

Alsea School Board Meeting
Thursday, May 16, 2024
7:00 PM
Alsea School Library
301 S 3rd St
Alsea, OR 97324



Alsea School District 7J
301 South 3rd Street
Alsea, OR 97324
541.487.4305

1. **Call to Order**
 - a. Flag Salute
 - b. Approval of Agenda
2. **Consent Agenda**
 - a. Approval of Minutes - April 17, 2024

Alsea School Board Meeting
Wednesday April 17, 2024, 7:00 PM
Alsea School Library



Alsea School District 7J
301 S 3rd St
Alsea, OR 97324
541-487-4305

Zoom Link: <https://us06web.zoom.us/j/81653142841?pwd=Acz6OIDA8W0hil7NhFd9EhEx3MizZ.1>

Boardbook Link: <https://meetings.boardbook.org/Public/Organization/2548>

Board Members Present: Risteen Follett, Soren Rounds, Jamie Olsen

Board Members Absent: Deb Lindberg

Staff and Patrons present: Krista Nieraeth, Lora Nickle, Don Staehely, Chris Giggy, Nancy Giggy

Present online: Bart Rothenberger, Heather Shunk as well as additional community members

1. **Call to Order** - 6:00 PM

- a. Flag Salute
- b. Approval of Agenda

Move to Executive Session - 6:01 PM

2. **Executive Session**

- To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing. (ORS 192.600(2)(i))

Adjourn Executive Session - 6:46 PM

Return to Regular Session - 7:00 PM

3. **Consent Agenda**

- a. Approval of Minutes - March 14, 2024
- b. Hires - Emilee Russell - 1st Grade
- c. Resignation - Joe Harris - MS/HS Science

Jamie Olsen approved the consent agenda as presented. Russ Ceperich seconded. Motion passed 4-0.

4. **Patron Comments:** None

5. **Reports**

- a. Superintendent Report
 - i. Superintendent report

Ms. Nieraeth presented her report to the Board. Documents available online.

- ii. Regular Attenders

Ms. Nieraeth presented the updates to the Regular Attenders report. Documents available online.

- b. K-6 Brick and Mortar Principal Report

Ms. Nieraeth shared her report for the Elementary classrooms. Documents available online.

- c. K-5 LaHO Principal Report

Ms. Shunk shared her report for the Learn at Home student and classroom happenings. Documents available online.

- d. 7-12 Brick and Mortar Principal Report

Mr. Rothenberger presented his report. Document available online.

Recess - 7:38 PM

Return to Session - 7:42 PM

e. Financial Report

Mr. Staehely presented the financial report to the board. He spoke to the Board about the procedures that have been created. Documents available online.

f. Bond Report

Chris and Nancy Giggy presented updates on the Bond project and projected timelines. Documents available online.

g. Enrollment

h. Safety

6. **New Business**

a. Approval of Public Summary of Superintendent Evaluation

Ms Follett read the summary into record. Soren Rounds moved to accept the Summary as presented. Jamie Olsen seconded. Motion carried 4-0.

b. DLT Grant

Ms. Nieraeth presented the DLT Grant status update to the board. Document available online. Soren Rounds approved moving forward with the DLT Grant application process. Jamie Olsen seconded. The board discussed at length. Motion carried 4-0

c. Math Curriculum Adoption

Ms. Nieraeth presented a Math curriculum that the staff is recommending for adoption. The curriculum will be available for public viewing in the district office for 1 month.

7. **Old Business**

a. Resilience Hub Grant

Ms. Nieraeth and Chris Giggy presented an update to the Board.

8. **First Reading *(Shaded words are new/strikethroughs are deleted)**

a. AC - Nondiscrimination

b. CBG - Evaluation of the Superintendent

c. CCG - Evaluation of Administrators

d. EBBB - Injury or Illness Reports

e. EBCA - Safety Threats

f. EBC - Emergency Plan and First Aid

g. EBCB - Emergency Procedure Drills and Instruction

h. GBEB - Communicable Diseases in Schools

i. GBEB-AR - Communicable Diseases in Schools

j. GBN/JBA - Sexual Harassment

k. GBNAB/JHFE - Suspected Abuse of a Child Reporting Requirements

l. GBNAB/JHFE-AR - Reporting of Suspected Abuse of a Child

m. GCDA/GDDA - Criminal Records Checks and Fingerprinting

- n. IGBAF - Special Education - Individualized Education Program (IEP)
- o. IGBAF-AR - Special Education: Individualized Education Program (IEP)
- p. IG BAG - Special Education - Procedural Safeguards
- q. JBA/GBN - Sexual Harassment
- r. JBAA-AR - Section 504 - Students**/*
- s. JEA - Compulsory Attendance
- t. JEA-AR - Compulsory Attendance
- u. JGAB - Use of Restraint or Seclusion
- v. JGAB-AR - Use of Restraint or Seclusion
- w. JHCA/JHCB - Immunization and School Sports Participation
- x. JHFE/GBNAB - Suspected Abuse of a Child Reporting Requirements
- y. JHFE/GBNAB-AR - Reporting of Suspected Abuse of a Child
- z. KBA-AR - Public Records Request
- aa. IKC - Class Rankings

Board discussed each policy with Ms. Nieraeth. They presented questions on policies GCDA/GDDA-Criminal Records Checks and Fingerprinting as well as JEA-AR. The Board requested clarification from OSBA.

