4
7	8	9	10	11
14	15	16	17	18
21	22	23	24	25
28	29	30		
9	Teaching		11	Contract

Teacher Contract Days

Student Contact Days K-12th

190

176

North Wasco County School District 21

Code: FF
Adopted: **(New Policy)**
Revised/Readopted:

Naming Schools, Programs and Properties

The naming of all schools, programs and school district properties, including but not limited to school buildings, areas within school buildings, athletic fields and nonschool facilities, is the responsibility of the Board.

The Board recognizes the importance of soliciting student, staff, parent and community input in the selection of names. Name nominations may be presented by individuals, by petition, by chosen committees, or by other representative groups. The superintendent or designee will appoint an advisory committee to consider alternatives and make a recommendation to the superintendent about which names to recommend to the Board. While every effort will be made to respect student, staff, parent and community preferences, the Board retains the final authority over selection of names for schools, programs and facilities.

Criteria for Names

In considering appropriate names for any school, program or facility, it is the responsibility of the Board to ensure that the name has broad acceptance in a multicultural society and properly reflects the type and mission of the school, program or facility, as determined by the Board.

When evaluating school, program or facility names, the following general criteria shall be followed:
Names submitted for consideration may:

1. Be known and significant to the community, students and staff; or
2. Relate to local neighborhoods, to relevant geographic areas, to places of historical, geographical, geologic or cultural significance, to indigenous and characteristic flora or fauna; or
3. Be persons or groups of persons, preferably deceased at least three years, who have demonstrated international, national, state or local leadership in the fields of education, arts and sciences, or public service; or
4. Be thematic to reflect the character of the community culture and history; or
5. Reflect features of the facility or its program type and mission.
6. All considerations must reflect the Boards commitment to eliminating systemic discrimination and its impact on student learning and educational activities.

Names submitted for consideration shall not:

1. Duplicate or nearly duplicate the names of other schools, programs or facilities in the district or surrounding districts;

2. Reflect the names of specific cities with the exception of “The Dalles”;
3. Be a person, location, theme or character whose primary identification is of a religious nature;
4. Include the word “neighborhood” in a school name unless the school has defined attendance boundaries; or
5. Include the word “school” in a program name if it does not meet the definition of a school as a complete educational program with a separate organizational structure, teaching staff, budget, etc.

Special Recognition of Specific Persons

The Board acknowledges that communities served by schools, programs and district facilities periodically desire to recognize individuals for long and honorable service. Schools, programs and facilities may be named for former school district employees, students or community members who have made specific contributions to education within the district. In general, schools, programs and facilities will be named only for individuals who have been deceased for at least three years. In no case will a school, program or facility be named for a current staff member or student or an elected official currently in office.

Gifts

In exceptional circumstances, consideration may be given to naming a new school or non-school-facility or a portion of an existing school or non-school-facility for a significant gift as determined by the Board. Naming schools and nonschool facilities in this instance shall be consistent with all Board policies and shall appropriately reflect the donor’s financial support as well as the donor commitment to the district’s mission and the objectives of the school system.

Charter Schools

Agreements signed between Public Charter Schools and the School District will contain the requirement that the word ‘Community’ be included as part of the Charter School name. Charter schools do not have defined attendance boundaries and, thus, shall not have the title ‘neighborhood’ as part of their name.

Renaming or Amending of Current Names

The Board recognizes that renaming existing schools, programs or facilities or amending existing names by adding or deleting words or phrases is a serious, considered decision and should not be made arbitrarily, frivolously or in haste. **The impact of renaming or amending the name of an existing school, program or facility can be substantial in terms of potential public confusion and administrative and fiscal costs. As a result, the Board shall review the evidence to determine if the benefits of renaming or amending the name outweigh community and district impacts.** ~~Because the impact of renaming or amending the name of an existing school, program or facility is substantial in terms of potential public confusion and administrative and fiscal costs, the burden is upon the party or parties proposing the name change to present persuasive evidence that the benefits of renaming or amending the name outweigh community and district impacts.~~

The name change must be supported by the school community and the community and must be accompanied by a fiscal impact statement and a proposed method of covering the expense of the name change. The Board has the ultimate authority to determine if a credible showing for changing a name is made.

Relocated Schools and Programs

School and program names are independent from existing facility names. When a school or program is relocated to occupy an existing facility, the school or program and the facility that houses it will both retain their existing names unless a renaming process is completed.

Implementation

The Board of Education has the ultimate authority to determine if the criteria in this policy have been satisfied. The Board authorizes the superintendent to develop procedures that provide for implementation of this policy.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

DRAFT

North Wasco County School District 21

Code: BCE/BCF
Adopted: **(New Policy)**
Revised/Readopted:

Board Committees

In an ongoing effort to increase communication with the public and to provide for community involvement, the Board may appoint advisory committees which include community members to consider matters of districtwide importance.

The Board may appoint special committees of citizens, staff and/or Board members for specific purposes to serve until their assignment is completed. This can include the entire Board meeting as a committee-of-the-whole; standing sub committees; ad hoc committees and advisory committees. Committee assignments for standing sub committees will be made at the Board's organizational meeting.

Except as specifically provided by the Board, advisory committees will cease to function when their reports have been received by the Board or when the purposes for which they were established have been accomplished.

General Guidance

Committee recommendations will be made directly to the Board. Recommendations from such committees will be given careful consideration by the Board, but such recommendations will not relieve the Board of its legal responsibility to make final decisions about such matters. Committee recommendations and reports will become an official part of Board minutes.

All meetings of Board committees shall follow all public meeting laws. The press may attend and report proceedings. Visitors shall sit apart from the committee members and shall speak only when invited to do so by the committee chair. Committee meetings may be called by the Board chair or the committee chair.

The composition of committees to the Board will be broadly representative and will take into consideration the specific tasks assigned to the committee. The process for the appointment of community members to an advisory committee will be determined by the Board. When requested by the Board, appointment of staff members, when appropriate, will be made by the superintendent.

The Board will adopt guidelines for each committee as appropriate, which will include, but not be limited to, the following:

1. The committee's written charge which shall include, but not be limited to, a statement of purpose and responsibility;
2. The resources the Board will provide;
3. The length of time the committee is asked to serve and the approximate date(s) on which the Board wishes to receive a committee report(s).

Committee of the Whole

The Board meets as one body for the purpose of conducting work sessions to provide its members with opportunities for planning and thoughtful discussion. This is a non-voting meeting.

Standing Subcommittees

This Board-directed committee exists in perpetuity to advise the Board on important governance matters. These are long term committees which assist the Board in doing policy work efficiently and effectively; provides opportunity to conduct more thorough research and consideration of information prior to decision making; provides an opportunity to dialog with invited staff and community members on specific topics as directed by the Board. A staff member will be assigned to support the committee.

Ad Hoc Committees

This Board member only committee exists for a specific project, and is of limited duration. It is used to research and report on recommendations on a narrow set of issues/topics. This committee may interface with district staff but will not typically interface with the public.

Advisory Committees

These advisory committees act as a sounding board for community opinion and provide an opportunity to gain community wide understanding and support on matters of districtwide importance and make recommendations to the Board. The Board appoints this committee but is not a member of this committee. Board members shall act as a resource consultant and/or as an observer and do not speak on behalf of the Board.

Liaison to Nondistrict and District Committees

Individual Board members are assigned as a representative of the Board to another external body, group, organization or other entity. Board members may be asked to attend internal administrative/operational meetings as an observer to gain individual understanding of operations and systems. Board members shall act as resource consultant and/or observer. They do not speak on behalf of the Board.

