



Agenda

North Clackamas School Board Executive/Work/Regular Session
Thursday, November 17, 2022 - 5:00 PM
Zoom

Times listed on the agenda below are only estimates and may be adjusted.

Join Zoom Meeting

<https://us06web.zoom.us/j/86902212078?pwd=WXhtMGdYeDQ3dXVoRndJU3VHTTByZz09>

Meeting ID: 869 0221 2078

Passcode: 763160

EXECUTIVE SESSION

Convened under Oregon Laws ORS 192.660 (2)(f) to consider information or records that are exempt by law from public inspection.

NOTICE TO MEDIA: ORS 192.660 (4) Representatives of the news media shall be allowed to attend executive sessions other than those held under subsection (2)(d) of this section relating to labor negotiations or executive session held pursuant to ORS 332.061 (2). Representatives of the news media who are permitted to attend executive sessions are specifically directed not to report on or otherwise disclose any of the deliberations or anything said about these subjects during the executive session, except to state the general subject of the session as previously announced.

5:00 Call to Order

5:30 Adjourn Executive Session

WORK SESSION

5:30 Call to Order

5:30 Ad Hoc Board Committee - Interim Report

3

Presenter: Tiffany Shireman

Jollee Patterson

6:20 Adjourn Work Session

OPEN SESSION

6:30 Call to Order

Native Land Acknowledgement

113

Flag Salute

	Minutes - October 27, 2022	114
	Minutes - November 3, 2022	117
	Consent Agenda	
	A. Employment Changes	
	B. Travel Request Adrienne C. Nelson High School Dance Team	118
	C. Travel Request Adrienne C. Nelson High School Boys Basketball	124
	D. Travel Request Milwaukie High School Boys Basketball	130
	E. Travel Request Sabin-Schellenberg Professional Technical Center	136
	Construction Group	
	F. Travel Request Adrienne C. Nelson High School Girls Basketball	141
6:35	Community Comments	
6:50	1. North Clackamas Education Association (NCEA) Featured Educator	
7:05	2. Oak Grove Elementary - School Presentation	146
	Presenter: Khaliyah Williams-Rodriguez	
7:25	3. Board Reports	
7:40	4. Preschool Promise Curriculum - Discussion	178
	Presenter: Khaliyah Williams-Rodriguez	
8:00	5. Policy Revisions - Discussion	195
	Presenter: Tiffany Shireman	
8:10	6. Oregon School Board Election - Discussion	208
	Presenter: Mitzi Bauer	
8:20	7. Quarterly Financials - Report	220
	Presenter: Matt Makara	
8:30	8. Budget Committee Appointments - Action	224
	Presenter: Mitzi Bauer	
8:45	9. Bulk Phone Purchase - Action	225
	Presenter: Cindy Detchon	
8:55	10. Special Education Evaluation Contract Award - Action	226
	Presenter: Tammy O'Neill	
9:05	Adjourn	

BACKGROUND:

On June 9, 2022 the Board took action to establish an Ad Hoc Board Committee focused on the review and revision of current policies related to complaint and appeal processes.

NCSD Board Policy BCE/BCF guides the formation of School District Board Committees and identifies the following parameters for an Ad Hoc Board Committee: *“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.”*

The Ad Hoc Board Committee met on the following dates in properly noticed public meetings: July 27, 2022, October 18, 2022, and November 1, 2022.

This time is set aside as a work session to review proposed policy changes and discuss the next steps for the Ad Hoc Committee.

- **Policy Revisions:**

As a result of the committee work, the Ad Hoc Board Committee proposes the adoption of the attached policy revisions. This work session will serve as the first reading of the proposed policy revisions. These policy revisions will be scheduled to return to the Board for adoption at its December 8, 2022 meeting.

- **Ad Hoc Committee Next Steps:**

On October 22, 2022 the Board updated the charge for the Ad Hoc Committee to more specifically address: *Policy KL-AR, discrimination and complaint policies and have access to supports for all the parties involved.*

In order to shape the future work of the Ad Hoc Committee, board members will be provided an opportunity to discuss desired outcomes from additional work on KL-AR, discrimination and complaint policies and some examples of the kinds of supports the Board would like implemented in the complaint process. This discussion will serve to inform the future direction of the Ad Hoc Committee’s work.

ATTACHMENTS:

NCSD Board Policy [BCE/BCF](#): Board Committees

AC: Nondiscrimination

AC-AR: Discrimination Complaint Procedure

ACB: Every Student Belongs

ACB-AR: Bias Incident Complaint Procedure

GBEA: Workplace Harassment

GBEA-AR: Workplace Harassment Reporting and Procedure

GBNA: Hazing, Harassment, Intimidation, Bullying, Menacing – Staff

GBNA-AR: Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying

JFCF: Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating, Violence, Domestic Violence – Student

JFCF-AR: Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence, Domestic Violence

KL: Public Complaints

KL-AR: Public Complaint Procedure

PRESENTER:

Tiffany Shireman, Chief of Staff

Jollee Patterson, Board Legal Counsel

Board Ad Hoc Committee Report

NCSD Board of Directors
November 17, 2022

Tonight:

- Board Work Session
 - Review committee timeline and progress to date
 - Review proposed policy changes-to-date
 - Discuss Board's interests regarding updated committee charge:
 - *look at KL-AR, discrimination and complaint policies and have access to supports for all the parties involved.*
 - Review Ad Hoc Committee membership and interest



Next Steps:

- 12/8/22
 - Scheduled Board Action on proposed policy changes-to-date
- Approximately December, January, February, 2023:
 - Ad Hoc Committee continues work with KL-AR, discrimination and complaint policies and addresses how to has access to support for all parties involved



Committee:

- Ad Hoc Committee Members:
 - Mitzi Bauer
 - Steven Schroedl
 - Kathy Wai
- Ad Hoc Committee Support, Legal Counsel:
 - Jollee Patterson
 - Eden Vasquez
- Ad Hoc Committee Support, Staff
 - Tiffany Shireman, Chief of Staff
 - Ivonne Dibblee, Assistant Superintendent for Education
 - Cindy Detchon, Assistant Superintendent for Operations
 - Donna Collingwood, Administrative Assistant
 - Susie Brusse, Administrative Assistant



Committee timeline and progress:

- June 9, 2022: Board took action to establish this Committee.
- This committee will review possible policy updates related to complaints and appeals.
- This committee will make a recommendation regarding policy changes on this topic to the full Board.
- Board legal counsel and staff will be made available to support the committee's work.
 - July 27, 2022: Meeting #1
 - August 29, 2022: Meeting #2 (cancelled)
 - October 18, 2022: Meeting #2
 - November 1, 2022: Meeting #3
- October 22, 2022: NCSD Board provided updated charge direction



Review proposed policy changes:

Jollee Patterson

Separate Slide Deck



Updated committee charge:

- On October 22, 2022, the Board voted to update the committee's charge to include:
 - *look at KL-AR (the public complaint procedure), discrimination and complaint policies and have access to supports for all the parties involved.*

As the committee moves forward with its next phase, what interests or concepts would you like the committee to consider regarding the new charge?



Ad Hoc Committee membership and interest:

- Ad Hoc Committee Membership is appointed by the Board Chair (per policy BCB)
- Current Ad Hoc Committee Members:
 - Mitzi Bauer
 - Steven Schroedl
 - Kathy Wai

As the committee moves forward with its next phase, is there continued interest in being a member from the existing committee members? Are other board members interested?



Tonight:

- 11/17/22 - Work Session with Full Board
 - Review timeline and progress to date
 - Review proposed policy changes-to-date
 - Discuss Board's interests regarding:
 - *look at KL-AR, discrimination and complaint policies and have access to supports for all the parties involved.*
 - Review Ad Hoc Committee membership and interest

Next Steps:

- 12/8/22
 - Scheduled Action on proposed policy changes-to-date
- Approximately December, January, February, 2023:
 - Ad Hoc Committee continues work with KL-AR, discrimination and complaint policies and addresses how to has access to support for all parties involved



North Clackamas Schools

Board of Education Work Session - District Policy Review

Jollee Patterson, Miller Nash

*North Clackamas School District
November 17, 2022*

Policy Review Project – Goals

- Bring key district policies into alliance with the law
- Eliminate unnecessary duplication
- Provide more clarity for policy users including the staff and public
- Allow for efficient policy updates going forward
- Ensure application of equity lens

AC/AC-AR Non-Discrimination

- Nondiscrimination (AC)
 - Technical changes to update the policy language
 - Recommended language provides that complaints of discrimination or harassment will be processed under the applicable policy/AR process
- Discrimination Complaint Procedure (AC-AR)
 - Current version of AC-AR replicates current version of KL-AR
 - Recommendation is to delete the AR, as complaints will be handled under the specific applicable policy/AR

ACB/ACB-AR Every Student Belongs

- Every Student Belongs (ACB)
 - Technical and legal changes to update the policy language
- Every Student Belongs Complaint Procedure (ACB-AR)
 - No changes at this point, except clarifying the title
 - Process for complaints will be reviewed in Phase Two

GBEA/GBEA-AR Workplace Harassment

- Workplace Harassment (GBEA)
 - Moves procedural language regarding compliance with the Oregon Workplace Fairness Act (OWFA) into the AR
- Workplace Harassment Reporting Procedure (GBEA-AR)
 - Updates language to reflect the requirements of OWFA and other applicable laws
 - Provides that the superintendent is the final decision-maker for appeals related to workplace harassment complaints
 - Updates reporting forms

GBNA/GBNA-AR Hazing/Harassment/Intimidation/Bullying/ Menacing/Cyberbullying – Staff and Third Parties

- Hazing/Harassment Staff and Third Parties (GBNA)
 - Technical and legal changes to update the policy language
 - Moves definitions and other procedural content to AR

- Hazing/Harassment Complaint Procedures Staff and Third Parties (GBNA-AR)
 - Includes definitions and sets out applicable process depending on complainant (staff or third party); removes language that duplicates current version of KL-AR

JFCF/JFCF-AR Hazing/Harassment/Intimidation/Bullying/ Menacing/Cyberbullying/Dating Violence/Domestic Violence - Students

- Hazing/Harassment - Students (JFCF)
 - Technical and legal changes to update the policy language
 - Moves definitions and other procedural content to AR
- Hazing/Harassment - Complaint Procedures Students (JFCF-AR)
 - Include definitions, sets out applicable process, and includes required notifications; removes language that duplicates current version of KL-AR

KL/KL-AR Public Complaint Process

- Public Complaints (KL)
 - Provides overview of the steps in the process, with additional detail in the AR.
 - Includes legal requirements regarding public complaints.
 - Clarifies that the Board will not consider any appeals from decisions made by the board of a charter school.
- Public Complaint Procedure (KL-AR)
 - Most substantive review of the process will be considered in Phase Two.
 - Includes revision to athletic complaint process to provide for expedited review of complaints related to eligibility or participation.



Code: AC
Adopted: 1/20/11
Revised/Readopted: 11/12/15; 6/25/20; 1/27/22

Nondiscrimination**

The district prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual's perceived or actual race¹, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans' status, or because of the perceived or actual race, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or veterans' status of any other persons with whom the individual associates.-

The district prohibits discrimination and harassment in, but not limited to, employment, assignment and promotion of personnel; educational opportunities and services offered students; student assignment to schools and classes; student discipline; location and use of facilities; educational offerings and materials; and accommodating the public at public meetings.-

The Board encourages all staff, students, families, and the public to ~~improve human relations within the schools, to~~ respect all individuals and ~~to establish channels through which~~ the diversity of our community ~~members can communicate their concerns to the administration and the Board.~~

The superintendent shall appoint individuals at the district to contact on issues concerning the Americans with Disabilities Act and Americans with Disabilities Act Amendments Act (ADA), Section 504 of the Rehabilitation Act, Titles VI and VII of the Civil Rights Act, Title IX of the Education Amendments, and other civil rights or discrimination issues, and notify students, parents, and staff with their names, office addresses, and phone numbers. The district will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees, and the public. ~~These, and such~~ procedures will be available at the district's administrative office and available on the home page of the district's website.-

The district prohibits retaliation and discrimination against an individual who has opposed any discrimination act or practice; because that person has filed a charge, testified, assisted or participated in an investigation, proceeding or hearing; and further prohibits anyone from coercing, intimidating, threatening or interfering with an individual for exercising any rights guaranteed under state and federal law.-

Complaints of discrimination or harassment, based on a legally protected characteristic, will be processed as appropriate under ~~GBEA-AR (Workplace Harassment), JFCF or GBNA (Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence, or Domestic Violence), KL-AR (Public Complaints) or JBA/GBN (Sexual Harassment)~~ any other applicable District policy and administrative regulation.

¹ Includes discriminatory use of a Native American mascot pursuant to OAR 581-021-0047. Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001 (as amended by House Bill 2935 (2021)).-

END OF POLICY-

Legal Reference(s):

[ORS 174.100](#)
[ORS 192.630](#)
[ORS 326.051\(1\)\(e\)](#)
[ORS 408.230](#)
[ORS 659.805](#)
[ORS 659.815](#)
[ORS 659.850 - 659.860](#)
[ORS 659.865](#)
[ORS 659A.001](#)
[ORS 659A.003](#)
[ORS 659A.006](#)
[ORS 659A.009](#)
[ORS 659A.029](#)
[ORS 659A.030](#)
[ORS 659A.040](#)
[ORS 659A.103 - 659A.145](#)
[ORS 659A.230 - 659A.233](#)
[ORS 659A.236](#)
[ORS 659A.309](#)
[ORS 659A.321](#)
[ORS 659A.409](#)
[OAR 581-002-0001 – 002-0005](#)
[OAR 581-021-0045](#)
[OAR 581-021-0046](#)
[OAR 581-021-0047](#)
[OAR 581-022-2310](#)
[OAR 581-022-2370](#)
[OAR 839-003](#)

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-633 (2018); 29 C.F.R Part 1626 (2019).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12112 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).
Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2018).
Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2018); 34 C.F.R. Part 104 (2019).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).
Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019).
Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018); 29 C.F.R. § 1601 (2019).
Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).
Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).
The Vietnam Era Veterans’ Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (2018).
Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (2018); 29 C.F.R. Part 1635 (2019).
House Bill 2935 (2021).
House Bill 3041 (2021).

Cross Reference(s):

ACA - Americans with Disabilities

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

ACB - Every Student Belongs

GBEA - Workplace Harassment

JB - Equal Educational Opportunity

KL - Public Complaints As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.



Code: AC-AR
Revised/Reviewed: 1/20/11
Revised/Readopted: 11/12/15; 6/25/20

Discrimination Complaint Procedure**

~~A complaint under Policy AC must be in writing, prepared either by the complainant or by the complainant with the aid of a staff person, and should explain the facts that show discrimination and how that is based upon the complainant's protected class such as race, color, sex, sexual orientation, etc. The protected classifications are found in Policy AC. For complaints that involve a District staff member other than the Superintendent, School Board or a School Board Member, the Executive Director of Human Resources will determine the appropriate administrator for Step 1. For complaints about students or from students, the Executive Directors of Secondary Programs or Elementary Programs are responsible for determining the appropriate administrator for Step 1. For a complaint about policies, programs or services, the Superintendent is responsible for determining the appropriate administrator for Step 1.~~

~~When a complaint is made orally, the complaining party retains sole discretion on whether or not the complaint is reduced to writing and processed in accordance with the AC-AR complaint procedure.~~

1. 3-Step Appeal Process:

- 1.1 ~~**Step 1 (School/Program Administrator):** After the District has received a complaint it will be referred to the appropriate administrator for investigation and resolution. It is the District's intent that a complaint would be resolved at the lowest level. The administrator will investigate the complaint, attempt to resolve the complaint and make a Step 1 decision if the complaint cannot be resolved to the complainant's satisfaction.~~
 - (a) ~~The administrator responsible for Step 1 has 30 calendar days to investigate the complaint, attempt to resolve the complaint and make a written decision on the complaint if the complaint is not resolved.~~
 - (b) ~~The administrator responsible for the complaint at Step 1 has wide latitude to attempt to resolve the complaint by conferring with the complainant, the subject, and other parties involved. In some cases, it may involve the administrator requesting the complainant and the subject of the complaint to meet and try to resolve the dispute. In other cases, it may not be appropriate to have such a meeting.~~
 - (c) ~~The 30 day time limit for Step 1 may only be extended by written agreement of the complainant.~~
 - (d) ~~The administrator will include in the Step 1 decision a notice that the decision may be appealed within 7 calendar days after the decision is sent to the complainant. The notice will explain how to appeal the decision, where to send the appeal, along with the applicable timeline to appeal.~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

- (e) ~~The complainant who appeals the Step 1 decision shall provide in writing the reason(s) for the appeal.~~

- (f) ~~Athletic Issues: For complaints involving athletics (except for Title IX complaints which are not subject to this subsection), the first step in the complaint process is the coach directly responsible for the student athlete. If the issue is not resolved within 5 school days, the issue may be appealed to the high school athletic director. A decision of the athletic director may be appealed to the high school principal within 5 school days of the athletic director's decision. The decision of the high school principal is final and may not be appealed.~~
 - (g) ~~Students with Disabilities: Complaints about athletics that involve students who are eligible for special education or reasonable accommodations under either the IDEA or Section 504 will be process under applicable statutory procedures under those laws. Further information on this subject may be found in the OSA Handbook.~~
- 12 ~~**Step 2 (Superintendent or Designee):** If the complainant disagrees with the decision of the administrator in Step 1, the complainant may appeal the decision to the administrator indicated in the Step 1 decision. Normally this administrator would be the supervisor of the Step 1 administrator.~~
- (a) ~~The Superintendent determines the appropriate Step 2 administrator.~~
 - (b) ~~The Step 2 administrator will review the investigation that occurred at Step 1, the Step 1 administrator's decision, and the complainant's written appeal.~~
 - (c) ~~The Step 2 administrator may, but is not required, to do more investigation if that administrator determines it is necessary. This may include additional interviews of the complainant and other relevant witnesses.~~
 - (d) ~~The Step 2 administrator will attempt to resolve the complaint with the complainant. If this is not possible, the Step 2 administrator will issue a final decision.~~
 - (e) ~~The administrator responsible for Step 2 has 30 calendar days to investigate the complaint, attempt to resolve the complaint and make a written decision on the complaint if the complaint is not resolved.~~
 - (f) ~~The 30 calendar day time limit for Step 2 may only be extended by written agreement of the complainant.~~
 - (g) ~~The administrator will include in the Step 2 decision a notice that the decision may be appealed within 7 calendar days after the decision is sent to the complainant. The notice will explain how to appeal the decision, where to send the appeal, along with the applicable timeline to appeal.~~
- 13 ~~**Step 3 (School Board):** The School Board is the final step in the District's complaint process. For complaints under this policy, the School Board may hear the appeal. If the School Board decides to provide a hearing on the appeal it will render a decision within ninety (90) calendar days of initiation of the complaint. If a hearing on the appeal is granted, the process will include:~~
- (a) ~~The Board will schedule a hearing on complainant's appeal. The Board leadership in consultation with the Superintendent and/ or legal counsel will determine whether the hearing will be in public session or in executive session, according to the Oregon public~~

~~meeting law. The administrator will include in the Step 2 decision a notice that the decision may be appealed within 7 calendar days after the decision is sent to the complainant. The notice will explain how to appeal the decision, where to send the appeal, along with the applicable timeline to appeal.~~

- ~~(b) The appeal before the Board will be on the record developed by the Step 1 and Step 2 administrators. No witnesses may be called. The Superintendent or designee will present its position. The complainant will present their position. The Board may ask clarifying questions of the parties. The Board will make a final decision on the appeal in an open public session.~~
 - ~~(c) The Board will provide a written order to the complainant following the Board decision.~~
 - ~~(d) The Board has 30 calendar days from the day it receives a written appeal to make a final decision in a Board meeting. The 30-calendar day timeline may be extended with written consent from the complainant.~~
- 14 ~~It is the District's goal that the complaint process be resolved within 90 calendar days. For example:~~
- ~~(a) 30 calendar days at Step 1 to review complaint, investigate and render decision.~~
 - ~~(b) 7 calendar days to appeal: Days 31-38.~~
 - ~~(c) Day 38 appeal received.~~
 - ~~(d) Day 68 for Step 2 decision.~~
 - ~~(e) 7 calendar days to appeal: Days 69-75.~~
 - ~~(f) Day 75 Step 3 appeal to the Board. The Board has 15 calendar days to have a Board hearing (if applicable) and render final decision.~~

2. ~~**Complaints made to Board Members:** From time to time Board members may receive complaints from community members, groups, or staff by email or other means. Board members shall refer complainants to the Superintendent.~~

3. ~~**Complaints filed with Public Agencies:** If the complainant chooses to engage in another complaint process with an outside agency such as the Oregon Department of Education, the Teacher Standards and Practices Commission, the Oregon Bureau of Labor and Industries, the Employment Relations Board, the Office for Civil Rights or other such agencies, the District is under no obligation to either begin or complete its complaint process.~~

3.1 ~~If the complainant refuses to use the District complaint process and instead goes directly to a public agency with the complaint, the District is under no obligation to consider the same complaint in the future.~~

3.2 ~~If the complainant withdraws their complaint within the first 30 calendar days after filing the complaint with the public agency but prior to receiving a decision or a dismissal notice from the~~

public agency, the complainant may file a complaint under the applicable policy with the District provided that the complaint is filed with the District within the time limitation.¹

4. **Complaints that cannot be processed within 90 calendar days:** There may be situations where it is not practical that a complaint can go through the 3-step process from start to finish within the 90-day time period. An example of such a complaint might require an unusual amount of investigation at Step 1 that makes it impossible to complete Step 1 within 30 calendar days. Another example might be a complainant who raises an issue that can only be decided by the Superintendent or Board. A third example is a situation where the Board is not able to schedule a Board hearing within the 90-day window because of an event outside the control of the Board (e.g., a snow day closure with cancellation of the Board meeting, or a necessary party to the hearing being unavailable because of illness).
 - 4.1 It is important that both the District personnel who are responsible for responding to the complaint as well as the complainant understand that there are many possible events that could delay the 3-step process that leads to a final Board decision within 90 calendar days of the date the complaint is filed. In these instances, the District will work with complainant to come to a mutual agreement on the path forward, which may include the following modification of the 3-step complaint procedures:
 - (a) Mutual agreement on an extension of time for the complaint process: complainant must confirm such an agreement in writing.
 - (b) Waive Step 1 and go directly to Step 2: Both the complainant and the District must mutually agree in writing to this process. The Step 2 process will complete the investigation and render a decision within 60 calendar days. Any appeal to the Board under Step 3 must be completed with a Board decision by day 90.
 - (c) If a complaint is received at the end of the school year, and an investigation must include interviews of staff and students who may be unavailable during the summer months, it may be necessary for the District to request an extension of time to complete the investigation. If the complainant refuses the extension of time for the investigation at Step 1, the District may skip Step 1 to give the investigator the amount of time needed for the investigation. The process will then begin at Step 2 so that the investigation can be completed so there is enough time for a Step 2 decision and a Step 3 appeal.
 - (d) If the complainant has not otherwise agreed to an extension of time and the District has not been able to render a final decision at the Board level in Step 3 within 90 calendar days, the complainant may appeal directly to the Deputy Superintendent of Public Instruction as outlined below.
5. **Final Decisions of the School Board that may be appealed:** Certain Step 3 final decisions by the Board may be appealed to the Deputy Superintendent of Public Instruction, as allowed in OAR 581-002-0001 to 581-002-0023. The Board's final decision regarding complaints of discrimination under Policy AC, complaints about restraint and seclusion of students, complaints about harassment of

¹All complaints must be received by the District on the later date of: (1) within two years of the alleged violation or the complainant's discovery of the alleged violation, or (2) one year after the affected student has graduated from, moved away from, or otherwise left the District. If the alleged violation is continuing, the time limitation must run from the date of the most recent incident.

~~students in OAR Division 22 Standards and complaints of retaliation in ORS 659.852 may be appealed. All other decisions of the Board are final and may not be appealed to the Deputy Superintendent of Public Instruction.~~

5.1 ~~In those complaints that may be appealed to the Deputy Superintendent of Public Instruction, a complainant may appeal if the Board has failed to render a decision within 90 calendar days of the initial filing of the complaint, unless the District and the complainant have agreed in writing to a longer period.~~

5.2 ~~The appeal to the Deputy Superintendent of Public Instruction must be received by the Oregon Department of Education no later than one year after the date of the final decision by the District, or if the District fails to issue a final decision, not later than two years after the date the complainant first filed the underlying complaint with the District.~~

6. ~~**Investigations:** Investigations will normally occur at Step 1 after a complaint is received. The Step 1 administrator may be the investigator, or a third-party investigator may conduct the investigation. The investigator will not be a person who is the subject of the complaint or who is directly involved in the subject matter of the complaint. The District staff responsible to determining the sufficiency of the complaint in Section 3.1 will normally determine who will investigate the complaint.~~

6.1 ~~**Investigations involving District's Legal Counsel:** At the sole discretion of the Superintendent or designee, it may become necessary to request the District's legal counsel to assist the District in an investigation.~~

6.2 ~~**Investigation Process:** There is no set investigative process. Each complaint should be investigated in a manner that makes the most sense, but should include interviews of the complainant, the subject of the complaint, and any relevant fact witnesses who know something about the issue.~~

6.3 ~~**Burden of Proof:** The complainant has the burden of proof in determining the truth of the matter asserted. The subject of the complaint (for example, the staff person who is alleged to have done something wrong) bears the burden of proving a defense to the complaint. The investigator is entitled to make credibility findings based upon the demeanor of the interviewees.~~

(a) ~~The burden of proof is a preponderance of the evidence, whether it is more likely than not that the issue complained about is true, and whether it violates a District policy.~~

(b) ~~Sometimes it will not be possible for an investigator to determine which version of the facts is correct, such as when there are only two witnesses and the witnesses have contrary testimony. In this situation the investigator may but is not required to determine which witness is more believable. The investigator may also determine that neither witness is more believable than the other and the evidence is therefore inconclusive. In this case the complaint will be deemed denied.~~

6.4 ~~**Investigation Timeline:** The District's goal at each step is to conclude each step within 30 calendar days, for a total complaint process of 90 calendar days. Some complaints will have relatively simple issues to be investigated. Complaints that contain many issues over a period of several years may present challenges for the completion of an appropriate investigation within the 30 calendar day time frame. The Step 1 administrator responsible for initiating an investigation shall notify the complainant of any delays or impediments to a timely investigation.~~

(a) ~~**Agreement to Extend Investigation Timeline:** There may be circumstances that arise that make it impossible to complete an investigation with 30 calendar days, such as summer break, the unavailability of witnesses to participate in an interview, or the complexity or large number of issues to be investigated. If a delayed or prolonged investigation is necessary, the District will contact the complainant and explain the situation with the goal of getting consent for an extension of time. All extensions of time for the investigation will be put in writing and sent to the complainant.~~

(b) ~~If the complainant refuses to allow for an extension of time for an investigation and it appears that an investigation cannot be completed within the time period allowed, the District may conclude the investigation and inform the complainant that the complainant may advance to the next level of appeal.~~

65 ~~**Investigation regarding Sexual Harassment Complaints:** All complaints alleging sexual harassment shall be investigated by the District.~~

66 ~~**Investigations Reports:** Complaint investigations will be concluded with a written investigation report. Depending about the investigation, the District may be required to keep the investigation report confidential pursuant to state or federal law.~~

(a) ~~The District will respond to public records requests for investigation reports consistent with the Oregon Public Records law in ORS Chapter 192.~~

(b) ~~—The District will notify complainants and the subject of the complaint regarding the results of an investigation. This will include (a) whether the complaint is substantiated and (b) the District’s intended action for a substantiated complaint.~~

(c) ~~—The District will determine on a case-by-case basis whether the actual investigation report is subject to disclosure to the complainant, subject of the complaint, or the public according the applicable District policy, state law, federal law and collective bargaining agreements with the associations.~~

7. ~~**Complaints about the Superintendent:** A complaint that is directly against the Superintendent is not subject to the 3-step complaint process above. Any complaint received by the District under any complaint policy will be referred directly to the Board Chair.~~

7.1 ~~The Board Chair shall notify the Vice Chair and District’s legal counsel about the complaint. The District’s legal counsel will notify the full Board of Directors about the complaint and the general nature of the complaint. The Board Chair will notify the Superintendent about the complaint.~~

7.2 ~~The Board Chair and Vice Chair will determine how to conduct a preliminary investigation of the complaint in consultation with the District’s legal counsel. The Board Chair will keep the Board of Directors apprised of the status of the investigation.~~

7.3 ~~If the nature of the complaint appears to the Board Chair and Vice Chair to be a complaint that could be resolved between the complainant and the Superintendent, the Board Chair will notify the Board of Directors that an informal resolution may be possible. The Board Chair shall~~

~~complete an investigation and informal resolution within 30 calendar days of the filing of the complaint.~~

- ~~(a) The Board Chair shall contact the complainant and determine if the complainant is willing to engage in an informal resolution.~~

74 ~~If the complainant is unwilling to engage in an informal resolution, or if the nature of the complaint alleges serious misconduct of the Superintendent or appears to the Board Chair and Vice Chair not to be a complaint that may be informally resolved, the Board of Directors shall be notified of this conclusion.~~

- ~~(a) The Board Chair shall present the complaint to the Board of Directors with a plan on how the allegations in the complaint will be investigated.~~
- ~~(b) At the conclusion of the investigation, the Board Chair will provide a summary of the investigation to the Board of Directors, the Superintendent, and the complainant.~~
- ~~(c) The Board Chair will schedule a hearing on the complaint before the Board of Directors at the next regularly scheduled Board meeting, or a special Board meeting.
 - ~~i. The Board Chair shall provide written notification to the complainant and the Superintendent of the time and place of the hearing. The hearing will be conducted in public or executive session as determining by Oregon public meeting law.~~
 - ~~ii. The Board will make a final decision on the complaint in an open public session and provide a written order of its decision to the complainant and the Superintendent.~~
 - ~~iii. The complainant's right to appeal the Board's decision is subject to Section 5 above.~~~~
- ~~(d) The timeline to process a complaint shall be a total of 90 calendar days from the date of the complaint was received by the Board Chair.~~

8. ~~**Complaints about the School Board or Individual Board Members:** Complaints about the Board or individual Board members should be filed with the Board's Secretary in the Superintendent's office. Complaints against the School Board or individual School Board members are not subject to the 3-step complaint process as described above. This is subject to resolution within 90 calendar days. This is because Board members are elected officials and not subject to the direction and control of the District administration.~~

81 ~~Any complaint received by the District under any complaint policy will be referred directly to the Board Chair. The Superintendent will be notified of the complaint within 3 calendar days.~~

82 ~~The Board Chair shall notify the Vice Chair and District's legal counsel about the complaint within 3 calendar days of receipt of the complaint. The District's legal counsel will notify the full Board of Directors about the complaint if the complaint is about the full Board within 7 calendar days of legal counsel's receipt of the complaint.~~

83 ~~If the complaint is against one or more individual Board members, the Board Chair will notify the Board of Directors that a complaint has been filed against named Board member and the general nature of the complaint within 3 calendar days of the Chair's receipt of the complaint.~~

- ~~(a) The Board Chair shall offer to meet with the individual Board members who are the subject of the complaint and will provide a copy of the complaint to the Board member(s). The District's legal counsel may be included in meetings with Board members.~~
- 84 ~~The Board Chair in consultation with the Vice Chair will determine whether and how to conduct a preliminary investigation of the complaint in consultation with the District's legal counsel. The Board Chair will keep the Board of Directors apprised of the status of the investigation.~~
- 85 ~~In all complaints against individual Board members, the Board has an interest in providing named Board members with some informal resolution process such as the Step 1 process that is afforded to complainants and subjects of complaints as described above. If at all possible, complaints directed at Board members should be resolved on an informal basis with the cooperation and participation of the complainant and the named Board member. The ultimate decision about whether an informal process occurs is at the discretion of the complainant, not the Board member about whom the complaint is made.~~

 - ~~(a) If an informal resolution is reached between a complainant and Board member(s), the informal resolution will be reduced to writing and the writing will be provided to the complainant and the involved Board member(s). The full Board will be notified that the complaint has been resolved.~~
- 86 ~~If either the Board of Directors or the complainant determine that an informal resolution of the complaint is not possible, the Board will schedule the complaint for a hearing before the Board of Directors.~~

 - ~~(a) The Board Chair will schedule a hearing on the complaint before the Board of Directors at the next regularly scheduled Board meeting, a subsequent Board meeting if the agenda has already been published, or a special Board meeting.~~

 - ~~i. The Board shall provide reasonable prior written notification to the complainant of the time and place of the hearing. The hearing will be conducted in public or executive session as determined by the Oregon Public Meeting Law.~~
 - ~~ii. The hearing before the Board will include:~~

 - ~~A. An opportunity for the Board member who is the subject of the complaint to respond to the complaint;~~
 - ~~B. An opportunity for the Board to review any investigative report that has been done on the complaint;~~
 - ~~C. An opportunity for the complainant to address the Board;~~
 - ~~D. An opportunity for Board members who will be deciding the complaint to ask questions of the complainant and the Board member who is the subject of the complaint; and~~
 - ~~E. The Board Chair, or other Board member presiding at the hearing shall consult with the complainant to mutually agree on the order of presentation of the hearing. The Board Chair or Board member presiding at the hearing shall make the final decision on the order of presentation.~~

- iii. ~~The District's legal counsel will assist the Board during the hearing.~~
- iv. ~~The Board will make a final decision on the complaint in an open public session and provide a written order of its decision to the complainant.~~
- v. ~~The complainant's right to appeal the Board's decision is subject to Section 5 above.~~
- (b) ~~Complaint against Board Chair or Vice Chair: In the event the Board Chair or Vice Chair is individually the subject of a complaint (as opposed to all Board members being the subject of a complaint), the Board Chair or Vice Chair shall not be involved in the complaint process in Section 8. Other Board members may be appointed to process the complaint against the Board Chair or Vice Chair.~~
- (c) ~~Complaints against both Board Chair and Vice Chair: In the event both the Chair and Vice Chair are the sole subjects of a complaint (as opposed to a complaint against all Board members), the Board member with the most seniority on the Board will be appointed by the Board to process the complaint.~~

9. **Complaints by and against District Staff:** ~~Special consideration is required in processing complaints by staff or against staff. These complaints will be evaluated by the appropriate District administrators.~~

91 **Complaints made by staff:** ~~Complaints filed by District staff under a District complaint policy may be subject to the collective bargaining agreement of which the staff person is a member. If the matter complained about is a matter that is covered by the applicable collective bargaining agreement, that agreement controls, and the staff complaint will not be permitted.~~

- (a) ~~Staff complaints under Policy KL: Although a District staff person may be a resident of the District, or be the parent or guardian of a student in the District, that alone does not give a staff person standing to file a public complaint under Policy KL unless the staff person is doing so either (a) because the complaint relates to their own child who is a student in the District; or (b) because the complaint relates to being a resident in the District, not a staff member of the District.~~
- (b) ~~Staff Complaint under Policy GBM: Complaints under Policy GBM may only be made by current employees of the District. The complaint procedure will not be available to resolve disputes and disagreements related to the provisions of any collective bargaining agreements, nor in any other instance where a collective bargaining agreement provides a dispute resolution procedure. Disputes concerning the dismissal, nonrenewal or nonextension of any employee are not subject to Policy GBM. The Board's decision is final and may not be appealed to the Oregon Department of Education.~~

92 **Complaints about staff:** ~~Complaints about District staff by District staff or third persons are confidential personnel matters subject to state law and applicable collective bargaining agreements. The complaint processes outlined above are all subject to applicable law and collective bargaining agreements.~~

93 ~~Complaints about staff or staff performance shall be directed to the District's human resources office.~~

10. **Complaints made by District Board Members:** ~~District Board members have the right to use the District complaint policies. In doing so, the complainant/Board member waives the right to participate as a decision-maker in the appeal process outlined in Section 1.3.~~
- 10.1 ~~Board members have the same protections as staff, students and third parties to not experience discrimination, harassment or other forms of conduct prohibited by District policy.~~
- 10.2 ~~Board members are residents of the District. However, as a Board member they are in a unique position to challenge District policies and procedures in their role on the School Board. Unless the District makes a decision that directly affects a Board member as a District resident, or as the parent or guardian of a District student, Board members may not make a complaint under Policy KL.~~
- (a) ~~Board member complaints about District Staff: A complaint made by a Board member about a District staff person will be made directly to the Superintendent. The Superintendent will consult with the Board Chair and District Legal Counsel about the appropriate next steps, including notification to the staff person that is consistent with any applicable collective bargaining agreement and how the complaint will be investigated.~~
- (b) ~~Complaints will begin at Step 2 at the Superintendent or designee level. Appeals from the Superintendent's decision shall be heard at the Step 3 level by the School Board. The complaining Board member(s) shall not participate in the Board decision at the Step 3 level.~~
- 10.3 ~~Board members will refrain from filing complaints under the District complaint policies because of disagreement with policy decisions the Board has voted on or for decisions that have been delegated to the administration. Board members shall use the Board meetings to address policy concerns.~~
- 10.4 ~~Board members agree that if a Board member is a complainant under a District complaint policy, that complaining Board member and the Board member who is the subject of the complaint agrees not to do the following:~~
- (a) ~~Participate in the selection of an investigator;~~
- (b) ~~Communicate with fellow Board members outside of a Board meeting about the complaint;~~
- (c) ~~Lobby any fellow Board member to support a position on the complaint;~~
- (d) ~~Deliberate on the complaint as a Board member;~~
- (e) ~~Vote on a decision about the complaint; or~~
- (f) ~~Retaliate against the complainant, District staff or other Board members in any way.~~
- 10.5 ~~A Board member's failure to abide by this section may subject the Board member to the consequences of public censure.~~
11. **Notification to Complainants and Subjects of Complaints:** ~~All notifications to complainants shall adhere to the following requirements:~~

- 11.1 ~~Shall be sent regular mail and by email at the last known address of the complainant;~~
- 11.2 ~~Be written in the language preferred and spoken by the complainant;~~
- 11.3 ~~Clearly describe the decision;~~
- 11.4 ~~Clearly describe the appeal process with identification of the time for appeal, and the person and address to whom the appeal must be addressed; and~~
- 11.5 ~~Clearly identify any other agency to whom an appeal of the final decision may be appealed.~~

~~DISCRIMINATION COMPLAINT FORM~~

~~Name of Person Filing Complaint _____ Date _____ School or Activity _____~~

~~Student/Parent Employee Nonemployee Job Applicant Other _____~~

~~Type of discrimination:~~

- ~~Age Color _____ Disability _____~~
- ~~Economic Status _____ Familial Status _____ Gender Identity _____~~
- ~~National or Ethnic Origin _____ Marital Status _____ Pregnancy _____~~
- ~~Race Religion _____ Sex _____~~
- ~~Sexual Orientation _____ Veteran's Status _____~~
- ~~Other _____~~

~~Specific complaint: (Please provide detailed information including names, dates, places, activities and results of informal discussion.)~~

~~Who should we talk to and what evidence should we consider?~~

~~Suggested solution/resolution/outcome:~~

~~This complaint form should be mailed or submitted to the administrator or Superintendent. Direct complaints related to educational programs and services may be made to the U.S. Department of Education, Office for Civil Rights. Direct complaints related to employment may be filed with the Oregon Bureau of Labor and Industries, Civil Rights Division, or the U.S. Department of Labor, Equal Employment Opportunities Commission.~~

~~Date Received: _____~~



Code: **ACB**
Adopted: 12/10/20
Revised/Readopted: 1/13/22

Every Student Belongs – Hate Symbols and Bias Incidents

The North Clackamas School District is committed to equity and the success of each student. Equity fosters an inclusive and barrier-free environment where each student will have access to a high-quality education and can follow their own path in reaching their full potential.