9. Second Reading

10. Board Comments

11. Future Agenda Items

12. Key Dates

April 23, 2024 - Budget Committee Orientation, 5:30 PM

April 23, 2024 - Budget Committee Meeting, 6:00 PM

May 3, 2024 - Teacher Workday

May 16, 2024 - School Board Meeting

Adjournment 9:12 PM

b. Budget Committee Minutes - April 23, 2024

Alsea Budget Committee Meeting
Tuesday, April 23, 2024
5:30 PM
Alsea School Library



Alsea School District 7J
301 South 3rd Street Alsea, OR 97324
541.487.4305

Board Members present: Risteen Follett, Soren Rounds, Jamie Olsen

Board Members absent: Deb Lindberg, Russ Ceperich

Budget Committee Members Present: Kimberly Lanning, Kathi Gamler, Cheryl VanLeuven, Tracy Foster, MacKenzie Webb

Staff members present: Krista Nieraeth, Lora Nickle, Nathan Roberts

Staff members online: Heather Shunk, Bart Rothenberger

1. Call to Order - 5:31 PM

a. Flag Salute

b. Approval of Agenda

Agenda approved as presented.

2. Budget Committee Training

a. OSBA Handbook

Mr. Staehely highly recommended the Budget Committee members view this document which will help explain the rules and purpose of the budget.

3. Election of Officers

Cheryl VanLeuven nominated Kimberly Lanning as the Committee Chair. Kathi Gamler seconded. No other nominations. Motion carried 8-0.

4. Review of Budget Message and Proposed Budget

Ms. Nieraeth read the Budget Message for the 2024-2025 School Year. Mr Staehely presented to the committee the proposed budget. He explained how state funds are calculated.

5. Comments

The committee thanked Ms. Nieraeth and Mr. Staehely for the budget documents and their helpful explanations of the budget process.

6. Adjournment - 6:55 PM

3. **Patron Comments:**

The Alsea School Board of Directors values the opinions and input of students, staff, parents, and community members. Although board meetings are held in public, they are not meetings of the public. Please keep your comments to 3 minutes or less. If you intend to speak to the board this evening, you will need to fill out one of the blue comment cards and hand it to the Board Secretary, Lora Nickle. Public comments may also be made via Zoom. If you intend to speak via Zoom, please put your name in the comments so that the board chair can call on you. Before you begin your comments, please state your name and if you are speaking for an organization, please state that organization. For more information about public comments at a board meeting, please see Alsea School District Policy BDDH.

4. **Reports**

- a. Superintendent Report
Speaker(s): Krista Nieraeth

Alsea School District

May Board Meeting Board Report

Krista Nieraeth, Superintendent and Special Education Director

1. LBLESD 2024 – 2025 Contract

I met with the cabinet of the LBLESD to discuss Alsea's needs for services for the upcoming year. I've been working with both Mr. Staehely and Ms. Boser to decide what the district needs in terms of both financial and special education services. We are also looking at using LBLESD for all our SPED services for both LaHO and B/M to help Ms. Boser and our SPED department be more efficient in providing services for our students.

2. Oregon Small School Conference

I attended the Oregon Small School Conference at Mt. Hood Resort April 18 – 19. I was able to connect with colleagues from Small Schools around Oregon to discuss issues such as Legal Hot Topics for Small Schools, updated Integrated Guidance directions, SPED topics for small districts, and Partnering with ODE. It was a great time to network with colleagues and learn about upcoming things that will affect small schools in the future.

3. Superintendent Off The Record Meeting

On Friday, April 26, I traveled to Portland to attend a statewide off the record meeting for superintendents put on by COSA. We discussed pressing issues in Oregon, including the state school fund, current service levels, student services, policy issues, and legislative priorities for the upcoming session. We will work hard to advocate for adequate funding for schools in Oregon.

4. SMART Meeting

Sara Littlefield and I met with representatives from SMART reading to discuss starting a SMART site at Alsea Charter for the upcoming year. My hope is that we can braid this program into our high school and community to provide this for our students in grades K – 3.