END OF POLICY

Legal Reference(s):

[ORS 192.610](#) - 192.690

[ORS 332.045](#)

[ORS 332.105](#)

Adopted: 6/19/97
Revised/Readopted: 6/09/04; 3/02/17; 1/30/18;
10/22/20
Orig. Code(s): JHCC

Communicable Diseases – Students

The district shall provide reasonable protection against the risk of exposure to communicable disease for students. Reasonable protection from communicable disease is generally attained through immunization, exclusion or other measures as provided by Oregon law, by the local health department or in the *Communicable Disease Guidance* published by the Oregon Department of Education (ODE) and the Oregon Health Authority (OHA). Services will be provided to students as required by law.

A student will not attend school while in a communicable stage of a restrictable disease or when an administrator has reason to suspect that any susceptible student has been exposed to any restrictable disease for which the student is required to be excluded in accordance with law and per administrative regulation JCHH-AR – Communicable Disease – Students. If the disease is a reportable disease, the administrator ~~involved shall exclude the student from school and if the disease is a reportable disease,~~ will report the occurrence to the local health department. The administrator will also take whatever reasonable steps it considers necessary to organize and operate its programs in a way which both furthers the education and protects the health of students and others.

In cases when a restrictable or reportable disease is diagnosed and confirmed for a student, the administrator shall inform the appropriate employees with a legitimate educational interest to protect against the risk of exposure.

The district may, for the protection of both the student who has a restrictable disease and the exposed student, provide an educational program in an alternative setting.

The district will include, as a part of its emergency plan, a description of the actions to be taken by district personnel in the case of a declared public health emergency or other catastrophe that disrupts district operations.

The district shall protect the confidentiality of each student's health condition and record to the extent possible and consistent with federal and state law.

The superintendent will develop administrative regulations necessary to implement this policy.

END OF POLICY

Legal Reference(s):

[ORS 431.150 to -431.157](#)
[ORS 433.001 to -433.526](#)
[OAR 333-018](#)

[OAR 333-019-0010](#)
[OAR 333-019-0014](#)
[OAR 333-019-1000](#)

[OAR 437-002-0360](#)
[OAR 437-002-0377](#)
[OAR 581-022-2220](#)

OREGON DEPARTMENT OF EDUCATION and OREGON HEALTH AUTHORITY, *Communicable Disease Guidance* (2020).
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 (2019).

North Wasco County School District 21

Code: GBEB
Adopted: 10/22/20

Communicable Diseases – Staff

The district shall provide reasonable protection against the risk of exposure to communicable disease for employees while engaged in the performance of their duties. Reasonable protection from communicable disease is generally attained through immunization, exclusion or other measures as provided by Oregon law, by the local health department or in the *Communicable Disease Guidance* published by the Oregon Department of Education (ODE) and the Oregon Health Authority (OHA).

An employee may not attend work while in a communicable stage of a restrictable disease or when an administrator has reason to suspect that the employee has or has been exposed to any disease for which exclusion is required in accordance with law and per administrative regulation GBEB-AR - Communicable Diseases - Staff. If the disease is a reportable disease, the administrator will report the occurrence to the local health department.

Employees shall comply with all other measures adopted by the district and with all rules adopted by Oregon Health Authority, Public Health Division and the local health department.

Employees shall provide services to students as required by law. In cases when a restrictable or reportable disease is diagnosed and confirmed for a student, the administrator shall inform the appropriate employees with a legitimate educational interest to protect against the risk of exposure.

The district shall protect the confidentiality of an employee’s health condition and record to the extent possible and consistent with federal and state law.

The district will include, as part of its emergency plan, a description of the actions to be taken by district staff in the case of a declared public health emergency or other catastrophe that disrupts district operations.

The superintendent will develop administrative regulations necessary to implement this policy.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)
[ORS 431.150 - 431.157](#)
[ORS 433.001 - 433.526](#)

[OAR 333-018](#)
[OAR 333-019-0010](#)
[OAR 333-019-0014](#)
[OAR 333-019-1000](#)

[OAR 437-002-0360](#)
[OAR 437-002-0377](#)
[OAR 581-022-2220](#)

OREGON DEPARTMENT OF EDUCATION and OREGON HEALTH AUTHORITY, *Communicable Disease Guidance* (2020).
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 (2019).
Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. §§ 1320d to -1320d-8 (2018); 45 C.F.R. Parts 160, 164 (2019).

Code: **GBN/JBA**
Adopted: 6/08/00
Revised/Readopted: 3/31/04; 12/15/16; 8/23/18;
6.18.20; **10/22/20**
Orig. Code(s): GBN/JBA

Sexual Harassment

The district is committed to the elimination of sexual harassment. ~~in district schools, activities and programs. Sexual harassment is strictly prohibited and shall~~ **will not be tolerated in the district. All students, staff members and other persons are entitled to learn and work in an environment that is free of harassment. All staff members, students and third parties are subject to this policy. Any person may report sexual harassment.**

The district processes complaints^{1} or reports of sexual harassment under Oregon Revised Statute (ORS) 342.700 et. al. and federal Title IX laws found in Title 34 C.F.R. Part 106. Individual complaints may require both of these procedures, and may involve additional complaint procedures.

General Procedures

When information, a report or complaint regarding sexual harassment is received by the district, the district will review such information, report or complaint to determine which law applies and will follow the appropriate procedures. When the alleged conduct could meet both of the definitions in ORS Chapter 342 and Title IX, both complaint procedures should be processed simultaneously (*see* GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure and GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure). The district may also need to use other complaint procedures when the alleged conduct could meet the definitions for other complaint procedures^{2}.

OREGON DEFINITION AND PROCEDURES

Oregon Definition

Sexual harassment of students, staff members or third parties³ shall include:

1. A demand or request for sexual favors in exchange for benefits;
2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:

^{1} Some districts choose not to use the terms “complaint” and “complainant” because they feel the stigma associated with the terms discourage victims from reporting conduct. The terms used in this policy are consistent with those included in the law. If you choose to change these terms, make sure that you are consistent and clear. Note, “complainant” is defined under federal law.}

^{2} Common complaint procedures that may also be involved include: Nondiscrimination (Board policy AC), Workplace Harassment (Board policy GBEA), [Hazing,]Harassment, Intimidation, Bullying, [Menacing,]Cyberbullying, Teen Dating Violence and Domestic Violence – Student (Board policy JFCF), and Reporting Requirements for Suspected Sexual Conduct with Students (Board policy GBNA/JHFF)

³ “Third party” means a person who is not a student or a school or district staff member and who is: 1) on or immediately adjacent to school grounds or district property; 2) At a school-sponsored activity or program; or 3) Off school grounds or district property if a student or a school or district staff member acts toward the person in a manner that creates a hostile environment for the person while on school or district property, or at a school- or district-sponsored activity.

- a. Interferes with a student’s educational activity or program;
- b. Interferes with a school or district staff member’s ability to perform their job; or
- c. Creates an intimidating, offensive or hostile environment.

3 Assault when sexual contact occurs without the student’s, staff member’s or third party’s consent because the student, staff member or third party is under the influence of drugs or alcohol, is unconscious or is pressured through physical force, coercion or explicit or implied threats. {⁴}

Sexual harassment does not include conduct that is necessary because of a job duty of a school or district staff member or because of a service required to be provided by a contractor, agent, or volunteer, if the conduct is not the product of sexual intent or a person finding another person, or another person’s action, offensive because of that other person’s sexual orientation or gender identity.

Examples of sexual harassment may include, but not be limited to, {⁵} physical touching or graffiti of a sexual nature; displaying or distributing of sexually explicit drawings; pictures and written materials; sexual gestures or obscene jokes; touching oneself sexually or talking about one’s sexual behaviors in front of others; or spreading rumors about or rating other students or others as to appearance, sexual activity or performance.