All students are entitled to a high quality educational experience, free from discrimination or harassment based on perceived race, ethnicity, color, family economics, mobility, language, marital status, gender, sexual orientation, gender identity, disability, initial proficiencies, religion, or national origin.

All employees are entitled to work in an environment that is free from discrimination or harassment based on perceived race, ethnicity, color, family economics, mobility, language, marital status, gender, sexual orientation, gender identity, disability, initial proficiencies, religion, or national origin.

All visitors are entitled to participate in a school or educational environment that is free from discrimination or harassment based on perceived race, ethnicity, color, family economics, mobility, language, marital status, gender, sexual orientation, gender identity, disability, initial proficiencies, religion, or national origin.

“Bias incident” means a person’s hostile expression of animus toward another person, relating to the other person’s perceived race, ethnicity, color, family economics, mobility, language, marital status, gender, sexual orientation, gender identity, disability, initial proficiencies, religion, or national origin, ~~of which criminal investigation or prosecution is impossible or inappropriate.~~ Bias incidents may include derogatory language or behavior directed at or about any of the preceding demographic groups.

“Symbol of hate” includes ~~but is not limited to~~ nooses¹, symbols of neo-Nazi ideology or the battle flag of the Confederacy.²

The district prohibits the use or display of any symbols of hate or bias incidents on district property or in an education program³ except where used in teaching curriculum that is aligned with state standards of education for public schools.

¹ The display of a noose on public property with the intent to intimidate may be a Class A Misdemeanor under Senate Bill 398 (2021).

² Any discipline for a bias incident or symbol of hate must include documentation that the incident was reasonably likely to cause a substantial disruption of or material interference with school activities; or was reasonably likely to interfere with the rights of students by denying them full access to the services, activities, and opportunities offered by the district.

³ “Education program” includes any program, service, school or activity sponsored by the district. The term district-sponsored program or service includes its technology system as defined by administrative regulation IIBGA-AR.

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

In responding to the use of any symbols of hate or bias incidents, the district will use learning and restorative measures as the first consideration whenever appropriate, as further described in the accompanying AR.

The district prohibits any retaliation against an individual because that individual has ~~in good faith reported information that the~~ filed a charge, testified, assisted or participated in an investigation, proceeding or hearing; and further prohibits anyone from coercing, intimidating, threatening or interfering with an individual ~~believes is evidence of a violation of a~~ for exercising any rights guaranteed under state ~~or~~ and federal law, ~~rule or regulation~~.

Nothing in this policy is intended to interfere with the lawful use of district facilities pursuant to a lease or license.

The district will use administrative regulation ACB-AR - Bias Incident Complaint Procedure to process reports or complaints of bias incidents.

END OF POLICY

Legal Reference(s):

[ORS 659.850](#)
[ORS 659.852](#)
[OAR 581-002-0005](#)
[OAR 581-022-2312](#)
[OAR 581-022-2370](#)

House Bill 2697 (2021)
House Bill 3041 (2021)
Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969).
Dariano v. Morgan Hill Unified Sch. Dist., 767 F.3d 764 (9th Cir. 2014).
State v. Robertson, 293 Or. 402 (1982).



Code: **ACB-AR**
Adopted: 12/10/20
Revised/Readopted: 1/13/22

Every Student Belongs – Hate Symbols and Bias Incident Complaint Procedure

The terms “bias incident” and “symbols of hate” are defined in policy. Persons impacted by a bias incident or display of a symbol of hate shall be defined broadly to include persons directly targeted by an act, as well as the community of students as a whole who are likely to be impacted by the act.¹

Step 1 When a staff member learns of a potential bias incident or display of a symbol of hate, the staff member will prioritize the safety and well-being of all persons impacted and without unreasonable delay report the incident to the building or program administrator.

Step 2 The administrator or designee shall acknowledge receipt of the complaint, reduce the complaint to writing, and investigate any complaint of a bias incident. Responding staff will recognize the experience of all persons impacted, acknowledge the impact, commit to taking immediate action, and commit to preventing further harm against those persons impacted from taking place. Educational components and redirection procedures, if any, will:

- Address the history and impact of bias and hate;
- Advance the safety and healing of those impacted by bias and hate;
- Promote accountability and transformation for people who cause harm; and
- Promote transformation of the conditions that perpetuated the harm.

The administrator or designee must consider whether the behavior implicates other district policies or civil rights laws, and if so, respond accordingly².

The administrator or designee will make a decision within 30 days of receiving the complaint.

All persons impacted by the act will be provided with information³ relating to the investigation and outcome of the investigation, including:

- Notice that an investigation has been initiated;
- Notice when an investigation has been completed;
- Findings of the investigation and the final determination based on those findings;

¹ The term “complainant” in this administrative regulation includes persons filing formal complaints and persons reporting bias incidents, regardless of whether the complainant is a victim. Similarly, the term “complaint” includes any report, information or complaint.

² The nature of the behavior or act must determine the process used to respond; what rights and protections are available to the person(s) impacted by the behavior or act; and an individual’s right to appeal to the Oregon Department of Education or the U.S. Department of Education.

³ For additional information regarding required notices, see OAR 581-022-2312(4)(e)(E).

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

- Actions taken to remedy a person’s behavior and prevent reoccurrence; and
- When applicable, the legal citation of any law prohibiting disclosure of any information described above, and an explanation of how that law applies to the current situation.

Step 3 If complainant or a respondent wishes to appeal the decision of the administrator or designee, the complainant or respondent may submit a written appeal to the superintendent within 7 calendar days after receipt of the administrator or designee’s response to the complaint.

The superintendent or designee shall acknowledge receipt of the appeal and may meet with all parties involved. The superintendent or designee will review the merits of the complaint and the administrator or designee’s decision. The superintendent or designee will respond in writing to the complainant within 30 calendar days.

The superintendent or designee will ensure that the requirements in Steps 1 and 2 (redirection procedures, notice, etc.) are continued to be met through Step 3, as appropriate.

Step 4 If the complainant or respondent is not satisfied with the decision of the superintendent or designee, a written appeal may be filed with the Board within 7 calendar days of receipt of the superintendent or designee’s response to Step 3. The Board may decide to hear or deny the request for appeal at a Board meeting. The Board may use an executive session if the subject matter qualifies under Oregon law. If the Board decides to hear the appeal, the Board may meet with the concerned parties and their representative at a Board meeting. The Board’s decision will be final and will address each allegation in the complaint and contain reasons for the Board’s decision. A copy of the Board’s final decision shall be sent to the complainant in writing within 7 calendar days of this meeting.

The superintendent will ensure that the requirements in Steps 1 and 2 (redirection procedures, notice, etc.) are continued to be met through Step 4, as appropriate.

Complaints can be filed with or communicated directly to the administrator or designee, in which case Step 1 will be skipped. Complaints against the administrator can be directed to the superintendent or designee and will begin at Step 3. Complaints against the superintendent or a Board member(s) can be directed to the Board and will begin at Step 4. If complaints begin later than Step 1, the individuals reviewing the complaint will ensure that all requirements are met.

The complainant, if a person who resides in the district, a parent or guardian of a student who attends school in the district, or a student, is not satisfied after exhausting local complaint procedures, the district fails to render a written decision within 30 days of submission of the complaint at any step or fails to resolve the complaint within 90 calendar days of the initial filing of the complaint, may appeal⁴ the district’s final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023.

Complaints may also be filed directly with the U.S. Department of Education Office for Civil Rights.⁵

⁴ An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

⁵ Complaints must meet criteria as established by law. For more information, visit <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

District administration will develop and implement instructional materials to ensure that all school employees, staff and students are made aware of the policy, this administrative regulation and related practices. The materials will include reporting procedures, educational processes, and possible consequences.

When necessary, timelines may be adjusted by the district by communicating to all parties in writing. This communication must include a new timeline and an explanation of why the timeline must be adjusted.



Code: GBEA
Adopted: 3/12/20
Revised/Readopted: 2/10/22

Workplace Harassment

Workplace harassment is prohibited and shall not be tolerated. This includes workplace harassment that occurs between district employees or between a district employee and the district in the workplace or at a work-related event that is off district premises and coordinated by or through the district, or between a district and a district employee off district premises. Elected school board members, volunteers and interns are subject to this policy.

Any district employee who believes they have been a victim of workplace harassment may file a report with the district employee designated in the administrative regulation GBEA-AR - Workplace Harassment Reporting and Procedure, or may file a report through the Bureau of Labor and Industries' (BOLI) complaint resolution process or under any other available law. The reporting of such information is voluntary. The district employee making the report is advised to document any incidents of workplace harassment.

“Workplace harassment” means conduct that constitutes discrimination prohibited by Oregon Revised Statute (ORS) 659A.030 (discrimination in employment based on race,¹ color, religion, sex, sexual orientation, gender identity, national origin, marital status, age, or expunged juvenile record), including conduct that constitutes sexual assault² or that constitutes conduct prohibited by ORS 659A.082 (discrimination against person in uniformed service) or 659A.112 (discrimination in employment based on disability).

The district, upon receipt of a report from a district employee who believes they are a victim of workplace harassment, shall provide information about legal resources and counseling and support services, including any available employee assistance services. The district employee receiving the report, whether a supervisor of the employer or the district employee designated to receive reports, is advised to document any incidents of workplace harassment, and shall provide a copy of this policy and accompanying administrative regulation to the victim upon their disclosure about alleged workplace harassment.

All incidents of behavior that may violate this policy shall be promptly investigated.

Any person who reports workplace harassment has the right to be protected from retaliation.

~~The district may not require or coerce a district employee to enter into a nondisclosure³ or~~

¹ Race also includes physical characteristics that are historically associated with race, including but not limited to natural hair, hair texture, hair type and protective hairstyles as defined by ORS 659A.001 (as amended by House Bill 2935 (2021)).

² ~~“Sexual~~ For the purposes of this policy, “sexual assault” means unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat or intimidation.

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

~~nondisparagement⁴ agreement.~~

~~The district may not enter into an agreement with an employee or prospective employee, as a condition of employment, continued employment, promotion, compensation, or the receipt of benefits, that contains a nondisclosure provision, a nondisparagement provision or any other provision that has the purpose or effect of preventing the employee from disclosing or discussing workplace harassment that occurred between district employees or between a district employee and the district, in the workplace or at a work-related event that is off district premises and coordinated by or through the district, or between a district employee and employer off district premises.~~

~~The district may enter into a settlement agreement, separation or severance agreement that includes one or more of the following provisions only when a district employee claiming to be aggrieved by workplace harassment requests to enter into the agreement: 1) a nondisclosure or nondisparagement provision; 2) a provision that prevents disclosure of factual information relating to the claim of workplace harassment; or 3) a no-rehire provision that prohibits the employee from seeking reemployment with the district as a term or condition of the agreement. The agreement must provide the district employee at least seven days after signing the agreement to revoke it.~~

~~If the district determines in good faith that an employee has engaged in workplace harassment, the district may enter into a settlement, separation or severance agreement that includes one or more of the provisions described in the previous paragraph.~~

It is the intent of the Board that appropriate corrective action will be taken by the district to stop workplace harassment, prevent its recurrence and address negative consequences. Staff members in violation of this policy shall be subject to discipline, up to and including dismissal and/or additional workplace harassment awareness training, as appropriate. Other individuals (e.g., board members, witnesses, and volunteers) whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent, the superintendent's designee, or the Board.

~~A complaint alleging an unlawful employment practice as described in ORS 243.323, 659A.030, 659A.082 or 659A.112 or 659.370 must be filed no later than five years after the occurrence of the alleged unlawful employment practice.~~

The district shall make this policy available to all district employees and shall be made a part of district orientation materials provided and copied to new district employees at the time of hire.

The superintendent will establish a process of reporting incidents of workplace harassment and the prompt investigation of such reports.

END OF POLICY

Legal Reference(s):

~~²A "nondisclosure" agreement or provision prevents either party from disclosing the contents of or circumstances surrounding the agreement.~~

~~⁴A "nondisparagement" agreement or provision prevents either party from making disparaging statements about the other party.~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

[ORS 243.317 - 243.323](#)

[ORS 659A.001](#)

[ORS 659A.003](#)

[ORS 659A.006](#)

[ORS 659A.029](#)

[ORS 659A.030](#)

[ORS 659A.082](#)

[ORS 659A.112](#)

[ORS 659A.820](#)

[ORS 659A.875](#)

[ORS 659A.885](#)

[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).

House Bill 3041 (2021)



Code: GBEA-AR
Revised/Reviewed: 2/27/20; 1/27/22

Workplace Harassment Reporting and Procedure

Any district employee who believes they have been a victim of workplace harassment may file an oral or written report consistent with this ~~administration~~administrative regulation, may file a report through the Bureau of Labor and Industries' (BOLI) complaint resolution process, or ~~may file under any other available law~~under any other available law. Reports of workplace harassment should be reported on the attached form. Employees can request technical assistance in reflecting their concerns in writing. Reports to the district should be filed with the director of human resources or the superintendent. Elected school board members, volunteers and interns are subject to this policy.

Additional information regarding the filing of a report may be obtained through the ~~principal~~department of human resources, administrative supervisor, compliance officer or superintendent.

A complaint alleging an unlawful employment practice as described in ORS ~~243.323~~, 659A.030, 659A.082 or 659A.112 or ~~659~~659A.370 must be filed no later than five years after the occurrence of the alleged unlawful employment practice.

All documentation related to workplace harassment complaints may become part of the personnel file of the employee who is the alleged harasser, as appropriate: under law, policy, or the applicable collective bargaining agreement. For elected school board members, volunteers, and interns who are the alleged harasser, all documentation related to workplace harassment. Additionally, a copy of all workplace harassment reports, complaints, and documentation will be maintained by the district as-in a separate confidential file and stored in the district office.

Investigation Procedure

The executive director for human resources or designee is responsible for investigating reports concerning workplace harassment. The investigator(s) shall be a neutral party having had no involvement in the report presented. If the alleged workplace harassment involves the executive director for human resources, the employee may report to the superintendent. All reports of alleged workplace harassment behavior shall be investigated.

The executive director for human resources or the designated investigator shall:

1. Document the alleged, reported incident of workplace harassment;

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

2. Provide information about legal resources and counseling and support services, which may include district-provided assistance services available to the ~~district employee parties~~;
3. Provide a copy of the district's Board policy GBEA - Workplace Harassment and this administrative regulation to the ~~district employee parties~~; and
4. Complete the following steps:

Step 1 Promptly initiate an investigation. The investigator will arrange such meetings as may be necessary to discuss the issue with all concerned parties ~~within five working days~~ promptly after receipt of the report. The parties will have an opportunity to submit evidence and a list of witnesses. All findings of the investigation, ~~including the response of the alleged harasser, shall be reduced to writing. Within 30 calendar days of receiving the complaint, the investigator 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. shall be reduced to writing. Within 30-calendar days of receiving the complaint, unless additional time for the investigation is required, the investigator shall notify the complainant in writing that the investigation is concluded. The director of human resources or designee shall inform the parties of next steps, including the process for a decision-maker to determine if there was a violation of policy to the extent allowable by law. A decision regarding policy violations will be rendered within ten days of the final investigation report, unless additional time is required.~~

A copy of the report, complaint, or other documentation about the incident, and the date and details of notification to the complainant of the results of the investigation, together with any other documentation related to the workplace harassment incident, including disciplinary action taken or recommended, shall be retained in human resources.

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 shall review the investigators report and findings. The superintendent or designee will arrange such meetings with the complainant and other affected parties as deemed necessary by the superintendent or designee to discuss the appeal. The superintendent or designee shall provide a written decision to the complainant within 30 working days after receipt of the appeal. The superintendent or designee's determination is final.

~~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 7 working days after receipt of the Step 2 decision. The Board will review the findings and conclusion of the superintendent or designee in a public meeting to determine what action is appropriate. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, and adopting the superintendent or designee's decision as the district's final decision.~~

~~If the Board conducts a hearing, the complainant shall be given an opportunity to present the appeal at a Board meeting. The Board may hold the hearing in executive session if the subject matter qualifies under Oregon law. The parties involved may be asked to attend such hearing for the purposes of making further explanations and clarifying the issues. The Board shall decide,~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

~~within 30 days, in open session what action, if any, is warranted. The Board shall provide a written decision to the complainant within 10 working days following completion of the hearing.~~

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

Reports ~~involving against~~ the superintendent should be referred to the Board chair on behalf of the Board. The Board chair will cause the ~~information, information~~¹ required to be issued to the complainant as described in this administrative regulation. The Board chair shall present the complaint to the Board at a Board meeting. The Board will consult with legal counsel. 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 and the Board will determine what action is appropriate. Appropriate action may include, but is not limited to, holding a hearing and requesting additional information. The Board may hold the hearing in executive session if the subject matter qualifies under Oregon law. The Board shall decide, within 30 days, in open session what action if any is warranted. The Board chair shall notify the complainant in writing within 10 days that the investigation is concluded and if a violation of the policy was found to have occurred to the extent allowable by law.

Follow-up Procedures

The executive director for human resources or designated human resources administrator will follow up with the district employee of the alleged harassment once every three months for the calendar year following the date on which the ~~executive director for human resources~~district received a report of harassment, to determine whether the alleged harassment has stopped or if the employee has experienced retaliation. The executive director for human resources or designated human resources administrator will document the record of this follow-up. The executive director for human resources or designated human resources administrator will continue follow-up in this manner until and unless the employee directs the executive director for human resources or designated human resources administrator in writing to stop/discontinue regular follow-up.

Other Reporting Options and Filing Information

Nothing in this policy prevents an employee from filing a formal grievance in accordance with a collective bargaining agreement (CBA) or a formal complaint with BOLI or the Equal Employment Opportunity Commission (EEOC); or if applicable, the U.S. Department of Labor (USDOL) Civil Rights Center. Review the CBA for any provision that requires an employee to choose between the complaint procedure outlined in the CBA and filing a BOLI or EEOC complaint.

Nothing in Board policy GBEA - Workplace Harassment or this administrative regulation prevents any person from seeking remedy under any other available law, whether civil or criminal.

¹ This shall include information about legal resources and counseling and support services, which may include district-provided assistance services available to the district employee, and a copy the district's Board policy GBEA - Workplace Harassment and this administrative regulation to the district employee.

~~¹ Provide information about legal resources and counseling and support services, which may include district-provided assistance services available to the district employee, and a copy the district's Board policy GBEA - Workplace Harassment and this administrative regulation to the district employee.~~

An employee or claimant must provide advance notice of claim against the employer as required by ORS 30.275.

Filing a report with the U.S. Department of Labor (USDOL) Civil Rights Center.

An employee whose agency receives federal financial assistance from the USDOL under the Workforce Innovation and Opportunity Act, Mine Safety and Health Administration, Occupational Safety and Health Administration, or Veterans' Employment and Training Service, may file a complaint with the state of Oregon Equal Opportunity Officer or directly through the USDOL Civil Rights Center. The complaint must be written, signed and filed within 180 days of when the alleged discrimination or harassment occurred.

Limitations on separation or settlement agreements, including nondisclosure and nondisparagement clauses

The district may not require or coerce a former, current, or prospective district employee to enter into a nondisclosure² or nondisparagement³ agreement.

The district may not enter into an agreement with a former, current, or prospective employee, as a condition of employment, continued employment, promotion, compensation, or the receipt of benefits, that contains a nondisclosure provision, a nondisparagement provision or any other provision that has the purpose or effect of preventing the employee from disclosing or discussing workplace harassment that occurred between district employees or between a district employee and the district, in the workplace or at a work-related event that is off district premises and coordinated by or through the district, or between a district employee and employer off district premises.

The district may enter into a settlement agreement, separation or severance agreement that includes one or more of the following provisions only when a district employee claiming to be aggrieved by workplace harassment requests the inclusion of such provisions in the agreement: 1) a nondisclosure or nondisparagement provision; 2) a provision that prevents disclosure of the amount of or fact of any settlement; or 3) a no-rehire provision that prohibits the employee from seeking reemployment with the district as a term or condition of the agreement. The agreement must provide the district employee at least seven days after signing the agreement to revoke it.

If the district determines in good faith that an employee has engaged in workplace harassment, the district may enter into a settlement, separation or severance agreement that includes one or more of the provisions described in the previous paragraph.

² A "nondisclosure" agreement or provision prevents either party from disclosing the contents of or circumstances surrounding the agreement.

³ A "nondisparagement" agreement or provision prevents either party from making disparaging statements about the other party.

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

North Clackamas School District
12400 SE Freeman Way, Milwaukie, OR 97222
(503) 353-6000

WORKPLACE HARASSMENT REPORTING OR COMPLAINT FORM

THIS FORM SHOULD BE SUBMITTED TO THE DIRECTOR OF HUMAN RESOURCES OR SUPERINTENDENT

Name of person making report/complainant: - _____

Position of person making report/complainant: - _____

Date of complaint: _____ **Email address** _____

Name of alleged harasser: - _____

Date **Please describe the date** and place of **the** incident or incidents: - _____

Description of _____

Please describe the alleged misconduct: - _____

Name _____

Please provide the names of _____ witnesses (if any): - _____

Evidence _____

Please attach evidence of workplace harassment, i.e., letters, photos, etc. ~~(attach evidence if possible):~~ - _____

Any _____

Please provide any other information: **you believe is important or relevant to your complaint:** _____

Please feel free to attach additional pages if necessary

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

Signature: _____

Date: - _____

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

~~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: _____~~



Code: **GBNA**
Adopted: 12/06/12
Revised/Readopted: 1/08/15; 6/25/20

Hazing~~/~~, Harassment~~/~~, Intimidation~~/~~, Bullying~~/~~, Menacing, Cyberbullying – Staff or Third Parties**

~~The Board is committed to providing a positive and productive learning and working environment.~~ Hazing, harassment, intimidation, ~~menacing or~~ bullying, menacing, and acts of cyberbullying of staff, ~~students~~ or third parties by staff, students, ~~staff~~ or third parties is strictly prohibited and shall not be tolerated in the district.

The superintendent or designee is ~~Retaliation against any person who~~ responsible for ensuring that this policy is implemented.

The superintendent or Human Resources will take reports, ~~is thought to have reported, files a complaint or otherwise participates in an~~ and conduct a prompt investigation ~~or inquiry is also strictly prohibited of any reported acts of hazing, harassment, intimidation or bullying, menacing, or cyberbullying against a staff or third party in accordance with this administrative regulation.~~

Staff whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial action which may include discipline, up to and including dismissal. ~~Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion.~~ Third parties 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 ~~Board~~ designee. Students whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial action which may include discipline, up to and including expulsion. Additional detail is provided in the accompanying GBNA-AR.

~~Individuals may also be referred to law enforcement officials. Licensed staff will be reported to Teacher Standards and Practices Commission, as provided by OAR 584-020-0041.~~

The requirements of state law, including definitions, notification requirements, and other required policy statements are set forth in the accompanying AR.

Definitions:

1. **“Bullying Students”** means any act or series of acts that:
 - a. ~~Substantially interferes with a student’s educational benefits, opportunities or performance;~~
 - b. ~~Takes place on or immediately adjacent to school grounds, at any school sponsored activity, on school provided transportation or at any official school bus stop;~~
 - c. Has the effect of:
 - i. ~~Physically harming a student or damaging a student’s property;~~
 - ii. ~~Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property; or~~
 - iii. ~~Creating a hostile educational environment, including interfering with the psychological well-being of a student; and~~
 - iv. ~~May be based on but not limited to, the protected class status of a person.~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

2. ~~“Bullying Staff” means a pattern of repeated mistreatment that harms, intimidates, undermines, offends, degrades or humiliates an employee. Administrators and supervisors who have high expectations, present a tough demeanor, identify areas requiring improved performance, or impose discipline within established workplace guidelines are not engaging in bullying as long as their actions are carried out in a respectful, consistent and fair manner.~~
3. ~~“Complainants” means any district staff and third parties who have filed a complaint under Policy GBNA.~~
4. ~~“Cyberbullying” means the use of any electronic communication device to harass, intimidate or bully.~~
5. ~~“Harassment of Students” means any act or series of acts as judged by a reasonable person standard that:~~
 - a. ~~Substantially interferes with a student’s educational benefits, opportunities or performance;~~
 - b. ~~Takes place on or immediately adjacent to school grounds, at any school sponsored activity, on school provided transportation or at any official school bus stop;~~
 - c. ~~Has the effect of:~~
 - i. ~~Physically harming a student or damaging a student’s property;~~
 - ii. ~~Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property; or~~
 - iii. ~~Creating a hostile educational environment, including interfering with the psychological well-being of a student; and~~
 - iv. ~~May be based on but not limited to, the protected class status of a person.~~
6. ~~“Harassment of Staff” means any act that substantially interferes with a staff member’s opportunities or performance, which takes place on district property, or at any district sponsored activity. Harassment, intimidation and bullying have the effect of:~~
 - a. ~~Physically harming a staff member or damaging a staff member’s property;~~
 - b. ~~Knowingly placing a staff member in reasonable fear or physical harm to the staff member or damage to a staff member’s property or creating a hostile work environment.~~
 - i. ~~A “hostile work environment” is caused by conduct of a verbal or physical nature that is sufficiently severe or pervasive to have the purpose or effect of unreasonably interfering with the work performance, as judged by a reasonable person standard, including a reasonable person of the particular protected class of the complainant.~~
7. ~~“Hazing of Students” means:~~
 - a. ~~To subject an individual to whipping, beating, striking, branding or electronic shocking, to place a harmful substance on an individual’s body or to subject an individual to other similar forms of physical brutality;~~
 - b. ~~To subject an individual to sleep deprivation, exposure to the elements, confinement in a small space or other similar activity that subjects the individual to an unreasonable risk of harm or adversely affects the physical health or safety of the individual;~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

- c. ~~To compel an individual to consume food, liquid, alcohol, cannabis, controlled substances or other substances that subject the individual to an unreasonable risk of harm or adversely affect the physical health or safety of the individual; or~~
 - d. ~~To induce, cause or require an individual to perform a duty or task that involves the commission of a crime or an act of hazing.~~
8. ~~“Hazing Staff” includes, but is not limited to, any act that recklessly or intentionally endangers the mental, physical health or safety of a student/staff member for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district sponsored activity, work group or work assignment or other such activities intended to degrade or humiliate regardless of the person’s willingness to participate.~~
9. ~~“Intimidation” includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another’s property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the basis of race, color, religion, national origin, or sexual orientation.~~
10. ~~“Menacing” includes, but is not limited to, any act intended to place a district employee, student or third party in fear of imminent physical injury.~~
11. ~~“Third Person” means a person who is not employed by the district, but who is a school volunteer, volunteer coach, parent of a student attending a district school, a school visitor, service contractor for the district, or others engaged in school business, including school board members.~~

~~The superintendent or designee is directed to develop administrative regulations to implement this policy. Regulations shall include descriptions of prohibited conduct, reporting and investigative procedures, and provisions to ensure notice of this policy is provided to students, staff and third parties. The superintendent may not modify or change the 3-step complaint procedure without Board approval.~~

~~All complaints must be received by the district on the later date of (1) within two years of the alleged violation or the complainant’s discovery of the alleged violation; or (2) one year after the affected student has graduated from, moved away from, or otherwise left the district.~~

~~** As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300—125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.~~

END OF POLICY

Legal Reference(s):

[ORS 163.190](#)
[ORS 163.197](#)

[ORS 332.107](#)
[ORS 339.250](#)

[ORS 659A.199 - 659A.224](#)
[OAR 839-003-0000](#)

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

[ORS 166.065](#)

[ORS 659A.006](#)

[OAR 839-005-0021](#)

[ORS 166.155](#) - 166.165 [ORS](#)

[ORS 659A.029](#)

[OAR 839-005-0030](#)

[174.100](#)

[ORS 659A.030](#)

[ORS 332.072](#)

[ORS 659A.103](#) - 659A.143

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2012).

Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et. Seq. (2012).

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 (2012); 29 C.F.R. Part 1626 (2018)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2012); 29 C.F.R. Part 1630 (2018); 28 C.F.R. Part 35 (2018).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133

(2012). *Bartsch v. Elkton School District*, FDA-13-011 (March 27, 2014).

OREGON BUREAU OF LABOR AND INDUSTRIES, *Workplace Bullying* (visited Feb. 26, 2019),

<<https://www.oregon.gov/boli/docs/WorkplaceBullyingPoster-2018.pdf>>.

Cross Reference(s):

GBN/JBA - Sexual Harassment JFCM - Threats of Violence

i.



Code: **GBNA/~~JFCF~~-AR**
Adopted: ~~12/06/12~~; ~~12/11/14~~; ~~6/25/20~~
Orig. Code: ~~GBNA-AR~~

Hazing¹, Harassment¹, Intimidation¹, Bullying¹, Menacing¹, or Cyberbullying/Teen-Dating Violence/Domestic Violence Complaint Procedures – Response Procedure for Incidents Involving Staff or Third Parties**

Hazing, harassment, intimidation, bullying, menacing, and acts of cyberbullying of staff or third parties by staff, students, or third parties is strictly prohibited and shall not be tolerated in the district.

When an incident of hazing, harassment, intimidation or bullying, menacing, or acts of cyberbullying involve both a student and staff or a third party, the report will be processed in alignment with JFCF/JFCF-AR and GBNA/GBNA-AR.

Definitions

“District” includes district facilities, district premises, district-provided transportation, district bus stops, and non-district property if the student is at any district-sponsored activity or function, such as field trips or athletic events where students are under the jurisdiction of the district.

“Third parties” include, but are not limited to, coaches, 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 control at interdistrict and intradistrict athletic competitions or other school events.

“Hazing” includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored activity or grade level attainment. It is not a defense against hazing that the student subjected to hazing consented to or appeared to consent to the hazing.

“Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or performance, that takes place on or immediately adjacent to the district as defined above, that may be based on, but not limited to, the protected class status of a person, and having the effect of:

1. Physically harming a student or damaging a student’s property;
2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property; or
3. Creating a hostile educational environment including interfering with the psychological well-being of the student.

“Protected class” means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, familial status, source of income, or disability.

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

“Cyberbullying” is the use of any electronic communication device to harass, intimidate or bully.

“Retaliation” means any acts of, including but not limited to, hazing, harassment, intimidation or bullying, menacing, or cyberbullying toward the victim, a person in response to an actual or apparent reporting of, or participation in the investigation of, hazing, harassment, intimidation or bullying, menacing, teen dating violence, acts of cyberbullying, or retaliation.

“Menacing” includes, any act intended to place a district employee, student, or third party in fear of imminent serious physical injury.

The district also strictly prohibits sexual harassment. Sexual harassment is defined under both Oregon and federal law. When an incident involves sexual harassment, the District will investigate and respond in accordance with the appropriate district sexual harassment policies, administrative regulations, and sexual harassment complaint procedures. Allegations of sexual harassment should not be addressed primarily under this policy and administration regulation.

Third Parties Response Procedure

The superintendent will take reports and conduct a prompt investigation of any reported acts of hazing, harassment, intimidation or bullying, menacing, or cyberbullying against a third party.

Upon a report, or knowledge of, an incident, the superintendent or designee shall assess the allegation and conduct a prompt and appropriate investigation. The superintendent or designee shall promptly take interim action deemed necessary to maintain a safe learning environment. The superintendent or designee shall work with the complainant and other parties to resolve the issue. Third parties 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 designee.

A third party who is not satisfied with the school’s response may file a formal complaint with the superintendent’s office, using the district complaint form available on the district website, and from the superintendent’s office. In such a case, the complaint procedures in district policy and administrative regulation, KL-AR, will apply.

Staff Response Procedure

Human resources will take reports and conduct a prompt investigation of any reported acts of hazing, harassment, intimidation or bullying, menacing, or cyberbullying against staff.

Complaints involving allegations of misconduct by a specific district staff member will be processed in accordance with Human Resources procedures. Additionally, complaints regarding licensed or classified staff will be processed in accordance with applicable collective bargaining agreements. Complainants should be aware that the collective bargaining agreements and other considerations place limits on the processing of anonymous complaints. Complainants should also be aware that employees are entitled to certain confidentiality rights under state and federal law, as well as applicable collective bargaining agreements. Taking into account these confidentiality protections, complainants will be notified of the outcome of complaints against employees to the extent permitted by law, district policy and practice, and applicable collective bargaining agreements.

Potential Consequences and Anti-Retaliation

Staff whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

action which may include discipline, up to and including dismissal. Third parties 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 designee. Students whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial action which may include discipline, up to and including expulsion

Individuals may also be referred to law enforcement officials. Licensed staff may be reported to Teacher Standards and Practices Commission if required by Oregon Administrative Rule (OAR) 584-020-0041.

Retaliation against the victim, any person who reports, is thought to have reported, files a complaint, or otherwise participates in an investigation or inquiry is strictly prohibited. Such retaliation shall be considered a serious violation of Board policy and independent of whether a report or complaint is substantiated. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions.

The superintendent or designee shall be responsible for ensuring annual notice of this policy is provided in staff handbooks, school and district website, and school and district office.