5. Pre – ETS

Roxy Cessnun, Mr. Staehely and I are continuing to work with OHA to set up our Pre-ETS program for our students on IEPs and 504s who qualify for these services. The district will take on these services as a contractor in the upcoming year. Mr. Staehely and I will be attending a webinar about the contract on May 20th.

6. Staff Appreciation Week – May 6 – 9

We celebrated Staff Appreciation Week the week of May 6. We have a staff that is amazing and truly cares about our students and their well-being. We celebrated our Brick-and-Mortar staff with coffee cards, a catered breakfast by Erick Taylor (it was amazing), staff shirts, and a taco bar for lunch. LaHO staff received a \$20 gift card and a staff shirt. All of our staff put in LOTS of hard work and hours to ensure our district runs smoothly and we are very appreciative of them!

7. Facilities

The bathrooms in the 4 – 6 grade wing are 99% completed. It looks amazing and I'm so proud of the quality of work that was done. We are still waiting on doors, but Mr. Elbers put in temporary doors that could be used until our new ones come in.

Mr. Elbers continues to clean up the grounds. We are discussing summer projects and needs right now, including repainting and replacing boards on the grandstands, and working on replacing classroom windows.

Please remember due to construction, our building will be closed to all except maintenance employees and administration from June 24th – August 9th.

May 13, 2024

Krista Nieraeth, Superintendent
Alsea School District
301 S 3rd Street
Alsea, Oregon 97324

RE: Award for Seismic Rehabilitation Grant Program, Alsea Gym & Office Addition

Dear Superintendent Nieraeth:

Congratulations! The above referenced project was chosen for funding in this round of Seismic Rehabilitation Grant awards. The project will be receiving a grant in the amount of \$2,480,800.

The legal obligations for funding and for reimbursement of project expenses are subject to execution of a contract between your district and the State of Oregon acting by and through the Oregon Business Development Department – Infrastructure Finance Authority.

Once the contract has been completed the necessary documents will be delivered to you for your review and signature. **Funds cannot be spent for any project activity that will be using the grant funding until the contract has been fully executed.**

As a reminder, the project is also subject to review and compliance with the Oregon State Historic Preservation Office. The Oregon SHPO Clearance Form is available for download on their web site or by contacting me at (503) 986-0132 or gloria.zacharias@biz.oregon.gov

We are pleased to be able to offer this assistance to your facility and the community. We look forward to partnering with you to complete this vitally important project.

If you have any questions or need further information please let me know.

Sincerely,



Gloria Zacharias, PCED
Program and Policy Coordinator

i. COPS-SVPP

COPS OFFICE SCHOOL VIOLENCE PREVENTION PROGRAM (COPS-SVPP)



U.S. DEPARTMENT
OF JUSTICE



DEADLINE

Grants.gov deadline June 11, 2024

JustGrants deadline June 17, 2024



FUNDING AVAILABLE

\$73 million



AWARD AMOUNTS

Max award: \$500,000

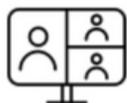
Match: 25%



APPLICANTS

Local Law Enforcement Agencies, State Law Enforcement Agencies, Units of local government (e.g., counties, cities, school districts), Federally Recognized Indian tribes and their public agencies, and Public Government Agencies

Eligible HP & Poly Products*



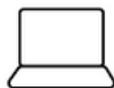
Video Conferencing



Headsets



Screens



Computers & Laptops

ABOUT THIS PROGRAM

The Students, Teachers, and Officers Preventing School Violence Act of 2018 gave the COPS Office authority to provide awards directly to States, units of local government, or Indian tribes to improve security at schools and on school grounds in the jurisdiction of the grantee through evidence-based school safety programs and technology.

The goal of this program is to improve school security on school grounds through the implementation of evidence-based school safety programs and technology, including:

- Coordination w/local law enforcement;
- Training for local law enforcement officers;
- Allowable equipment and technology (e.g. access controls, doors, PA systems, cameras, panic buttons, and other target hardening solutions); &
- Other measures to significantly improve school security.

PROGRAM WEBSITE



LEARN
DESIGN
APPLY INC.