Oregon Procedures

Reports and complaints of sexual harassment should be made to the following individual(s):

Name	Position	Phone	Email
Brian Schimel	Director of Human Resources	Human Resources Director	541-506-3420
schimelb@nwaseo.k12.or.us	HR@nwasco.k12.or.us		

~~This/These individual(s)~~ the Director of Human Resources is/are responsible for accepting and managing complaints of sexual harassment. Persons wishing to report should contact them using the above information. ~~This~~ The Director of Human Resources person is also designated as the Title IX Coordinator. {⁶} See GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure.

Response

Any staff member who becomes aware of behavior that may violate this policy shall immediately report to a district official. The district official (with coordination involving the reporting staff member when appropriate) will take any action necessary to ensure the:

{⁴ The statutory definition (ORS 342.704) for sexual harassment includes separate definitions with slightly different language for students, staff members and third parties. The language used in this policy comes from OAR 581-021-0038(1)(b). If the district would like to include the full statutory definition, it can do so.}

{⁵ OAR 581-021-0038 requires that the policy include a “examples of harassing behaviors covered by policy”. The bracketed list in this policy reflects OSBA’s recommendations. The district has discretion in what is included in this list. If listing behaviors not reflected in OSBA recommendations, please have the list reviewed by the district’s legal counsel.}

~~{⁶ This must be communicated elsewhere, but it is a good reason to specify it here as well.}~~

1. Student is protected and to promote a nonhostile learning environment;
2. Staff member is protected and to promote a nonhostile work environment; or
3. Third party who is subjected to the behavior is protected and to promote a nonhostile environment.

This includes providing resources for support measures to the student, staff member or third party who was subjected to the behavior and taking any actions necessary to remove potential future impact on the student, staff member or third party, but are not retaliatory against the student, staff member or third party being harassed or the person who reported to the district official.

Any student or staff member who feels they are a victim of sexual harassment are encouraged to immediately report their concerns to district officials, this includes officials such as the principal, compliance officer or superintendent. Students may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate district official.

Investigation

All reports and complaints about behavior that may violate this policy shall be investigated. The district may use, but is not limited to, the following means for investigating incidents of possible harassment:

1. Interviews with those involved;
2. Interviews with witnesses;
3. Review of video surveillance;
4. Review of written communications, including electronic communications;
5. Review of any physical evidence; and
6. Use of third-party investigator.

The district will use a reasonable person standard when determining whether a hostile environment exists. A hostile environment exists if a reasonable person with similar characteristics and under similar circumstances would consider the conduct to be so severe as to create a hostile environment.

The district may take, but is not limited to, the following procedures and remedial action to address and stop sexual harassment:

1. Discipline of staff and students engaging in sexual harassment;
2. Removal of third parties engaged in sexual harassment;
3. Additional supervision in activities;
4. Additional controls for district electronic systems;

⁷ OSBA strongly recommends that the Board receive input from district administration prior to adopting a standard here. Of note, Title IX's definition of sexual harassment includes "unwelcome conduct determined by a reasonable person to be..."³⁴ CFR 106.30(a), emphasis added. It is important to consider the different definitions under Oregon law and Title IX when determining which standards will apply for the Oregon process.

5. Trainings and education for staff and students; and
6. Increased notifications regarding district procedures and resources.

When a student or staff member is harassed by a third party, the district will consider the following:

1. Removing that third party's ability to contract or volunteer with the district, or be present on district property;
2. If the third party works for an entity that contracts with the district, communicating with the third party's employer;
3. If the third party is a student of another district or school, communicate information related to the incident to the other district or school;
4. Limiting attendance at district events; and
5. Providing for additional supervision, including law enforcement if necessary, at district events.

No Retaliation

Retaliation against persons who initiate complaint or otherwise report sexual harassment or who participate in an investigation or other related activities is prohibited. The initiation of a complaint, reporting of behavior, or participation in an investigation, in good faith about behavior that may violate this policy may not adversely affect the:

1. Educational assignments or educational environment of a student or other person initiating the complaint, reporting the behavior, or participating in the investigation; or
2. Any terms or conditions of employment or of work or educational environment of a school or district staff member or other person initiating the complaint, reporting the behavior, or participating in the investigation.

Students who initiate a complaint or otherwise report harassment covered by the policy or who participate in an investigation may not be disciplined for violations of the district's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered because of the report or investigation, unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct.

Notice

When a person⁸ who may have been affected by this policy files a complaint or otherwise reports behavior that may violate the policy, the district shall provide written notification to the following:

1. Each reporting person;
2. If appropriate, any impacted person who is not a reporting person;
3. Each reported person; and
4. Where applicable, a parent or legal guardian of a reporting person, impacted person, or reported person.

⁸ Student, staff member, or third party, or if applicable, the student or third party's parent. If the person is a minor, the district should consider when to contact the person's parent.

The written notification must include⁹:

1. Name and contact information for all person designated by the district to receive complaints;
2. The rights of the person that the notification is going to;
3. Information about the internal complaint processes available through the school or district that the [student, student's parents, staff member, person or person's parent, [person] who filed the complaint may pursue, including the person designated for the school or district for receiving complaints and any timelines.
4. Notice that civil and criminal remedies that are not provided by the school or district may be available to the person through the legal system and that those remedies may be subject to statutes of limitation;
5. Information about services available to the student or staff member through the school or district, including any counseling services, nursing services or peer advising;
6. Information about the privacy rights of the person and legally recognized exceptions to those rights for internal complaint processes and services available through the school or district;
7. Information about, and contact information for, services and resources that are available to the person, including but not limited to:
 - a. For the reporting person, state and community-based resources for persons who have experienced sexual harassment; or
 - b. For the reported persons, information about and contact information for state and community-based mental health services.
8. Notice that students who report about possible prohibited conduct and students who participate in an investigation under this policy may not be disciplined for violations of the district's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered as a result of a prohibited conduct report or investigation unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct; and
9. Prohibition of retaliation.

Notification, to the extent allowable under state and federal student confidentiality laws, must be provided when the investigation is initiated and concluded. The notification at the conclusion must include whether a violation of the policy was found to have occurred.

The notice must:

1. Be written in plain language that is easy to understand;
2. Use print that is of a color, size and font that allows the notification to be easily read; and
3. Be made available to students, students' parents, staff members and member of the public at each office, at the district office and on the website of the school or district.

⁹ Remember confidentiality laws when providing any information.

Oregon Department of Education (ODE) Support

The ODE will provide technical assistance and training upon request.

FEDERAL DEFINITION AND PROCEDURES

Federal Definition

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity¹⁰;
3. "Sexual assault": an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
4. "Dating violence": violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship;
5. "Domestic Violence": felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or
6. "Stalking": engaging in a course of conduct directed at a specific person that would cause a reasonable person fear for the person's own safety or the safety of others, or suffer substantial emotional distress.

This definition only applies to sex discrimination occurring against a person who is a subject of this policy in the United States. A district's treatment of a complainant or a respondent in response to a formal complaint of sexual harassment may constitute discrimination on the basis of sex under Title IX.

Federal Procedures

The district will adopt and publish grievance procedures that provide for the prompt and equitable resolution of the student and employee complaints alleging any action that would be prohibited by this policy. *See* GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure.

Reporting

¹⁰ "Education program or activity" includes locations, events, or circumstances over which the recipient exercised substantial control over both the respondent and the context in which the sexual harassment occurs." (Title 34 C.F.R. § 106.44(a))

Any person may report sexual harassment. This report may be made in person, by mail, by telephone, or by electronic mail, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. The report can be made at any time.