END OF POLICY

~~A complaint under Policy GBNA and JFCF must be in writing. The basis of the complaint must be related to conduct defined in Policy GBNA or JFCF. For complaints that involve a District staff member other than the Superintendent, School Board or a School Board member, the executive director of human resources will determine the appropriate administrator for Step 1. For complaints about students or from students, the executive directors of elementary, middle or high schools are responsible for determining the appropriate administrator for Step 1. For a complaint about policies, programs or services, the Superintendent is responsible for determining the appropriate administrator for Step 1.~~

1. 3-Step Appeal Process:

- 1.1 ~~**Step 1 (School/Program Administrator):** After the District has received a complaint it will be referred to the appropriate administrator for investigation and resolution. It is the District's intent that a complaint would be resolved at the lowest level. The administrator will investigate the complaint, attempt to resolve the complaint and make a Step 1 decision if the complaint cannot be resolved to the complainant's satisfaction.~~
 - ~~(a) The administrator responsible for Step 1 has 30 calendar days to investigate the complaint, attempt to resolve the complaint and make a written decision on the complaint if the complaint is not resolved.~~
 - ~~(b) The administrator responsible for the complaint at Step 1 has wide latitude to attempt to resolve the complaint by conferring with the complainant, the subject, and other parties involved. In some cases, it may involve the administrator requesting the complainant and the subject of the complaint to meet and try to resolve the dispute. In other cases, it may not be appropriate to have such a meeting.~~
 - ~~(c) The 30-day time limit for Step 1 may only be extended by written agreement of the complainant.~~
 - ~~(d) The administrator will include in the Step 1 decision a notice that the decision may be~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

~~appealed within 7 calendar days after the decision is sent to the complainant. The notice will explain how to appeal the decision, where to send the appeal, along with the applicable timeline to appeal.~~

- ~~(e) The complainant who appeals the Step 1 decision shall provide in writing the reason(s) for the appeal.~~
- ~~(f) Athletic Issues: For complaints involving athletics (except for Title IX complaints which are not subject to this subsection), the first step in the complaint process is the coach directly responsible for the student athlete. If the issue is not resolved within 5 school days, the issue may be appealed to the high school athletic director. A decision of the athletic director may be appealed to the high school principal within 5 school days of the athletic director's decision. The decision of the high school principal is final and may not be appealed.~~
- ~~(g) Students with Disabilities: Complaints about athletics that involve students who are eligible for special education or reasonable accommodations under either the IDEA or Section 504 will be process under applicable statutory procedures under those laws. Further information on this subject may be found in the OSAA Handbook.~~

1.2 **Step 2 (Superintendent or Designee):** ~~If the complainant disagrees with the decision of the administrator in Step 1, the complainant may appeal the decision to the administrator indicated in the Step 1 decision. Normally this administrator would be the supervisor of the Step 1 administrator.~~

- ~~(a) The Superintendent determines the appropriate Step 2 administrator.~~
- ~~(b) The Step 2 administrator will review the investigation that occurred at Step 1, the Step 1 administrator's decision, and the complainant's written appeal.~~
- ~~(c) The Step 2 administrator may, but is not required, to do more investigation if that administrator determines it is necessary. This may include additional interviews of the complainant and other relevant witnesses.~~
- ~~(d) The Step 2 administrator will attempt to resolve the complaint with the complainant. If this is not possible, the Step 2 administrator will issue a final decision.~~
- ~~(e) The administrator responsible for Step 2 has 30 calendar days to investigate the complaint, attempt to resolve the complaint and make a written decision on the complaint if the complaint is not resolved.~~
- ~~(f) The 30-calendar day time limit for Step 2 may only be extended by written agreement of the complainant.~~
- ~~(g) The administrator will include in the Step 2 decision a notice that the decision may be appealed within 7 calendar days after the decision is sent to the complainant. The notice will explain how to appeal the decision, where to send the appeal, along with the~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

applicable timeline to appeal.

- 1.3 ~~**Step 3 (School Board):** The School Board is the final step in the District’s complaint process. For complaints under this policy, the School Board may hear the appeal. If the School Board decides to provide a hearing on the appeal it will render a decision within ninety (90) calendar days of initiation of the complaint. If a hearing on the appeal is granted, the process will include:~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

- (a) ~~The Board will schedule a hearing on complainant's appeal. The Board leadership in consultation with the Superintendent and/ or legal counsel will determine whether the hearing will be in public session or in executive session, according to the Oregon public meeting law. The administrator will include in the Step 2 decision a notice that the decision may be appealed within 7 calendar days after the decision is sent to the complainant. The notice will explain how to appeal the decision, where to send the appeal, along with the applicable timeline to appeal.~~
 - (b) ~~The appeal before the Board will be on the record developed by the Step 1 and Step 2 administrators. No witnesses may be called. The Superintendent or designee will present its position. The complainant will present their position. The Board may ask clarifying questions of the parties. The Board will make a final decision on the appeal in an open public session.~~
 - (c) ~~The Board will provide a written order to the complainant following the Board decision.~~
 - (d) ~~The Board has 30 calendar days from the day it receives a written appeal to make a final decision in a Board meeting. The 30 calendar day timeline may be extended with written consent from the complainant.~~
- 1.4 ~~It is the District's goal that the complaint process be resolved within 90 calendar days. For example:~~
- (a) ~~30 calendar days at Step 1 to review complaint, investigate and render decision.~~
 - (b) ~~7 calendar days to appeal: Days 31-38.~~
 - (c) ~~Day 38 appeal received.~~
 - (d) ~~Day 68 for Step 2 decision.~~
 - (e) ~~7 calendar days to appeal: Days 69-75.~~
 - (f) ~~Day 75 Step 3 appeal to the Board. The Board has 15 calendar days to have a Board hearing (if applicable) and render final decision.~~
2. ~~**Complaints made to Board Members:** From time to time Board members may receive complaints from community members, groups, or staff by email or other means. Board members shall refer complainants to the Superintendent.~~
3. ~~**Complaints filed with Public Agencies:** If the complainant chooses to engage in another complaint process with an outside agency such as the Oregon Department of Education, the Teacher Standards and Practices Commission, the Oregon Bureau of Labor and Industries, the Employment Relations Board, the Office for Civil Rights or other such agencies, the District is under no obligation to either begin or complete its complaint process.~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

- 3.1 ~~If the complainant refuses to use the District complaint process and instead goes directly to a public agency with the complaint, the District is under no obligation to consider the same complaint in the future.~~
- 3.2 ~~If the complainant withdraws their complaint within the first 30 calendar days after filing the complaint with the public agency but prior to receiving a decision or a dismissal notice from the public agency, the complainant may file a complaint under the applicable policy with the District provided that the complaint is filed with the District within the time limitation.~~¹
4. **Complaints that cannot be processed within 90 calendar days:** ~~There may be situations where it is not practical that a complaint can go through the 3-step process from start to finish within the 90-day time period. An example of such a complaint might require an unusual amount of investigation at Step 1 that makes it impossible to complete Step 1 within 30 calendar days. Another example might be a complainant who raises an issue that can only be decided by the Superintendent or Board. A third example is a situation where the Board is not able to schedule a Board hearing within the 90-day window because of an event outside the control of the Board (e.g., a snow day closure with cancellation of the Board meeting, or a necessary party to the hearing being unavailable because of illness).~~
 - 4.1 ~~It is important that both the District personnel who are responsible for responding to the complaint as well as the complainant understand that there are many possible events that could delay the 3-step process that leads to a final Board decision within 90 calendar days of the date the complaint is filed. In these instances, the District will work with complainant to come to a mutual agreement on the path forward, which may include the following modification of the 3-step complaint procedures:~~
 - (a) ~~Mutual agreement on an extension of time for the complaint process: complainant must confirm such an agreement in writing.~~
 - (b) ~~Waive Step 1 and go directly to Step 2: Both the complainant and the District must mutually agree in writing to this process. The Step 2 process will complete the investigation and render a decision within 60 calendar days. Any appeal to the Board under Step 3 must be completed with a Board decision by day 90.~~
 - (c) ~~If a complaint is received at the end of the school year, and an investigation must include interviews of staff and students who may be unavailable during the summer months, it may be necessary for the District to request an extension of time to complete the investigation. If the complainant refuses the extension of time for the investigation at Step 1, the District may skip Step 1 to give the investigator the amount of time needed for the investigation. The process will then begin at Step 2 so that the investigation can be completed so there is enough time for a Step 2 decision and a Step 3 appeal.~~

¹All complaints must be received by the District on the later date of: (1) within two years of the alleged violation or the complainant's discovery of the alleged violation, or (2) one year after the affected student has graduated from, moved away from, or otherwise left the District. If the alleged violation is continuing, the time limitation must run from the date of the most recent incident.

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

- (d) ~~If the complainant has not otherwise agreed to an extension of time and the District has not been able to render a final decision at the Board level in Step 3 within 90 calendar days, the complainant may appeal directly to the Deputy Superintendent of Public Instruction as outlined below.~~

5. **Final Decisions of the School Board that may be appealed:** ~~Certain Step 3 final decisions by the Board may be appealed to the Deputy Superintendent of Public Instruction, as allowed in OAR 581-002-0001 to 581-002-0023. The Board's final decision regarding complaints of discrimination under Policy AC, complaints about restraint and seclusion of students, complaints about harassment of students in OAR Division 22 Standards and complaints of retaliation in ORS 659.852 may be appealed. All other decisions of the Board are final and may not be appealed to the Deputy Superintendent of Public Instruction.~~

5.1 ~~In those complaints that may be appealed to the Deputy Superintendent of Public Instruction, a complainant may appeal if the Board has failed to render a decision within 90 calendar days of the initial filing of the complaint, unless the District and the complainant have agreed in writing to a longer period.~~

5.2 ~~The appeal to the Deputy Superintendent of Public Instruction must be received by the Oregon Department of Education no later than one year after the date of the final decision by the District, or if the District fails to issue a final decision, not later than two years after the date the complainant first filed the underlying complaint with the District.~~

6. **Investigations:** ~~Investigations will normally occur at Step 1 after a complaint is received. The Step 1 administrator may be the investigator, or a third party investigator may conduct the investigation. The investigator will not be a person who is the subject of the complaint or who is directly involved in the subject matter of the complaint. The District staff responsible to determining the sufficiency of the complaint in Section 3.1 will normally determine who will investigate the complaint.~~

6.1 **Investigations involving District's Legal Counsel:** ~~At the sole discretion of the Superintendent or designee, it may become necessary to request the District's legal counsel to assist the District in an investigation.~~

6.2 **Investigation Process:** ~~There is no set investigative process. Each complaint should be investigated in a manner that makes the most sense, but should include interviews of the complainant, the subject of the complaint, and any relevant fact witnesses who know something about the issue.~~

6.3 **Burden of Proof:** ~~The complainant has the burden of proof in determining the truth of the matter asserted. The subject of the complaint (for example, the staff person who is alleged to have done something wrong) bears the burden of proving a defense to the complaint. The investigator is entitled to make credibility findings based upon the demeanor of the interviewees.~~

- (a) ~~The burden of proof is a preponderance of the evidence, whether it is more likely than not that the issue complained about is true, and whether it violates a District policy.~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

- (b) ~~Sometimes it will not be possible for an investigator to determine which version of the facts is correct, such as when there are only two witnesses and the witnesses have contrary testimony. In this situation the investigator may but is not required to determine which witness is more believable. The investigator may also determine that neither witness is more believable than the other and the evidence is therefore inconclusive. In this case the complaint will be deemed denied.~~

6.4 ~~**Investigation Timeline:** The District's goal at each step is to conclude each step within 30 calendar days, for a total complaint process of 90 calendar days. Some complaints will have relatively simple issues to be investigated. Complaints that contain many issues over a period of several years may present challenges for the completion of an appropriate investigation within the 30 calendar day time frame. The Step 1 administrator responsible for initiating an investigation shall notify the complainant of any delays or impediments to a timely investigation.~~

- (a) ~~**Agreement to Extend Investigation Timeline:** There may be circumstances that arise that make it impossible to complete an investigation with 30 calendar days, such as summer break, the unavailability of witnesses to participate in an interview, or the complexity or large number of issues to be investigated. If a delayed or prolonged investigation is necessary, the District will contact the complainant and explain the situation with the goal of getting consent for an extension of time. All extensions of time for the investigation will be put in writing and sent to the complainant.~~
- (b) ~~If the complainant refuses to allow for an extension of time for an investigation and it appears that an investigation cannot be completed within the time period allowed, the District may conclude the investigation and inform the complainant that the complainant may advance to the next level of appeal.~~

6.5 ~~**Investigation regarding Sexual Harassment Complaints:** All complaints alleging sexual harassment shall be investigated by the District.~~

6.6 ~~**Investigations Reports:** Complaint investigations will be concluded with a written investigation report. Depending about the investigation, the District may be required to keep the investigation report confidential pursuant to state or federal law.~~

- (a) ~~The District will respond to public records requests for investigation reports consistent with the Oregon Public Records law in ORS Chapter 192.~~
- (b) ~~The District will notify complainants and the subject of the complaint regarding the results of an investigation. This will include (a) whether the complaint is substantiated and (b) the District's intended action for a substantiated complaint.~~
- (c) ~~The District will determine on a case-by-case basis whether the actual investigation report is subject to disclosure to the complainant, subject of the complaint, or the public according the applicable District policy, state law, federal law and collective bargaining agreements with the associations.~~

7. ~~**Complaints about the Superintendent:** A complaint that is directly against the Superintendent is not subject to the 3-step complaint process above. Any complaint received by the District under any~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022
~~complaint policy will be referred directly to the Board Chair.~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

- 7.1 ~~The Board Chair shall notify the Vice Chair and District's legal counsel about the complaint. The District's legal counsel will notify the full Board of Directors about the complaint and the general nature of the complaint. The Board Chair will notify the Superintendent about the complaint.~~
- 7.2 ~~The Board Chair and Vice Chair will determine how to conduct a preliminary investigation of the complaint in consultation with the District's legal counsel. The Board Chair will keep the Board of Directors apprised of the status of the investigation.~~
- 7.3 ~~If the nature of the complaint appears to the Board Chair and Vice Chair to be a complaint that could be resolved between the complainant and the Superintendent, the Board Chair will notify the Board of Directors that an informal resolution may be possible. The Board Chair shall complete an investigation and informal resolution within 30 calendar days of the filing of the complaint.~~
- (a) ~~The Board Chair shall contact the complainant and determine if the complainant is willing to engage in an informal resolution.~~
- 7.4 ~~If the complainant is unwilling to engage in an informal resolution, or if the nature of the complaint alleges serious misconduct of the Superintendent or appears to the Board Chair and Vice Chair not to be a complaint that may be informally resolved, the Board of Directors shall be notified of this conclusion.~~
- (a) ~~The Board Chair shall present the complaint to the Board of Directors with a plan on how the allegations in the complaint will be investigated.~~
- (b) ~~At the conclusion of the investigation, the Board Chair will provide a summary of the investigation to the Board of Directors, the Superintendent, and the complainant.~~
- (c) ~~The Board Chair will schedule a hearing on the complaint before the Board of Directors at the next regularly scheduled Board meeting, or a special Board meeting.~~
- i. ~~The Board Chair shall provide written notification to the complainant and the Superintendent of the time and place of the hearing. The hearing will be conducted in public or executive session as determining by Oregon public meeting law.~~
- ii. ~~The Board will make a final decision on the complaint in an open public session and provide a written order of its decision to the complainant and the Superintendent.~~
- iii. ~~The complainant's right to appeal the Board's decision is subject to Section 5 above.~~
- (d) ~~The timeline to process a complaint shall be a total of 90 calendar days from the date of the complaint was received by the Board Chair.~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

8. ~~**Complaints about the School Board or Individual Board Members:** Complaints about the Board or individual Board members should be filed with the Board's Secretary in the Superintendent's office. Complaints against the School Board or individual School Board members are not subject to the 3-step complaint process as described above. This is subject to resolution within 90 calendar days. This is because Board members are elected officials and not subject to the direction and control of the District administration.~~
- 8.1 ~~Any complaint received by the District under any complaint policy will be referred directly to the Board Chair. The Superintendent will be notified of the complaint within 3 calendar days.~~
- 8.2 ~~The Board Chair shall notify the Vice Chair and District's legal counsel about the complaint within 3 calendar days of receipt of the complaint. The District's legal counsel will notify the full Board of Directors about the complaint if the complaint is about the full Board within 7 calendar days of legal counsel's receipt of the complaint.~~
- 8.3 ~~If the complaint is against one or more individual Board members, the Board Chair will notify the Board of directors that a complaint has been filed against named Board member and the general nature of the complaint within 3 calendar days of the Chair's receipt of the complaint.~~
- (a) ~~The Board Chair shall offer to meet with the individual Board members who are the subject of the complaint and will provide a copy of the complaint to the Board member(s). The District's legal counsel may be included in meetings with Board members.~~
- 8.4 ~~The Board Chair in consultation with the Vice Chair will determine whether and how to conduct a preliminary investigation of the complaint in consultation with the District's legal counsel. The Board Chair will keep the Board of Directors apprised of the status of the investigation.~~
- 8.5 ~~In all complaints against individual Board members, the Board has an interest in providing named Board members with some informal resolution process such as the Step 1 process that is afforded to complainants and subjects of complaints as described above. If at all possible, complaints directed at Board members should be resolved on an informal basis with the cooperation and participation of the complainant and the named Board member. The ultimate decision about whether an informal process occurs is at the discretion of the complainant, not the Board member about whom the complaint is made.~~
- (a) ~~If an informal resolution is reached between a complainant and Board member(s), the informal resolution will be reduced to writing and the writing will be provided to the complainant and the involved Board member(s). The full Board will be notified that the complaint has been resolved.~~
- 8.6 ~~If either the Board of Directors or the complainant determine that an informal resolution of the complaint is not possible, the Board will schedule the complaint for a hearing before the Board of Directors.~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

- (a) ~~The Board Chair will schedule a hearing on the complaint before the Board of Directors at the next regularly scheduled Board meeting, a subsequent Board meeting if the agenda has already been published, or a special Board meeting.~~
- i. ~~The Board shall provide reasonable prior written notification to the complainant of the time and place of the hearing. The hearing will be conducted in public or executive session as determined by the Oregon public meeting law.~~
 - ii. ~~The hearing before the Board will include:~~
 - A. ~~An opportunity for the Board member who is the subject of the complaint to respond to the complaint;~~
 - B. ~~An opportunity for the Board to review any investigative report that has been done on the complaint;~~
 - C. ~~An opportunity for the complainant to address the Board;~~
 - D. ~~An opportunity for Board members who will be deciding the complaint to ask questions of the complainant and the Board member who is the subject of the complaint; and~~
 - E. ~~The Board Chair, or other Board member presiding at the hearing shall consult with the complainant to mutually agree on the order of presentation of the hearing. The Board Chair or Board member presiding at the hearing shall make the final decision on the order of presentation.~~
 - iii. ~~The District's legal counsel will assist the Board during the hearing.~~
 - iv. ~~The Board will make a final decision on the complaint in an open public session and provide a written order of its decision to the complainant.~~
 - v. ~~The complainant's right to appeal the Board's decision is subject to Section 5 above.~~
- (b) ~~Complaint against Board Chair or Vice Chair: In the event the Board Chair or Vice Chair is individually the subject of a complaint (as opposed to all Board members being the subject of a complaint), the Board Chair or Vice Chair shall not be involved in the complaint process in Section 8. Other Board members may be appointed to process the complaint against the Board Chair or Vice Chair.~~
- (c) ~~Complaints against both Board Chair and Vice Chair: In the event both the chair and Vice Chair are the sole subjects of a complaint (as opposed to a complaint against all Board members), the Board member with the most seniority on the Board will be appointed by the Board to process the complaint.~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

9. ~~**Complaints by and against District Staff:** Special consideration is required in processing complaints by staff or against staff. These complaints will be evaluated by the appropriate District administrators.~~
- 9.1 ~~**Complaints made by staff:** Complaints filed by District staff under a District complaint policy may be subject to the collective bargaining agreement of which the staff person is a member. If the matter complained about is a matter that is covered by the applicable collective bargaining agreement, that agreement controls, and the staff complaint will not be permitted.~~
 - (a) ~~Staff complaints under Policy KL: Although a District staff person may be a resident of the District, or be the parent of a student in the District, that alone does not give a staff person standing to file a public complaint under Policy KL unless the staff person is doing so either (a) because the complaint relates to their own child who is a student in the District; or (b) because the complaint relates to being a resident in the District, not a staff member of the District.~~
 - (b) ~~Staff Complaint under Policy GBM: Complaints under Policy GBM may only be made by current employees of the District. The complaint procedure will not be available to resolve disputes and disagreements related to the provisions of any collective bargaining agreements, nor in any other instance where a collective bargaining agreement provides a dispute resolution procedure. Disputes concerning the dismissal, nonrenewal or nonextension of any employee are not subject to Policy GBM. The Board's decision is final and may not be appealed to the Oregon Department of Education.~~
- 9.2 ~~**Complaints about staff:** Complaints about District staff by District staff or third persons are confidential personnel matters subject to state law and applicable collective bargaining agreements. The complaint processes outlined above are all subject to applicable law and collective bargaining agreements.~~
- 9.3 ~~Complaints about staff or staff performance shall be directed to the District's human resources office.~~
10. ~~**Complaints made by District Board Members:** District Board members have the right to use the District complaint policies. In doing so, the complainant/Board member waives the right to participate as a decision maker in the appeal process outlined in Section 1.3.~~
- 10.1 ~~Board members have the same protections as staff, students and third parties to not experience discrimination, harassment or other forms of conduct prohibited by District policy.~~
- 10.2 ~~Board members are residents of the District. However, as a Board member they are in a unique position to challenge District policies and procedures in their role on the School Board. Unless the District makes a decision that directly affects a Board member as a District resident, or as the parent of a District student, Board members may not make a complaint under Policy KL.~~
 - (a) ~~Board member complaints about District staff: A complaint made by a Board member about a District staff person will be made directly to the Superintendent. The Superintendent will consult with the Board Chair and District Legal Counsel about the appropriate next steps, including notification to the staff person that is consistent with~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

~~any applicable collective bargaining agreement and how the complaint will be investigated.~~

- (b) ~~Complaints will begin at Step 2 at the Superintendent or designee level. Appeals from the Superintendent's decision shall be heard at the Step 3 level by the School Board. The complaining Board member(s) shall not participate in the Board decision at the Step 3 level.~~

10.3 ~~Board members will refrain from filing complaints under the District complaint policies because of disagreement with policy decisions the Board has voted on or for decisions that have been delegated to the administration. Board members shall use the Board meetings to address policy concerns.~~

10.4 ~~Board members agree that if a Board member is a complainant under a District complaint policy, that complaining Board member and the Board member who is the subject of the complaint agrees not to do the following:~~

- (a) ~~Participate in the selection of an investigator;~~
- (b) ~~Communicate with fellow Board members outside of a Board meeting about the complaint;~~
- (c) ~~Lobby any fellow Board member to support a position on the complaint;~~
- (d) ~~Deliberate on the complaint as a Board member;~~
- (e) ~~Vote on a decision about the complaint; or~~
- (f) ~~Retaliate against the complainant, District staff or other Board members in any way.~~

10.5 ~~A Board member's failure to abide by this section may subject the Board member to the consequences of public censure.~~

11. **Notification to Complainants and Subjects of Complaints:** ~~All notifications to complainants shall adhere to the following requirements:~~

11.1 ~~Shall be sent regular mail and by email at the last known address of the complainant;~~

11.2 ~~Be written in the language preferred and spoken by the complainant;~~

11.3 ~~Clearly describe the decision;~~

11.4 ~~Clearly describe the appeal process with identification of the time for appeal, and the person and address to whom the appeal must be addressed; and~~

11.5 ~~Clearly identify any other agency to whom an appeal of the final decision may be appealed.~~

~~As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

~~legal guardian are defined in ORS 125.005 (4) and 125.300–125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.~~

END OF POLICY

Legal Reference(s):

ORS 163.190
ORS 163.197
ORS 166.065
ORS 166.155 - 166.165
ORS 174.100
ORS 332.072
ORS 332.107
ORS 339.250
ORS 659A.006
ORS 659A.029
ORS 659A.030
ORS 659A.103 - 659A.143
ORS 659A.199 - 659A.224
OAR 839-003-0000
OAR 839-005-0021
OAR 839-005-0030

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2012).
Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e, et. Seq. (2012).
Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 (2012); 29 C.F.R. Part 1626 (2018)
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2012); 29 C.F.R. Part 1630 (2018); 28 C.F.R. Part 35 (2018).
Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2012).
Bartsch v. Elkton School District, FDA-13-011 (March 27, 2014).
OREGON BUREAU OF LABOR AND INDUSTRIES, *Workplace Bullying* (visited Feb. 26, 2019),
<<https://www.oregon.gov/boli/docs/WorkplaceBullyingPoster-2018.pdf>>.

Cross Reference(s):

GBN/JBA
GBN/JBA-AR(1)
GBN/JBA-AR(2)



Code: **JFCF**
Adopted: 8/19/10
Revised/Readopted: 2/21/13; 1/14/16; 6/25/20

Hazing[/], Harassment[/], Intimidation[/], Bullying[/], Menacing[/], Cyberbullying[/], Teen Dating Violence[/], or Domestic Violence – Student^{}**

~~The Board is committed to providing a positive and productive learning environment with parents, employees, volunteers, students, administrators and community representatives in developing this policy in compliance with applicable Oregon Revised Statutes. Hazing, harassment, intimidation or bullying, menacing, and acts of cyberbullying by students, staff and, or third parties toward students are strictly prohibited. in the district. Teen dating violence is unacceptable behavior and prohibited. Retaliation against any person who reports, is thought to have reported, files a complaint or otherwise participates in an investigation or inquiry is also strictly prohibited. False charges shall also be regarded as a serious offense and will result in disciplinary action or other appropriate sanctions. Each student has the right to a safe learning environment. All students are expected to act in accordance with the student conduct expectations.~~

~~Students whose behavior is found to be in violation of this policy will be subject to discipline, up to and including expulsion. Students may also be referred to law enforcement officials.~~

~~The principal and the superintendent are or designee is responsible for ensuring that this policy is implemented.~~

~~The superintendent may not modify principal or change the 3 step complaint procedure without Board approval.~~

~~The building administrator designee will take reports and conduct a prompt investigation of any report of an act reported acts of hazing, harassment, intimidation or bullying, menacing and acts of, cyberbullying. Any employee who has knowledge of conduct in violation of this policy shall immediately report his/her concerns to the building administrator who has overall responsibility for all investigations. Any employee who has knowledge of incidents of, or teen dating violence that took place on district property, at a district sponsored activity or in a district vehicle or vehicle used for transporting students to a district activity shall immediately report the incident to the building administrator. Failure of an employee to report an act of hazing, harassment, intimidation or bullying, menacing or an act of cyberbullying to the building administrator may be subject to against a student in accordance with the accompanying administrative regulation.~~

~~Upon a report, or knowledge of, an incident, the principal or designee shall assess the allegation and conduct a prompt and appropriate investigation. The principal or designee shall promptly take interim action deemed necessary to maintain a safe learning environment. The principal or designee shall work with the complainant and other parties to resolve the issue, which may include corrective and remedial measures designed to prevent the recurrence of the behavior. Parents or guardians will be notified of the outcome of the investigation and, as appropriate, that remedial action, up to and including dismissal. Remedial action may not be based solely on an anonymous report. has been taken.~~

~~Students, parents and guardians are encouraged to attempt to resolve concerns through discussions with school staff at the school level. If the student, parent or guardian are not satisfied with the school's response~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

they may file a formal complaint with the superintendent's office, using the district complaint form available on the district website, and from the superintendent's office. In such a case, the complaint procedures in district policy and administrative regulation, KL-AR, will apply.

The requirements of state law, including definitions, notification requirements, and other required policy statements are set forth in the accompanying AR.

Definitions:

1. ~~“Bullying Students” means any act or series of acts that:~~
 - a. ~~Substantially interferes with a student's educational benefits, opportunities or performance;~~
 - b. ~~Takes place on or immediately adjacent to school grounds, at any school sponsored activity, on school provided transportation or at any official school bus stop;~~
 - c. ~~Has the effect of:~~
 - i. ~~Physically harming a student or damaging a student's property;~~
 - ii. ~~Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property; or~~
 - iii. ~~Creating a hostile educational environment, including interfering with the psychological well-being of a student; and~~
 - iv. ~~May be based on but not limited to, the protected class status of a person.~~

2. ~~“**Bullying Staff**” means a pattern of repeated mistreatment that harms, intimidates, undermines, offends, degrades or humiliates an employee. Administrators and supervisors who have high expectations, present a tough demeanor, identify areas requiring improved performance, or impose discipline within established workplace guidelines are not engaging in bullying as long as their actions are carried out in a respectful, consistent and fair manner.~~
3. ~~“**Complainants**” means any current or former district students who have filed a complaint under Policy JFCF.~~
4. ~~“**Cyberbullying**” means the use of any electronic communication device to harass, intimidate or bully.~~
5. ~~“**Domestic Violence**” means abuse as defined by Oregon Revised Statute (ORS) 107.705 between family and household members, as those terms are described in ORS 107.705.~~
6. ~~“**Harassment of Students**” means any act or series of acts as judged by a reasonable person standard that:~~
 - a. ~~Substantially interferes with a student’s educational benefits, opportunities or performance;~~
 - b. ~~Takes place on or immediately adjacent to school grounds, at any school sponsored activity, on school provided transportation or at any official school bus stop;~~
 - c. ~~Has the effect of:~~
 - i. ~~Physically harming a student or damaging a student’s property;~~
 - ii. ~~Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student’s property; or~~
 - iii. ~~Creating a hostile educational environment, including interfering with the psychological well-being of a student; and~~
 - iv. ~~May be based on but not limited to, the protected class status of a person.~~
7. ~~“**Harassment of Staff**” means any act that substantially interferes with a staff member’s opportunities or performance, which takes place on district property, or at any district sponsored activity. Harassment, intimidation and bullying have the effect of:~~
 - a. ~~Physically harming a staff member or damaging a staff member’s property;~~
 - b. ~~Knowingly placing a staff member in reasonable fear or physical harm to the staff member or damage to a staff member’s property or creating a hostile work environment.~~
 - i. ~~A “hostile work environment” is caused by conduct of a verbal or physical nature that is sufficiently severe or pervasive to have the purpose or effect of unreasonably interfering with the work performance, as judged by a reasonable person standard, including a reasonable person of the particular protected class of the complainant.~~
8. ~~“**Hazing of Students**” means:~~
 - a. ~~To subject an individual to whipping, beating, striking, branding or electronic shocking, to place a harmful substance on an individual’s body or to subject an individual to other similar forms of physical brutality;~~
 - b. ~~To subject an individual to sleep deprivation, exposure to the elements, confinement in a small space or other similar activity that subjects the individual to an unreasonable risk of harm or adversely affects the physical health or safety of the individual;~~
 - c. ~~To compel an individual to consume food, liquid, alcohol, cannabis, controlled substances or other substances that subject the individual to an unreasonable risk of harm or adversely affect the physical health or safety of the individual; or~~

- d. ~~To induce, cause or require an individual to perform a duty or task that involves the commission of a crime or an act of hazing.~~
9. ~~“Hazing Staff” includes, but is not limited to, any act that recklessly or intentionally endangers the mental, physical health or safety of a student/staff member for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district sponsored activity, work group or work assignment or other such activities intended to degrade or humiliate regardless of the person’s willingness to participate.~~
10. ~~“Intimidation” includes, but is not limited to, any threat or act intended to tamper, substantially damage or interfere with another’s property, cause substantial inconvenience, subject another to offensive physical contact or inflict serious physical injury on the basis of race, color, religion, national origin, or sexual orientation.~~
11. ~~“Menacing” includes, but is not limited to, any act intended to place a district employee, student or third party in fear of imminent physical injury.~~
12. ~~“Teen Dating Violence” means:~~
 - a. ~~A pattern of behavior in which a person uses or threatens to use physical, mental, or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or~~
 - b. ~~Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where both persons are 13 to 19 years of age.~~
13. ~~“Third Person” means a person who is not employed by the district, but who is a school volunteer, volunteer coach, parent of a student attending a district school, a school visitor, service contractor for the district, or others engaged in school business, including school board members.~~

Reporting

~~Any student who has knowledge of conduct in violation of this policy or feels he/she has been hazed, harassed, intimidated or bullied, menaced, a victim of teen dating violence and acts of being cyberbullied in violation of this policy is encouraged to immediately report his/her concerns to the building administrator who has overall responsibility for all investigations. Any volunteer who has knowledge of conduct in violation of this policy is encouraged to immediately report his/her concerns to the building administrator who has overall responsibility for all investigations.~~

~~This report may be made anonymously. A student or volunteer may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate district official.~~

~~The district shall incorporate into existing training programs for students, information related to the prevention of, and the appropriate response to, acts of hazing, harassment, intimidation or bullying, menacing and acts of cyberbullying.~~

~~The district shall incorporate age appropriate education about teen dating violence and domestic violence into new or existing training programs for students in grade 7 through 12.~~

~~The district shall incorporate into existing training programs for staff information related to the prevention of, and the~~

~~Hazing/Harassment/Intimidation/Bullying/Menacing/Cyberbullying/ Teen~~

~~77 Dating Violence/Domestic Violence – Student** – JFCF~~

~~appropriate response to, acts of hazing, harassment, intimidation or bullying, menacing, teen dating violence, domestic violence and acts of cyberbullying.~~

~~All complaints must be received by the district on the later date of (1) within two years of the alleged violation or the complainant’s discovery of the alleged violation; or (2) one year after the affected student has graduated from, moved away from, or otherwise left the district.~~

~~The superintendent shall be responsible for ensuring annual notice of this policy is provided in a student or employee handbook, school and district’s website, and school and district office and the development of administrative regulations, including reporting and investigative procedures.~~

~~Domestic violence posters provided by the Oregon Department of Education (ODE) shall be posted in clearly visible locations on school campuses in accordance with rules adopted by the ODE.~~

~~** As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300–125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.~~

END OF POLICY

Legal Reference(s):

ORS 163.190	ORS 332.072	OAR 581-021-0046
ORS 163.197	ORS 332.107	OAR 581-021-0055
ORS 107.705	ORS 339.240	OAR 581-022-2310
ORS 166.065	ORS 339.250	OAR 581-022-2370
ORS 166.155 - 166.165 ORS	ORS 339.351 - 339.368	
174.100(7)	OAR 581-021-0045	

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2012).

Cross Reference(s):

GBN/JBA - Sexual Harassment
JBA/GBN - Sexual Harassment
JFCM - Threats of Violence



Code: **JFCF/GBNA- - AR**
Adopted: 8/19/10; 2/21/13; 7/03/13; 6/25/20
Orig. Code: JFCF-AR

Hazing^{/,} Harassment^{/,} Intimidation^{/,} Bullying^{/,} Menacing^{/,} Cyberbullying^{/,} Teen Dating Violence^{/,} or Domestic Violence ~~Complaint Procedures~~ Response Procedure for Incidents Involving Students**

As set forth in JFCF, hazing, harassment, intimidation or bullying, menacing, and acts of cyberbullying by students, staff, or third parties toward students is strictly prohibited in the district. Teen dating violence is unacceptable behavior and prohibited. Each student has the right to a safe learning environment. All students are expected to act in accordance with the student conduct expectations.

When an incident of hazing, harassment, intimidation or bullying, menacing, or acts of cyberbullying involve both a student and staff or a third party, the report will be processed in alignment with JFCF/JFCF-AR and GBNA/GBNA-AR.

Definitions

“District” includes district facilities, district premises, district-provided transportation, district bus stops, and non-district property if the student is at any district-sponsored activity or function, such as field trips or athletic events where students are under the jurisdiction of the district.

“Third parties” include, but are not limited to, coaches, 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 control at interdistrict and intradistrict athletic competitions or other school events.

“Hazing” includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored activity or grade level attainment. It is not a defense against hazing that the student subjected to hazing consented to or appeared to consent to the hazing.

“Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or performance, that takes place on or immediately adjacent to the district as defined above, that may be based on, but not limited to, the protected class status of a person, and having the effect of:

1. Physically harming a student or damaging a student’s property;

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

2. Knowingly placing a student in reasonable fear of physical harm to the student or damage to the student's property; or
3. Creating a hostile educational environment including interfering with the psychological well-being of the student.

"Protected class" means a group of persons distinguished, or perceived to be distinguished, by race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, familial status, source of income, or disability.

"Teen dating violence" means:

1. A pattern of behavior in which a person uses or threatens to use physical, mental, or emotional abuse to control another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age; or
2. Behavior by which a person uses or threatens to use sexual violence against another person who is in a dating relationship with the person, where one or both persons are 13 to 19 years of age.

"Domestic violence" means abuse between family and/or household members, as those terms are described in ORS 107.705.

"Cyberbullying" is the use of any electronic communication device to harass, intimidate or bully.

"Retaliation" means any acts of, including but not limited to, hazing, harassment, intimidation or bullying, menacing, or cyberbullying toward the victim, a person in response to an actual or apparent reporting of, or participation in the investigation of, hazing, harassment, intimidation or bullying, menacing, teen dating violence, acts of cyberbullying, or retaliation.

"Menacing" includes, any act intended to place a district employee, student, or third party in fear of imminent serious physical injury.

The district also strictly prohibits sexual harassment. Sexual harassment is defined under both Oregon and federal law. When an incident involves sexual harassment, the District will investigate and respond in accordance with the appropriate district sexual harassment policies, administrative regulations, and sexual harassment complaint procedures. Allegations of sexual harassment should not be addressed primarily under this policy and administration regulation.

Reporting and Response Procedure

The principal or designee will take reports and conduct a prompt investigation of any reported acts of hazing, harassment, intimidation or bullying, menacing, cyberbullying, or teen dating violence against a student in accordance with JFCF.

Any employee who has knowledge of conduct in violation of this policy shall immediately report concerns to the principal or designee who has overall responsibility for all investigations. Failure of an employee to report any act of hazing, harassment, intimidation or bullying, menacing, cyberbullying, or teen dating

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

violence against a student to the principal or designee may be subject to remedial action, up to and including dismissal.