The Director of Human Resources is designated as the Title IX Coordinator and can be contacted at 541-506-3420. The Title IX Coordinator will coordinate the district's efforts to comply with its responsibilities related to this AR. The district prominently will display the contact information for the Title IX Coordinator on the district website and in each handbook.^{11}

Response

The district will promptly respond to information, allegations or reports of sexual harassment when there is actual knowledge of such harassment, even if a formal complaint has not been filed.¹² The district shall treat complainants and respondents equitably by providing supportive measures¹³ to the complainant and by following a grievance procedure¹⁴ prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures.

The Title IX Coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes, with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.¹⁵

If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place.¹⁶ The district must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. A non-student employee may also be placed on non-disciplinary administrative leave pending the grievance process.

Notice

~~{11} Note the difference in requirements for Title IX and Oregon law. It makes sense to align these requirements.~~

¹² (Title 34 C.F.R. §106.44(a)) Response cannot be deliberately indifferent. A recipient is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

¹³ (Title 34 C.F.R. § 106.44(a)) Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment.¹³ The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures. (Title 34 C.F.R. § 99.30(a))

¹⁴ This grievance procedure must meet the requirements of Title 34 C.F.R. § 106.45 (included in accompanying administrative regulation, *see* GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure).

¹⁵ The Title IX Coordinator may also discuss that the Title IX Coordinator has the ability to file a formal complaint.

¹⁶ The district may still have obligations under Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the American with Disabilities Act (ADA). (Title 34 C.F.R. § 106.44(c))

The district shall provide notice to all applicants for admission and employment, students, parents or legal guardians, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the district of the following:

1. The name or title, office address, electronic mail address, and telephone number of the Title IX Coordinator(s);
2. That the district does not discriminate on the basis of sex in the education program or activity that it operates, as required by Title IX. This includes admissions and employment; and
3. The grievance procedure and process, how to file a formal complaint of sex discrimination or sexual harassment, and how the district will respond.

[Inquiries about the application to Title IX and its requirements may be referred to the Title IX Coordinator or the Assistant Secretary¹⁷, or both.]

No Retaliation

Neither the district or any person may retaliate¹⁸ against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. The district must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act (FERPA), as required by law, or to carry out the proceedings herein. Complaints of retaliation may be filed using these procedures.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a grievance proceeding does not constitute retaliation.

Publication

This policy shall be made available to students, parents of students and staff members. This policy [and contact information for the Title IX Coordinator] shall be prominently published in the [school] [district] student handbook and district staff handbook and on the [school] and [district] website. This policy shall also be made available at each school office and at the district office. The district shall post this policy on a sign in all grade 6 through 12 schools, on a sign that is at least 8.5 inches by 11 inches in size. A copy of the policy will be made available to any [student, parent of a student, school or district staff member, or third party] [person] upon request.

~~This includes sexual harassment: of students by staff members, other students or third parties; of staff members by students, other staff members or third parties; and of third parties by staff members and students. This policy applies to third parties who are on or immediately adjacent to school grounds or district property, are at any school sponsored or district sponsored activity or program, or are off school or district property, if a student or staff member acts toward the person in a manner that creates a hostile environment for the person while at school or school sponsored or district sponsored activity or program. "Third parties" include, but are not limited to, school volunteers, parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district~~

¹⁷ Of the United States Department of Education.

¹⁸ Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

~~control at interdistrict and intradistrict athletic competitions or other school events. “District” includes district facilities; district premises and nondistrict property if the student or staff member is at any district-sponsored, district-approved or district-related activity or function, such as field trips or athletic events, where students are under the jurisdiction of the district; or where the staff member is engaged in district business. The prohibition also includes off duty conduct which is incompatible with a staff member’s district job responsibilities.~~

~~All staff members, students, and third parties are subject to this policy.~~

~~Sexual harassment of students, staff members or third parties shall include:~~

- ~~1. A demand or request for sexual favors in exchange for benefits;~~
- ~~2. Unwelcome conduct of a sexual nature that is physical, verbal or nonverbal and that interferes with a student’s educational program or activity or that creates an intimidating, offensive or hostile educational environment; unwelcome conduct of a sexual nature that is physical, verbal or nonverbal and that interferes with the staff member’s ability to perform the job or that creates an intimidating, offensive or hostile work environment; or unwelcome conduct of a sexual nature that is physical, verbal or nonverbal and that creates an intimidating, offensive or hostile environment; and~~
- ~~3. Assault when sexual contact occurs without the student’s, staff member’s or third party’s consent because the student, staff member or third party is under the influence of drugs or alcohol, is unconscious or is pressured through physical force, coercion or explicit or implied threats.~~

~~Examples of sexual harassment may include, but not be limited to, physical touching or graffiti of a sexual nature; displaying or distributing of sexually explicit drawings; pictures and written materials; sexual gestures or obscene jokes; touching oneself sexually or spreading rumors about or rating other students or others as to appearance, sexual activity or performance.~~

~~All complaints or reports about behavior that may violate this policy shall be promptly investigated.~~

~~Any staff member who becomes aware of behavior that may violate this policy shall immediately report to a district official so that the district official (and the reporting staff member when the victim of the harassment is a student or third party) may coordinate efforts to take any action necessary to ensure the:~~

- ~~1. Student is protected and to promote a nonhostile learning environment;~~
- ~~2. Staff member is protected and to promote a nonhostile work environment; or~~
- ~~3. Third party who is subjected to the behavior is protected and to promote a nonhostile environment.~~

~~This includes providing resources for support measures to the student, staff member or third party who was subjected to the behavior and taking any actions that are necessary to remove potential future impact on the student, staff member or third party, but are not retaliatory against the student, staff member or third party being harassed or the staff member who reported to the district official.~~

~~Any student or staff member who feels they are a victim of sexual harassment are encouraged to immediately report their concerns to district officials, this includes officials such as the principal,~~

~~compliance officer or superintendent. Students may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate district official.~~

~~Upon receipt of a complaint from a student or the student's parents, a staff member or a third party alleging behavior that may violate this policy, the district shall provide written notice as required by Oregon Revised Statute (ORS) 342.704(5) to the complainant.~~

~~The person who initiated the complaint and if applicable the student's parents or person's parents shall be notified when the investigation is initiated and concluded and as to whether a violation of this policy was found to have occurred to the extent allowable under state and federal student confidentiality laws.~~

~~The initiation of a complaint, and the participation in an investigation, in good faith about behavior that may violate this policy may not adversely affect the educational assignments or any terms or conditions of employment or of work or educational environment of the person who initiated the complaint or who participates in the investigation. There shall be no retaliation by the district against any person who, in good faith, reports, files a complaint or otherwise participates in an investigation or inquiry of sexual harassment.~~

~~It is the intent of the Board that appropriate corrective action will be taken by the district to stop the sexual harassment, prevent its recurrence and address negative consequences. Students in violation of this policy shall be subject to discipline up to and including expulsion and/or counseling or sexual harassment awareness training, as appropriate. The age and maturity of the student(s) involved and other relevant factors will be considered in determining appropriate action. Staff members in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional sexual harassment awareness training, as appropriate. Other individuals whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or the Board.~~

~~Additionally, the district may report individuals in violation of this policy to law enforcement officials. Licensed staff, staff registered with the Teacher Standards and Practices Commission (TSPC) and those participating in practicum programs, as specified by Oregon Administrative Rules, shall be reported to TSPC.~~

~~The superintendent shall ensure appropriate periodic sexual harassment awareness training or information is provided to all supervisors, staff members and students and that annually, the name and position of district officials responsible for accepting and managing sexual harassment complaints, business phone numbers, addresses or other necessary contact information is readily available. This policy as well as the complaint procedure will be made available upon request to all students, parents of students, staff members and third parties, posted on the district's website and published in student/parent and staff handbooks. The district's policy shall be posted on a sign in all schools. Posted signs shall be at least 8 1/2 inches by 11 inches in size.~~

~~The superintendent will establish a process of reporting incidents of sexual harassment.~~

END OF POLICY

Legal Reference(s):

[ORS 243.706](#)
[ORS 342.850](#)
[ORS 332.107](#)

[ORS 342.700](#)
[ORS 342.704](#)
[ORS 342.708](#)

[ORS 342.850](#)
[ORS 342.865](#)
[ORS 659.850](#)

[ORS 659A.006](#)
[ORS 659A.029](#)
[ORS 659A.030](#)
[OAR 581-021-0038](#)
[OAR 584-020-0040](#)
[OAR 584-020-0041](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Bartsch v. Elkton School District, FDA-13-011 (March 27, 2014).