Any student who has knowledge of conduct in violation of this policy or feels they have been subjected to an act of hazing, harassment, intimidation or bullying, menacing, or cyberbullying or feel they have been a victim of teen dating violence in violation of this policy, is encouraged to immediately report concerns to the principal or designee who has overall responsibility for all investigations. Any volunteer who has knowledge of conduct in violation of this policy is encouraged to immediately report concerns to the principal or designee. A report made by a student or volunteer may be made anonymously. A student or volunteer may also report concerns to a teacher or counselor who will be responsible for notifying the appropriate district official.

Reports about the principal shall be filed with the superintendent. Reports about the superintendent shall be filed with the Board chair.

Notification to Parents or Guardians

The principal or designee shall notify the parents or guardians of a student who was subject to an act of harassment, intimidation, bullying or cyberbullying, and the parents or guardians of a student who may have conducted an act of harassment, intimidation, bullying or cyberbullying.

The notification must occur with involvement and consideration of the needs and concerns of the student who was the subject to an act of harassment, intimidation, bullying or cyberbullying. The notification is not required if the principal or designee reasonably believes notification could endanger the student who was subjected to an act of harassment, intimidation, bullying or cyberbullying or if all of the following occur:

1. The student who was subjected to an act of harassment, intimidation, bullying, or cyberbullying requests that notification not be provided to the student's parents or guardians.
3. The principal or designee determines that notification is not in the best interest of the student who was subjected to an act of harassment, intimidation, bullying, or cyberbullying; and
4. The principal or designee informs the student that federal law may require the student's parents and guardians to have access to the student's education record, including any requests of nondisclosure (from item 1 above).

If the principal or designee determines the notification is not in the best interest of the student, they must inform the student of that determination prior to providing notification.

When notification is provided, the notification must occur:

1. Within a reasonable period of time; or
5. Promptly, for acts that caused physical harm to the student.

Potential Consequences and Anti-Retaliation

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

Students whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial action which may include discipline, up to and including expulsion.

Staff whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial action which may include discipline, up to and including dismissal. Licensed staff may be reported to Teacher Standards and Practices Commission if required by Oregon Administrative Rule (OAR) 584-020-0041.

Third parties 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 designee.

Remedial action may not be based solely on an anonymous report.

Students, staff, or third parties may also be referred to law enforcement officials. False charges shall also be regarded as a serious offense and will result in consequences and appropriate remedial action. Charges are not considered false simply because an allegation was not substantiated.

Retaliation against any person who is a victim of, who reports, is thought to have reported, or files a complaint about an act of hazing, harassment, intimidation or bullying, menacing, an act of cyberbullying, or teen dating violence, or otherwise participates in an investigation or inquiry is strictly prohibited. A person who engages in retaliatory behavior will be subject to consequences and appropriate remedial action.

Training and Education

The district shall incorporate into existing training programs for students, information related to the prevention of, and the appropriate response to, acts of hazing, harassment, intimidation or bullying, menacing, and cyberbullying, teen dating violence, domestic violence, and this policy.

The district shall incorporate age-appropriate education about teen dating violence and domestic violence into new or existing training programs for students in grades 7 through 12.

The district shall incorporate into existing training programs for staff information related to the prevention of, and the appropriate response to, acts of hazing, harassment, intimidation or bullying, menacing, cyberbullying, teen dating violence, domestic violence, and this policy.

The superintendent or designee shall be responsible for ensuring annual notice of this policy is provided in student and staff handbooks, on the school and district website, and at the school and district office. Complaint procedures, as established by the district, shall be followed.

Domestic violence posters provided by the Oregon Department of Education (ODE) shall be posted in clearly visible locations on school campuses in accordance with rules adopted by ODE.

~~A complaint under Policy GBNA and JFCF must be in writing. The basis of the complaint must be related to conduct defined in Policy GBNA or JFCF. For complaints that involve a District staff member other than the Superintendent, School Board or a School Board member, the executive director of human~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

~~resources will determine the appropriate administrator for Step 1. For complaints about students or from students, the executive directors of elementary, middle or high schools are responsible for determining the appropriate administrator for Step 1. For a complaint about policies, programs or services, the Superintendent is responsible for determining the appropriate administrator for Step 1.~~

1. 3-Step Appeal Process:

- 1.1 ~~**Step 1 (School/Program Administrator):** After the District has received a complaint it will be referred to the administrator for investigation and resolution. It is the District's intent that a complaint would be resolved at the lowest level. The administrator will investigate the complaint, attempt to resolve the complaint and make a Step 1 decision if the complaint cannot be resolved to the complainant's satisfaction.~~
- ~~(a) The administrator responsible for Step 1 has 30 calendar days to investigate the complaint, attempt to resolve the complaint and make a written decision on the complaint if the complaint is not resolved.~~
 - ~~(b) The administrator responsible for the complaint at Step 1 has wide latitude to attempt to resolve the complaint by conferring with the complainant, the subject, and other parties involved. In some cases, it may involve the administrator requesting the complainant and the subject of the complaint to meet and try to resolve the dispute. In other cases, it may not be appropriate to have such a meeting.~~
 - ~~(c) The 30-day time limit for Step 1 may only be extended by written agreement of the complainant.~~
 - ~~(d) The administrator will include in the Step 1 decision a notice that the decision may be appealed within 7 calendar days after the decision is sent to the complainant. The notice will explain how to appeal the decision, where to send the appeal, along with the applicable timeline to appeal.~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

- (e) ~~The complainant who appeals the Step 1 decision shall provide in writing the reason(s) for the appeal.~~
- (f) ~~Athletic Issues: For complaints involving athletics (except for Title IX complaints which are not subject to this subsection), the first step in the complaint process is the coach directly responsible for the student athlete. If the issue is not resolved within 5 school days, the issue may be appealed to the high school athletic director. A decision of the athletic director may be appealed to the high school principal within 5 school days of the athletic director's decision. The decision of the high school principal is final and may not be appealed.~~
- (g) ~~Students with Disabilities: Complaints about athletics that involve students who are eligible for special education or reasonable accommodations under either the IDEA or Section 504 will be process under applicable statutory procedures under those laws. Further information on this subject remedial action which may be found in the OSAA Handbook.~~

- 1.2 ~~**Step 2 (Superintendent or Designee):** If the complainant disagrees with the decision of the administrator in Step 1, the complainant may appeal the decision to the administrator indicated in the Step 1 decision. Normally this administrator would be the supervisor of the Step 1 administrator.~~

~~The Superintendent determines the appropriate Step 2 administrator.~~

~~The Step 2 administrator will review the investigation that occurred at Step 1, the Step 1 administrator's decision, and the complainant's written appeal.~~

- (a) ~~The Step 2 administrator may, but is not required, to do more investigation if that administrator determines it is necessary. This may include additional interviews of the complainant and other relevant witnesses.~~
- (b) ~~The Step 2 administrator will attempt to resolve the complaint with the complainant. If this is not possible, the Step 2 administrator will issue a final decision.~~
- (c) ~~The administrator responsible for Step 2 has 30 calendar days to investigate the complaint, attempt to resolve the complaint and make a written decision on the complaint if the complaint is not resolved.~~
- (d) ~~The 30 calendar day time limit for Step 2 may only be extended by written agreement of the complainant.~~
- (e) ~~The administrator will include in the Step 2 decision a notice that the decision may be appealed within 7 calendar days after the decision is sent to the complainant. The notice will explain how to appeal the decision, where to send the appeal, along with the applicable timeline to appeal.~~

- 1.3 ~~**Step 3 (School Board):** The School Board is the final step in the District's complaint process. For complaints under this policy, the School Board may hear the appeal. If the School Board~~

~~Hazing/Harassment/Intimidation/Bullying/Menacing/Cyberbullying/Teen Dating Violence/Domestic Violence Complaint Procedures** – JFCF/GBNA-AR~~

~~decides to provide a hearing on the appeal it will render a decision within ninety (90) calendar~~

~~days of initiation of the complaint. If a hearing on the appeal is granted, the process will include:~~

- ~~(a) The Board will schedule a hearing on complainant's appeal. The Board leadership in consultation with the Superintendent and/ or legal counsel will determine whether the hearing will be in public session or in executive session, according to the Oregon public meeting law. The administrator will include in the Step 2 decision a notice that the decision may be appealed within 7 calendar days after the decision is sent to the complainant. The notice will explain how to appeal the decision, where to send the appeal, along with the applicable timeline to appeal.~~
- ~~(b) The appeal before the Board will be on the record developed by the Step 1 and Step 2 administrators. No witnesses may be called. The Superintendent or designee will present its position. The complainant will present their position. The Board may ask clarifying questions of the parties. The Board will make a final decision on the appeal in an open public session.~~
- ~~(c) The Board will provide a written order to the complainant following the Board decision.~~
- ~~(d) The Board has 30 calendar days from the day it receives a written appeal to make a final decision in a Board meeting. The 30 calendar day timeline may be extended with written consent from the complainant.~~

1.4 ~~It is the District's goal that the complaint process be resolved within 90 calendar days. For example:~~

- ~~(a) 30 calendar days at Step 1 to review complaint, investigate and render decision.~~
- ~~(b) 7 calendar days to appeal: Days 31-38.~~
- ~~(c) Day 38 appeal received.~~
- ~~(d) Day 68 for Step 2 decision.~~
- ~~(e) 7 calendar days to appeal: Days 69-75.~~
- ~~(f) Day 75 Step 3 appeal to the Board. The Board has 15 calendar days to have a Board hearing (if applicable) and render final decision.~~

2. ~~**Complaints made to Board Members:** From time to time Board members may receive complaints from community members, groups, or staff by email or other means. Board members shall refer complainants to the Superintendent.~~

~~**Complaints filed with Public Agencies:** If the complainant chooses to engage in another complaint process with an outside agency such as the Oregon Department of Education, Teacher Standards and Practices Commission, the Oregon Bureau of Labor and Industries, the Employment Relations Board, the Office for~~

~~Civil Rights or other such agencies, the District is under no obligation to either begin or complete its complaint process.~~

~~If the complainant refuses to use the District complaint process and instead goes directly to a public agency with the complaint, the District is under no obligation to consider the same complaint in the future.~~

~~2.1 If the complainant withdraws their complaint within the first 30 calendar days after filing the complaint with the public agency but prior to receiving a decision or a dismissal notice from the public agency, the complainant may file a complaint under the applicable policy with the District provided that the complaint is filed with the District within the time limitation.~~

~~3. **Complaints that cannot be processed within 90 calendar days:** There may be situations where it is not practical that a complaint can go through the 3-step process from start to finish within the 90-day time period. An example of such a complaint might require an unusual amount of investigation at Step 1 that makes it impossible to complete Step 1 within 30 calendar days. Another example might be a complainant who raises an issue that can only be decided by the Superintendent or Board. A third example is a situation where the Board is not able to schedule a Board hearing within the 90-day window because of an event outside the control of the Board (e.g., a snow day closure with cancellation of the Board meeting, or a necessary party to the hearing being unavailable because of illness).~~

~~3.1 It is important that both the District personnel who are responsible for responding to the complaint as well as the complainant understand that there are many possible events that could delay the 3-step process that leads to a final Board decision within 90 calendar days of the date the complaint is filed. In these instances, the District will work with complainant to come to a mutual agreement on the path forward, which may include the following modification of the 3-step complaint procedures:~~

- ~~(a) Mutual agreement on an extension of time for the complaint process: complainant must confirm such an agreement in writing.~~
- ~~(b) Waive Step 1 and go directly to Step 2: Both the complainant and the District must mutually agree in writing to this process. The Step 2 process will complete the investigation and render a decision within 60 calendar days. Any appeal to the Board under Step 3 must be completed with a Board decision by day 90.~~
- ~~(c) If a complaint is received at the end of the school year, and an investigation must include interviews of staff and students who may be unavailable during the summer months, it may be necessary for the District to request an extension of time to complete the investigation. If the complainant refuses the extension of time for the investigation at Step 1, the District may skip Step 1 to give the investigator the amount of time needed for the investigation. The process will then begin at Step 2 so that the investigation can be completed so there is enough time for a Step 2 decision and a Step 3 appeal.~~

~~† All complaints must be received by the District on the later date of: (1) within two years of the alleged violation or the complainant's discovery of the alleged violation, or (2) one year after the affected student has graduated from, moved away from, or otherwise left the District. If the alleged violation is continuing, the time limitation must run from the date of the most recent incident.~~

- (d) ~~If the complainant has not otherwise agreed to an extension of time and the District has not been able to render a final decision at the Board level in Step 3 within 90 calendar days, the complainant may appeal directly to the Deputy Superintendent of Public Instruction as outlined below.~~
4. **Final Decisions of the School Board that may be appealed:** ~~Certain Step 3 final decisions by the Board may be appealed to the Deputy Superintendent of Public Instruction, as allowed in OAR 581-002-0001 to 581-002-0023. The Board's final decision regarding complaints of discrimination under Policy AC, complaints about restraint and seclusion of students, complaints about harassment of students in OAR Division 22 Standards and complaints of retaliation in ORS 659.852 may be appealed. All other decisions of the Board are final and may not be appealed to the Deputy Superintendent of Public Instruction.~~
- 4.1 ~~In those complaints that may be appealed to the Deputy Superintendent of Public Instruction, a complainant may appeal if the Board has failed to render a decision within 90 calendar days of the initial filing of the complaint, unless the District and the complainant have agreed in writing to a longer period.~~
- 4.2 ~~The appeal to the Deputy Superintendent of Public Instruction must be received by the Oregon Department of Education no later than one year after the date of the final decision by the District, or if the District fails to issue a final decision, not later than two years after the date the complainant first filed the underlying complaint with the District.~~
5. **Investigations:** ~~Investigations will normally occur at Step 1 after a complaint is received. The Step 1 administrator may be the investigator, or a third party investigator may conduct the investigation. The investigator will not be a person who is the subject of the complaint or who is directly involved in the subject matter of the complaint. The District staff responsible to determining the sufficiency of the complaint in Section 3.1 will normally determine who will investigate the complaint.~~
- 5.1 **Investigations involving District's Legal Counsel:** ~~At the sole discretion of the Superintendent or designee, it may become necessary to request the District's legal counsel to assist the District in an investigation.~~
- 5.2 **Investigation Process:** ~~There is no set investigative process. Each complaint should be investigated in a manner that makes the most sense, but should include interviews of the complainant, the subject of the complaint, and any relevant fact witnesses who know something about the issue.~~
- 5.3 **Burden of Proof:** ~~The complainant has the burden of proof in determining the truth of the matter asserted. The subject of the complaint (for example, the staff person who is alleged to have done something wrong) bears the burden of proving a defense to the complaint. The investigator is entitled to make credibility findings based upon the demeanor of the interviewees.~~
- (a) ~~The burden of proof is a preponderance of the evidence, whether it is more likely than not that the issue complained about is true, and whether it violates a District policy.~~

- (b) ~~Sometimes it will not be possible for an investigator to determine which version of the facts is correct, such as when there are only two witnesses and the witnesses have contrary testimony. In this situation the investigator may but is not required to determine which witness is more believable. The investigator may also determine that neither witness is more believable than the other and the evidence is therefore inconclusive. In this case the complaint will be deemed denied.~~

5.4 ~~**Investigation Timeline:** The District's goal at each step is to conclude each step within 30 calendar days, for a total complaint process of 90 calendar days. Some complaints will have relatively simple issues to be investigated. Complaints that contain many issues over a period of several years may present challenges for the completion of an appropriate investigation within the 30 calendar day time frame. The Step 1 administrator responsible for initiating an investigation shall notify the complainant of any delays or impediments to a timely investigation.~~

- (a) ~~**Agreement to Extend Investigation Timeline:** There may be circumstances that arise that make it impossible to complete an investigation with 30 calendar days, such as summer break, the unavailability of witnesses to participate in an interview, or the complexity or large number of issues to be investigated. If a delayed or prolonged investigation is necessary, the District will contact the complainant and explain the situation with the goal of getting consent for an extension of time. All extensions of time for the investigation will be put in writing and sent to the complainant.~~
- (b) ~~If the complainant refuses to allow for an extension of time for an investigation and it appears that an investigation cannot be completed within the time period allowed, the District may conclude the investigation and inform the complainant that the complainant may advance to the next level of appeal.~~

5.5 ~~**Investigation regarding Sexual Harassment Complaints:** All complaints alleging sexual harassment shall be investigated by the District.~~

5.6 ~~**Investigations Reports:** Complaint investigations will be concluded with a written investigation report. Depending about the investigation, the District may be required to keep the investigation report confidential pursuant to state or federal law.~~

- (a) ~~The District will respond to public records requests for investigation reports consistent with the Oregon Public Records law in ORS Chapter 192.~~
- (b) ~~The District will notify complainants and the subject of the complaint regarding the results of an investigation. This will include (a) whether the complaint is substantiated and (b) the District's intended action for a substantiated complaint.~~
- (c) ~~The District will determine on a case-by-case basis whether the actual investigation report is subject to disclosure to the complainant, subject of the complaint, or the public according the applicable District policy, state law, federal law and collective bargaining agreements with the associations.~~

6. ~~**Complaints about the Superintendent:** A complaint that is directly against the Superintendent is not subject to the 3-step complaint process above. Any complaint received by the District under any complaint policy will be referred directly to the Board Chair.~~

- 6.1 ~~The Board Chair shall notify the Vice Chair and District's legal counsel about the complaint. The District's legal counsel will notify the full Board of Directors about the complaint and the general nature of the complaint. The Board Chair will notify the Superintendent about the complaint.~~
- 6.2 ~~The Board Chair and Vice Chair will determine how to conduct a preliminary investigation of the complaint in consultation with the District's legal counsel. The Board Chair will keep the Board of Directors apprised of the status of the investigation.~~
- 6.3 ~~If the nature of the complaint appears to the Board Chair and Vice Chair to be a complaint that could be resolved between the complainant and the Superintendent, the Board Chair will notify the Board of Directors that an informal resolution may be possible. The Board Chair shall complete an investigation and informal resolution within 30 calendar days of the filing of the complaint.~~
- (a) ~~The Board Chair shall contact the complainant and determine if the complainant is willing to engage in an informal resolution.~~
- 6.4 ~~If the complainant is unwilling to engage in an informal resolution, or if the nature of the complaint alleges serious misconduct of the Superintendent or appears to the Board Chair and Vice Chair not to be a complaint that may be informally resolved, the Board of Directors shall be notified of this conclusion.~~
- (a) ~~The Board Chair shall present the complaint to the Board of Directors with a plan on how the allegations in the complaint will be investigated.~~
- (b) ~~At the conclusion of the investigation, the Board Chair will provide a summary of the investigation to the Board of Directors, the Superintendent, and the complainant.~~
- (c) ~~The Board Chair will schedule a hearing on the complaint before the Board of Directors at the next regularly scheduled Board meeting, or a special Board meeting.~~
- i. ~~The Board Chair shall provide written notification to the complainant and the Superintendent of the time and place of the hearing. The hearing will be conducted in public or executive session as determining by Oregon public meeting law.~~
- ii. ~~The Board will make a final decision on the complaint in an open public session and provide a written order of its decision to the complainant and the Superintendent.~~
- iii. ~~The complainant's right to appeal the Board's decision is subject to Section 5 above.~~
- (d) ~~The timeline to process a complaint shall be a total of 90 calendar days from the date of the complaint was received by the Board Chair.~~

7. ~~**Complaints about the School Board or Individual Board Members:** Complaints about the Board or individual Board members should be filed with the Board's Secretary in the Superintendent's office. Complaints against the School Board or individual School Board members are not subject to the 3-step complaint process as described above. This is subject to resolution within 90 calendar days. This is because Board members are elected officials and not subject to the direction and control of the District administration.~~
- 7.1 ~~Any complaint received by the District under any complaint policy will be referred directly to the Board Chair. The Superintendent will be notified of the complaint within 3 calendar days.~~
- 7.2 ~~The Board Chair shall notify the Vice Chair and District's legal counsel about the complaint within 3 calendar days of receipt of the complaint. The District's legal counsel will notify the full Board of Directors about the complaint if the complaint is about the full Board within 7 calendar days of legal counsel's receipt of the complaint.~~
- 7.3 ~~If the complaint is against one or more individual Board members, the Board Chair will notify the Board of directors that a complaint has been filed against named Board member and the general nature of the complaint within 3 calendar days of the Chair's receipt of the complaint.~~
- (a) ~~The Board Chair shall offer to meet with the individual Board members who are the subject of the complaint and will provide a copy of the complaint to the Board member(s). The District's legal counsel may be included in meetings with Board members.~~
- 7.4 ~~The Board Chair in consultation with the Vice Chair will determine whether and how to conduct a preliminary investigation of the complaint in consultation with the District's legal counsel. The Board Chair will keep the Board of Directors apprised of the status of the investigation.~~
- 7.5 ~~In all complaints against individual Board members, the Board has an interest in providing named Board members with some informal resolution process such as the Step 1 process that is afforded to complainants and subjects of complaints as described above. If at all possible, complaints directed at Board members should be resolved on an informal basis with the cooperation and participation of the complainant and the named Board member. The ultimate decision about whether an informal process occurs is at the discretion of the complainant, not the Board member about whom the complaint is made.~~
- (a) ~~If an informal resolution is reached between a complainant and Board member(s), the informal resolution will be reduced to writing and the writing will be provided to the complainant and the involved Board member(s). The full Board will be notified that the complaint has been resolved.~~
- 7.6 ~~If either the Board of Directors or the complainant determine that an informal resolution of the complaint is not possible, the Board will schedule the complaint for a hearing before the Board of Directors.~~

- (a) ~~The Board Chair will schedule a hearing on the complaint before the Board of Directors at the next regularly scheduled Board meeting, a subsequent Board meeting if the agenda has already been published, or a special Board meeting.~~
- i. ~~The Board shall provide reasonable prior written notification to the complainant of the time and place of the hearing. The hearing will be conducted in public or executive session as determined by the Oregon public meeting law.~~
 - ii. ~~The hearing before the Board will include:~~
 - A. ~~An opportunity for the Board member who is the subject of the complaint to respond to the complaint;~~
 - B. ~~An opportunity for the Board to review any investigative report that has been done on the complaint;~~
 - C. ~~An opportunity for the complainant to address the Board;~~
 - D. ~~An opportunity for Board members who will be deciding the complaint to ask questions of the complainant and the Board member who is the subject of the complaint; and~~
 - E. ~~The Board Chair, or other Board member presiding at the hearing shall consult with the complainant to mutually agree on the order of presentation of the hearing. The Board Chair or Board member presiding at the hearing shall make the final decision on the order of presentation.~~
 - iii. ~~The District's legal counsel will assist the Board during the hearing.~~
 - iv. ~~The Board will make a final decision on the complaint in an open public session and provide a written order of its decision to the complainant.~~
 - v. ~~The complainant's right to appeal the Board's decision is subject to Section 5 above.~~
- (b) ~~Complaint against Board Chair or Vice Chair: In the event the Board Chair or Vice Chair is individually the subject of a complaint (as opposed to all Board members being the subject of a complaint), the Board Chair or Vice Chair shall not be involved in the complaint process in Section 8. Other Board members may be appointed to process the complaint against the Board Chair or Vice Chair.~~
- (c) ~~Complaints against both Board Chair and Vice Chair: In the event both the chair and Vice Chair are the sole subjects of a complaint (as opposed to a complaint against all Board members), the Board member with the most seniority on the Board will be appointed by the Board to process the complaint.~~

8. **Complaints by and against District Staff:** Special consideration is required in processing complaints by staff or against staff. These complaints will be evaluated by the appropriate District administrators.
- 8.1 **Complaints made by staff:** Complaints filed by District staff under a District complaint policy may be subject to the collective bargaining agreement of which the staff person is a member. If the matter complained about is a matter that is covered by the applicable collective bargaining agreement, that agreement controls, and the staff complaint will not be permitted.
- (a) Staff complaints under Policy KL: Although a District staff person may be a resident of the District, or be the parent of a student in the District, that alone does not give a staff person standing to file a public complaint under Policy KL unless the staff person is doing so either (a) because the complaint relates to their own child who is a student in the District; or (b) because the complaint relates to being a resident in the District, not a staff member of the District.
- (b) Staff Complaint under Policy GBM: Complaints under Policy GBM may only be made by current employees of the District. The complaint procedure will not be available to resolve disputes and disagreements related to the provisions of any collective bargaining agreements, nor in any other instance where a collective bargaining agreement provides a dispute resolution procedure. Disputes concerning the dismissal, nonrenewal or nonextension of any employee are not subject to Policy GBM. The Board's decision is final and may not be appealed to the Oregon Department of Education.
- 8.2 **Complaints about staff:** Complaints about District staff by District staff or third persons are confidential personnel matters subject to state law and applicable collective bargaining agreements. The complaint processes outlined above are all subject to applicable law and collective bargaining agreements.
- 8.3 Complaints about staff or staff performance shall be directed to the District's human resources office.
9. **Complaints made by District Board Members:** District Board members have the right to use the District complaint policies. In doing so, the complainant/Board member waives the right to participate as a decision maker in the appeal process outlined in Section 1.3.
- 9.1 Board members have the same protections as staff, students and third parties to not experience discrimination, harassment or other forms of conduct prohibited by District policy.
- 9.2 Board members are residents of the District. However, as a Board member they are in a unique position to challenge District policies and procedures in their role on the School Board. Unless the District makes a decision that directly affects a Board member as a District resident, or as the parent of a District student, Board members may not make a complaint under Policy KL.
- (a) Board member complaints about District staff: A complaint made by a Board member about a District staff person will be made directly to the Superintendent. The Superintendent will consult with the Board Chair and District Legal Counsel about the appropriate next steps, including notification to the staff person that is consistent with

~~any applicable collective bargaining agreement and how the complaint will be investigated.~~

(b) ~~Complaints will begin at Step 2 at the Superintendent or designee level. Appeals from the Superintendent's decision shall be heard at the Step 3 level by the School Board. The complaining Board member(s) shall not participate in the Board decision at the Step 3 level.~~

9.3 ~~Board members will refrain from filing complaints under the District complaint policies because of disagreement with policy decisions the Board has voted on or for decisions that have been delegated to the administration. Board members shall use the Board meetings to address policy concerns.~~

9.4 ~~Board members agree that if a Board member is a complainant under a District complaint policy, that complaining Board member and the Board member who is the subject of the complaint agrees not to do the following:~~

(a) ~~Participate in the selection of an investigator;~~

(b) ~~Communicate with fellow Board members outside of a Board meeting about the complaint;~~

(c) ~~Lobby any fellow Board member to support a position on the complaint;~~

(d) ~~Deliberate on the complaint as a Board member;~~

(e) ~~Vote on a decision about the complaint; or~~

(f) ~~Retaliate against the complainant, District staff or other Board members in any way.~~

9.5 ~~A Board member's failure to abide by this section may subject the Board member to the consequences of public censure.~~

10. **Notification to Complainants and Subjects of Complaints:** ~~All notifications to complainants shall adhere to the following requirements:~~

10.1 ~~Shall be sent regular mail and by email at the last known address of the complainant;~~

10.2 ~~Be written in the language preferred and spoken by the complainant;~~

10.3 ~~Clearly describe the decision;~~

10.4 ~~Clearly describe the appeal process with identification of the time for appeal, and the person and address to whom the appeal must be addressed; and~~

10.5 ~~Clearly identify any other agency to whom an appeal of the final decision may be appealed.~~

~~As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300—125.325. The determination of whether an individual is acting~~

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

~~in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.~~

END OF POLICY

Legal Reference(s):

ORS 163.190
ORS 163.197
ORS 107.705
ORS 166.065
ORS 166.155 - 166.165
ORS 174.100
ORS 332.072
ORS 332.107
ORS 339.240
ORS 339.250
ORS 339.351 - 339.368
OAR 581-021-0045
OAR 581-021-0046
OAR 581-021-0055
OAR 581-022-2310
OAR 581-022-2370
House Bill 2631 (2021)
House Bill 3041 (2021)

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

Cross Reference(s):

JBA/GBN
JBA/GBN-AR(1)
JBA/GBN-AR(2)



Code: **KL**
Adopted: 8/19/10
Readopted: 2/21/13; 8/22/19; 6/25/20

Public Complaints**

The Board takes the concerns of the public seriously. The Board is committed to providing a fair and effective complaint process in order to seek resolution whenever possible, continuously improve the district's performance, and provide open channels of communication. This policy and the accompanying administrative regulation establish the process for addressing complaints.

Steps for complaint resolution

Whenever possible, the Board supports resolution of complaints with the person most directly involved in the concern.

The general steps for resolving complaints are as follows:

1. Step 1: Complainant should seek to resolve the concern with the employee directly involved in the situation.
2. Step 2: If the complaint is not resolved at Step 1, the complainant may appeal to the building administrator or supervisor of the staff person involved in the situation.
3. Step 3: If the complaint is not resolved at Step 2, the complainant may appeal to the superintendent or the superintendent's designee. In general, the decision of the superintendent or designee shall be final.
4. Step 4: If the complainant is not satisfied with the decision of the superintendent or designee, the complainant may file an appeal to the Board.

A complaint against a principal shall start at Step 3 and be filed with the superintendent.

A complaint against the superintendent shall start at Step 4 and be filed with the Board chair.

A complaint against the Board as a whole shall start at Step 4 and be filed with the Board chair. A complaint against a Board member shall start at Step 4 and be filed with the Board chair on behalf of the Board. A complaint against the Board chair shall start shall be filed with the Board vice chair on behalf of the Board.

REDLINE SHOWING ALL AD HOC COMMITTEE REVISIONS AS OF NOV. 1, 2022

Specific timelines and requirements for each step are set out in KL-AR, Complaint Process.

Persons eligible to file complaints

Complaints may be filed by a person who resides in the district, any parent or guardian of a student who attends school in the district, or a student. A complainant may only bring an individual complaint forward regarding their own situation or, as appropriate, on behalf of their own student. Complaints cannot be filed on behalf of someone else's circumstances or on behalf of a group.

Timeline for filing complaints

All complaints must be received by the district on the later date of:

1. Within two years of the alleged violation or the complainant's discovery of the alleged violation. For incidents that are continuing in nature, the time limitation must run from the date of the most recent incident; or
2. Within one year after the affected student has graduated from, moved away from, or otherwise left the district.

Additional provisions

While speakers may offer objective criticism of operations and programs, the Board will not hear personal complaints concerning district personnel nor against any person connected with the school system. The Board chair will direct the visitor to the appropriate means for Board consideration and disposition of legitimate complaints involving individuals.

The superintendent will administer the complaint process set forth in KL-AR Complaint Procedure, unless the complaint is against the superintendent, the Board or a Board member, in which case the procedure described in KL-AR shall be administered by the Board. All complainants must follow the complaint procedure in KL and KL-AR.

These complaint procedures do not apply to certain types of complaints. When the district has other policies or administrative rules that require a specific complaint resolution or appeal process, those specific rules will apply rather than the general complaint procedure.

If a complaint is made directly to the Board or to an individual Board member, the complainant will be referred to the process above. A Board member shall not attempt to consider such complaints in any official capacity acting as an individual Board member.

Retaliation against any person who files a complaint or participates in the complaint process is strictly forbidden. Concerns about retaliation should be brought promptly to the attention of the appropriate party as outlined in KL-AR Complaint Procedure.

If any complaint alleges a violation of Oregon Administrative Rule (OAR) Chapter 581, Division 22 (Division 22 Standards); Oregon Revised Statute (ORS) 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint and Seclusion); ORS 659.850, OAR 581-021-0045, or OAR 581-021-0046 (related to

Discrimination); OAR 581-021-0047 (Native American Mascots); or ORS 659.852 (Retaliation), and the complaint is not resolved through the complaint process, the complainant, if a student, a parent or guardian of a student attending a school in the district or a person who resides in the district, may appeal the district's final decision to the Oregon Department of Education. The Oregon Department of Education will determine if it will accept the appeal.

Charter Schools of which the District Board is a Sponsor

The district Board, through its charter agreement with charters schools sponsored by the district, will not review an appeal of a decision reached by the board of a charter school on any complaint, including but not limited to those alleging a violation of ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint or Seclusion), ORS 659.852 (Retaliation), or applicable OAR Chapter 581, Division 22 (Division 22 Standards), for which the district Board has jurisdiction, and recognizes a decision reached by the board of charter school as the district Board's final decision.

~~An individual properly presenting a concern or complaint shall be assured the opportunity for an orderly and timely review of the concern or complaint without reprisal.~~

~~A complaint is a concern, problem or difficulty related to district educational process, services, personnel and/or operational actions and/or decisions.~~

~~Complaints will be handled and resolved as close to their origin as possible.~~

~~Any complaint regarding athletics (except for Title IX complaints), will follow procedure set forth in KL-AR(1)-Section 1.1(f).~~

~~While speakers may offer objective criticism of operations and programs, the Board will not hear personal complaints concerning district personnel nor against any person connected with the school system. To do so could expose the Board to a charge of being party to slander and would prejudice any necessity to act as the final review of administrative recommendations regarding the matter. The Board chair will direct the visitor to the appropriate means for Board consideration and disposition of legitimate complaints involving individuals.~~

~~The complainant must follow the complaint procedure as outlined in administrative regulation KL-AR(1)-Public Complaint Procedure. This procedure is available at the district's administrative office and on the home page of the district website. The superintendent may not modify or change the 3-step complaint procedure without Board approval.~~

~~As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300—125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.~~

END OF POLICY

Legal Reference(s):

[ORS 192.610](#)
[ORS 332.107](#)
[ORS 659.852](#)
[OAR 581-022-2370](#)
[OAR 581-002-0001 – 002-0005](#)

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984)
Connick v. Myers, 461 U.S. 138 (1983).



Code: **KL-AR(1)**
Revised/Reviewed: 8/19/10; 2/21/13; 12/11/14;
1/22/15; 8/08/19; 6/25/20
Orig. Code: KK-AR

Public Complaint Procedure**

A complaint under Policy KL must be in writing. Verbal or “informal” complaints will not be process under Policy KL. For complaints that involve a District staff member other than the Superintendent, School Board or a School Board member, the Executive Director of Human Resources will determine the appropriate administrator for Step 1. For complaints about students or from students, the Executive Directors of Elementary, Middle or High Schools are responsible for determining the appropriate administrator for Step 1. For a complaint about policies, programs or services, the Superintendent is responsible for determining the appropriate administrator for Step 1.

The complainant should utilize the complaint form found in administrative regulation KL-AR (2) Complaint Form.

1. 3-Step Appeal Process:

- 1.1 **Step 1 (School/Program Administrator):** After the District has received a complaint it will be referred to the appropriate administrator for investigation and resolution. It is the District’s intent that a complaint would be resolved at the lowest level. The administrator will investigate the complaint, attempt to resolve the complaint and make a Step 1 decision if the complaint cannot be resolved to the complainant’s satisfaction.
- (a) The administrator responsible for Step 1 has 30-calendar days to investigate the complaint, attempt to resolve the complaint and make a written decision on the complaint if the complaint is not resolved.
 - (b) The administrator responsible for the complaint at Step 1 has wide latitude to attempt to resolve the complaint by conferring with the complainant, the subject, and other parties involved. In some cases, it may involve the administrator requesting the complainant and the subject of the complaint to meet and try to resolve the dispute. In other cases, it may not be appropriate to have such a meeting.
 - (c) The 30-day time limit for Step 1 may only be extended by written agreement of the complainant.
 - (d) The administrator will include in the Step 1 decision a notice that the decision may be appealed within 7 calendar days after the decision is sent to the complainant. The notice will explain how to appeal the decision, where to send the appeal, along with the applicable timeline to appeal.
 - (e)

- (f) The complainant who appeals the Step 1 decision shall provide in writing the reason(s) for the appeal.
- (g) ~~Athletic Issues: For complaints involving athletics (except for Title IX complaints which are not subject to this subsection), the first step in the complaint process is the coach directly responsible for the student athlete. If the issue is not resolved within 5 school days, the issue may be appealed to the high school athletic director. A decision of the athletic director may be appealed to the high school principal within 5 school days of the athletic director's decision. The decision of the high school principal is final and may not be appealed.~~
- (h) Students with Disabilities: Complaints about athletics that involve students who are eligible for special education or reasonable accommodations under either the IDEA or Section 504 will be process under applicable statutory procedures under those laws. Further information on this subject may be found in the OSAA Handbook.

1.2 **Step 2 (Superintendent or Designee):** If the complainant disagrees with the decision of the administrator in Step 1, the complainant may appeal the decision to the administrator indicated in the Step 1 decision. Normally this administrator would be the supervisor of the Step 1 administrator.

- (a) The Superintendent determines the appropriate Step 2 administrator.
- (b) The Step 2 administrator will review the investigation that occurred at Step 1, the Step 1 administrator's decision, and the complainant's written appeal.
- (c) The Step 2 administrator may, but is not required, to do more investigation if that administrator determines it is necessary. This may include additional interviews of the complainant and other relevant witnesses.
- (d) The Step 2 administrator will attempt to resolve the complaint with the complainant. If this is not possible, the Step 2 administrator will issue a final decision.
- (e) The administrator responsible for Step 2 has 30-calendar days to investigate the complaint, attempt to resolve the complaint and make a written decision on the complaint if the complaint is not resolved.
- (f) The 30-calendar day time limit for Step 2 may only be extended by written agreement of the complainant.
- (g) The administrator will include in the Step 2 decision a notice that the decision may be appealed within 7 calendar days after the decision is sent to the complainant. The notice will explain how to appeal the decision, where to send the appeal, along with the applicable timeline to appeal.

1.3 **Step 3 (School Board):** The School Board is the final step in the District's complaint process. For complaints under this policy, the School Board may hear the appeal. If the School Board decides to provide a hearing on the appeal it will render a decision within ninety (90) calendar days of initiation of the complaint. If a hearing on the appeal is granted, the process will include:

- (a) The Board will schedule a hearing on complainant’s appeal. The Board leadership in consultation with the Superintendent and/ or legal counsel will determine whether the hearing will be in public session or in executive session, according to the Oregon public meeting law. The administrator will include in the Step 2 decision a notice that the decision may be appealed within 7 calendar days after the decision is sent to the complainant. The notice will explain how to appeal the decision, where to send the appeal, along with the applicable timeline to appeal.
- (b) The appeal before the Board will be on the record developed by the Step 1 and Step 2 administrators. No witnesses may be called. The Superintendent or designee will present its position. The complainant will present their position. The Board may ask clarifying questions of the parties. The Board will make a final decision on the appeal in an open public session.
- (c) The Board will provide a written order to the complainant following the Board decision.
- (d) The Board has 30-calendar days from the day it receives a written appeal to make a final decision in a Board meeting. The 30-calendar day timeline may be extended with written consent from the complainant.

1.4 It is the District’s goal that the complaint process be resolved within 90 calendar days. For example:

- 1. 30 calendar days at Step 1 to review complaint, investigate and render decision.
- 2. 7 calendar days to appeal: Days 31-38.
- 3. Day 38 appeal received.
- 4. Day 68 for Step 2 decision.
- 5. 7 calendar days to appeal: Days 69-75.
- 6. Day 75 Step 3 appeal to the Board. The Board has 15 calendar days to have a Board hearing (if applicable) and render final decision.

2. **Complaints made to Board Members:** From time to time Board members may receive complaints from community members, groups or staff by email or other means. Board members shall refer complainants to the Superintendent.

3. **Complaints filed with Public Agencies:** If the complainant chooses to engage in another complaint process with an outside agency such as the Oregon Department of Education, the Teacher Standards and Practices Commission, the Oregon Bureau of Labor and Industries, the Employment Relations Board, the Office for Civil Rights or other such agencies, the District is under no obligation to either begin or complete its complaint process.

3.1 If the complainant refuses to use the District complaint process and instead goes directly to a

public agency with the complaint, the District is under no obligation to consider the same complaint in the future.

3.2 If the complainant withdraws their complaint within the first 30-calendar days after filing the complaint with the public agency but prior to receiving a decision or a dismissal notice from the public agency, the complainant may file a complaint under the applicable policy with the District provided that the complaint is filed with the District within the time limitation.¹

4. **Complaints that cannot be processed within 90-calendar days:** There may be situations where it is not practical that a complaint can go through the 3-step process from start to finish within the 90-day time period. An example of such a complaint might require an unusual amount of investigation at Step 1 that makes it impossible to complete Step 1 within 30-calendar days. Another example might be a complainant who raises an issue that can only be decided by the Superintendent or Board. A third example is a situation where the Board is not able to schedule a Board hearing within the 90-day window because of an event outside the control of the Board (e.g., a snow day closure with cancellation of the Board meeting, or a necessary party to the hearing being unavailable because of illness).

4.1 It is important that both the District personnel who are responsible for responding to the complaint as well as the complainant understand that there are many possible events that could delay the 3-step process that leads to a final Board decision within 90-calendar days of the date the complaint is filed. In these instances, the District will work with complainant to come to a mutual agreement on the path forward, which may include the following modification of the 3- step complaint procedures:

- (a) Mutual agreement on an extension of time for the complaint process: complainant must confirm such an agreement in writing.
- (b) Waive Step 1 and go directly to Step 2: Both the complainant and the District must mutually agree in writing to this process. The Step 2 process will complete the investigation and render a decision within 60-calendar days. Any appeal to the Board under Step 3 must be completed with a Board decision by day 90.
- (c) If a complaint is received at the end of the school year, and an investigation must include interviews of staff and students who may be unavailable during the summer months, it may be necessary for the District to request an extension of time to complete the investigation. If the complainant refuses the extension of time for the investigation at Step 1, the District may skip Step 1 to give the investigator the amount of time needed for the investigation. The process will then begin at Step 2 so that the investigation can be completed so there is enough time for a Step 2 decision and a Step 3 appeal.
- (d) If the complainant has not otherwise agreed to an extension of time and the District has not been able to render a final decision at the Board level in Step 3 within 90-calendar days, the complainant may appeal directly to the Deputy Superintendent of Public Instruction as

¹ All complaints must be received by the District on the later date of: (1) within two years of the alleged violation or the complainant’s discovery of the alleged violation, or (2) one year after the affected student has graduated from, moved away from, or otherwise left the District. If the alleged violation is continuing, the time limitation must run from the date of the most recent incident.

outlined below.

5. **Final Decisions of the School Board that may be appealed:** Certain Step 3 final decisions by the Board may be appealed to the Deputy Superintendent of Public Instruction, as allowed in OAR 581- 002-0001 to 581-002-0023. The Board’s final decision regarding complaints of discrimination under Policy AC, complaints about restraint and seclusion of students, complaints about harassment of students in OAR Division 22 Standards and complaints of retaliation in ORS 659.852 may be appealed. All other decisions of the Board are final and may not be appealed to the Deputy Superintendent of Public Instruction.
 - 5.1 In those complaints that may be appealed to the Deputy Superintendent of Public Instruction, a complainant may appeal if the Board has failed to render a decision within 90 calendar days of the initial filing of the complaint, unless the District and the complainant have agreed in writing to a longer period.
 - 5.2 The appeal to the Deputy Superintendent of Public Instruction must be received by the Oregon Department of Education no later than one year after the date of the final decision by the District, or if the District fails to issue a final decision, not later than two years after the date the complainant first filed the underlying complaint with the District.
6. **Investigations:** Investigations will normally occur at Step 1 after a complaint is received. The Step 1 administrator may be the investigator, or a third-party investigator may conduct the investigation. The investigator will not be a person who is the subject of the complaint or who is directly involved in the subject matter of the complaint. The District staff responsible to determining the sufficiency of the complaint in Section 3.1 will normally determine who will investigate the complaint.
 - 6.1 **Investigations involving District’s Legal Counsel:** At the sole discretion of the Superintendent or designee, it may become necessary to request the District’s legal counsel to assist the District in an investigation.
 - 6.2 **Investigation Process:** There is no set investigative process. Each complaint should be investigated in a manner that makes the most sense, but should include interviews of the complainant, the subject of the complaint, and any relevant fact witnesses who know something about the issue.
 - 6.3 **Burden of Proof:** The complainant has the burden of proof in determining the truth of the matter asserted. The subject of the complaint (for example, the staff person who is alleged to have done something wrong) bears the burden of proving a defense to the complaint. The investigator is entitled to make credibility findings based upon the demeanor of the interviewees.
 - (a) The burden of proof is a preponderance of the evidence, whether it is more likely than not that the issue complained about is true, and whether it violates a District policy.
 - (b) Sometimes it will not be possible for an investigator to determine which version of the facts is correct, such as when there are only two witnesses and the witnesses have contrary testimony. In this situation the investigator may but is not required to determine which witness is more believable. The investigator may also determine that neither witness is more believable than the other and the evidence is therefore inconclusive. In this case the complaint will be deemed denied.

6.4 **Investigation Timeline:** The District’s goal at each step is to conclude each step within 30 calendar days, for a total complaint process of 90 calendar days. Some complaints will have relatively simple issues to be investigated. Complaints that contain many issues over a period of several years may present challenges for the completion of an appropriate investigation within the 30 calendar day time frame. The Step 1 administrator responsible for initiating an investigation shall notify the complainant of any delays or impediments to a timely investigation.

(a) **Agreement to Extend Investigation Timeline:** There may be circumstances that arise that make it impossible to complete an investigation with 30-calendar days, such as summer break, the unavailability of witnesses to participate in an interview, or the complexity or large number of issues to be investigated. If a delayed or prolonged investigation is necessary, the District will contact the complainant and explain the situation with the goal of getting consent for an extension of time. All extensions of time for the investigation will be put in writing and sent to the complainant.

(b) If the complainant refuses to allow for an extension of time for an investigation and it appears that an investigation cannot be completed within the time period allowed, the District may conclude the investigation and inform the complainant that the complainant may advance to the next level of appeal.

6.5 **Investigation regarding Sexual Harassment Complaints:** All complaints alleging sexual harassment shall be investigated by the District.

6.6 **Investigations Reports:** Complaint investigations will be concluded with a written investigation report. Depending about the investigation, the District may be required to keep the investigation report confidential pursuant to state or federal law.

(a) The District will respond to public records requests for investigation reports consistent with the Oregon Public Records law in ORS Chapter 192.

(b) The District will notify complainants and the subject of the complaint regarding the results of an investigation. This will include (a) whether the complaint is substantiated and (b) the District’s intended action for a substantiated complaint.

(c) The District will determine on a case-by-case basis whether the actual investigation report is subject to disclosure to the complainant, subject of the complaint, or the public according the applicable District policy, state law, federal law and collective bargaining agreements with the associations.

7. **Complaints about the Superintendent:** A complaint that is directly against the Superintendent is not subject to the 3-step complaint process above. Any complaint received by the District under any complaint policy will be referred directly to the Board Chair.

7.1 The Board Chair shall notify the Vice Chair and District’s legal counsel about the complaint. The District’s legal counsel will notify the full Board of Directors about the complaint and the general nature of the complaint. The Board Chair will notify the Superintendent about the complaint.

7.2 The Board Chair and Vice Chair will determine how to conduct a preliminary investigation of the complaint in consultation with the District’s legal counsel. The Board Chair will keep the Board

of Directors apprised of the status of the investigation.

7.3 If the nature of the complaint appears to the Board Chair and Vice Chair to be a complaint that could be resolved between the complainant and the Superintendent, the Board Chair will notify the Board of Directors that an informal resolution may be possible. The Board Chair shall complete an investigation and informal resolution within 30 calendar days of the filing of the complaint.

a. The Board Chair shall contact the complainant and determine if the complainant is willing to engage in an informal resolution.

7.4 If the complainant is unwilling to engage in an informal resolution, or if the nature of the complaint alleges serious misconduct of the Superintendent or appears to the Board Chair and Vice Chair not to be a complaint that may be informally resolved, the Board of Directors shall be notified of this conclusion.

(a) The Board Chair shall present the complaint to the Board of Directors with a plan on how the allegations in the complaint will be investigated.

(b) At the conclusion of the investigation, the Board Chair will provide a summary of the investigation to the Board of Directors, the Superintendent, and the complainant.

(c) The Board Chair will schedule a hearing on the complaint before the Board of Directors at the next regularly scheduled Board meeting, or a special Board meeting.

i. The Board Chair shall provide written notification to the complainant and the Superintendent of the time and place of the hearing. The hearing will be conducted in public or executive session as determining by Oregon public meeting law.

ii. The Board will make a final decision on the complaint in an open public session and provide a written order of its decision to the complainant and the Superintendent.

iii. The complainant's right to appeal the Board's decision is subject to Section 5 above.

(d) The timeline to process a complaint shall be a total of 90-calendar days from the date of the complaint was received by the Board Chair.

8. Complaints about the School Board or Individual Board Members: Complaints about the Board or individual Board members should be filed with the Board's Secretary in the Superintendent's office. Complaints against the School Board or individual School Board members are not subject to the 3- step complaint process as described above. This is subject to resolution within 90 calendar days. This is because Board members are elected officials and not subject to the direction and control of the District administration.

8.1 Any complaint received by the District under any complaint policy will be referred directly to the Board Chair. The Superintendent will be notified of the complaint within 3 calendar days.

8.2 The Board Chair shall notify the Vice Chair and District's legal counsel about the complaint

within 3 calendar days of receipt of the complaint. The District’s legal counsel will notify the full Board of Directors about the complaint if the complaint is about the full Board within 7 calendar days of legal counsel’s receipt of the complaint.

8.3 If the complaint is against one or more individual Board members, the Board Chair will notify the Board of Directors that a complaint has been filed against named Board member and the general nature of the complaint within 3 calendar days of the Chair’s receipt of the complaint.

(a) The Board Chair shall offer to meet with the individual Board members who are the subject of the complaint and will provide a copy of the complaint to the Board member(s). The District’s legal counsel may be included in meetings with Board members.

8.4 The Board Chair in consultation with the Vice Chair will determine whether and how to conduct a preliminary investigation of the complaint in consultation with the District’s legal counsel. The Board Chair will keep the Board of Directors apprised of the status of the investigation.

8.5 In all complaints against individual Board members, the Board has an interest in providing named Board members with some informal resolution process such as the Step 1 process that is afforded to complainants and subjects of complaints as described above. If at all possible, complaints directed at Board members should be resolved on an informal basis with the cooperation and participation of the complainant and the named Board member. The ultimate decision about whether an informal process occurs is at the discretion of the complainant, not the Board member about whom the complaint is made.

a. If an informal resolution is reached between a complainant and Board member(s), the informal resolution will be reduced to writing and the writing will be provided to the complainant and the involved Board member(s). The full Board will be notified that the complaint has been resolved.

8.6 If either the Board of Directors or the complainant determine that an informal resolution of the complaint is not possible, the Board will schedule the complaint for a hearing before the Board of Directors.

(a) The Board Chair will schedule a hearing on the complaint before the Board of Directors at the next regularly scheduled Board meeting, a subsequent Board meeting if the agenda has already been published, or a special Board meeting.

i. The Board shall provide reasonable prior written notification to the complainant of the time and place of the hearing. The hearing will be conducted in public or executive session as determined by the Oregon public meeting law.

ii. The hearing before the Board will include:

A. An opportunity for the Board member who is the subject of the complaint to respond to the complaint;

B. An opportunity for the Board to review any investigative report that has been done on the complaint;

C. An opportunity for the complainant to address the Board;

- D. An opportunity for Board members who will be deciding the complaint to ask questions of the complainant and the Board member who is the subject of the complaint; and
 - E. The Board Chair, or other Board member presiding at the hearing shall consult with the complainant to mutually agree on the order of presentation of the hearing. The Board Chair or Board member presiding at the hearing shall make the final decision on the order of presentation.
- iii. The District's legal counsel will assist the Board during the hearing.
 - iv. The Board will make a final decision on the complaint in an open public session and provide a written order of its decision to the complainant.
 - v. The complainant's right to appeal the Board's decision is subject to Section 5 above.
- (b) Complaint against Board Chair or Vice Chair: In the event the Board Chair or Vice Chair is individually the subject of a complaint (as opposed to all Board members being the subject of a complaint), the Board Chair or Vice Chair shall not be involved in the complaint process in Section 8. Other Board members may be appointed to process the complaint against the Board Chair or Vice Chair.
 - (c) Complaints against both Board Chair and Vice Chair: In the event both the Chair and Vice Chair are the sole subjects of a complaint (as opposed to a complaint against all Board members), the Board member with the most seniority on the Board will be appointed by the Board to process the complaint.

9. Complaints by and against District Staff: Special consideration is required in processing complaints by staff or against staff. These complaints will be evaluated by the appropriate District administrators.

- 9.1 **Complaints made by staff:** Complaints filed by District staff under a District complaint policy may be subject to the collective bargaining agreement of which the staff person is a member. If the matter complained about is a matter that is covered by the applicable collective bargaining agreement, that agreement controls, and the staff complaint will not be permitted.
- (a) Staff complaints under Policy KL: Although a District staff person may be a resident of the District, or be the parent or guardian of a student in the District, that alone does not give a staff person standing to file a public complaint under Policy KL unless the staff person is doing so either (a) because the complaint relates to their own child who is a student in the District; or (b) because the complaint relates to being a resident in the District, not a staff member of the District.
 - (b) Staff Complaint under Policy GBM: Complaints under Policy GBM may only be made by current employees of the District. The complaint procedure will not be available to resolve disputes and disagreements related to the provisions of any collective bargaining agreements, nor in any other instance where a collective bargaining agreement provides a dispute resolution procedure. Disputes concerning the dismissal, nonrenewal or

nonextension of any employee are not subject to Policy GBM. The Board's decision is final and may not be appealed to the Oregon Department of Education.

9.2 **Complaints about staff:** Complaints about District staff by District staff or third persons are confidential personnel matters subject to state law and applicable collective bargaining agreements. The complaint processes outlined above are all subject to applicable law and collective bargaining agreements.

9.3 Complaints about staff or staff performance shall be directed to the District's human resources office.

10. Complaints made by District Board Members: District Board members have the right to use the District complaint policies. In doing so, the complainant/Board member waives the right to participate as a decision-maker in the appeal process outlined in Section 1.3.

10.1 Board members have the same protections as staff, students and third parties to not experience discrimination, harassment or other forms of conduct prohibited by District policy.

10.2 Board members are residents of the District. However, as a Board member they are in a unique position to challenge District policies and procedures in their role on the School Board. Unless the District makes a decision that directly affects a Board member as a District resident, or as the parent or guardian of a District student, Board members may not make a complaint under Policy KL.

(a) Board member complaints about District Staff: A complaint made by a Board member about a District staff person will be made directly to the Superintendent. The Superintendent will consult with the Board Chair and District Legal Counsel about the appropriate next steps, including notification to the staff person that is consistent with any applicable collective bargaining agreement and how the complaint will be investigated.

(b) Complaints will begin at Step 2 at the Superintendent or designee level. Appeals from the Superintendent's decision shall be heard at the Step 3 level by the School Board. The complaining Board member(s) shall not participate in the Board decision at the Step 3 level.

10.3 Board members will refrain from filing complaints under the District complaint policies because of disagreement with policy decisions the Board has voted on or for decisions that have been delegated to the administration. Board members shall use the Board meetings to address policy concerns.

10.4 Board members agree that if a Board member is a complainant under a District complaint policy, that complaining Board member and the Board member who is the subject of the complaint agrees not to do the following:

(a) Participate in the selection of an investigator;

(b) Communicate with fellow Board members outside of a Board meeting about the complaint;

- (c) Lobby any fellow Board member to support a position on the complaint;
- (d) Deliberate on the complaint as a Board member;
- (e) Vote on a decision about the complaint; or
- (f) Retaliate against the complainant, District staff or other Board members in any way.

10.5 A Board member's failure to abide by this section may subject the Board member to the consequences of public censure.

11. **Notification to Complainants and Subjects of Complaints:** All notifications to complainants shall adhere to the following requirements:

11.1 Shall be sent regular mail and by email at the last known address of the complainant;

11.2 Be written in the language preferred and spoken by the complainant;

11.3 Clearly describe the decision;

11.4 Clearly describe the appeal process with identification of the time for appeal, and the person and address to whom the appeal must be addressed; and

11.5 Clearly identify any other agency to whom an appeal of the final decision may be appealed.

12. **Alternative Process for Complaints Regarding Athletics**

For complaints by student athletes or their parents relating to eligibility or participation, the district will endeavor to provide an expedited resolution where possible. Complaints about eligibility or participation should be brought to the attention of the coach directly responsible for the sport in which the student athlete is participating and the parties should seek informal resolution. If the concern is not resolved within 5 working days, the student athlete or their parents may file a written complaint with the athletic director, who shall meet with the student athlete and parents to attempt to resolve the complaint within five working days. If the complaint is not resolved, the student athlete or their parents may file an appeal with the high school principal. The high school principal shall consider the appeal and provide a written determination within five working days. If the student athlete or their parents are not satisfied with the high school principal's decision, the student athlete or their parents can appeal to the district administrator overseeing high schools. The district administrator overseeing high schools will review the complaint, confer with the district athletic director, and issue a decision within five business days. The decision of the district administrator overseeing high schools shall be final.

This alternative process is provided in order to allow for expedited resolution of complaints regarding eligibility or participation. Students or parents may also use the formal process described above. This expedited process will not be used for complaints outside of eligibility or participation. The district will determine which complaint process is appropriate based on the circumstances.

As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300 - 125.325. The **determination** of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.



Native Land Acknowledgment

We acknowledge the land on which we sit and which we call the North Clackamas School District rests on the traditional and indigenous lands and village sites of the Native peoples of the Kalapuya, Chinook, Molalla, and the Clackamas. We take this opportunity to offer gratitude for the ability to learn, work, and be a community on this land, and we offer thanks to the original caretakers of this region. We recognize the historic policies of colonization, genocide, relocation, and assimilation that affected Indigenous and Native families both past and present and that will affect those in the future, and honor the resilience and revitalization of our Indigenous and Native communities. We pay our respects to the Elders, both past and present, who have been the stewards of this land throughout the generations.

- Approve revisions to the following policies as recommended by the Policy Review Committee.
 - BBA – Board Member Qualifications
 - CB – Board-Superintendent Relationship
 - CBC – Superintendent’s Contract

Travel Permission Request -

- Grant permission for 8 students from Sabin-Schellenberg Center DECA to travel to Anaheim, CA, November 17-20, 2022

Motion passed unanimously, 4-0. Orlando Perez was not present at time of vote.

Community Comments -

- Michael and Jennifer Corbus (on behalf of their daughter Kylie Corbus), spoke regarding recent events at school.
- Jennifer Corbus, Milwaukie, spoke regarding recent events at their children’s school.
- Michael Corbus, Milwaukie, spoke regarding recent events at their children's school.
- Brett Duax, Happy Valley, spoke regarding Oregon education system.
- Amy Reiner, Damascus, spoke regarding LGBTQ community.
- Colleen Cronley, Happy Valley, spoke regarding bullying.
- Angela Pederson, Oregon City, spoke regarding books in school libraries.

The Board Meeting relocated to a fully virtual format due to disruption in the audience.

R22/23-31

Native American Heritage Month - Proclamation - Tory McVay moved, Jena Benologa seconded the motion to adopt the proclamation recognizing November 2022 as Native American Heritage Month in North Clackamas School District.

Human Resources Update - Report - Executive Director of Human Resources Michelle Riddell, Associate Director of Strategic Initiatives, Recruitment and Retention Keylah Boyer, Associate Director of Human Resources Alma Morales Galicia, and Associate Director of Human Resources Will Ruehle gave an update on licensed, classified, and administrative hiring for the 2022-23 school year and the current state of retention and recruitment strategies.

Standard Response Protocol - Report - Executive Director of Finance & Business Services Matt Makara, Safety, Security & Risk Management Director David Kruse, and Security & Emergency Management Specialist Robert Blake provided a periodic review of school safety protocols with the School Board.

There being no further business to come before the Board, the meeting adjourned at 8:21 p.m.

Unapproved

Draft

**NORTH CLACKAMAS SCHOOL DISTRICT 12
CLACKAMAS COUNTY, OREGON
MINUTES — BOARD OF DIRECTORS MEETING
November 3, 2022
Board Room**

Open Session

With due notice having been given and a quorum present, Chair Mitzi Bauer convened work session at 5:59 p.m. with the following members present:

Mitzi Bauer	–	Chair
Jena Benologa	–	Vice Chair
Orlando Perez	–	Director (virtual)
Libra Forde	–	Director (virtual)
Tory McVay	–	Director
Shay James	–	Superintendent
Donna Collingwood	–	Board Secretary

Also present were Ivonne Dibblee, Tiffany Shireman, Cindy Detchon, and Matt Makara. District employees and community members were provided a live stream on YouTube.

Budget Committee Interviews - Board members interviewed the following candidates to fill Budget Committee positions 7, 8, and 12.

- Angeline Hill
- Maureen Hinman
- April Dobson
- Nicole Woodfill
- Michael Osborne

Discussion - Time was made available for the Board to comment on the qualities of the candidates. No comments were made.

There being no further business to come before the Board, the meeting adjourned at 7:24 p.m.

Unapproved

TRAVEL PERMISSION REQUEST

Adrienne C. Nelson High School Dance Team

CONSENT B

November 17, 2022

SUPERINTENDENT'S RECOMMENDATION:

Board approval of the request to travel.

BACKGROUND:

Adrienne C. Nelson is requesting permission for 27 students and 4 chaperones to travel to the National Dance Competition, February 24-28, 2023 in Anaheim, California. The trip will cost approximately \$987 per person to be funded by team poster sponsors, Snap Raise, kids dance workshop, pie fundraisers, Jamba juice cards, and the Mattress World sale. Students will be staying 4 to a room. Students will miss 2 days of school and be asked to have a form signed by each teacher to complete any make-up work prior to departing for the trip.

SOURCE OF FUNDS:

See attached Application for Permission to Travel

ATTACHMENTS:

Application for Permission to Travel and required attachments

STAFF CONTACT:

Petra Callin, Executive Director of High Schools

Section II – Budget Information – Cost per Student

Expenses (per student)

- 1. Transportation \$ 305
- 2. Lodging (no home stays) \$ 200
- 3. Meals \$ 200
- 4. Fees/Event Expense \$ 282
- 5. Other \$ 0

Description of other expenses: 0

6. **Total cost per student (total lines 1 through 5):** \$ 987

7. # of chaperones 4

8. # of students 27

9. **Total # of students + chaperones** 31

10. **Total cost of participation (Line 6 x Line 9):** \$ 30597

11. Substitute Teachers: (rates are effective 2022-2023)

a. 0 # Full-Day Substitute(s) x 0 # of Days @ \$273.60 = \$ 0

b. 0 # Half-Day Substitute(s) x 0 # of Days @ \$136.80 = \$ 0

c. **Total Sub Cost** \$ 0

TOTAL COST OF FIELD TRIP/TRAVEL (Line 10 plus line 11c.): \$ 30597

Total Funding Resources – including fund raising, student out-of-pocket, contributions, school budget (totals should match): \$ 30597

Briefly describe fund-raising activities and other resources: _____

Team poster sponsors, Snap Raise, kids Dance workshop, pie fundraisers, Jamba Juice cards, Mattress World sale

No students will be denied participation due to lack of funds. Adequate sources of revenue must be made available to all students.

Section III – Transportation and Lodging Information

- Transportation: NCSD bus Nondistrict commercial transportation (bus, train, plane)
 NCSD mini bus (Type 20) Private/personal vehicles (Must have parent/guardian release form)
 Rental Vehicle (no rental of 15-passenger vans allowed)

For use of NCSD minibus or Rental Cars, please identify the NCSD current certified mini-bus drivers:

Name of Driver(s): _____

NCSD mini buses cannot be used for trips which total more than 600 miles round trip.

Number of miles round trip: _____

Name the type(s) of nondistrict transportation to be used (including to and from airport) and company name:

Redline Shuttle to and from the airport; all flights will be on Alaska Airlines

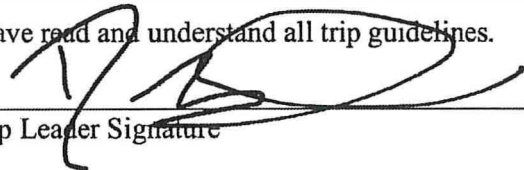
Name and location of lodging and description of room arrangements (chaperones may not share rooms with students; see item #2 under Chaperone Guidelines). Students are not allowed to stay with host families without written permission from Superintendent or designee. This is in accordance with Volunteer Policy IICC-AR(1):

Clarion Hotel (616 Convention Way, Anaheim, CA 92802)

Room Arrangements: 4 athletes per room (6 rooms of 4; 1 room of 3); 4 coaches per room (1 room)

For all travel requests, transportation details and a pre-trip driver requirements forms (If driving a Type 20 NCSD minibus must be included).

I have read and understand all trip guidelines.



Trip Leader Signature

11/1/2022

Date

Section IV – Required Attachments for building level approval only.

The following attachments must accompany this application:

- Detailed Itinerary which includes **all** planned activities and outline of student expectations specific to the trip.
- Pre-trip Driver Requirements (NCSD minibus-Type 20) upon departure.
- Copy of Permission Release Forms and Emergency Information
- List of chaperones and verification of current background check on file.

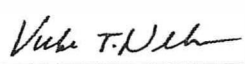
Section V – Required Attachments to be sent to district level. (All other forms stay at the building.)

- Detailed itinerary which includes **all** planned activities and outline of student expectations specific to the trip.
- List of chaperones and verification of current background check on file.

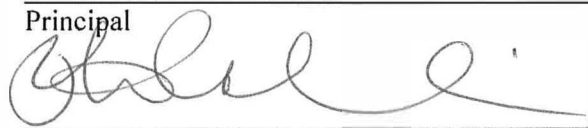
Section VI – Approval

Principal Level: Approved
 Denied

District Level: Approved
 Denied



Principal 11/3/22
Date



Executive Director of Elementary/Secondary 11/7/22
Date

Date of Board Approval: _____

Hawks Dance USA Nationals Itinerary 2023

Friday, February 24th

6:00AM Arrive at PDX
9:10 AM Alaska Flight AS3497 PDX - LAX
11:36 AM Arrive at LAX
12:00 PM Redline Shuttle to Hotel
1:00 PM Lunch - Chipotle
2:00 PM Stretch/Rehearsal at Anaheim Convention Center (Walking Distance)
4:00 PM Check into Clarion Hotel Anaheim
5:00 PM Dinner - Panera Bread
8:00 PM Bed
9:00 PM Bed Check by Coaches

Saturday, February 25th

8:00 AM Wakeup & Continental Breakfast Provided by Hotel
9:00 AM Ballet Warmup
10:00 AM Check in to Competition
11:00 AM Compete Jazz
12:00 PM Lunch - Chipotle
1:00 PM Compete Pom
2:00 PM Compete Fight Song
3:00 PM Compete Performance Routine
5:00 PM Finals Announcement
6:00 PM Dinner - Panera Bread
8:00 PM Bed
9:00 PM Bed Check by Coaches

Sunday, February 26th

8:00 AM Wakeup & Continental Breakfast Provided by Hotel
9:00 AM Ballet Warmup
10:00 AM Check in to Competition
11:00 AM Compete Jazz
12:00 PM Lunch - Chipotle
1:00 PM Compete Pom
2:00 PM Compete Fight Song
3:00 PM Compete Performance Routine
5:00 PM Competition Awards
6:00 PM Dinner - Panera Bread
8:00 PM Bed
9:00 PM Bed Check by Coaches

Monday, February 27th

8:00 AM Wake up & Continental Breakfast provided by Hotel
10:00 AM Arrive at Dance Disney Workshop

Dance Disney

Performers will discover how to create movements that tell a compelling story and immerse their audience into the story through choreography and staging techniques from one of the many shows performed at Disney Parks across the world.

12:00 PM Lunch - Chipotle
1:00 PM Watch Disney Show
2:00 PM In groups with chaperone each group picks one ride
4:00 PM Meet at front entrance of Disney Park
5:00 PM Dinner - Panera Bread
8:00 PM Bed
9:00 PM Bed Check by Coaches

Tuesday, February 28th

3:00 AM Leave Hotel on Redline Shuttle
4:00 AM Arrive at LAX
6:40 AM Alaska Flight AS1077 LAX - PDX
9:15 AM Arrive at PDX

TRAVEL PERMISSION REQUEST

Adrienne C. Nelson High School Varsity Boys Basketball

CONSENT C

November 17, 2022

SUPERINTENDENT'S RECOMMENDATION:

Board approval of the request to travel.

BACKGROUND:

Adrienne C. Nelson is requesting permission for 15 students and 4 chaperones to travel to the Winter Holiday Basketball tournament, December 26-29, 2022 in Medford, Oregon. The trip will cost approximately \$234 per person to be funded by Snap Raise and Fall Boys' Basketball Auction/Bingo Night. Students will be staying 2 to a room. This trip will take place over Winter Break and no school will be missed.

SOURCE OF FUNDS:

See attached Application for Permission to Travel

ATTACHMENTS:

Application for Permission to Travel and required attachments

STAFF CONTACT:

Petra Callin, Executive Director of High Schools

Section II – Budget Information – Cost per Student

Expenses (per student)

- 1. Transportation \$ 0
- 2. Lodging (no home stays) \$ 133.50
- 3. Meals \$ 100
- 4. Fees/Event Expense \$ 0
- 5. Other \$ 0

Description of other expenses: 0

6. **Total cost per student (total lines 1 through 5):** \$ 233.5

7. # of chaperones 4

8. # of students 15

9. **Total # of students + chaperones** 19

10. **Total cost of participation (Line 6 x Line 9):** \$ 4436.5

11. Substitute Teachers: (rates are effective 2022-2023)

a. 0 # Full-Day Substitute(s) x 0 # of Days @ \$273.60 = \$ 0

b. 0 # Half-Day Substitute(s) x 0 # of Days @ \$136.80 = \$ 0

c. **Total Sub Cost** \$ 0

TOTAL COST OF FIELD TRIP/TRAVEL (Line 10 plus line 11c.): \$ 4436.5

Total Funding Resources – including fund raising, student out-of-pocket, contributions, school budget (totals should match): \$ 4436.50

Briefly describe fund-raising activities and other resources: _____

Snap Raise, Fall Boys Basketball Auction/Bingo Night

No students will be denied participation due to lack of funds. Adequate sources of revenue must be made available to all students.

Section III – Transportation and Lodging Information

- Transportation:
- NCSD bus
 - NCSD mini bus (Type 20)
 - Rental Vehicle (no rental of 15-passenger vans allowed)
 - Nondistrict commercial transportation (bus, train, plane)
 - Private/personal vehicles (Must have parent/guardian release form)

For use of NCSD minibus or Rental Cars, please identify the NCSD current certified mini-bus drivers:

Name of Driver(s): Alex Edwards

NCSD mini buses cannot be used for trips which total more than 600 miles round trip.

Number of miles round trip: 562

Name the type(s) of nondistrict transportation to be used (including to and from airport) and company name:

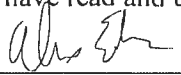
N/A

Name and location of lodging and description of room arrangements (chaperones may not share rooms with students; see item #2 under Chaperone Guidelines). Students are not allowed to stay with host families without written permission from Superintendent or designee. This is in accordance with Volunteer Policy IICC-AR(1): Comfort Inn South (60 E. Stewart Ave., Medford, OR 97501)

Room Arrangements: 7 rooms for players, 2 players per room; 3 rooms for 3 coaches; 1 room for player and coach (it is a son and father; son is John Parker Poetsch, dad is John Poetsch)

For all travel requests, transportation details and a pre-trip driver requirements forms (If driving a Type 20 NCSD minibus must be included).

I have read and understand all trip guidelines.



Trip Leader Signature

11/1/2022
Date

Section IV – Required Attachments for building level approval only.

The following attachments must accompany this application:

- Detailed Itinerary which includes **all** planned activities and outline of student expectations specific to the trip.
- Pre-trip Driver Requirements (NCSD minibus-Type 20) upon departure.
- Copy of Permission Release Forms and Emergency Information
- List of chaperones and verification of current background check on file.

Section V – Required Attachments to be sent to district level. (All other forms stay at the building.)

- Detailed itinerary which includes **all** planned activities and outline of student expectations specific to the trip.
- List of chaperones and verification of current background check on file.

Section VI – Approval

Principal Level: Approved
 Denied

Valerie T. W. Lee
Principal 11/1/22
Date

District Level: Approved
 Denied


Executive Director of Elementary/Secondary 11/7/22
Date

Date of Board Approval: _____

Itinerary

December 26th

10am- depart for Medford
1:30pm stop for lunch in Roseburg
4pm Check into hotel
 Comfort Inn South**
 60 E. Stewart Ave
 Medford Oregon 97501
7pm Practice South Medford High School

December 27th

9am- Breakfast
10-11am walkthrough and film
11-4pm Hangout at the hotel
4pm- Game @ South Medford High School
10:30- Lights out
*subject to change depending on game time

December 28th

9am- Breakfast
10-11am walkthrough and film
11-1pm Hangout at the hotel
1pm- Game @ South Medford High School
6pm- Dinner as a team
7pm- Hangout at hotel
10:30pm- Lights out
*subject to change depending on game time

December 29th

9am- Breakfast
10-11am walkthrough and film
11-1pm Hangout at the hotel
1pm- Game @ South Medford High School
3:30pm-Depart for ACNHS
8:30pm- Arrive at Nelson
*subject to change depending on game time

****Room arrangement**

7 rooms for players. 2 players per room
1 room for player & coach (Father and son)
3 rooms for 3 coaches

This is my approval for the Boys Basketball team to have 2 people to a room instead of the 4 to a room.