North Wasco County School District 21

Code: GBN/JBA-AR(2)
Adopted:

****NEW POLICY AR****
Board will need to determine language highlighted in **YELLOW**
Language changes from 1st Reading are noted in **BLUE**

Federal Law (Title IX) Sexual Harassment Complaint Procedure

Additional Definitions

“Actual knowledge” means notice of sexual harassment or allegations of sexual harassment to the district’s Title IX Coordinator or any official of the district who has authority to institute corrective measures on behalf of the district, or to any employee of an elementary or secondary school.¹

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Formal complaint” means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent² and requesting that the district investigate the allegation of sexual harassment.³

“Supportive measures” means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district’s educational environment, or deter sexual harassment.⁴ The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures.

Formal Complaint Procedures

Upon receipt of a formal complaint, the district will provide the parties⁵ written notice of the following:

1. Notice of the district’s grievance process, including any informal resolution process.

¹ This standard is not met when the only official with knowledge is the respondent.

² “Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

³ A complainant must be participating in or attempting to participate in the education program or activity of the district with which the formal complaint is filed.

⁴ Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

⁵ Parties include the complainant and the respondent, if known.

2. Notice of the allegations of sexual harassment potentially constituting sexual harassment, including sufficient details⁶ known at the time and with sufficient time to prepare a response before any initial interview.
3. That the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility be made at the conclusion of the grievance process.
4. That the parties may have an advisor of their choice, who may be, but is not required to be, an attorney.
5. The parties may inspect and review evidence.
6. A reference to any provision in the district's code of conduct^{7} that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

The Title IX Coordinator will contact the complainant and the respondent to discuss supportive measures. If necessary, the Title IX Coordinator will arrange for an individualized safety and risk analysis. If necessary, a student or non-student employee may be removed or placed on leave.

Investigation

The Title IX Coordinator will coordinate the district's investigation. The investigation must:

1. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence.
2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the district and not on the parties.⁸
3. Provide an equal opportunity for the parties to present witnesses, and other inculpatory and exculpatory evidence.
4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
5. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice.⁹ The district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.

⁶ Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known.

^{7} The district is encouraged to review Board policy JFC and codes of conduct found in handbooks for applicable language.}

⁸ The district cannot access, consider, disclose, or otherwise use a party's records that are made of maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's capacity, and which are maintained in connection with the provision of treatment to the party, unless the district obtains the party's (or eligible student's parent's) voluntary, written consent to do so.

⁹ In addition to an advisor, complainants and respondents may also be entitled to other accompaniment as required by law or as necessary for conducting of grievance procedures, including but not limited to translators, services for students with disabilities and parents of minor students.

6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint.¹⁰ Prior to completion of the investigative report, the district must send to each party and party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report;
8. Create an investigative report that fairly summarizes relevant evidence and is sent to each party and party's advisor in electronic format or hard copy at least 10 days prior to any hearing (if required or provided) or other time of determination of responsibility. The party and advisor will be allowed to review and provide a written response.

After the district has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision maker(s) must afford each party the opportunity to submit written, relevant questions¹¹ that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

Credibility determinations are not based on the person's status as a complainant, respondent or witness.

No person designated as a Title IX Coordinator, investigator, decision-maker, or any person designated by the district to facilitate an informal resolution process may have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent.

If, in the course of an investigation, the district decides to investigate allegations about the complainant or respondent that are not included in the notice previously provided, the district must provide notice of the additional allegations to the parties whose identities are known.

At no point in the process will the district, or anyone participating on behalf of the district, require, allow, rely upon, or otherwise use questions or evidence that constitutes, or seeks disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

Determination of Responsibility

The respondent must be deemed to be not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

¹⁰ This includes the evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the investigation. The district must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

¹¹ Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the question and evidence concern specific incidents of the complainants prior sexual behavior with respect to the respondent and are offered to prove consent.

The standard to be used for formal complaints in determining whether a violation has occurred is the [preponderance of the evidence¹²] [clear and convincing evidence¹³] standard.

The person deciding the question of responsibility (the “decision-maker”) must be someone other than the Title IX Coordinator or the investigator(s). The decision-maker must issue a written determination which must include:

1. Identification of the allegations potentially constituting sexual harassment;
2. A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather evidence, and hearings held;
3. Findings of fact supporting the determination;
4. Conclusions regarding the application of the district’s code of conduct to the facts;
5. A statement of, and rationale for, the result as to each allegation, including:
 - a. A determination regarding responsibility;
 - b. Any disciplinary sanctions the district imposes on the respondent; and
 - c. Whether remedies designed to restore or preserve equal access to the district’s education program or activity will be provided by the district to the complainant; and
6. The district’s procedures and permissible bases for the complainant and respondent to appeal.

The district must provide the written determination to the parties simultaneously.

The determination regarding responsibility becomes final either on the date that the recipient provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

Remedies

The Title IX Coordinator is responsible for effective implementation of any remedies.

The disciplinary sanctions¹⁴ may include:

1. Discipline up to and including suspension and expulsion;
2. Removal from various activities, committees, extra-curricular, positions, etc.
3. Disqualification for awards and honors;

¹² A preponderance of the evidence standard is understood to mean concluding that a fact is more likely than not to be true. U.S. Department of Education, Title IX Regulations commentary, p. 1268, FN 1409.

¹³ A clear and convincing evidence standard of evidence is understood to mean concluding that a fact is highly probable to be true. U.S. Department of Education, Title IX Regulations commentary, p. 1268, FN 1409.

¹⁴ Districts should review any other disciplinary procedures and requirements prior to imposing any discipline, and should contact legal counsel with questions.

4. Discipline up to and including termination, in accordance with laws, agreements, contracts, handbooks, etc.¹⁵

Other remedies may include:

1. Educational programming¹⁶

Dismissal of a Formal Complaint

The district must dismiss a formal complaint with regard to Title IX sexual harassment if the alleged conduct:

1. Would not constitute sexual harassment, even if proved;
2. Did not occur in the district's education program or activity¹⁶; or
3. Did not occur against a person in the United States.

The district may dismiss a formal complaint with regard to Title IX sexual harassment if at any time during the investigation or hearing, if provided:

1. A complainant notifies the Title IX Coordinator in writing that the complaint would like to withdraw the formal complaint or any allegations therein;
2. The respondent is no longer enrolled or employed by the district; or
3. Specific circumstances prevent the recipient from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

Upon dismissal of a formal complaint, the district must promptly send written notice of the dismissal and the reason(s) therefor simultaneously to the parties.

The dismissal of a formal complaint under Title IX does not preclude the district from continuing any investigation and taking action under a different process. The district may have an obligation to continue an investigation and process under a different process.