- Most of these young men are 6'2" or taller and would have a difficult time sharing a bed with another person of the same size. This allows them to get a good night of sleep.
- The team raised money based on the 2 per room which were the guidelines up until a few weeks ago.
- The tournament hosts have given the team a great rate to be able to do 2 to a room.

Transportation—the mini bus will allow 15 to ride the bus. We will have one coach driving the bus. We will have the additional coaches drive themselves to the tournament. We have one father who is a coach whose son will ride with him. The coaches driving themselves will allow the luggage to be in their cars to provide a safe environment on the minibus.

Vicki T. Nelms
Athletic Director
Adrienne C. Nelson High School

TRAVEL PERMISSION REQUEST
Milwaukie High School Boys Basketball

CONSENT D
November 17, 2022

SUPERINTENDENT'S RECOMMENDATION:

Board approval of the request to travel.

BACKGROUND:

Milwaukie High School is requesting permission for 12 students and 3 chaperones to travel to the Torrey Pines Basketball Tournament, December 26-30, 2022 in San Diego, California. The trip will cost approximately \$670 per person to be funded by cosmic bowling, Adrenaline fundraiser, youth tournaments, spaghetti dinner and auction fundraiser, and donations. Students will be staying 2 to a room. This trip will take place over winter break, and students will not miss any school.

SOURCE OF FUNDS:

See attached Application for Permission to Travel

ATTACHMENTS:

Application for Permission to Travel and required attachments

STAFF CONTACT:

Petra Callin, Executive Director of High Schools

Section II – Budget Information – Cost per Student

Expenses (per student)

- 1. Transportation \$ 420
- 2. Lodging (no home stays) \$ 150
- 3. Meals \$ 100
- 4. Fees/Event Expense \$ N/A
- 5. Other \$ _____

Description of other expenses: Transportation

- 6. **Total cost per student (total lines 1 through 5):** \$ 670
- 7. # of chaperones 3
- 8. # of students 12
- 9. **Total # of students + chaperones** 15
- 10. **Total cost of participation (Line 6 x Line 9):** \$ 10050
- 11. Substitute Teachers: (rates are effective 2022-2023)
 - a. _____ # Full-Day Substitute(s) x _____ # of Days @ \$273.60 = \$ 0.00
 - b. _____ # Half-Day Substitute(s) x _____ # of Days @ \$136.80 = \$ 0.00
 - c. **Total Sub Cost** \$ 0

TOTAL COST OF FIELD TRIP/TRAVEL (Line 10 plus line 11c.): \$ 10050

Total Funding Resources – including fund raising, student out-of-pocket, contributions, school budget (totals should match): \$ 10,050.00

Briefly describe fund-raising activities and other resources: Cosmic bowling, Adrenaline Fundraiser, Youth Tournaments, Spaghetti Dinner/Auction, and donations.

No students will be denied participation due to lack of funds. Adequate sources of revenue must be made available to all students.

Section III – Transportation and Lodging Information

- Transportation:
- NCSD bus
 - NCSD mini bus (Type 20)
 - Rental Vehicle (no rental of 15-passenger vans allowed)
 - Nondistrict commercial transportation (bus, train, plane)
 - Private/personal vehicles (Must have parent/guardian release form)

For use of NCSD minibus or Rental Cars, please identify the NCSD current certified mini-bus drivers:

Name of Driver(s): Donny Law
Jordan Delestatiouis

NCSD mini buses cannot be used for trips which total more than 600 miles round trip.

Number of miles round trip: _____

Name the type(s) of nondistrict transportation to be used (including to and from airport) and company name:

We will be taking a NCS District bus to the airport. We will be using Dollar rent a car mini vans while in San Diego

Name and location of lodging and description of room arrangements (chaperones may not share rooms with students; see item #2 under Chaperone Guidelines). Students are not allowed to stay with host families without written permission from Superintendent or designee. This is in accordance with Volunteer Policy IICC-AR(1): Hilton San Diego Del Mar 15575 Jimmy Durante Blvd Del Mar CA 92014. There will be 2 student/athletes per room designated by coach

For all travel requests, transportation details and a pre-trip driver requirements forms (If driving a Type 20 NCS District minibus must be included).

I have read and understand all trip guidelines.

DL Oct. 12th, 2022
Trip Leader Signature Date

Section IV – Required Attachments for building level approval only.

The following attachments must accompany this application:

- Detailed Itinerary which includes **all** planned activities and outline of student expectations specific to the trip.
- Pre-trip Driver Requirements (NCS District minibus-Type 20) upon departure.
- Copy of Permission Release Forms and Emergency Information
- List of chaperones and verification of current background check on file.

Section V – Required Attachments to be sent to district level. (All other forms stay at the building.)

- Detailed itinerary which includes **all** planned activities and outline of student expectations specific to the trip.
- List of chaperones and verification of current background check on file.

Section VI – Approval

Principal Level: Approved
 Denied

Kym Kelloog 11/7/22
Principal Date

District Level: Approved
 Denied

[Signature] 11/10/22
Executive Director of Elementary/Secondary Date

Date of Board Approval: _____

Items Players should bring on the trip: It is going to be very cold So bring winter clothes

-Amenities: Deodorant, Toothbrush, and Toothpaste

-If your student/athlete has any allergies or medications you are required to bring instructions on how to aid if a situation arises

-Pack enough of the following to last 5 days: Shirts, Underwear, Socks, Shorts, and Pants

-Bring clothes for Winter

-I would appreciate that all xbox and electronic devices besides cell phones or ipad to be left at home.

-If there are any other items feel free to let me know.

Monday December 26th, 2022

5:30am Bus leaves with team from the Turn-around at Milwaukie High School and heads to PDX Airport

6:30 am Get all of our student/athletes and coaches through airport security

9:00 am Depart PDX and arrive at San Diego International Airport at 11am

12:00 pm Arrive at Dollar rental car, pick up our two vans and head to San Diego Marriott Del Mar

1:00 pm Lunch

4:00 pm am Check into San Diego Marriott Del Mar

5:00 pm arrive at gym and play our first game

8:00 pm return to Hotel and team dinner

10:00 pm lights out.

Tuesday Dec. 27th, 2022

8:30 AM Team Breakfast

9:30 AM Shower and get ready for the day

10:30 AM Study period

11:30 AM Get on bus to the gym for Practice

12:30 PM Team Lunch

1:30 PM Film study

2:20 PM Milwaukie vs. TBD

3:30 PM Down time in their rooms

4:30 PM Team Dinner

5:30 PM Basketball Game

7:00 PM Sightseeing

10:00 Lights out and bedtime.

Wednesday Dec. 28th, 2022

8:30 AM Team Breakfast

9:30 AM Shower and get ready for the day

10:30 AM Study Period

11:30 AM get on bus and go to the gym for Practice

12:30 PM Team Lunch

1:30 PM Film Study/Walk through
3:30 PM Down time in their rooms
4:30 PM Team Dinner
5:30 PM Basketball Game
7:30 PM Team Scouts next opponent
9:00 PM Sightseeing
10:00 PM Lights out and bedtime.

Thursday Dec. 29th, 2022

8:30 AM Team Breakfast
9:30 AM Shower and get ready for the day
10:30 AM Study Period
11:30 AM get on bus and go to the gym for Practice
12:30 PM Team Lunch
1:30 PM Film Study/Walk through
3:30 PM Down time in their rooms
4:30 PM Team Dinner
5:30 PM Basketball Game
7:30 PM Team Scouts next opponent
9:00 PM Sightseeing
10:00 PM Lights out and bedtime.

Friday Dec. 30th, 2022

8:30 AM Team Breakfast
9:30 AM Shower and get ready for the day
10:30 AM Study Period
11:30 AM Check out of the Tempe Mission Palms and drive to the gym for Practice
12:30 PM Team Lunch
1:30 PM Basketball Game
3:30 PM Depart from San Diego Marriott Del Mar and Travel to San Diego International Airport
7:30 PM Return rental van to Dollar rental at San Diego International Airport
8:00 PM Get all of our student athletes and coaches through airport security
9:20 PM Board Plane headed to PDX Airport
11:45 PM Arrive at PDX Airport and parents are to pick-up their student/athlete at PDX Arrival Terminal

TRAVEL PERMISSION REQUEST

Sabin-Schellenberg Professional Technical Center Construction Group

CONSENT E

November 17, 2022

SUPERINTENDENT'S RECOMMENDATION:

Board approval of the request to travel.

BACKGROUND:

Sabin-Schellenberg Professional Technical Center is requesting permission for 28 students and 3 chaperones to travel to Camp Westwind, December 16-19, 2022 in Otis, Oregon. This trip will be at zero cost to students. Camp Westwind is covering the cost of subs, food, and lodging, in exchange for labor. Camp Westwind will provide cabins and students will bunk 4 to a cabin with male and female students being separate. Skills practiced on this trip are part of the Building Construction curriculum. Working at Camp Westwind provides students the unique opportunity to grow valuable real world construction skills and practice team building unavailable elsewhere. This opportunity is also a part of the Work Based Learning for the Building Construction program of study.

SOURCE OF FUNDS:

See attached Application for Permission to Travel

ATTACHMENTS:

Application for Permission to Travel and required attachments

STAFF CONTACT:

Petra Callin, Executive Director of High Schools



2022-2023 Application for Permission to Travel

Section I – General Information *(check all that apply)*

- Requires Principal Approval
 Requires District Approval
 Requires Board Approval
 First time travel for this group/itinerary
 OR
 Annual/Repeated trip (i.e. annual Fall choir retreat)

School: _____ Name of group: _____

Dates of travel: _____ Initiator: _____

Destination: _____ Application date: _____

Number of nights of overnight stay: _____ Time of departure: _____

Number of school days students will miss: _____

Rationale for missed school days:

Number of students: _____ male _____ female Number of chaperones: _____ male _____ female

Background checks will be completed and verified on all chaperones. Background checks must be submitted every three years.

Person verifying background checks will be: _____ **Initial here when completed:** JFC

Purpose of travel:

What plans have been made for school make-up work when trip requires students miss school?

What specific responsibilities have been assigned to the chaperones?

Section II – Budget Information – Cost per Student

Expenses (per student)

- 1. Transportation \$ _____
- 2. Lodging (no home stays) \$ _____
- 3. Meals \$ _____
- 4. Fees/Event Expense \$ _____
- 5. Other \$ _____

Description of other expenses: _____

6. Total cost per student (total lines 1 through 5): \$ _____

7. # of chaperones _____

8. # of students _____

9. Total # of students + chaperones _____

10. Total cost of participation (Line 6 x Line 9): \$ _____

11. Substitute Teachers: (rates are effective 2022-2023)

a. _____ # Full-Day Substitute(s) x _____ # of Days @ \$273.60 = \$ _____

b. _____ # Half-Day Substitute(s) x _____ # of Days @ \$136.80 = \$ _____

c. **Total Sub Cost \$ _____**

TOTAL COST OF FIELD TRIP/TRAVEL (Line 10 plus line 11c.): \$ _____

Total Funding Resources – including fund raising, student out-of-pocket, contributions, school budget (totals should match): \$ _____

Briefly describe fund-raising activities and other resources: _____

No students will be denied participation due to lack of funds. Adequate sources of revenue must be made available to all students.

Section III – Transportation and Lodging Information

- Transportation:
- NCSD bus
 - Nondistrict commercial transportation (bus, train, plane)
 - NCSD mini bus (Type 20)
 - Private/personal vehicles (Must have parent/guardian release form)
 - Rental Vehicle (no rental of 15-passenger vans allowed)

For use of NCSD minibus or Rental Cars, please identify the NCSD current certified mini-bus drivers:

Name of Driver(s): _____

NCSD mini buses cannot be used for trips which total more than 600 miles round trip.

Number of miles round trip: _____

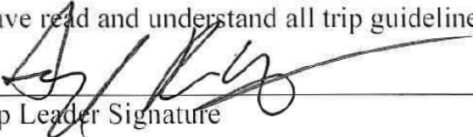
Name the type(s) of nondistrict transportation to be used (including to and from airport) and company name:

N/A

Name and location of lodging and description of room arrangements (chaperones may not share rooms with students; see item #2 under Chaperone Guidelines). Students are not allowed to stay with host families without written permission from Superintendent or designee. This is in accordance with Volunteer Policy IICC-AR(1): Camp Westwind will provide cabins. Each cabin is approximately 16'X24' and sleeps 9. Students will bunk 4 to a cabin. Male and female students will have separate cabins as will all chaperones. Cabins are clustered, all participants are next door to a chaperone

For all travel requests, transportation details and a pre-trip driver requirements forms (If driving a Type 20 NCSD minibus must be included).

I have read and understand all trip guidelines.



Trip Leader Signature

10/24/22
Date

Section IV – Required Attachments for building level approval only.

The following attachments must accompany this application:

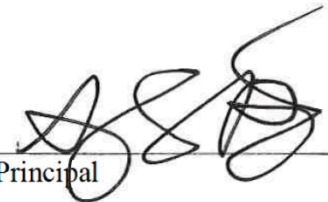
- Detailed Itinerary which includes **all** planned activities and outline of student expectations specific to the trip.
- Pre-trip Driver Requirements (NCSD minibus-Type 20) upon departure.
- Copy of Permission Release Forms and Emergency Information
- List of chaperones and verification of current background check on file.

Section V – Required Attachments to be sent to district level. (All other forms stay at the building.)

- Detailed itinerary which includes **all** planned activities and outline of student expectations specific to the trip.
- List of chaperones and verification of current background check on file.

Section VI – Approval

Principal Level: Approved
 Denied



Principal 10/28/22
Date

District Level: Approved
 Denied

Executive Director of Elementary/Secondary Date

Date of Board Approval: _____

Camp Westwind Highland Cabin Remodel 2022-23

SSC Building Construction Program

Friday, December 16th

Students may arrive as early as 12pm to help gear up

- 12:25 PM *Beginning of Period 3,
Lunch Provided.
Gear up and load buses
Leave Sabin*
- 1:30 PM Leave Sabin
- 3:30pm Arrive at Camp Westwind
Unload in Wilson Lodge
Cabin assignments
- 4:30 PM Introductions
Camp/Support Staff
- 5:00 PM Team Building Activities
(material staging)
- 6:00 PM Dinner
- 7:00 PM Wilson Lodge/Group Games
- 10:00 PM Head to Cabins
- 11:00 PM Lights out

Saturday, December 17th

- 8:00 AM Breakfast
- 8:30 AM Project debrief
Set goals & intentions for the day
- 8:45 AM Stretch & Gear up
- 9:00 AM Cabin Work Session
- 12:00 PM Lunch Break
- 1:00 PM Cabin Work Session
- 4:00 PM Gear down & Clean up
- 6:00 PM Dinner
- 7:00 PM Group Games
Estuary Walk (Star stomping)
- 10:00 PM Head to Cabins
- 11:00 PM Lights out

Sunday, December 18th

- 8:00 AM Breakfast
- 8:30 AM Announcements
Set goals & intentions for the day
- 8:45 AM Stretch & Gear up
- 9:00 AM Cabin Work Session
- 12:00 PM Lunch Break
- 1:00 PM Cabin Work Session
- 4:00 PM Gear down & Clean up
- 6:00 PM Dinner
- 7:00 PM Group Games
Estuary Walk (Star stomping)
- 10:00 PM Head to Cabins
- 11:00 PM Lights out

Monday, December 19th

- 8:00 AM Breakfast
- 8:30 AM Announcements
Personal belongings packed
Sleeping areas swept & sanitized.
- 9:00 AM Choice Activities
Cabin Work
Hike High Meadow
Beach to Estuary walk
- 11:00 AM Highland Cabin
Pack up Gear & Tools
Group photo
- 11:30 AM Clean up Common Areas
Lodge & Main Camp Bathrooms
- 12:30 PM Pack out Lunch
- 1:00 PM Leave Camp Westwind
- 3:30 PM Arrive at Sabin
Unload and unpack gear
- 4:00 PM Parents pick up students

Personal Packing checklist

TRAVEL PERMISSION REQUEST

Adrienne C. Nelson High School Varsity Girls Basketball

CONSENT F

November 17, 2022

SUPERINTENDENT'S RECOMMENDATION:

Board approval of the request to travel.

BACKGROUND:

Adrienne C. Nelson High School is requesting permission for 12 students and 2 chaperones to travel to the Cactus Jam Basketball Tournament, December 26-31, 2022 in Phoenix, Arizona. The trip will cost approximately \$1,175 per person to be funded by Snap Raise and Girls Basketball Auction/Bingo night. There will be 4 students per room. This trip is over winter break, so students will not miss any school.

SOURCE OF FUNDS:

See attached Application for Permission to Travel

ATTACHMENTS:

Application for Permission to Travel and required attachments

STAFF CONTACT:

Petra Callin, Executive Director of High Schools

Section II – Budget Information – Cost per Student

Expenses (per student)

- 1. Transportation \$ 500
- 2. Lodging (no home stays) \$ 575
- 3. Meals \$ 100
- 4. Fees/Event Expense \$ 0
- 5. Other \$ 0

Description of other expenses: _____

6. **Total cost per student (total lines 1 through 5):** \$ 1175

7. # of chaperones 2

8. # of students 12

9. **Total # of students + chaperones** 14

10. **Total cost of participation (Line 6 x Line 9):** \$ 16450

11. Substitute Teachers: (rates are effective 2022-2023)

a. 0 # Full-Day Substitute(s) x 0 # of Days @ \$273.60 = \$ 0

b. 0 # Half-Day Substitute(s) x 0 # of Days @ \$136.80 = \$ 0

c. **Total Sub Cost** \$ 0

TOTAL COST OF FIELD TRIP/TRAVEL (Line 10 plus line 11c.): \$ 16450

Total Funding Resources – including fund raising, student out-of-pocket, contributions, school budget (totals should match): \$ 16450

Briefly describe fund-raising activities and other resources: _____

We have already raised over \$4,000 and have Snap Raise and Girls Basketball Auction/Bingo Night

No students will be denied participation due to lack of funds. Adequate sources of revenue must be made available to all students.

Section III – Transportation and Lodging Information

- Transportation:
- NCSD bus
 - Nondistrict commercial transportation (bus, train, plane)
 - NCSD mini bus (Type 20)
 - Private/personal vehicles (Must have parent/guardian release form)
 - Rental Vehicle (no rental of 15-passenger vans allowed)

For use of NCSD minibus or Rental Cars, please identify the NCSD current certified mini-bus drivers:

Name of Driver(s): _____

NCSD mini buses cannot be used for trips which total more than 600 miles round trip.

Number of miles round trip: _____

Cactus Jam Itinerary

December 26, 2022

Depart PDX at 9:00 p.m. on Southwest Airlines

Arrive in PHX at 12:30 a.m.

Hotel Transportation picks up at the airport and takes the team to the hotel.

December 27, 2022

Complimentary Breakfast at Hotel

Travel to game site to watch games

Play game

Come back to the hotel/Dinner

Bed check and lights out

December 28, 2022

Complimentary Breakfast at Hotel

Travel to game site to watch games

Play game

Come back to the hotel/Dinner

Bed check and lights out

December 29, 2022

Breakfast at the Hotel

Campus visit to Arizona State University

Relaxation Time

Dinner

Bed Check and Lights Out

December 30, 2022

Complimentary Breakfast at Hotel

Travel to game site to watch games

Play game

Come back to the hotel/Dinner

Bed check and lights out

December 31, 2022

Depart PHX at 5:45 a.m., land in Portland 7:40 a.m.



OAK GROVE ELEMENTARY - SCHOOL PRESENTATION

DISCUSSION
Agenda Item #2
November 17, 2022

SUPERINTENDENT’S RECOMMENDATION:

This item is presented for School Board Information

BACKGROUND:

This year, a school will be highlighted each month and will make a presentation to the School Board to engage in a discussion on student achievement.

Oak Grove Elementary School is featured this month and will present the following:

- Welcome and Introduction
- Highlights at Oak Grove
- Student Identity and Student Voice
- Goals for students
- Work our staff has done
- Student Voice
- Next Steps
- Thank You - Q&A

ATTACHMENTS:

- [2022-2023 Continuous Improvement Plan](#)
- [2022-2023 OGE MTSS/SIP Summary](#)
- [2021- 2022 Oregon At-A-Glance School Profile](#)
- [Oak Grove Elementary School Board Presenting Slides](#)

PRESENTER/STAFF CONTACT:

Khaliyah Williams-Rodriguez, Executive Director of Elementary Programs
Heidi Dodge, Principal of Oak Grove Elementary School
Sara Westersund, Assistant Principal, Oak Grove Elementary School
Beth Barakat, Instructional Coach, Oak Grove Elementary School
Rachel Wong, 1st Grade Teacher, Oak Grove Elementary School
Nevi Ball, Transitional Learning Center Teacher, Oak Grove Elementary School

OTHERS NOTIFIED OF ITEM:

Oak Grove Elementary School Staff
Oak Grove Elementary School Community

North Clackamas School District | Elementary Programs
School Continuous Improvement Plan

School Year	2022-2023
School	Oak Grove Elementary Our student body consists of 283 students that identify as White (62%), Hispanic (22%), Two or More (12%), Black/African American (3%), Asian (1%), Native Hawaiian/Other (>1%), and American Indian/Alaskan Native (>1%). Our students have ten different first languages including English (86%), Spanish (10%), Filipino (<1%), Russian (<1%), Arabic (<1%) Ukrainian (<1%), Vietnamese (<1%), Lao (<1%), Samoan(<1%), and Setswana/Tswana(1%). Our students have diverse learning needs, including students receiving Special Education services (12%), Section 504 Accommodations (3%), and English Language Development services (12%).
Team Members	Principal: Heidi Dodge Assistant Principal: Sara Westersund Licensed Staff: James Edwards, Beth Barakat Classified Staff: Kristi Dille Parents: Mary Poyfair, Maria D'Alessandro

School Direction Section

NCSD Student Outcomes	Preparing graduates who are inspired and empowered to strengthen the quality of life in our local and global communities.
School Mission	Oak Grove Elementary School exists to serve all of its students, families, and the greater community. Oak Grove will cultivate a nurturing environment where all students feel they belong and their identities are valued. Oak Grove will be a school where students are challenged to excel and reach their highest level of academic achievement while becoming competent and autonomous. We recognize that Oak Grove belongs to the people of the community and we further realize that productive schools are built on partnerships of citizens, parents, and staff. We are committed to working together to teach children to be self confident, compassionate, and lifelong learners.

Comprehensive Needs Assessment Summary

What data did our team examine?
SWIFT FIA (add link)

ELA: [MTSS/SIP Data Summary](#)

BAS

DIBELS

STAR (FALL): 134 students took the STAR Reading Enterprise Assessment. Of these 134 students, 48 (36%) identify as students of color. 43 (36%) students in 3rd - 5th grade scored At/Above Benchmark, of these 14 (33%) were students of color.

Math: [MTSS/SIP Data Summary](#)

STAR (FALL): 226 students took the STAR Math Enterprise Assessment. Of these 226 students, 80 (36%) identify as students of color. 49 (22%) students in 1st - 5th grade scored At/Above Benchmark, of these 12 (24%) were students of color.

SEL: [Tier 1 Data](#)

Fall: SEL rating scales were completed for 270 students. 25% of students were rated as having a strength (independently and consistently without reminders) recognizing their emotions. 56% of students were rated as frequently, with few reminders, being able to recognize their emotions. 19% of students were rated as occasionally or rarely, without adult intervention, recognizing their emotions.

21% of students were rated as having a strength (independently and consistently without reminders) regulating their emotions. 51% of students were rated as frequently, with few reminders, being able to regulate their emotions. 27% of students were rated as occasionally or rarely, without adult intervention, regulating their emotions. On average, K/1 students were rated at a scale of 2.6 with students of color rated at 2.53. On average, 2-5 students were rated at 2.71 with students of color rated at 2.65.

How did the team examine the different needs of all learner groups?

Disaggregated data by learning needs (special education, 504s, TLC, General Education) in [PLC Shared Data Sheets](#).

How were inequities in student outcomes examined and brought forward in planning?

We disaggregated data by race in order to examine disproportionality. [Disaggregated Data: OGE Fall 2022](#)

What needs did our data review elevate?

STAR Math:

2nd grade students of color are 11% more likely to be below benchmark.

5th grade students of color are 10% more likely to be below benchmark.

STAR Reading:

5th grade students of color are 10% more likely to be below benchmark.

How were stakeholders involved in the needs assessment process?

Site Council members met to discuss SIP goals. Licensed staff analyzed data during MTSS meetings and staff meetings.

Which needs will become priority improvement areas?

A priority will be ensuring that students reach growth goals in Reading and Math, especially our students of color in 2nd and 5th grade.

[Long Term District Goals](#)

Student Success: Advance student learning by focusing on each student's experience, well-being and potential.

Equity: Cultivate belonging and inclusion with the expectation of success for each student.

Quality: Ensure consistent, high quality in each program and service.

Stewardship: Develop and manage the resources and assets entrusted to the district.

Annual Evidence Based Strategies, Measures and Actions (to meet school goals)

District or School Goal this strategy supports	Goal 1: By the end of the school year, each Oak Grove student will reach a student growth percentile score of between 35-65 on the STAR Reading Assessment and disproportionality between Students of Color will decrease.			
What are we going to do?	Strategy # 1.1 Written as a Theory of Action and reflects evidence-based practices	<p>If we assess student reading levels and identify racial disproportionality Then we can use asset-based, culturally relevant approaches to accelerate learning And students will reach a student growth percentile of between 35-65 on the STAR Reading Assessment.</p>		
How we will know the plan is working	Measures of Evidence for Adult Actions (“then” statements”)	Fall Licensed staff will use STAR and BAS to determine reading levels for all students.	Winter Licensed staff will use STAR and BAS to determine reading levels for all students.	Spring Licensed staff will use STAR and BAS to determine reading levels for all students.
	Measures of Evidence for Students (“and” statement)	Fall 3: 42% Proficient, 27% of these being students of color 4: 31% Proficient, 33% of these being students of color 5: 34% Proficient, 27% of these being students of color- 10% more likely to be below benchmark	Winter	Spring-
How we will get the work done	Person or Team Responsible	Action Steps To be completed this year		Due Date
	TIL	1. Professional development on asset-based approaches to accelerate student growth in reading.		Yearlong
	Licensed Teachers	2. BAS assessment of all students at the beginning and end of year. BAS assessment of students in intervention three times per year.		Fall, Winter, Spring
	Licensed Teachers	3. K-5 FPC implementation		Yearlong
	Instructional Coach & Administrators	4. Continued professional development on asset-based, culturally relevant practices		Yearlong
	MTSS Committee	5. Identify students of concern and assess effectiveness of interventions		Yearlong

SWIFT Domain Alignment	SWIFT Domain(s) this strategy supports	<input checked="" type="checkbox"/> Administrative Leadership <input checked="" type="checkbox"/> MTSS <input checked="" type="checkbox"/> Integrated Educational Framework <input type="checkbox"/> Family & Community Engagement <input type="checkbox"/> Inclusive Policy Structure & Practice

Annual Evidence Based Strategies, Measures and Actions (to meet school goals)

District or School Goal this strategy supports	Goal 2: By the end of the school year, 90% of Oak Grove students will be rated as being able to recognize emotions and express them appropriately and 80% of students will be rated as being able to regulate emotions appropriately.			
What are we going to do?	Strategy # 1.1 Written as a Theory of Action and reflects evidence-based practices	If we have school-wide fidelity to Caring School Community and teach and reteach regulation lessons Then students will gain self awareness and self management skills And students will be able to recognize and regulate their emotions appropriately.		
How we will know the plan is working	Measures of Evidence for Adult Actions (“then” statements”)	Fall Licensed staff will rate all students using the SEL Tier 1 rating scales for all students.	Winter Licensed staff will rate all students using the SEL Tier 1 rating scales for all students.	Spring Licensed staff will rate all students using the SEL Tier 1 rating scales for all students.
	Measures of Evidence for Students (“and” statement)	Fall (Recognizes/Regulates Emotions) K: 77% / 64% 1: 89% / 62% 2: 82% / 82% 3: 86% / 79% 4: 70% / 66% 5: 83% / 83%	Winter	Spring
How we will get the work done	Person or Team Responsible	Action Steps To be completed this year		Due Date
	School and District Coaches	1. Coaching on classroom regulation spaces and use of regulation tools		Yearlong
	Heidi Dodge	2. Facilitate staff ratings in staff meetings		Fall, Winter, Spring

	All Staff	3. School-wide fidelity to Caring School Community Curriculum	Yearlong
	Licensed Staff	4. Teaching and reteaching of regulation lessons	September & November
	MTSS Committee & Licensed Staff	5. Tier 2 MTSS interventions	Yearlong
SWIFT Domain Alignment	SWIFT Domain(s) this strategy supports	<input checked="" type="checkbox"/> Administrative Leadership <input checked="" type="checkbox"/> MTSS <input checked="" type="checkbox"/> Integrated Educational Framework <input checked="" type="checkbox"/> Family & Community Engagement <input type="checkbox"/> Inclusive Policy Structure & Practice	

Annual Evidence Based Strategies, Measures and Actions (to meet school goals)

District or School Goal this strategy supports	Goal 3: By the end of the school year, each Oak Grove student will reach a student growth percentile score of between 35-65 on the STAR Math Assessment and disproportionality between Students of Color will decrease.			
What are we going to do?	Strategy # 1.1 Written as a Theory of Action and reflects evidence-based practices	If we assess students and identify math proficiency levels Then we can use asset-based, culturally relevant approaches to accelerate learning And students will reach a student growth percentile of between 35-65 on the STAR Math Assessment.		
How we will know the plan is working	Measures of Evidence for Adult Actions (“then” statements)	Fall Licensed staff will use STAR to determine math levels for 1st - 5th grade students.	Winter Licensed staff will use STAR to determine math levels for 1st - 5th grade students.	Spring Licensed staff will use STAR to determine math levels for 1st - 5th grade students.
	Measures of Evidence for Students (“and” statement)	Fall 1: 36% Proficient, 31% of these being students of color 2: 11% Proficient, 0% of these being students of color- 11% more likely to be below benchmark 3: 36% Proficient, 32% of these being students of color	Winter	Spring-

		4: 12% Proficient, 17% of these being students of color 5: 9% Proficient, 0% of these being students of color, 10% more likely to be below benchmark	
How we will get the work done	Person or Team Responsible	Action Steps To be completed this year	Due Date
	Instructional Coach & Administrators	1. Professional Development on Mathematical Habits of Mind	Yearlong
	Instructional Coach & Administrators	2. Lesson Study Rounds focusing on math	November, January, February, April
	Oak Grove Instructional Coach	3. Instructional coaching on math practices	Yearlong
	Teaching & Learning Committee	4. Identify and share culturally relevant approaches to accelerate math learning	Yearlong
	Teachers	5. Facilitate the completion of at least five Dreambox lessons per week.	Yearlong
SWIFT Domain Alignment	SWIFT Domain(s) this strategy supports	<input type="checkbox"/> Administrative Leadership <input checked="" type="checkbox"/> MTSS <input checked="" type="checkbox"/> Integrated Educational Framework <input type="checkbox"/> Family & Community Engagement <input type="checkbox"/> Inclusive Policy Structure & Practice	

Initiative Alignment to Support School Goals

Examples: Chronic Absenteeism, 21st Century Grant, EL Success Program, etc.

Initiative/Program	How this initiative/program supports the school to meet goals
SMART	Promotes a love for reading and gives students access to books at home.
Oak Grove Reads	Supports family and community engagement, promotes reading, and engages all classrooms in discussions about social justice and inclusion.
STEAM Night	Supports family and community involvement and promotes learning autonomy in students.
Listening Lunches with the Principal	Promotes autonomy and belonging in students.
Active Children Portland	After School Enrichment that targets chronic absenteeism.
Electives	Promotes belonging, school culture, and competence.

STAR DATA/Percent Proficient in Reading

Fall:

134 students took the STAR Reading Enterprise Assessment. Of these 134 students, 48 (36%) identify as students of color. 43 (36%) students in 3rd - 5th grade scored At/Above Benchmark, of these 14 (33%) were students of color.

Winter:

Spring :

Grade	Fall				Grade	Winter					Grade	Spring				
	At/Above	On Watch	Intervention	Urgent Intervention		At/Above	On Watch	Intervention	Urgent Intervention	SGP		At/Above	On Watch	Intervention	Urgent Intervention	SGP
3	42%	15%	2%	34%	3						3					
<i>SOC: 36%</i>	<i>27%</i>	<i>25%</i>	<i>80%</i>	<i>39%</i>												
4	31%	24%	12%	33%	4						4					
<i>SOC: 37%</i>	<i>33%</i>	<i>25%</i>	<i>67%</i>	<i>38%</i>												
5	34%	31%	22%	13%	5						5					
<i>SOC: 34%</i>	<i>27%</i>	<i>20%</i>	<i>57%</i>	<i>50%</i>												

BAS DATA:

	Fall			Winter			Spring		
	At/Above	Approaching	Below	At/Above	Approaching	Below	At/Above	Approaching	Below
K	NA	NA	NA	NA	NA	NA	18%	9%	73%
1	13%	21%	67%						
2	25%	2%	73%						
3	51%	18%	31%						
4	60%	2%	38%						
5	52%	13%	35%						

DIBELS DATA:

	Fall			Winter			Spring		
	Core/Above	Strategic	Intensive	Core/Above	Strategic	Intensive	Core/Above	Strategic	Intensive
K	20%	8%	71%						
SOC: 44%	56%	50%	41%						
1	35%	5%	60%						
SOC: 35%	14%	50%	46%						
2 (ORF)	31%	11%	57%						
SOC: 34%	27%	25%	40%						

STAR DATA/Percent Proficient in Math:

Fall: 226 students took the STAR Math Enterprise Assessment. Of these 226 students, 80 (36%) identify as students of color. 49 (22%) students in 1st - 5th grade scored At/Above Benchmark, of these 12 (24%) were students of color.

Winter:

Spring:

Grade	Fall				Grade	Winter					Grade	Spring				
	At/Above	On Watch	Intervention	Urgent Intervention		At/Above	On Watch	Intervention	Urgent Intervention	SGP		At/Above	On Watch	Intervention	Urgent Intervention	SGP
1	36%	39%	16%	9%	1						1					
<i>SOC: 34%</i>	<i>31%</i>	<i>24%</i>	<i>43%</i>	<i>75%</i>												
2	11%	23%	40%	26%	2						2					
<i>SOC: 40%</i>	<i>0%</i>	<i>27%</i>	<i>58%</i>	<i>42%</i>												
3	36%	26%	28%	9%	3						3					
<i>SOC: 36%</i>	<i>32%</i>	<i>36%</i>	<i>40%</i>	<i>40%</i>												
4	12%	27%	35%	27%	4						4					
<i>SOC: 38%</i>	<i>17%</i>	<i>46%</i>	<i>29%</i>	<i>46%</i>												
5	9%	36%	24%	30%	5						5					
<i>SOC: 11%</i>	<i>0%</i>	<i>17%</i>	<i>50%</i>	<i>50%</i>												

SEL Tier 1 Data: Self Awareness & Self Management

Fall: SEL rating scales were completed for 270 students. 25% of students were rated as having a strength (independently and consistently without reminders) recognizing their emotions. 56% of students were rated as frequently, with few reminders, being able to recognize their emotions. 19% of students were rated as occasionally or rarely, without adult intervention, recognizing their emotions.

21% of students were rated as having a strength (independently and consistently without reminders) regulating their emotions. 51% of students were rated as frequently, with few reminders, being able to regulate their emotions. 27% of students were rated as occasionally or rarely, without adult intervention, regulating their emotions. On average, K/1 students were rated at a scale of 2.6 with students of color rated at 2.53. On average, 2-5 students were rated at 2.71 with students of color rated at 2.65.

Winter:
Spring:

Grade	Fall Recognizes Emotions / Regulated Emotions			Winter			Spring		
	Strength	Frequently	Need	Strength	Frequently	Need	Strength	Frequently	Need
K	0% / 0%	77% / 64%	23% / 36%						
1	36% / 11%	53% / 51%	11% / 38%						
2	50% / 57%	32% / 25%	18% / 18%						
3	6% / 6%	80% / 73%	14% / 22%						
4	31% / 31%	39% / 35%	30% / 31%						
5	26% / 20%	57% / 63%	17% / 17%						

Self Awareness & Self Management Average		
	K/1	2-5
All Students	2.6	2.71
All Students of Color	2.53	2.65
Asian		1.6
Black / African American	2.81	2.78
Hispanic	2.56	3.03
Native Hawaiian / Other Pacific Islander		3
Two or More	2.23	2.85
White	2.83	3.02

MTSS: Tier 2
Summary by Grade (Need to Edit)

	Round 1	Round 2
K	(%) <i>emerging bilingual students with disabilities</i>	
1	38 students (%) <i>emerging bilingual</i>	

	<i>students with disabilities</i>	
2	26 students (%) <i>emerging bilingual students with disabilities</i>	
3	11 students (%) <i>3 emerging bilingual 0 students with disabilities 6 students of color</i>	
4	14 students (27%) <i>2 emerging bilingual 1 students with disabilities 6 students of color</i>	
5	(%) <i>emerging bilingual students with disabilities 0 student with disabilities</i>	

How are we supporting students with disabilities through MTSS?