Consolidation of Complaints

The district may consolidate formal complaints as to allegations of sexual harassment against more than one respondent, or by one or more complainant against one or more respondents, or by one party against another party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Informal Resolution

If the district receives a formal complaint, at any time prior to reaching a determination regarding responsibility, the district may offer an optional informal resolution process, provided that the district:

¹⁵ It is important to keep supportive measures separate from disciplinary sanctions. Supportive measures must be “non-disciplinary” and “non-punitive.”

¹⁶ Includes locations, events, or circumstances over which the district exercised substantial control over both the respondent the respondent and the context in which the sexual harassment occurs[, and also includes any building owned or controlled by a student organization that is officially recognized by a postsecondary institution]. (Title 34 C.F.R. §106.44(a))

1. Provides written notice to the parties disclosing:
 - a. The allegations;
 - b. The requirements of the informal resolution process including the circumstances under which it precludes the parties from resuming a formal complaint arising from the same allegations, provided, however, that at any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint; and
 - c. Any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.
2. Obtains the parties' voluntary written consent to the informal resolution process; and
3. Does not offer or facilitate an informal resolution process to resolve allegations that an employee sexually harassed a student.

Appeals

Either party may file an appeal from a determination regarding responsibility or from a dismissal of a formal complaint, within **15** days of the decision, on the following bases:

1. Procedural irregularity that affected the outcome of the matter;
2. New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; or
3. The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.
4. **Additional bases may be allowed, if made available equally to both parties.**

When an appeal is filed, the district must:

1. Notify the other party in writing;
2. Implement appeal procedures equally for both parties;
3. Ensure the decision-maker(s) for the appeal is not the same person as the decision-maker(s) who reached the determination regarding responsibility or dismissal, the investigator(s), or the Title IX Coordinator;
4. Ensure the decision-maker for the appeal is free from conflicts of interest and bias;
5. Give both parties a reasonable equal opportunity to submit a written statement in support of, or challenging the outcome;
6. Issue a written decision describing the result of the appeal and the rationale for the result; and
7. Provide the written decision simultaneously to both parties.

Timelines

The district will complete the following portions of the grievance process within the specified timelines:

1. General grievance process (from receipt of formal complaint to determination of responsibility): **[90]** days;
2. Appeals (from receipt of appeal): **[60]** days;
3. Informal resolution process: **[60]** days.

Temporary delays of the grievance process, or limited extensions of time will be allowed for good cause¹⁷ with written notice to the parties.

Records

Records will be created and maintained in accordance with the requirements in Title 34 C.F.R. §106.45(a)(10).¹⁸

Training

Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process must receive training on the definition of sexual harassment, the scope of the district's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and information resolution processes. The training must also include avoiding prejudgment of the facts at issue, conflicts of interest and bias.

Decision-makers must receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions about evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

Investigators must receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes, must promote impartial investigations and adjudications of formal complaints of sexual harassment and must be made publicly available on the district's website.^[19]

¹⁷ Good cause may include considerations such as the absence of a party, a party's advisor or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. (Title 34 C.F.R. § 106.45(b)(1)(v))

¹⁸ This includes creating a record for each investigation. This record must include:

- Supportive measures, or reasons why the response was not clearly unreasonable under the circumstances;
- Basis for the conclusion that the district's response was not deliberately indifferent; and
- What measures were taken to restore or preserve equal access to the district's educational program or activity. (Title 34 C.F.R. § 106.45(a)(10)(ii))

Most records (including training) must be retained for at least seven years.

{¹⁹ If a district does not have a website, the district must make these materials available upon request for inspection by members of the public.}

North Wasco County School District 21

Changes from 1st Reading are noted in **BLUE**

Code: GBN/JBA-AR
Adopted: 8/12/99
Revised/Readopted: 3/31/04; 10/25/07; 12/15/16;
8/23/18; 5/28/20; 10/22/20
Orig. Code: GBN/JBA-AR

Sexual Harassment Complaint Procedure

{¹} Reports and complaints of sexual harassment should be made to the following individual(s):

Name	Position	Phone	Email
<u>Director of Human Resources</u>		541-506-3420	HR@nwasco.k12.or.us



The district official receiving the complaint shall issue the required written notice as outlined under Oregon Procedures in Board policy GBN/JBA - Sexual Harassment.

~~Principals and the superintendent have responsibility for reports, complaints and investigations concerning sexual harassment. The investigator(s) shall be a neutral party having had no involvement in the complaint presented.~~

Step 1 The district official receiving the report or complaint shall promptly initiate an investigation using procedures and standards, including but not limited to, those identified in Board policy GBN/JBA - Sexual Harassment and will notify the complainant or reporting person, any impacted person who is not a reporting person (if appropriate), each reported person, and where applicable the parents of a reporting person, impacted person, or reported person, when such investigation is initiated. The official will arrange such meetings as may be necessary to discuss the issue with all concerned parties within **five** 10 days working days after receipt of the report or complaint. The parties will have an opportunity to submit evidence and a list of witnesses. All findings of the investigation shall be reduced to writing. The official conducting the investigation shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law within **30** days of receipt of the report or complaint.

A copy of the required written notice(s) and the date and details of notification of the notice of investigation and results of the investigation, together with any other documentation related to the sexual harassment incident, including disciplinary action taken or recommended, shall be forwarded to the superintendent.

~~{¹ Align with same positions identified in policy.}~~

~~Any sexual harassment information (i.e., reports, complaints, rumors, etc.) shall be presented to district officials, this includes officials such as the principal, compliance officer or superintendent. All such information shall be reduced to writing and will include the specific nature of the sexual harassment and corresponding dates.~~

~~The district official receiving the complaint shall cause the district to provide written notice from the district to the complainant that includes:~~

- ~~1. The rights of the student, student's parents, staff member, person or person's parents who filed the complaint;~~
- ~~2. Information about the internal complaint process available through the school or district that the student, student's parents, staff member, person or person's parents may pursue, including the person designated for the school or district for receiving complaints;~~
- ~~3. Notice that civil and criminal remedies that are not provided by the school or district may be available to the complainant through the legal system and that those remedies may be subject to statutes of limitation;~~
- ~~4. Information about services available to the student or staff member complainant through the school or district including any counseling services, nursing services or peer advising;~~
- ~~5. Information about the privacy rights of the student, student's parents, staff member, person or person's parents and legally recognized exceptions to those rights for internal complaint processes and services available through the school or district;~~
- ~~6. Information about, and contact information for, state and community based services and resources that are available to persons who have experienced sexual harassment; and~~
- ~~7. Notice that students who report information about possible prohibited conduct and students who participate in an investigation under this policy may not be disciplined for violations of the district's drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered as a result of a prohibited conduct report or investigation unless the student gave another person alcohol or drugs without the person's knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct.~~

~~The written notification must:~~

- ~~1. Be written in plain language that is easy to understand;~~
- ~~2. Use print that is of the color, size and font that allow the notification to be easily read; and~~
- ~~3. Be made available to students, students' parents, staff members and members of the public at each school office, at the district office and on the school or district website.~~

Step 2 If a complainant is not satisfied with the decision at Step 1, the complainant may submit a written appeal to the superintendent ~~or designee~~. Such appeal must be filed within ~~10~~ working days after receipt of the Step 1 decision. The superintendent ~~or designee~~ will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal within ~~5~~ 10 working days of receipt of the appeal. The superintendent ~~or designee~~ shall provide a written decision to the complainant within ~~10~~ working days.

~~The district official receiving the information or complaint shall promptly initiate an investigation and will notify the complainant when such investigation is initiated. The official will arrange such meetings as may be necessary to discuss the issue with all concerned parties within five working days after receipt of the information or complaint. All findings of the investigation, including the response of the alleged harasser, shall be reduced to writing. The official conducting the investigation shall notify the complainant in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law. The parties will have an opportunity to submit evidence and a list of witnesses.~~

~~A copy of the notification letter provided in step 1 and the date and details of notification to the complainant of the results of the investigation, together with any other documentation related to the sexual harassment incident, including disciplinary action taken or recommended, shall be forwarded to the superintendent.~~

Step 3 If a complainant is not satisfied with the decision at Step 2, the complainant may submit a written appeal to the Board. Such appeal must be filed within ~~10~~ working days after receipt of the Step 2 decision. The Board will review the decision of the superintendent ~~or designee~~ in a public meeting to determine what action is appropriate. The Board may use executive session if the subject matter qualifies under Oregon law. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, and adopting the superintendent's ~~or designee's~~ decision. All parties involved, including the school administration, may be asked to attend a hearing for the purposes of making further explanations and clarifying the issues. The Board shall provide a written decision to the complainant within ~~30~~ working days following receipt of the appeal.

If the Board chooses not to hear the complaint, the superintendent's ~~or designee's~~ decision in Step 2 is final ~~2~~.

~~If a complainant is not satisfied with the decision at Step 2, the complainant may submit a written appeal to the superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant within 10 working days.~~

Step 4 ~~If a complainant is not satisfied with the decision at Step 3, the complainant may submit a written appeal to the Board. Such appeal must be filed within 10 working days after receipt of~~

² If the Board chooses to accept the superintendent's decision as the district's final decision on the complaint, the superintendent's written decision must meet the requirements of OAR 581-022-2370(4)(b).~~2~~

~~the Step 3 decision. The Board shall, within 20 working days, conduct a hearing at which time the complainant shall be given an opportunity to present the appeal. The Board may use executive session if the subject matter qualifies under Oregon law. The Board shall provide a written decision to the complainant within 10 working days following completion of the hearing.~~

The superintendent is authorized to amend these procedures (including timelines) when the superintendent feels it is necessary for the efficient handling of the complaint. Notice of any amendments will be promptly provided to the parties.

Complaints against the principal may start at Step 2 and may be filed with the superintendent ~~for designee~~. The superintendent ~~or designee~~ will cause the required notices to be provided. The superintendent ~~or designee~~ will investigate the complaint and will notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law. If the complaint remains unresolved within ~~10~~ working days of receipt by the superintendent ~~or designee~~, the complainant may appeal to the Board in Step 3.

Complaints against the superintendent or a Board member (other than the Board chair) may start at Step 3 and should be referred to the Board chair on behalf of the Board. The Board chair will cause required notices to be provided. The Board chair shall present the complaint to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. 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. After receiving the results of the investigation, the Board shall decide, within ~~20~~ 30 days, in open session what action, if any, is warranted. The Board chair shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law.

Complaints against the Board chair may start at Step 3 and should be referred to the Board vice chair on behalf of the Board. The Board vice chair will cause required notices to be provided. The Board vice chair shall present the complaint to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. 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. After receiving the results of the investigation, the Board shall decide, within ~~20~~ 30 days, in open session what action, if any, is warranted. The Board vice chair shall notify the parties in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law.

Direct complaints related to employment may be filed with the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries.

Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.

Additional information regarding filing of a complaint or report may be obtained through the principal, compliance officer or superintendent.

All documentation related to sexual harassment complaints may become part of the student's education record or employee's personnel file, as appropriate. Additionally, a copy of all sexual harassment

complaints or reports and documentation will be maintained as a confidential file and stored in the district office.

The superintendent shall report the name of any person holding a teaching license or registered with Teacher Standards and Practices Commission (TSPC) or participating in a practicum under Oregon Administrative Rule (OAR) Chapter 584, Division 17, when, after appropriate investigation, there is reasonable cause to believe the person may have committed an act of sexual harassment. Reports shall be made to TSPC within 30 days of such a finding. Reports of sexual contact with a student shall be given to a representative from law enforcement or Oregon Department of Human Services, as possible child abuse.

~~Complaints against the principal may start at step 3 and may be filed with the superintendent. The superintendent will cause the notice requirement identified in step 1 to be completed and the notice to the complainant when the investigation is initiated. The superintendent will investigate the complaint and will notify the complainant in writing when the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law. If the complainant remains unresolved within 10 working days of receipt by the superintendent, the complainant may appeal to the Board in step 4. Complaints against the superintendent may start at step 4 and should be referred to the Board chair on behalf of the Board. The Board chair will cause the notice requirements identified in step 1 to be completed and the notice to the complainant when the investigation is initiated. The Board chair shall present the complaint to the Board. The Board may use executive session if the subject matter qualifies under Oregon law. 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 chair shall notify the complainant in writing that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law. After receiving the results of the investigation, the Board shall decide, within 20 days, in open session what action, if any, is warranted.~~

~~Direct complaints related to employment may be filed with the U.S. Department of Labor, Equal Employment Opportunity Commission or Oregon Bureau of Labor and Industries.~~

~~Direct complaints related to educational programs and services may be made to the Regional Civil Rights Director, U.S. Department of Education, Office for Civil Rights, Region X, 915 2nd Ave., Room 3310, Seattle, WA 98174-1099.~~

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North Wasco County School District 21
3632 West 10th Street
The Dalles, Oregon 97058 - 541-506-3420

SEXUAL HARASSMENT COMPLAINT FORM

Name of complainant: _____

Position of complainant: _____

Date of complaint: _____

Name of alleged harasser: _____

Date and place of incident or incidents: _____

Description of misconduct: _____

Name of witnesses (if any): _____

Evidence of sexual harassment, i.e., letters, photos, etc. (attach evidence if possible): _____

Any other information: _____

I agree that all of the information on this form is accurate and true to the best of my knowledge.

Signature: _____ Date: _____

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WITNESS DISCLOSURE FORM

Name of Witness: _____

Position of Witness: _____

Date of Testimony/Interview: _____

Description of Instance Witnessed: _____

Any Other Information: _____

I agree that all the information on this form is accurate and true to the best of my knowledge.

Signature: _____ Date: _____



MONTHLY REPORT



WELCOME

Sodexo and the North Wasco School District Facilities department strive to support the District's mission by:

- Ensuring a safe and secure environment
- Working together to achieve a healthier environment
- Ensuring that all operating systems and equipment are at optimum efficiency
- Displaying the highest levels of integrity, honesty, courtesy and respect
- Establishing a compressive preventative maintenance program
- Proactively planning to meet the evolving needs of the District
- Empowering the Facilities staff to use their knowledge, skills and attitudes supported by training, consistent communication and effective leadership

COVID-19 UPDATE

- Facilities staff has hand crafted and installed numerous plexi-glass screens
- Custodial efforts continue to focus on high level disinfection
- Standard Operating Procedures have been enhanced for The following:
 - Contaminated Area Disinfection
 - Preventative Disinfection
 - Routine/High Contact Area Disinfection
 - Playground Disinfection
 - Isolation Room Guidelines
- Hand sanitizing dispensers have been installed in the classrooms and common areas
- COVID hand washing signage has been installed district wide
- The district has secured over 40,000 face masks
- Face masks, face shields, disinfectant, and other COVID related items have been

PROJECTS UPDATE

- CES asphalt pathway to Hostettler has been completed
- CES asphalt recoating and reconfiguration has been completed
- CWE security fencing project in underway
- CWE water main installation has been completed
- CWE irrigation and turf installation is underway
- DHE exterior painting has been completed