How can we ensure good communication between teachers and RR around IEP goals and RR instruction?

How are we supporting emerging bilingual students through MTSS?

What resources do we have to ensure that intervention instruction is grade/age appropriate and of high interest?

How can we support teachers with sheltered instruction?

[Understanding Common Measures of Disproportionality](#)



OREGON AT-A-GLANCE SCHOOL PROFILE

Oak Grove Elementary



PRINCIPAL: Heidi Dodge | GRADES: K-5 | 2150 SE Torbank Rd, Milwaukie 97222 | 503-353-5520

Students We Serve



DEMOGRAPHICS

American Indian/Alaska Native	
Students	0%
Teachers	0%
Asian	
Students	<1%
Teachers	5%
Black/African American	
Students	2%
Teachers	5%
Hispanic/Latino	
Students	20%
Teachers	0%
Multiracial	
Students	12%
Teachers	5%
Native Hawaiian/Pacific Islander	
Students	1%
Teachers	0%
White	
Students	65%
Teachers	84%

12% Ever English Learners

9 Languages Spoken

25% Students with Disabilities

91% Required Childhood Vaccinations

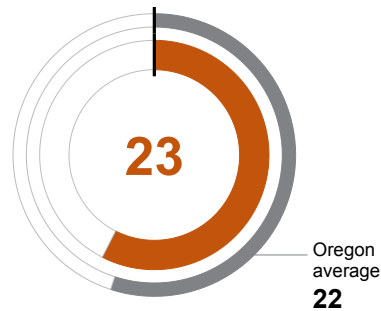
>95% Free/Reduced Price Lunch

*<10 students or data unavailable

School Environment

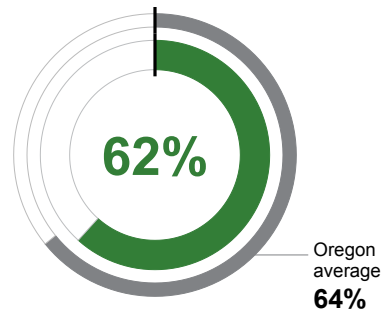
CLASS SIZE

Median class size.



REGULAR ATTENDERS

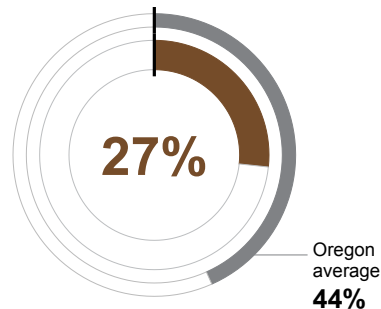
Students who attended more than 90% of their enrolled school days.



Academic Success

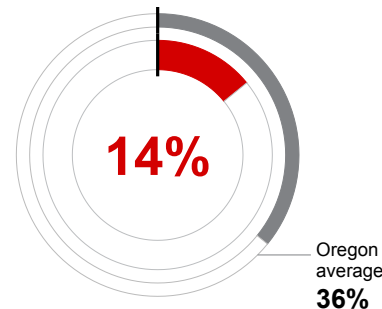
ENGLISH LANGUAGE ARTS

Students meeting state grade-level expectations.



MATHEMATICS

Students meeting state grade-level expectations.



Academic Progress

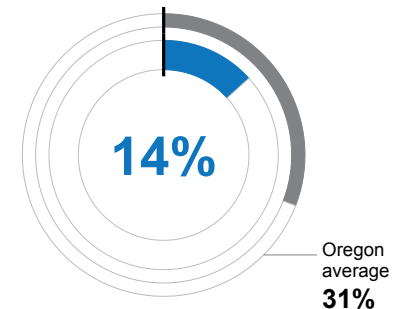
INDIVIDUAL STUDENT PROGRESS

Year-to-year progress in English language arts and mathematics.

Data not available in 2021-22

SCIENCE

Students meeting state grade-level expectations.



School Goals

As NCSD elementary school students enter one of our vibrant neighborhood, magnet, or charter schools, NCSD fosters a joy of learning, nurtures a positive vision for their future, and cultivates a school environment where all cultural heritages are valued. NCSD's elementary schools are striving to achieve this vision by focusing on the whole child and ensuring social, emotional, physical, and academic needs are met.

State Goals

The Oregon Department of Education is partnering with school districts and local communities to ensure a 90% on-time, four year graduation rate by 2025. To progress toward this goal, the state will prioritize efforts to improve attendance, provide a well-rounded education, invest in implementing culturally responsive practices, and promote continuous improvement to close opportunity and achievement gaps for historically and currently underserved students.

Safe & Welcoming Environment

NCSD believes the physical, social, and emotional safety of all students is a priority no matter their demographics or identities. Therefore, NCSD has an obligation to each student, family, staff member, and community member to provide environments that hold a fundamental sense of safety and respect. NCSD values all people regardless of background, race, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, age, disability, or familial status.



Outcomes

Our Staff (rounded FTE)



15
Teachers



11
Educational assistants



1
Counselors/
Psychologists



82%
Average teacher retention rate



88%
% of licensed teachers with more than 3 years of experience



No
Same principal in the last 3 years

REGULAR ATTENDERS

American Indian/Alaska Native	<10 students or data unavailable
Asian	<10 students or data unavailable
Black/African American	<10 students or data unavailable
Hispanic/Latino	65%
Multiracial	49%
Native Hawaiian/Pacific Islander	<10 students or data unavailable
White	64%
Free/Reduced Price Lunch	62%
Ever English Learner	69%
Students with Disabilities	63%
Migrant	<10 students or data unavailable
Homeless	<10 students or data unavailable
Students in Foster Care	<10 students or data unavailable
Talented and Gifted	<10 students or data unavailable
Female	63%
Male	60%
Non-Binary	<10 students or data unavailable

ENGLISH LANGUAGE ARTS

<10 students or data unavailable
<10 students or data unavailable
<10 students or data unavailable
7%
<10 students or data unavailable
<10 students or data unavailable
34%
27%
18%
9%
<10 students or data unavailable
<10 students or data unavailable
<10 students or data unavailable
<10 students or data unavailable
<10 students or data unavailable
35%
19%
<10 students or data unavailable

MATHEMATICS

<10 students or data unavailable
<10 students or data unavailable
<10 students or data unavailable
<5%
<10 students or data unavailable
<10 students or data unavailable
18%
14%
13%
9%
<10 students or data unavailable
<10 students or data unavailable
<10 students or data unavailable
<10 students or data unavailable
<10 students or data unavailable
15%
14%
<10 students or data unavailable

About Our School

BULLYING, HARASSMENT, AND SAFETY POLICIES

NCSD believes that in order for all students, families, and staff members to feel important and welcome as members of the school community, they must feel safe - physically, emotionally, and psychologically. For this reason, NCSD has a comprehensive set of policies that prohibit bullying and harassment, and NCSD has established multiple reporting and accountability measures designed to assist NCSD to respond quickly to these incidents. Information about NCSD's policies can be found at bit.ly/2CrTbnk.

EXTRACURRICULAR ACTIVITIES

North Clackamas School District offers a range of extracurricular activities for our elementary-aged students. Some examples may include: morning/after school CARE program, PTA/PTO-sponsored events, music and arts education, and partnerships with local, community-based organizations.

PARENT ENGAGEMENT

Engaged families are a key component in the academic success of students. NCSD provides multiple forums for families to become invested in their child's education, their schools, and the larger NCSD community. Whether their students are striving or thriving, NCSD believes it is essential for families to actively participate in their children's education, and NCSD's schools know this is a key responsibility.

COMMUNITY ENGAGEMENT

North Clackamas Schools welcomes and values the contributions of its community partners. Local businesses, social service organizations, and numerous individual volunteers add to the richness of the NCSD experience, both inside and outside of classrooms. Volunteers are welcome at our schools, and are a valued source of knowledge and expertise benefiting students and staff.



OAK GROVE

ELEMENTARY SCHOOL

SCHOOL BOARD PRESENTATION

NOVEMBER 17, 2022

PRESENTERS

- ✘ Rachel Wong (1st Grade)
- ✘ Beth Barakat (Instructional Coach)
- ✘ Nevi Ball (K-2 Transitional Learning Center Teacher)
- ✘ Memorie Brown (PTA President)
- ✘ Heidi Dodge (Principal)
- ✘ Sara Westersund (Assistant Principal)



OAK GROVE FAMILY



165

3

OAK GROVE MISSION

Oak Grove Elementary School exists to serve all of its students, families, and the greater community. Oak Grove will cultivate a nurturing environment where all students feel they belong and their identities valued. Oak Grove will be a school where students are challenged to excel and reach their highest level of academic achievement while becoming competent and autonomous.

Ласкаво
просимо

bienvenidos

afio mai

welcome

maligayang
pagdating

добро
пожаловать

أهلا بك

ຍິນດີຕ້ອນຮັ
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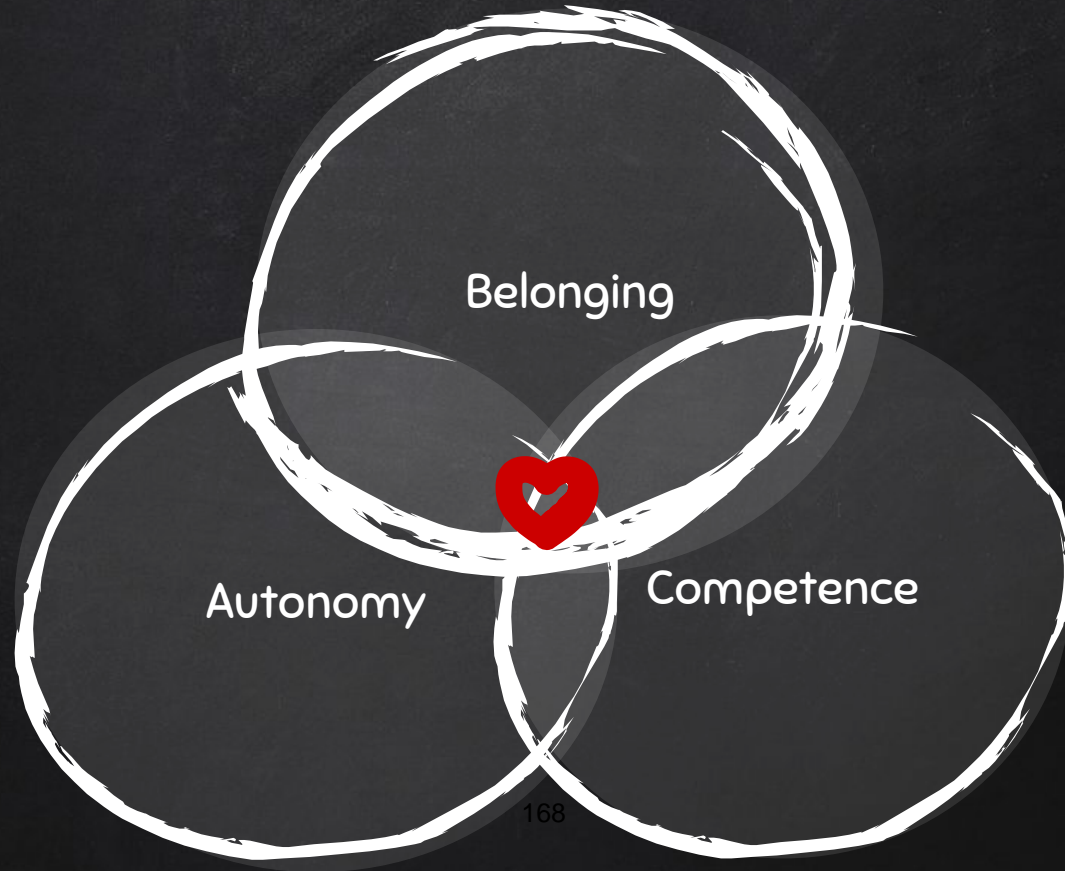
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OUR FOUNDATION



168



WHAT MAKES OAK GROVE SO GREAT?

Staff

...building competence

- ✗ Classified Staff:
50% with 5+ years
- ✗ Certified Staff:
74% with 5+ years



Community

...building belonging

- ✗ Electives
- ✗ Pen Pals
- ✗ Looping
- ✗ Green Team
- ✗ SMART Reading
- ✗ STEAM Night
- ✗ High School Mentors
- ✗ Sabin Schellenberg
Partnership for
Makerspace & STEAM
Night

Social Emotional Learning

...building autonomy

- ✗ Caring School Community
- ✗ Restorative Practices
- ✗ PlayWorks





STUDENT VOICE

- ✗ Listening Lunches
- ✗ Green Team
- ✗ Recess Coaches
- ✗ Cross-Grade Buddies



171



THANK YOU --- VOLUNTEERS!

36.92 Volunteer Hours

- x Backpack Buddies
- x Lunch Time
- x Field Trips



CONTINUOUS IMPROVEMENT GOALS

1: K-3 Reading

By the end of the year, each of our students in grades K-3 will demonstrate growth in reading as measured by STAR and/or BAS.

2: K-5 Math

By the end of the year, each of our students in grades 1-5 will demonstrate growth in math as measured by STAR and formative assessment data.

3. Autonomy & Belonging

By the end of the year, students will be able to recognize their emotions and express them appropriately, as measured by teacher rating data.

HOW WE WILL GET THERE...

K-2 Reading
Paraeducator



Multi-Tiered
Systems of
Support



Caring School
Community



Lesson Study:
Math



Equity &
Inclusion



Restorative
Practices



COMMUNITY SUPPORT



- ✘ Backpack Buddy in partnership with Putnam High School Structured Learning Center
- ✘ Active Children Portland
- ✘ Clackamas Service Center Grocery Distribution

- ✘ CARE
- ✘ Head Start
- ✘ Oak Grove Preschool (*coming soon!*)

175

OUR
WHY!





THANK YOU!

PRESCHOOL PROMISE CURRICULUM

Discussion
Agenda Item #4
November 17, 2022

SUPERINTENDENT’S RECOMMENDATION:

This item is presented for future School Board approval of the proposed preschool instructional materials within our Preschool Promise classroom at Oak Grove Elementary.

BUDGET IMPACT/SOURCE OF FUNDS

In 2015, the Oregon Legislature enacted HB 3380, which created a new preschool model and funding stream to develop the Preschool Promise program. The Oregon Legislature allocated funds to implement HB 3380 and currently the program is managed by the Oregon Department of Education’s Early Learning Division. The Preschool Promise grant serves children ages 3 to 4 years old from families with incomes at or below 200 percent of the Federal Poverty Level. Approximately 3,756 children are currently enrolled in Preschool Promise programs in Oregon, and the state is adding more than 2,500 new preschool slots for eligible families in 2022. This program is dependent on state funding and does not require an annual renewal.

BACKGROUND:

The purpose of this presentation is to review the proposed Preschool Promise instructional materials, currently being piloted.

THE PRESENTATION WILL INCLUDE THE FOLLOWING:

- Introduction
- Overview of Preschool Instructional Materials
- Review of Community Engagement

ATTACHMENTS:

- [Preschool Promise Proposed Instructional Materials Overview](#)
- [Preschool Promise Proposed Instructional Materials Presentation](#)
- [Community Review/Feedback](#)
- Policies:
 - Curriculum Approval/Curriculum Guides and Course Outlines: [IFD](#)
 - Curriculum Approval/Curriculum Guides and Course Outlines: [IFE](#)

In summary, the proposed preschool curriculum has been approved by the Department of Early Learning and Care and Oregon Department of Education. Preschool instructional materials have been selected as they are aligned with the National Association for the Education of Young Children, Oregon Early Learning and Kindergarten Guidelines, NCSD instructional frameworks as well as the 2020-2021 NCSD Preschool Advisory Early Learning values.

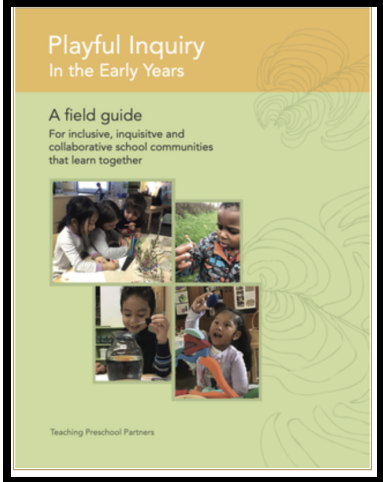

PRESENTERS/STAFF CONTACT:

Khaliyah Williams-Rodríguez, Executive Director of Elementary Programs

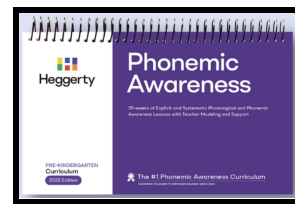
Jen Kempf-Burkart, Early Learning Coordinator

North Clackamas School District Preschool Promise Instructional Materials & Approach

NCSD Preschool Instructional Materials have been approved by both the Oregon Department of Education and the Department of Early Learning and Care. Materials and approaches to learning align with the [Oregon Early Learning and Kindergarten Guidelines](#).

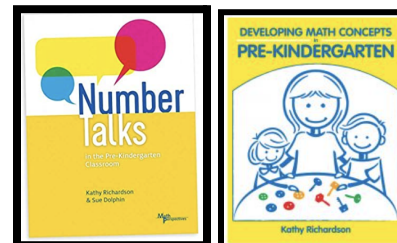
Instructional Materials	Image/Link
<p>Playful Learning in the Early Years: In alignment with our Kindergarten purposeful play practices, <i>Playful Inquiry</i> approaches to teaching and learning in the preschool program supports and responds to the linguistic needs and cultural experiences of our families and children. Inquiry approaches support teachers and children co-constructing knowledge through interest and engagement with open-ended materials, play and a balance between student-initiated and teacher directed collaboration. In this process, children bring their rich home and community life, world views and funds of knowledge to the interactions, classroom environment and lines of inquiry. The variety and open-endedness of materials and experiences allow children to bring their authentic selves to the classroom and make meaningful connections to the learning.</p> <p>Teachers carefully and intentionally observe and interact with children during exploration, seeking to learn from and with children in the context of a positive collaborative relationship. The inquiry classroom begins with the children’s lived experiences, lived cultures, language, interest and development profiles. The teaching is responsive and differentiated from the onset.</p>	 <p>Content strands addressed:</p> <ul style="list-style-type: none"> ● Literacy ● Mathematics ● Science ● Social Studies ● Social & Emotional Learning
<p>PreK Sounds Letters and Words: In alignment with our adopted K-5 balanced literacy framework and instructional materials, the Fountas and Pinnell Classroom Collection PreK includes Shared Reading, Interactive Read Alouds, Writing, Phonics and Word Study support.</p>	

Heggerty Phonemic Awareness: In alignment with our adopted K-5 balanced literacy framework and instructional materials, this phonological awareness tool supports skills in early indicators of literacy development.



Number Talks: In alignment with our K-5 mathematical framework, *Number Talks* brings meaning to math for students and engages them in thinking. This approach presents models, problems and questions necessary to support learning.

Developing Math Concepts: In alignment with our K-5 mathematical framework, based on the most current research about the development of young children, and closely aligned with NCTM standards, this tool is organized by the key mathematical areas children need to know: Numbers, Geometry, Sorting and Classifying, Pattern, Measurement and Data Collection.



[Community Review Feedback Form](#)

North Clackamas Preschool Curriculum Review



November 7th,
10:00am-11:00am



Preschool Promise Grant

Preschool Promise is a publicly funded program serving children ages 3 to 4 years old from families with incomes at or below 200 percent of the Federal Poverty Level. Preschool Promise is managed by the Oregon Department of Education Early Learning Division.



Preschool Promise: Staffing Model

❖ Staffing

- 1 Lead Teacher
- 2 Paraeducators
- 18 students

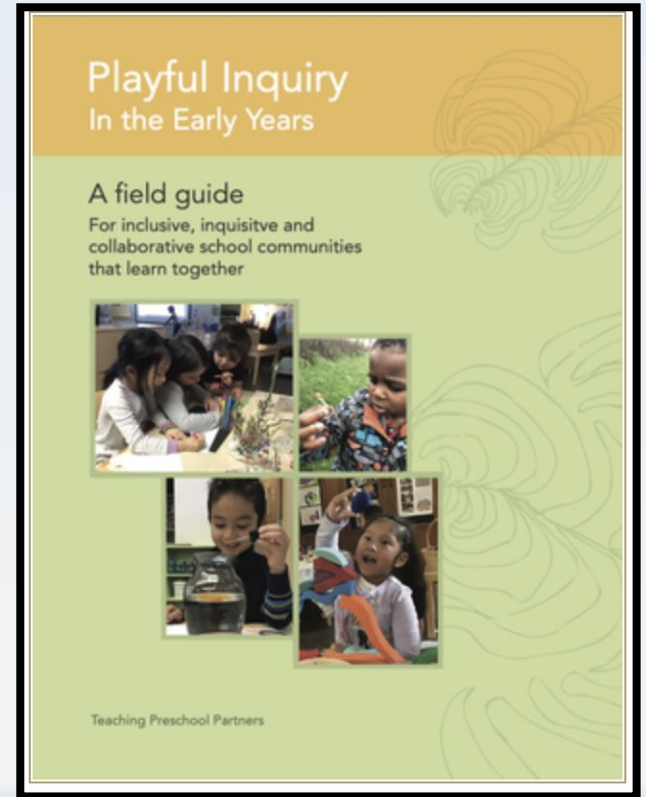


Playful Learning in the Early Years

In alignment with our Kindergarten purposeful play practices, *Playful Inquiry* approaches to teaching and learning in the preschool program supports and responds to the linguistic needs and cultural experiences of our families and children.

Content strands addressed:

- Literacy
- Mathematics
- Science
- Social Studies
- Social & Emotional Learning



Playful Inquiry

Inquiry approaches support teachers and children co-constructing knowledge through interest and engagement with open-ended materials, play and a balance between student-initiated and teacher directed collaboration.



Playful Inquiry

In this process, children bring their rich home and community life, world views and funds of knowledge to the interactions, classroom environment and lines of inquiry. The variety and open-endedness of materials and experiences allow children to bring their authentic selves to the classroom and make meaningful connections to the learning.



PreK Sounds Letters and Words

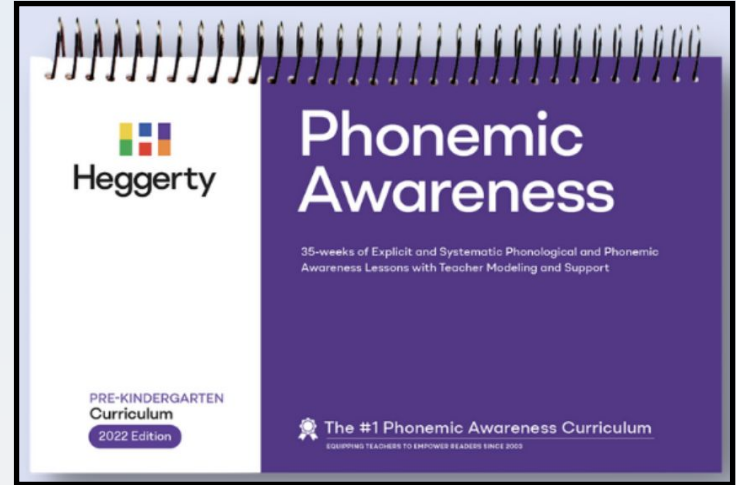
In alignment with our adopted K-5 balanced literacy framework and instructional materials, the *Fountas and Pinnell Classroom Collection PreK* includes:

- Shared Reading
- Interactive Read Alouds
- Writing
- Phonics and Word Study support.



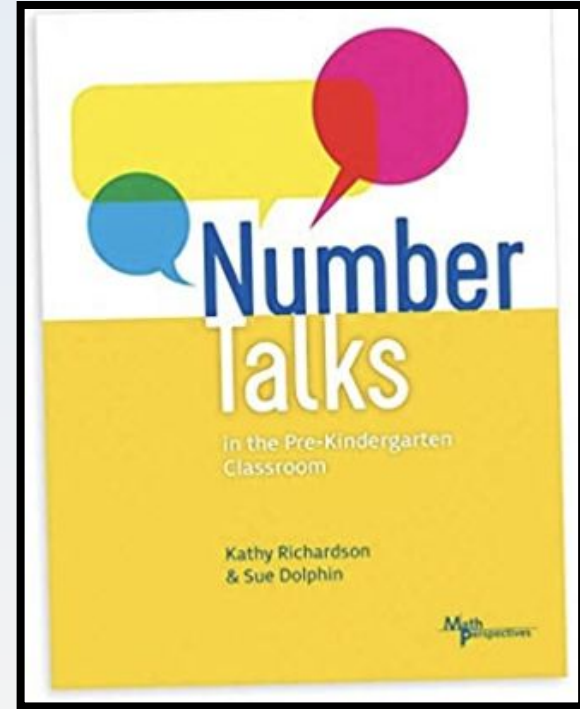
Phonemic Awareness (Heggerty)

In alignment with our adopted K-5 balanced literacy framework and instructional supplemental materials, this phonological awareness tool supports skills in early indicators of literacy development.



Number Talks in the PreKindergarten Classroom - Kathy Richardson

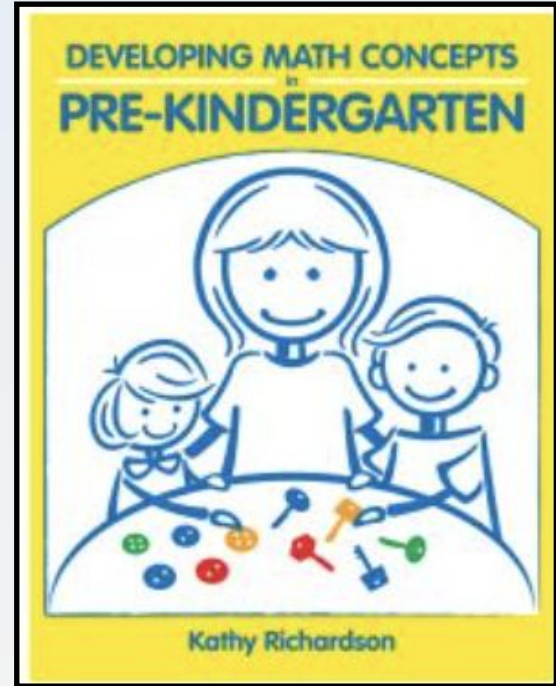
In alignment with our K-5 mathematical framework, *Number Talks* brings meaning to math for students and engages them in thinking. This approach presents models, problems and questions necessary to support learning.



190

Developing Math Concepts - Kathy Richardson

In alignment with our K-5 mathematical framework, *Number Talks* brings meaning to math for students and engages them in thinking. This approach presents models, problems and questions necessary to support learning.



191

Community Curriculum Review



NCSD utilized ParentSquare and the Oak Grove Facebook group to communicate two community curriculum review events.

- November 3rd at Oak Grove Elementary from 4:30-6:30pm
- November 7th, Online from 10:00-11:00 am
- 16 Total participants
- 3 responses

As our community becomes more aware of this new program within our district, we will continue to seek further input.

COMMUNITY REVIEW OF PROPOSED PRESCHOOL MATERIALS - RESPONSES

Timestamp	I am a....	What is your race/ethnicity?	Please describe your opinion of the proposed materials?	These materials are:	Is there anything else you'd like North Clackamas to consider in adopting Preschool Instructional Materials.?
11/7/2022 10:53:40	Parent/Guardian	Latinx/Latino/Latina		developmentally appropriate for early learners	
11/7/2022 10:55:58	Parent/Guardian	Latinx/Latino/Latina	I love the idea of the material because it will help our kids and their development	engaging for students, culturally affirming, developmentally appropriate for early learners, supportive of academics expectations according to Oregon Early Learning Guidelines/Standards, supportive of social-emotional development	
11/7/2022 11:20:40	NCSd staff member	Mixed Race/Multiracial	I am incredibly excited about the program that has been created for our incoming littles! I think that the material that has been chosen for the program has been mindfully selected to foster the natural curiosity of this age. I think that the Playful Inquiry approach also helps to allow our littles to maintain some important aspects of their identity, while also creating a community with their classmates and teachers. I am looking forward to see how this first group of Pre-K students grow in the years to come.	engaging for students, culturally affirming, developmentally appropriate for early learners, supportive of academics expectations according to Oregon Early Learning Guidelines/Standards, supportive of social-emotional development	I don't think that I have any suggestions about that yet. Right now, I really think and feel that we are going to be off to a great start.



Code: **IFD/IFE**
Adopted: 6/04/87
Readopted: 5/17/12
Orig. Code(s): IFD

Curriculum Approval/Curriculum Guides and Course Outlines

Recommendations to add new programs or to delete existing programs must be approved by the Board.

Curriculum guides and course outlines will be provided for all courses offered in the district. Information regarding course offerings and course descriptions will be provided to all students and interested patrons of the district.

END OF POLICY

Legal Reference(s):

[ORS 332.072](#)
[ORS 332.075](#)
[ORS 332.075\(1\)](#)
[ORS 332.107](#)
[ORS 336.035](#)

[OAR 581-021-0045](#)
[OAR 581-021-0046](#)
[OAR 581-022-0606](#)
[OAR 581-022-0807](#)
[OAR 581-022-1020](#)
[OAR 581-022-1030](#)

[OAR 581-022-1130](#)
[OAR 581-022-1140](#)
[OAR 581-022-1210](#)
[OAR 581-022-1340](#)
[OAR 581-022-1610](#)

POLICY REVISIONS

DISCUSSION
Agenda Item #5
November 17, 2022

REASON FOR BOARD CONSIDERATION:

First reading of the attached revised policies.

RECOMMENDATION:

The Superintendent’s Policy Review Team, with representation of both staff and Board, reviewed and supports the following policy revisions.

BUDGET IMPACT/SOURCE OF FUNDS:

There are no known or anticipated increases to costs with the proposed policy change.

ATTACHMENTS:

Drafts of the following policies to review:

Policy	Title	Reason
GCQB	Research	OSBA August 2022 Update, revision of policy language and an addition to, and updates of the legal references.
IK	Academic Achievement	OSBA August 2022 Update, revised to align with OAR 581-022-2270.
JEA	Compulsory Attendance	OSBA August 2022 Update, recent changes to compulsory attendance removing the Class C violation and related fees, court costs and fines associated with juvenile delinquency matters (Senate Bill 817, 2021)
JGAB	Use of Constraint or Seclusion	OSBA August 2022 Update, recommended to add mention of prohibition of seclusion cells.

PRESENTER / STAFF CONTACT:

Tiffany Shireman, Chief of Staff



Code: GCQB
Adopted: 7/03/13

Research

District staff employees are encouraged to participate in research for the development and improvement of education. Staff who propose ~~if an employee plans to engage in a research, e.g., project during the workday or use district resources or students, either for study toward advanced work or for use in classroom instruction,~~ using district resources or students, will submit a proposal to the ~~[approval must be secured from the superintendent or designee for approval prior to commencing such research. If approved, and, if the study results in material or practices which may would be useful to other employees, a district staff,~~ such will be reviewed by administration and ~~level process may be used for the materials to be made available for distribution throughout the district as determined by administration.~~ For the protection of all concerned, privacy rights of students or other individuals involved in such research ~~projects~~ must be protected.

Research which is conducted by or for a nondistrict ~~individual or organization~~ employee must be approved by the superintendent or designee.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

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 (2022).
Protection of Pupil Rights, 20 U.S.C. § 1232h (2018); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2022).



Code: IK
Adopted: 1/08/09
Revised/Readopted: 9/20/12; 1/08/15
Orig. Code: IK

Academic Achievement**

The Board believes it is important that teachers have as much accurate knowledge of student achievement as possible to assess students' needs and growth; thus, a sharing of information among parent, teacher and student is essential.

The district shall ensure that all students have the opportunity to demonstrate progress toward mastery~~the acquisition~~ of the knowledge and skills of the student's current grade level or course content level. Students who have not yet met or who exceed all of the standards at any grade level, will be offered additional services or alternative educational or public school options.

The Board directs staff to follow these guidelines in measuring and ~~determining~~reporting student progress:

1. Parents and students will be informed ~~regularly, and at least annually, of their student's three times a year, as to the progress~~ toward achieving the academic content standards, including but not limited to:
 - a. Information on progress in each subject area to meet or exceed the academic content standards at the student's current grade level or course content level, including major goals used to determine the information;
 - b. Specific evidence of student progress toward mastery of a continuum of academic knowledge and skills (academic content standards) of a subject area, upon request from a parent;
 - c. Student scores on all state and local assessments indicating any of the requirements that have been waived for the district or the individual and time periods for the waiver; and
 - d. Student progress toward completion of diploma requirements to parents of students in grades 9-12, including credits earned, demonstration of extended application and demonstration of the Essential Skills.
2. Parents will be alerted and conferred with as soon as possible when a student's ~~child's~~ performance or attitude becomes unsatisfactory or shows marked or sudden deterioration;
3. Grades and/or portfolio content assessment ~~Insofar as possible, distinctions will be based upon made between a student's behavior and his/her academic performance and will not include student attitude.~~ Grades will not be used for disciplinary purposes. Absenteeism or misconduct shall not be the sole criterion for the reduction of a student's grade. ~~reasons~~;
4. At comparable levels, the school system will strive for consistency in grading and reporting except ~~when~~as this consistency is inappropriate for certain classes or certain students;

5. When no grades are given but the student is evaluated ~~informally~~ in terms of his/her own progress, the school staff will show whether the student is achieving course requirements ~~at also provide a realistic appraisal of the student's current grade level standing in relation to his/her peers;~~
6. ~~The When grades are given, the~~ staff will take particular care to explain to students the meaning of marks and symbols used to reflect student performance ~~to parents.~~

END OF POLICY

Legal Reference(s):

[ORS 107.154](#)
[ORS 329.485](#)

[ORS 343.295](#)
[OAR 581-021-0022](#)

[OAR 581-022-2260](#)
[OAR 581-022-2270](#)



Code: JEA
 Adopted: 3/01/01
 Revised/Readopted: 1/17/13; 5/02/13; 6/23/16;
 3/22/18; 12/12/19; 8/27/20
 Orig. Code: JEA

Compulsory Attendance**

Except when exempt by Oregon law, all **childrenstudents**, between ages 6 and 18, who have not completed the 12th grade are required to regularly attend a public, full-time school during the entire school term. Persons having legal control of a child between the ages 6 and 18, who has not completed the 12th grade, are required to have the child attend and maintain the child in regular attendance during the entire school term.

All **childrenstudents**, five years of age, who have been enrolled in a public school are required to attend regularly while enrolled in the public school.

Persons having legal control of a **childstudent**, ~~between the ages 6 and 18, who has not completed the 12th grade are required to have the student attend and maintain the child in regular attendance during the entire school term.~~ Persons having legal control of a student, who is five years of age and has enrolled the child in a public school, are also required to have the **childstudent** attend and maintain the child in regular attendance during the school term.

Attendance supervisors shall monitor and report any violation of the compulsory attendance law to the superintendent or designee. ~~Failure to send a student and to maintain a student in regular attendance is a Class C violation.~~

The district will develop procedures for issuing a citation.

A parent who is not supervising their **childstudent** by requiring school attendance may also be in violation of Oregon Revised Statute (ORS) 163.577(1)(c); ~~failing~~. ~~Failing~~ to supervise a child is a Class A violation.

Exemptions ~~from~~ **From Compulsory School Attendance**

In the following cases, **childrenstudents** shall not be required to attend public, full-time schools:

1. **ChildrenStudents** being taught in a private or parochial school in courses of study usually taught in kindergarten through grade 12 in the public schools, and in attendance for a period equivalent to that required of students attending public schools.
2. **ChildrenStudents** proving to the Board’s satisfaction that they have acquired equivalent knowledge to that acquired in the courses of study taught in kindergarten through grade 12 in the public schools.

3. ChildrenStudents who have received a high school diploma or a modified diploma.
4. ChildrenStudents being taught, by a private teacher, the courses of study usually taught in kindergarten through grade 12 in the public school for a period equivalent to that required of students attending public schools.
5. ChildrenStudents being educated in the home by a parent, or private teacher:
 - a. When a student is taught or is withdrawn from a public school to be taught by a parent or private teacher, the parent or teacher must notify the Clackamas Education Service District (ESD) in writing within at least 10 calendar days of such occurrence. In addition, when a home-schooled student moves prior to a new ESD, the parent shall notify the new ESD in writing, within intended date of withdrawal or at least 10 calendar days, prior to the beginning of the intent to continue home schooling each school year. The ESD superintendent shall acknowledge receipt of any notification in writing within 90 calendar days of receipt of the notification. The ESD is to notify, at least annually, school districts of home-schooled students who reside in their district;
 - b. Each childstudent being taught by a parent or private teacher shall be examined no later than August 15, following at grades 3, 5, 8 and 10:
 - (1) If the student was withdrawn from public school, the first examination shall be administered at least 18 months after the date the student withdrew;
 - (2) If the childstudent never attended public or private school, the first examination shall be administered prior to the end of grade 3;
 - (3) Procedures for homeschoolinghome-schooled students with disabilities are set out in Oregon Administrative Rule (OAR) 581-021-0029;
 - c. Examinations testing each childstudent shall be from the list of approved examinations from the State Board of Education;
 - d. The examination must be administered by a neutral, individual qualified to administer tests on the approved list provided by the Oregon Department of Education;
 - e. The person administering the examination shall score the examination and report the results to the parent. Upon request of the ESD superintendent, the parent shall submit the results of the examination to the ESD;
 - f. All costs for the test instrument, administration and scoring are the responsibility of the parent;
 - g. In the event the ESD superintendent finds that the childstudent is not showing satisfactory educational progress, the ESD superintendent shall provide the parent with a written statement of the reasons for the finding, based on the test results and shall follow the guidelines in Oregon Revised Statutes and Oregon Administrative Rules.
6. Children whose sixth birthday occurred on or before September 1 immediately precedingproceeding the beginning of the current school year, if the parent notified the child's resident district in writing that the parent is delaying the enrollment of their child for one school year to better meet the child's needs for cognitive, social or physical development, as determined by the parent.
7. Children who are present in the United States on a nonimmigrant visa and who are attending a private, accredited English language learner program in preparation for attending a private high school or college.

8. ~~Children~~Students excluded from attendance as provided by law.
9. ~~Children~~Students who are eligible military children¹ are exempt up to 10 days after the date of military transfer or pending transfer indicated in the official military order.
10. An exemption may be granted to the parent of any ~~child~~student 16 or 17 years of age who is lawfully employed full-time, or who is lawfully employed part-time and enrolled in school, ~~or enrolled in a community college~~; or an alternative education program as defined in ORS 336.615.
- ~~11.~~ An exemption may be granted to any child who is an emancipated minor or who has initiated the procedure for emancipation under ORS 419B.550 ~~to~~ 419B.558.

** As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.

END OF POLICY

Legal Reference(s):

[ORS 153.018](#)
[ORS 163.577](#)
[ORS 339.010 - 339.095](#)
[ORS 339.139](#)

[ORS 339.990](#)
[ORS 807.065](#)
[ORS 807.066](#)
[OAR 581-021-0026](#)

[OAR 581-021-0029](#)
[OAR 581-021-0076](#)
[OAR 581-021-0077](#)

Cross Reference(s):

IGBHC - Alternative Education Programs Notification

¹ “Military child” means a child who is in a military family covered by the Interstate Compact on Educational Opportunity for Military Children, as determined under rules adopted by the State Board of Education.



Code: JGAB
Adopted: 9/20/07
Revised/Readopted: 4/19/12; 2/13/14; 4/24/14;
8/28/14; 9/12/19; 7/02/20
Orig. Code: JGAB

Use of Restraint or Seclusion**

The Board is dedicated to the development and application of best practices within the district's public educational/behavioral programs. The Board establishes this policy and its administrative regulation to define the circumstances ~~that which~~ must exist and the requirements ~~that which~~ must be met prior to, during, and after the use of restraint or seclusion as an intervention with district students.

The use of the following types of restraint on a student in the district is prohibited:

1. Chemical restraint.
2. Mechanical restraint.
3. Prone restraint.
4. Supine restraint.
5. Any restraint that involves the intentional and nonincidental use of a solid object¹, including a wall or the floor, to impede a student's movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.
6. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, neck or throat.
7. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, unless the restraint is necessary for the purpose of extracting a body part from a bite.
8. Any restraint that impedes, or creates a risk of impeding, breathing.
9. Any restraint that involves the intentional placement of the hands, feet, elbow, knee or any object on a student's neck, throat, genitals or other intimate parts.
10. Any restraint that causes pressure to be placed, or creates a risk of causing pressure to be placed, on the stomach or back by a knee, foot or elbow bone.
11. Any action designed for the primary purpose of inflicting pain.

¹ The use of a solid object, including furniture, a wall, or the floor, by district staff performing a restraint is not prohibited if the object is used for the staff's own stability or support while performing the restraint and not as a mechanism to apply pressure directly to the student's body.

The use of a seclusion cell is prohibited.

Restraint or seclusion may not be used for discipline, punishment, retaliation or convenience of staff, contractors or volunteers of the district.

Restraint may be imposed on a student in the district only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and substantial physical or bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

Seclusion may be used on a student in the district only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and serious bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

If restraint or seclusion is used on a student, by trained staff or other staff available in the case of an emergency when trained staff are not immediately available due to the unforeseeable nature of the emergency, e.g., teacher, administrator, or counselor, it will be used only for as long as the student's behavior poses a reasonable risk of imminent and substantial physical or bodily injury to the student or others and less restrictive interventions would not be effective. Students will be continuously monitored by staff for the duration of the restraint or seclusion.

Definitions

1. "Restraint" means the restriction of a student's actions or movements by holding the student or using pressure or other means.

"Restraint" does not include:

- a. Holding a student's hand or arm to escort the student safely and without the use of force from one area to another; ~~Assisting a student to complete a task if the student does not resist the physical contact;~~ or
- b. Assisting a student to complete a task if the student does not resist the physical contact; or
- c. Providing reasonable intervention with the minimal exertion of force necessary if the intervention does not include a restraint prohibited under Oregon Revised Statute (ORS) 339.288 and the intervention is necessary to:
 - (1) Break up a physical fight;
 - (2) Interrupt a student's impulsive behavior that threatens the student's immediate safety, including running in front of a vehicle or climbing on unsafe structures or objects; or
 - (3) Effectively protect oneself or another from an assault, injury or sexual contact with the minimum physical contact necessary for protection.

2. "Seclusion" means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. Seclusion includes, but is not limited to, the involuntary confinement of a student alone in a room with a closed door, whether the door is locked or unlocked.

“Seclusion” does not include the removal of a student for a short period of time to provide the student with an opportunity to regain self-control if the student is in a setting from which the student is not physically prevented from leaving, or a student being left alone in a room with a closed door for a brief period of time if the student is left alone for a purpose that is unrelated to the student’s behavior.

3. “Seclusion cell” means a freestanding, self-contained unit that is used to isolate the student from other students or physically prevent a student from leaving the unit or cause the student to believe that the student is physically prevented from leaving the unit.
4. “Serious bodily injury” means any significant impairment of the physical condition of a person, as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else.
5. “Substantial physical or bodily injury” means any impairment of the physical condition of a person that requires some form of medical treatment.
6. “Mechanical restraint” means a device used to restrict the movement of a student or the movement or normal function of a portion of the body of a student.

“Mechanical restraint” does not include:

- a. A protective or stabilizing device ordered by a licensed physician; or
 - b. A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.
7. “Chemical restraint” means a drug or medication that is used on a student to control behavior or restrict freedom of movement that is not prescribed by a licensed physician or other qualified health professional acting under the professional’s scope of practice for standard treatment of the student’s medical or psychiatric condition; and administered as prescribed by a licensed physician or other qualified health professional acting under the professional’s scope of practice.
 8. “Prone restraint” means a restraint in which a student is held face down on the floor.
 9. “Supine restraint” means a restraint in which a student is held face up on the floor.

~~Prohibited Restraint or Seclusion~~

~~The use of the following types of restraint on a student in the district is prohibited:~~

- ~~1. Chemical restraint.~~
- ~~2. Mechanical restraint.~~
- ~~3. Prone restraint.~~
- ~~4. Supine restraint.~~

5. ~~Any restraint that involves the intentional and nonincidental use of a solid object², including a wall or the floor, to impede a student's movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.~~
6. ~~Any restraint that places, or creates a risk of placing, pressure on a student's mouth, neck or throat.~~
7. ~~Any restraint that places, or creates a risk of placing, pressure on a student's mouth, unless the restraint is necessary for the purpose of extracting a body part from a bite.~~
8. ~~Any restraint that impedes, or creates a risk of impeding, breathing.~~
9. ~~Any restraint that involves the intentional placement of the hands, feet, elbow, knee or any object on a student's neck, throat, genitals or other intimate parts.~~
10. ~~Any restraint that causes pressure to be placed, or creates a risk of causing pressure to be placed, on the stomach or back by a knee, foot or elbow bone.~~
11. ~~Any action designed for the primary purpose of inflicting pain.~~

~~Restraint or seclusion may not be used for discipline, punishment, retaliation or convenience of staff, contractors or volunteers of the district.~~

Allowable Restraint or Seclusion

~~Restraint may be imposed on a student in the district only under the following circumstances:~~

1. ~~The student's behavior imposes a reasonable risk of imminent and substantial physical or bodily injury to the student or others; and~~
2. ~~Less restrictive interventions would not be effective.~~

~~Seclusion may be used on a student in the district only under the following circumstances:~~

1. ~~The student's behavior imposes a reasonable risk of imminent and serious bodily injury to the student or others; and~~
2. ~~Less restrictive interventions would not be effective.~~

~~If restraint or seclusion is used on a student, by trained staff or other staff available in the case of an emergency when trained staff are not immediately available due to the unforeseeable nature of the emergency, e.g., teacher, administrator, it will be used only for as long as the student's behavior poses a reasonable risk of imminent and substantial physical or bodily injury to the student or others and less restrictive interventions would not be effective. Students will be continuously monitored by staff for the duration of the restraint or seclusion.~~

²The use of a solid object, including furniture, a wall, or the floor, by district staff performing a restraint is not prohibited if the object is used for the staff's own stability or support while performing the restraint and not as a mechanism to apply pressure directly to the student's body.

Any student being restrained or secluded within the district whether in an emergency or as a part of a plan shall be constantly monitored by staff for the duration of the intervention. Any room used for seclusion of a student must meet the standards as outlined in Oregon Administrative Rule (OAR) OAR 581-021-0568.

The district shall utilize the Mandt MANDT training program of restraint or physical restraints and seclusion for use in the district. In addition, until December 31, 2021, the SYNC system may also be used. As required by state regulation, the selected district will provide a training program which shall be one approved by the Oregon Department of Education (ODE) and include, but not limited to, positive behavior support, conflict prevention, de-escalation, and crisis response techniques. Any program selected by the district must be in compliance with state and federal law with respect to the use of restraint and seclusion.

Annual Review and Report

An annual review of the use of restraint and seclusion during the preceding school year shall be completed and submitted to ODE to ensure compliance with district policies and procedures.

The results of the review and annual report shall be documented and shall include at a minimum:

1. The total number of incidents involving restraint;
 2. The total number of incidents involving seclusion;
 3. The total number of seclusions in a locked room;
 4. The total number of students placed in restraint;
 5. The total number of students placed in seclusion;
 6. The total number of incidents that resulted in injuries or death to students or staff as a result of the use of restraint or seclusion;
 7. The total number of students placed in restraint or seclusion more than 10 times in a school year and an explanation of what steps have been taken by the district to decrease the use of restraint and seclusion for each student;
 8. The total number of restraint or seclusion incidents carried out by untrained individuals;
1. The demographic characteristics² of all students upon whom restraint or seclusion was imposed;
 2. The total number of rooms available for use by the district for seclusion of a student and a description of the dimensions and design of the rooms.

This annual report shall be made available to the public at the district's main office and, on the district's website, and to the Board.

² Including race, ethnicity, gender, disability status, migrant status, English proficiency and status as economically disadvantaged, unless the demographic information would reveal personally identifiable information about an individual student.

At least once each school year the parents of students of the district shall be notified about how to access the report.

Complaints

The district shall investigate all complaints regarding the use of restraint and/or seclusion practices according to the procedures outlined in Board policy KL - Public Complaints and KL-AR – Public Complaint Procedure. The complaint procedure is available at the district’s administrative office and is available on the home page of the district’s website.

The complainant, whether an organization who is a student, a parent of a student attending school in the district, or an individual a person who resides in the district, may appeal a district’s final decision to the Oregon Department of Education pursuant to OAR 581-002-0001 - 581-002-0023. This appeal process is identified in administrative regulation KL-AR(1) - Appeal to the Deputy Superintendent of Public Instruction, pursuant to OAR 581-022-2370.

The superintendent or designee shall develop administrative regulations to carry out the requirements set forth in this policy and to meet any additional requirements established by law related to the use, reporting, and written documentation of the use of restraint or seclusion by district staff.

** As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005 (4) and 125.300 - 125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.

END OF POLICY

Legal Reference(s):

[ORS 161.205](#)
[ORS 339.250](#)
[ORS 339.285](#)
[ORS 339.288](#)
[ORS 339.291](#)
[ORS 339.294](#)
[ORS 339.297](#)

[ORS 339.300](#)
[ORS 339.303](#)

[OAR 581-021-0061](#)
[OAR 581-021-0550](#)
[OAR 581-021-0553](#)
[OAR 581-021-0556](#)

[OAR 581-021-0563](#)
[OAR 581-021-0566](#)
[OAR 581-021-0568](#)
[OAR 581-021-0569](#)
[OAR 581-021-0570](#)
[OAR 581-022-2267](#)
[OAR 581-022-2370](#)

Cross Reference(s):

JGA - Corporal Punishment
JGB - Detention of Students
JGDA - Discipline of Students with Disabilities

OREGON SCHOOL BOARDS ASSOCIATION ELECTION

DISCUSSION
Agenda Item #6
November 17, 2022

SUPERINTENDENT'S RECOMMENDATION:

This time is provided to allow the Board to discuss the Oregon School Boards Association (OSBA) ballot items.

ORIGINATED BY:

Annual OSBA Election, vote from Board due by December 15, 2022.

BUDGET IMPACT/SOURCE OF FUNDS:

There are no fiscal impacts to the district as a result of the proposed resolutions.

BACKGROUND:

Founded in 1946, Oregon School Boards Association is governed by a member-elected board and serves K-12 public school boards, public charter school boards, education service district boards, community college boards and the State Board of Education. Through legislative advocacy at state and federal levels, board leadership training, employee management assistance and policy, legal and financial services, OSBA helps locally-elected volunteers fulfill their complex public education roles.

As a member of the OSBA, the NCS D Board of Education is eligible to participate in the election of officers to the OSBA Board and the Legislative Policy Committee, and to vote on resolutions that amend the OSBA Constitution or adopt legislative priorities.

The Board may consider ballot items separately and may decline to vote on any of them. After the Board has taken action(s) on the candidates, the Board Secretary will submit the vote via the OSBA on-line ballot.

ATTACHMENTS:

- A. OSBA 2021 Official Clackamas Region Ballot
- B. Candidate Nomination Form, Questionnaire and Personal/Professional Resume for OSBA Board of Directors Position 8 – Chrissy Reitz (only candidate)
- C. Resolution to Adopt the Proposed 2023-24 OSBA Legislative Priorities and Principles

PRESENTER:

Board Chair, Mitzi Bauer



Dedicated to improving student success and education equity through
advocacy, leadership and service
 to Oregon public school boards.

Election - OSBA 2022 - 0708

2022 OSBA Election

1. OSBA Board of Directors Position 7

Vote

No candidate filed for Position 7

*** 2. OSBA Board of Directors Position 8**

Vote

Chrissy Reitz, Hood River County

*** 3. Resolution 1 - Adopts the proposed OSBA Legislative Priorities and Principles**

*** 4. Type the name of the district, ESD or community college board that officially made this vote.**

*** 5. Type the meeting date when the board officially made this vote.**

*** 6. Type your name and title.**

To retain a record of your vote, you **MUST** print this page before clicking the Done button.

Done

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NOMINATION FORM OSBA BOARD OF DIRECTORS REGIONAL MEMBER

Date: 9/28/2022

TO: Sonja McKenzie, OSBA President-Elect
Oregon School Boards Association
1201 Court St NE, #400
Salem, OR 97301
Fax: 503-588-2813
E-mail: OSBAelections@osba.org

**Nominations are due by 5 pm,
September 30, 2022**

Return this form and all candidate information forms to the OSBA office by email at OSBAelections@osba.org, or mail to Oregon School Boards Association, 1201 Court St. NE, #400, Salem, OR 97301

Dear Sonja McKenzie:

With this letter, our board nominates the candidate named below to a position on the OSBA Board of Directors for the Clackamas Region, Position # 8.

BOARD CANDIDATE INFORMATION

Name: Chrissy Reitz
District/ESD/Community College: Hood River County School District
Address: 1420 Sunset Rd
City: Hood River Oregon ZIP: 97031
E-mail: chrissy.reitz@hoodriver.k12.or.us Phone: 503.381.8024

This nomination was approved by official action of our board of directors at a duly called meeting on 9/14/2022.
(date)



(Board Chair signature)

Board Chair name: Corinda Hankins-Elliott
District: Hood River County School District
Address: 1011 Eugene St
City: Hood River, Oregon ZIP: 97031

CANDIDATE QUESTIONNAIRE

OSBA Board of Directors


Name: Chrissy Reitz

Region: Clackamas

District/ESD/CC: Hood River County School District

Position #: 8

I certify that if elected I will faithfully serve as a member of the OSBA Board of Directors. My nomination form has been submitted to OSBA (or is attached to this document) as evidence.



Name

9/18/22

Date

Be brief; please limit your responses to 50 words per question.

1. Describe in your own words the mission and goals of OSBA.

To support the work of public school boards in Oregon through education and advocacy with the goal of ensuring equal opportunities for all students throughout the state.

2. What do you want to accomplish by serving on the OSBA board of directors?

I hope to continue to be a voice for the unique needs of rural communities. Be a strong advocate for the importance of public education and complete funding for our education system. I am also interested in exploring ways that our education system can adapt to the ever-changing needs and learning styles of our current and future students.

3. What leadership skills do you believe you bring to the board of directors? Give an example of a situation in which you demonstrated these skills.

I am an effective communicator, highly organized, and passionate about education. I ran for the State Senate 4 years ago and spent the better part of a year traveling the district talking about the need for a strong public education system accessible to all Oregon families.

4. What do you see as the two most challenging issues faced by OSBA?

1. The increase in distrust in the public education system.
2. Adapting our education system to meet the needs of today's and tomorrow's learners.

5. What do you see as the two most challenging issues faced by your region?

1. Maintaining a qualified workforce.
2. Retaining students secondary to increases in online options, private schools, decreases in student-age population, affordability of living in certain communities.

6. What is your plan for communicating with boards in your region?

Email, messaging services through OSBA, in-person meetings throughout the region, direct contact with school board leadership.

Deadline: September 30, 2022, 5 pm

Materials submitted by the candidate on this form may be subject to a public information request under ORS Chapter 192.

CANDIDATE PERSONAL/PROFESSIONAL RESUME

OSBA Board of Directors

Name: Christine Reitz Date: 9/18/22

Address: _____

City / ZIP: _____

Business phone: _____

Residence phone: _____

Cell phone: _____

E-mail: chrissy.reitz@hoodriver.k12.or.us

District/ESD/CC: Hood River County School District

Term expires: 6/30/23 Years on board: 7

Deadline: Sept. 30, 2022, 5 pm

Please send your picture (head shot). A high-resolution digital photo is preferred but a print is acceptable.
Email to: OSBAelections@osba.org
or mail to: Oregon School Boards Association, 1201 Court St NE, #400, Salem, OR 97301

Work or service performed for OSBA or local district (include committee name and if you were chair):

OSBA Legislative Policy Committee
OSBA Rural Districts Advisory Committee
OSBA Board of Directors, Position 8
HRCSD Chair
HRCSD Vice-Chair
HRCSD Curriculum Committees (ELA, ELD, Math, Art and Music)
HRCSD Classified and Licensed Negotiations Committee
HRCSD Superintendent Hiring Committee (Chair)
HRCSD Strategic Plan Committee
HRCSD Bond and Levy Committees

Other education board positions held/dates:

Hood River County Education Foundation Board Liaison

Occupation (Include at least the past five years):

Employers:

Pistil Designs

Dates:

11/2021 to present

Schools attended (Include official name of school, where and when):

High school: Air Academy High School, Colorado Springs, CO 1987-1988 and 1989-1991
Kentwood High School, Kent, WA 1988-1989

College: University of Colorado, Boulder, CO 1991-1995/ University of Kansas Medical Center, KC, KS 1995-1997

Degrees earned: University of Colorado: Bachelor of Arts, Biology University of Kansas Medical Center: Bachelor of Science, Nursing

Education honors and/or awards: AAHS: National Honor Society

Other applicable training or education:

Activities, other state and local community services:

Founder- Gorge Kids Triathlon, Hood River
Board Member- Gorge Performing Arts Initiative
Past Board Member- Providence Center for Medically Fragile Children, Portland
Past Board Member- New Parent Services, Next Door Inc.
Volunteer- Hood River Shelter Services
Volunteer- Music Festival of the Gorge

Hobbies/special interests:

Cooking, reading, running, hiking

Business/professional/civic group memberships; offices held and dates:

Additional comments:

Deadline: September 30, 2022, 5 pm

Materials submitted by the candidate on this form may be subject to a public information request under ORS Chapter 192.



Resolution to adopt the OSBA Legislative Priorities and Principles as recommended by the Legislative Policy Committee

WHEREAS, the OSBA Legislative Policy Committee is charged under the OSBA Bylaws with developing the association's recommended Legislative Priorities and Principles, and

WHEREAS, the OSBA Legislative Policy Committee has crafted the Proposed OSBA Legislative Priorities and Principles as a foundational document in guiding the legislative and advocacy work of OSBA members and staff, and

WHEREAS, the OSBA Legislative Policy Committee has determined these Proposed OSBA Legislative Priorities and Principles to be in alignment with the OSBA Board of Directors equity goals, and

WHEREAS, the OSBA Legislative Policy Committee met in January and April to review the Proposed OSBA Legislative Priorities and Principles, and

WHEREAS, the OSBA Legislative Policy Committee approved the Proposed OSBA Legislative Priorities and Principles at its April meeting and urged the OSBA Board of Directors to approve the Proposed OSBA Legislative Priorities and Principles and place them before the membership for approval.

THEREFORE, BE IT RESOLVED by the OSBA Board of Directors that the Proposed OSBA Legislative Priorities and Principles be placed before the membership for consideration during the 2022 OSBA election season, and

BE IT FURTHER RESOLVED that the Proposed OSBA Legislative Priorities and Principles and a copy of this resolution be forwarded to all member boards of the Association in accordance with the OSBA Board of Directors adopted elections calendar.

Legislative Priorities and Principles

Preamble

OSBA's mission is to improve student success and education equity through advocacy, leadership, and service to Oregon public school boards. Education equity ensures:

- All students are accepted as their authentic selves, are heard and valued, feel they belong, and achieve high academic and personal standards that empower them to thrive.
- Student success will not be predicted nor predetermined by race, ethnicity, family economics, location, gender, gender identity, sexual orientation, disability status, religion, culture, or any other identity.

Public school boards have unique insights on how to address education equity and systems change in their districts. OSBA is committed to supporting boards in their just and fair distribution of resources based upon each student's needs.

Equity is the driving force behind the Student Success Act, and OSBA is dedicated to advancing legislation designed to raise academic achievement for all students and reduce academic disparities for historically underserved students.

In support of OSBA's Call for Equity, and on behalf of Oregon students, we are committed to promoting equity, combatting injustices, and disrupting bias and systemic racism in education policies through our advocacy at the state level.

OSBA believes a strong and equitable public education system is the best investment Oregonians can make to assure student success, strengthen our economy, create thriving communities, and improve the quality of life for every Oregonian.

Approved by the Legislative Policy Committee: April 23, 2022

Approved by the OSBA Board: September 23, 2022

Approved by the OSBA Membership:



Priorities

Promote Adequate, Predictable, and Stable Funding

The State School Fund rises and falls every two years because Oregon's revenue-raising and funding systems have substantial variance. Stable and adequate funding is crucial to providing a quality education to all students across the education continuum. To ensure stable and adequate funding, OSBA will actively promote legislation that accurately calculates current service level funding for school districts.

Protect the 2019 Student Success Act

The Student Success Act provides local school districts and education service districts unprecedented opportunities to target new funding toward educational programs. OSBA will actively promote legislation to protect the funding allocated for the Student Success Act in order to deliver equitable outcomes for all K-12 students.

Close the Opportunity Gap

In every community a disparity in academic achievement exists between student groups. OSBA will support legislation aimed at closing achievement and opportunity gaps that exist across Oregon's public schools.

Contain Cost Drivers

The costs associated with health care and retirement benefits are eating into funding available for instructional opportunities for students. OSBA will promote legislation that provides relief for districts related to benefit costs controlled by the State.

Support Local Governance and Oppose Mandates

Locally elected officials, local education professionals, and the local community are in the best position to respond to the needs of all students. New mandates must have necessary funding and be researched-based with results indicating increased achievement for all students.

Support Capital Improvements

Students need schools that are safe, comfortable, and appropriate for a modern and/or digital learning environment. OSBA will actively promote the allocation of state-level resources to help pay for construction and capital improvement. OSBA will promote legislation aimed at diversifying the funding methods available to school districts.

Ensure Access to Post-Secondary Credits

All students should have access to post-secondary credit opportunities. OSBA will advocate for a seamless transfer of credits throughout Oregon's higher education system.

Address Education Workforce Shortages

OSBA will promote efforts both state and at the local level to preserve and improve initiatives that combat the workforce shortage. OSBA will advocate for programs that will help districts recruit and retain a diverse and well-prepared workforce.

Principles

Finance

OSBA supports the allocation of state resources to ensure school districts and education service districts have the necessary resources to equitably and fully support all students' instructional, behavioral, and programmatic needs. OSBA supports appropriate financial tax policy to make Oregon schools competitive, nationally, and globally, including the preservation of other funding options for local district consideration.

Student Programs

OSBA supports high-quality programs that equitably serve all students in obtaining a comprehensive and well-rounded education. OSBA supports new and continued partnerships with education stakeholders to increase educational and career opportunities for students.

Student Safety and Wellness

OSBA supports safe and secure school environments, the physical health and overall well-being of all students, and services that promote social, emotional, and behavioral health.

Personnel

OSBA supports attracting and retaining effective employees to create a healthy, diverse, culturally responsible, safe, and sustainable workforce. OSBA supports local management, local contract negotiations, and continued conversations regarding professional development, licensure, and career advancement for personnel.

Governance and Operations

OSBA believes locally elected school district, ESD, and community college boards are best equipped to make decisions in the best interest of students and communities. OSBA supports cross-system collaboration, alignment, and accountability among education stakeholders and partners.

Federal Education Issues

OSBA will advocate for the federal government to prioritize, streamline, and fully fund programs that support students.

QUARTERLY FINANCIAL REPORT

REPORT
Agenda Item # 7
November 17, 2022

SUPERINTENDENT’S RECOMMENDATION:

Information presented for review and discussion. In accordance with NCSD Policy DFA and DFA-AR Investment of Funds, attached is the quarterly report containing information about the investment portfolio as of September 30, 2022.

BACKGROUND:

Financial Highlights:

The 2022-23 General Fund ending balance is projected to be approximately \$31.5 million, or 11.52% of revenues and \$13.8 million less than the prior year. The district is currently in a stable financial position as it enters this fiscal year due to current state funding levels, the recent number of limited duration grants, and the vital support of our community in maintaining class sizes with the local option levy.

The 2021-22 ending fund balance becomes the 2022-23 beginning fund balance. The beginning fund balance on the attached Quarterly Financial Report has been adjusted to reflect the fund balance changes between the Budget, which was the best estimate during the budget development process in the spring, and the Activity columns. The projected ending fund balance for 2022-23 continues to be within the Board approved amount.

Notes:

Some activities not reflected in this report that may impact the Budget in the next few months are:

- 1) Insurance premium rates that go into effect on January 1, 2023. This will change depending on employee insurance selections and premium costs to the district.
- 2) Short-term impact of unfilled positions due to market conditions.
- 3) Changes in student enrollment.

Investment Report:

Investment of Funds is outlined in NCSD Policy DFA, requiring quarterly investment information reporting to the Board. The Local Government Investment Pool (LGIP) is one of the primary institutions used for district investments, producing the highest interest rate for short-term investments at this time. The current interest rate is .55% as of September 30, 2022, which is unchanged from the last quarterly presentation.

The Investment Portfolio Summary report is a summary of all fixed income investments, the LGIP, bank checking accounts and bank “money market” account balances. The combined portfolio contained \$120 million at a weighted average nominal rate of return of .27%. This report recaps the percentage of the portfolio invested in each category (i.e. US Government Treasury investments, US Government Agency investments, Corporate Notes) and compares to policy percentage restrictions. As of September 30, 2022 all categories were in compliance with Board Policy. This report also provides the weighted average yield by issuer.

ATTACHMENTS:

Quarterly Financial Report
Investment Portfolio Summary

PRESENTER / STAFF CONTACT:

Matt Makara, Executive Director of Finance and Business Services

North Clackamas School District No. 12
Quarterly Financial Report
General Fund
For the Period Ended September 30, 2022

	Budget	2022 - 2023 Activity			
	Adopted Budget 2022-23	YTD Actuals Through 09-30-2022	Encumbrances Through 09-30-2022	Actuals Including Encumbrances	Forecast Through 6-30-2022
REVENUES:					
Beginning Fund Balance (BFB)	\$ 40,574,139	\$ 45,378,760	\$ -	\$ 45,378,760	\$ 45,378,760
State School Fund:					
State Funds	119,425,929	39,545,256	-	39,545,256	119,425,929
Property Taxes	77,400,000	248,594	-	248,594	77,400,000
Local Option Levy	20,517,806	41,878	-	41,878	20,517,806
Federal Forest Fees	-	-	-	-	-
Common School Fund	1,831,694	-	-	-	1,831,694
County School Fund	-	-	-	-	-
High Cost Disability Grant	2,000,000	-	-	-	2,000,000
Investment Earnings	325,000	124,689	-	124,689	325,000
Intermediate Sources-CESD	2,810,204	70,463	-	70,463	2,810,204
Other Services and Fees	4,388,723	3,954,140	-	3,954,140	4,388,723
Transfers-in	-	-	-	-	-
Subtotal Revenues excluding BFB	\$ 228,699,356	\$ 43,985,020	\$ -	\$ 43,985,020	\$ 228,699,356
Total Revenues including BFB	\$ 269,273,495	\$ 89,363,780	\$ -	\$ 89,363,780	\$ 274,078,116
EXPENDITURES:					
Salaries	\$ 126,049,903	\$ 15,214,342	\$ 99,819,289	\$ 115,033,631	\$ 126,049,903
Benefits	73,442,431	8,326,580	52,945,720	61,272,300	73,442,431
Purchased Services	27,257,453	6,247,495	7,438,454	13,685,950	27,257,453
Supplies & Materials	7,980,251	1,195,611	2,255,897	3,451,507	7,980,251
Capital Outlay	355,000	-	5,000	5,000	355,000
Dues and Fees	1,750,595	1,557,966	25,826	1,583,792	1,750,595
Transfers-out	5,674,380	-	-	-	5,674,380
Subtotal Expenditures	\$ 242,510,013	\$ 32,541,994	\$ 162,490,186	\$ 195,032,180	\$ 242,510,013
CONTINGENCY:	\$ 26,763,482	\$ -	\$ -	\$ -	\$ -
Total Expenditures	\$ 269,273,495	\$ 32,541,994	\$ 162,490,186	\$ 195,032,180	\$ 242,510,013
*Projected Ending Fund Balance on 6-30-23					\$ 31,568,103
Projected Ending Fund Balance as a Percentage of Forecasted Revenue at 6-30-2022					11.52%



Investment Portfolio Summary

9/30/2022

Issuer	Book Value	Percentage of Portfolio	Maximum allowed per Policy	Over	Weighted Ave Yield
US Gov't Treasuries					
US Gov't Treasury	\$ -	0.00%	100%		0.00%
Sub Total	\$ -	0.00%	100%		
Municipalities					
	\$ -	0.00%	25%	N/A	
Sub Total	\$ -	0.00%	25%		
US Gov't Agencies					
Federal Home Loan Mortgage	\$ -	0.00%	25%	N/A	0.00%
Sub Total	\$ -	0.00%	100%	N/A	0.00%
Corporate Notes					
	\$ -	0.00%	5%	N/A	0.00%
Sub Total	\$ -	0.00%	35%	N/A	0.00%
Total Investment Portfolio					
	\$ -	0.00%			0.00%
Banks/Money Market					
US Bank - Bond Checking	\$ 10,172,793.00	8.48%			
Umpqua Bank MMKT - Fund 420	\$ 2,748,754.98	2.29%			0.25%
Washington Federal MMKT - Fund 100	\$ 20,501,991.12	17.08%			0.15%
US Bank - General Checking	\$ 35,303,089.45	29.42%			
Sub Total - banks	\$ 68,726,628.55				
			LGIP Limit	Under/Over	
LGIP 3581 Bond Fund 420	\$ 3,299,884.34				0.55%
LGIP 4904 General Fund 100	\$ 47,978,499.26				0.55%
Total Cash and Equivalents	\$ 51,278,383.60	42.73%	52,713,000	1,434,616	
Grand Total					
	\$ 120,005,012.15				0.27%

BUDGET COMMITTEE APPOINTMENTS

ACTION
Agenda Item #8
November 17, 2022

SUPERINTENDENT’S RECOMMENDATION:

Appoint new Budget Committee members to Positions 8, 9 and 12 on North Clackamas School District’s Budget Committee with separate motions to nominate and elect each one.

BUDGET IMPACT/SOURCE OF FUNDS:

There will be no budget impact from appointing budget committee members, as budget committee members cannot receive compensation.

BACKGROUND:

The Board declared Budget Committee Positions 8, 9 and 12 vacant at its September 22, 2022, meeting due to expired terms and previously declared vacancy. New appointees will serve three-year terms expiring June 30, 2025.

The district announced the opening to the public through local newspapers, Facebook, Parent Square, and posting on the district website, setting a deadline of October 14, 2022. The Board received 10 applications. Candidates were asked to submit an introductory video of themselves along with their written application. The Board independently reviewed applications and videos that had been submitted and invited the following five candidates to interview on November 3, 2022:

- Angeline Hill
- Maureen Hinman
- April Dobson
- Nicole Woodfill
- Michael Osborne

ATTACHMENTS:

Candidates’ applications

PRESENTER:

Mitzi Bauer, Board Chair

OTHERS NOTIFIED OF ITEM:

Budget Committee Applicants

BULK PHONE PURCHASE

ACTION
Agenda Item #9
November 17, 2022

SUPERINTENDENT'S RECOMMENDATION:

Approve purchase of Cisco Phones from CVE Technologies for a total not to exceed amount of \$213,923.00.

BUDGET IMPACT/SOURCE OF FUNDS:

The source of the funds are from the Assistant Superintendent of Operations Budget (\$165,000) and Technology and Information Services Budget (\$48,923).

The proposed procurement is covered under NCSD-46-0420, a Joint Cooperative Procurement. In accordance with a price agreement set forth by the NASPO (National Association of State Procurement Officials) NVP Agreement #:AR3227 and State of Oregon Statewide Price Agreement #1605. This insures that a formal, publicly advertised solicitation was conducted and that the District will receive best value at competitive pricing.

BACKGROUND:

The District has identified a District wide need to replace phones for the following reasons:

- The bulk of District phones are 10-12 years, obsolete and no longer supported by Cisco.
- Phone system software upgrades cannot be performed with the current phones that will not function with newer system software.
- Proposed phones would provide ease of use for teachers, schools, and staff.
- Proposed phones have screens that are able to display the extension and name of the user they are assigned to. This feature will eliminate confusion throughout the District.
- The proposed phones have speakerphone function, current phones do not.
- There is a second button on the proposed classroom phones which provides the flexibility to use this button for possible safety features.

As with all contracts, additional costs may be incurred for added or changed scope (e.g. change orders for unknowns, unforeseen, or agency requirements).

PRESENTER / STAFF CONTACT:

Cindy Detchon, Assistant Superintendent, Operations
Joe Bridgeman, Executive Director of Technology

SPECIAL EDUCATION EVALUATION CONTRACT AWARD:

ACTION
Agenda Item # 10
November 17, 2022

SUPERINTENDENT’S RECOMMENDATION:

Approve awarding a contract to Presence Learning for special education evaluation services not to exceed \$300,000.

BUDGET IMPACT/SOURCE OF FUNDS:

IDEA American Rescue Plan Funds (ARP-IDEA)

BACKGROUND:

Determining the needs of our students post-pandemic has resulted in a rise in the number of initial evaluations for special education services. Additionally, the utilization of special education staff expertise in identifying and addressing unfinished learning of our students has increased this year.

The ARP-IDEA funds have been provided by the state to support the work of our special education staff in addressing these student needs. These funds have been used for tutoring, summer and after-school programming, and social-emotional support–services that will continue throughout the school year. We will be partnering with Presence Learning to complete online psychoeducational, speech, and, occupational therapy evaluations including the report writing of student evaluations.

PRESENTER / STAFF CONTACT:

Tammy O’Neill, Executive Director Teaching and Learning and Professional Development