FUTURE FOCUSED



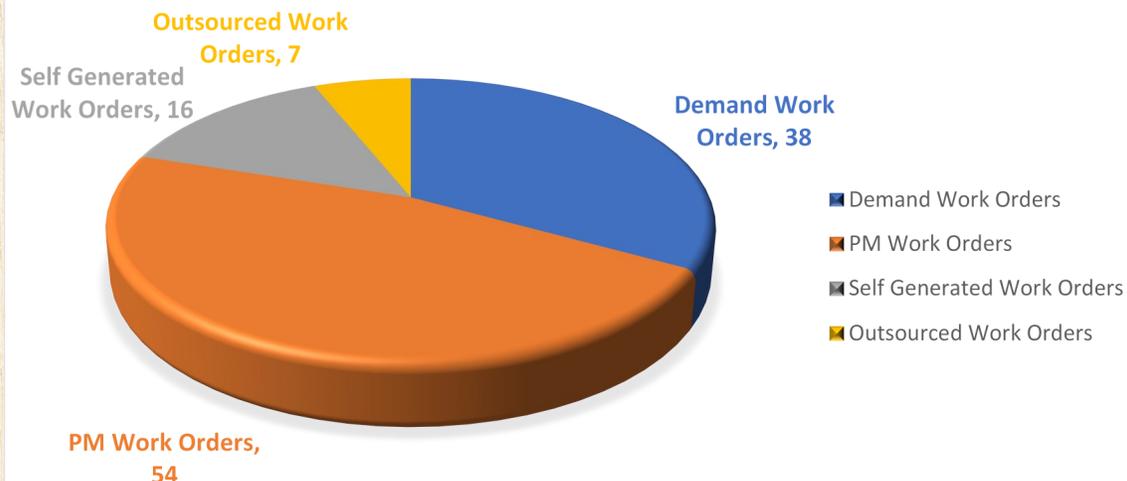
We are working hard on a transition to in-person learning. Some of the efforts include:

- The creation of facilities related school re-entry blueprints
- Reallocating all necessary resources required to maintain a safe and healthy environment
- Securing necessary PPE
- Retraining staff in proper COVID related disinfection procedures



WORK ORDERS

SEPTEMBER 2020 WORK ORDERS



EMPLOYEE CORNER

Claire Cummings is the Secretary for the Facilities and Transportation Department. She joined the District in May of 2014. Some of the tasks Claire is responsible for are: maintaining the work order system, staffing assignments, monitoring time sheets and community requests for all Facilities and Transportation related matters.

Claire has been active in our community since 1977. Her interests include family activities, sewing, babysitting her wonderful grandchildren and is a valuable asset to our district. Her favorite quote is: "Don't cry because it's over, smile because it happened"



SAFETY REPORT

Safety is our Top Priority

Number of accidents - September	0
Number of accidents - YTD	1
Days worked since last accident	240

Accident was a fall due to icy conditions. Additional training and corrective action measures have been implemented.

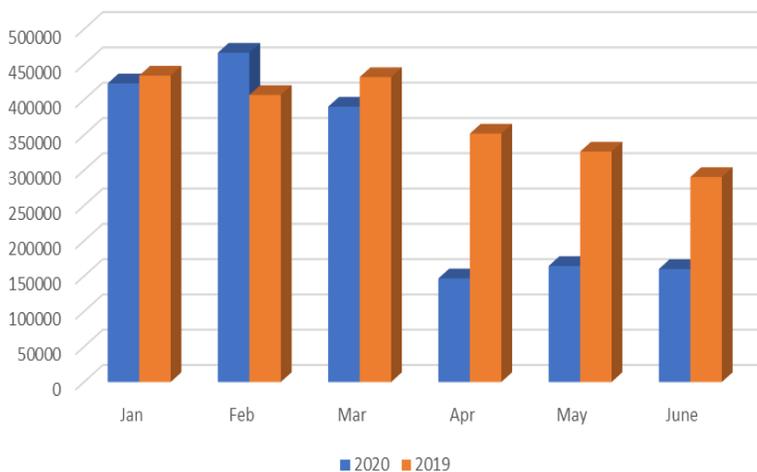
Every employee is empowered to stop a task if there is a safety concern. Every task requires our 3 CHECKS FOR SAFETY

1. DO I HAVE THE PROPER TRAINING?
2. DO I HAVE THE RIGHT EQUIPMENT?
3. IS MY ENVIRONMENT SAFE?

If there is a "no" than the task must not be performed" until all answers are "yes"

ENERGY CONSUMPTION

Energy Consumption Jan - Jun 2019 vs Jan vs June 2020



SODEXO NEWS

Sodexo has been recognized for the fourth Consecutive year as a Top 10 Percent Inclusion Index Company on the Diversity Best Practices Inclusion Index. This index helps organizations understand trends and gaps in demographic representation, creates a road map to drive internal change and identifies diversity, equity and inclusion solutions to close the gaps.





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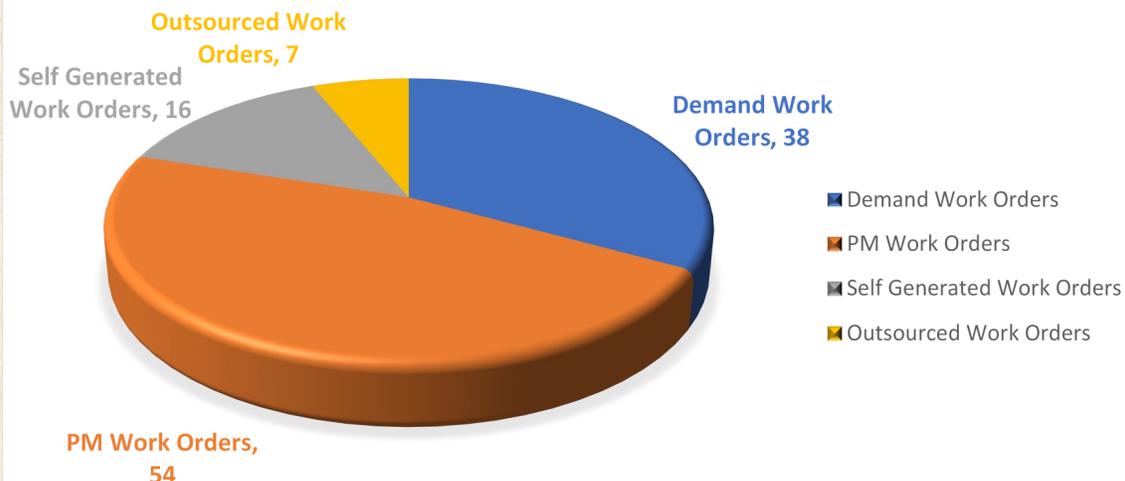
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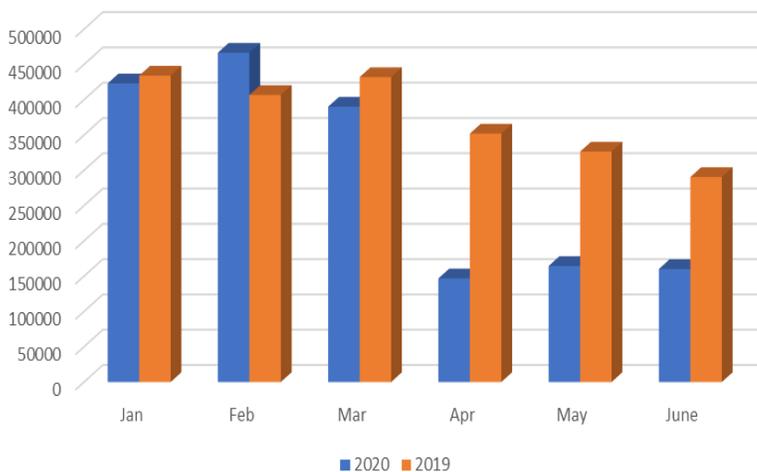
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