*Products are provisionally eligible based on proposed use and alignment with grant priorities.

ii. Regular Attenders

REGULAR ATTENDERS

Grade Level	Enrollment # 01-Oct		Enrollment # 01-Nov		Enrollment # 01-Dec		Enrollment # 01-Jan		Enrollment # 01-Feb		Enrollment # 01-Mar		Enrollment # 01-Apr		Enrollment # 01-May		Enrollment # 01-Jun	
KG	18	77.78%	18	50.00%	16	43.75%	16	43.75%	16	56.25%	17	70.59%	17	70.59%	16	75.00%		
1st	42	83.33%	39	84.62%	39	82.05%	39	79.49%	40	80.00%	40	72.50%	39	76.92%	39	82.05%		
2nd	36	72.22%	36	69.44%	37	78.38%	37	81.08%	37	83.78%	37	86.49%	37	91.89%	37	89.19%		
3rd	32	77.42%	30	83.33%	29	89.66%	29	79.31%	28	71.43%	28	71.43%	27	77.78%	25	72.00%		
4th	25	76.00%	26	73.08%	25	72.00%	25	64.00%	25	64.00%	24	54.17%	24	70.83%	24	70.83%		
5th	24	70.83%	26	50.00%	25	48.00%	25	40.00%	24	45.83%	21	52.38%	21	61.11%	18	55.56%		
6th	13	78.57%	13	76.92%	12	66.67%	12	66.67%	12	75.00%	13	76.92%	13	84.62%	15	66.67%		
7th	20	68.42%	18	61.11%	19	47.37%	18	27.78%	17	47.06%	17	42.11%	17	47.06%	17	52.94%		
8th	13	76.92%	13	61.54%	13	61.54%	13	53.85%	13	46.15%	13	38.46%	13	46.15%	13	46.16%		
9th	22	68.18%	22	63.64%	23	56.52%	23	56.52%	22	63.64%	20	65.00%	17	70.59%	16	68.75%		
10th	12	66.67%	12	58.33%	12	50.00%	12	58.33%	12	66.67%	12	58.33%	12	50.00%	11	72.73%		
11th	14	78.57%	13	53.85%	14	57.14%	14	57.14%	14	57.14%	13	46.15%	13	30.77%	13	23.08%		
12th	11	38.46%	10	30.00%	10	20.00%	10	20.00%	10	20.00%	10	30.00%	8	25.00%	8	25.00%		
Schoolwide	282	71.80%	276	62.76%	274	59.47%	273	55.99%	270	59.77%	265	58.81%	258	61.79%	252	61.54%	0	#DIV/0!

- b. K-6 Brick and Mortar Principal Report
Speaker(s): Krista Nieraeth

Alsea School District

May School Board Report – K-6 B&M School

Krista Nieraeth, Principal

School / Classroom Updates / Accomplishments

- April's Theme for Student of the Month was Neat. Congratulations to the following students for being chosen as April's Student of the Month!

Kindergarten: Tyler Schatz

1st Grade: Liddie Davis

2nd Grade: Izaiah Emerson

3rd Grade: Courtenay Larson

4th Grade: Fawn MacDonald

5th Grade: Henry Dennis

6th Grade: K'Lynn Moore

Elementary Student of the Month



- Our 6th grade class went to Outdoor School during the week of April 15th. They attended the Western Oregon Outdoor School in Lebanon, OR. Mrs. Evans took 15 of our 16 6th graders and they had an amazing time! This particular outdoor school is a hands on, inquiry based outdoor school that works a lot with themes of forestry and forest animals. The students stayed 4 days and 3 nights. Thank you to the parent volunteers who also went to help our students had a great time!!!

- Mrs. Treadway and Ms. Pinion took our 3rd and 4th grade students to Cape Perpetua to do a ranger led hike. The students learned about the different fauna and animals that live in that area. It rained quite a bit during their hike, but they had an amazing time!!
- Tom Gilles, a professional snowboarder and motivational speaker, visited our 3 – 6th graders on May 1st. During his speech, Tom talked about believing in yourself, being focused, and surrounding yourself with Dream – makers, not dream – takers. I was very proud of our students, who were very respectful of Tom and asked amazing questions at the end. Each student was able to meet Tom personally and get a signed card with Tom’s information on it.



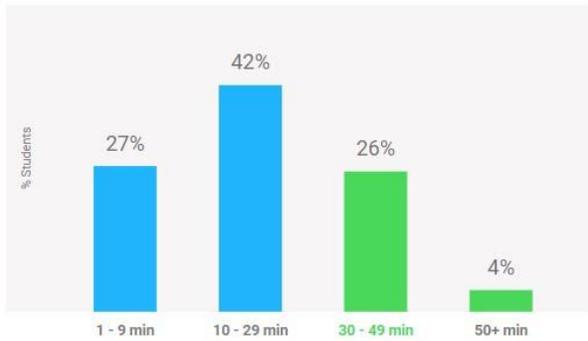
- Our kindergarten and 1st grade students have been learning about Socio – Emotional skills together in a group. Ms. Russell has been introducing “Big vs. Small” problems and working with both grades on how to identify which problem is one that they can take care of and when they need to involve adults. There has been lots of vocabulary building and role playing about what to do in certain situations. They have also been talking about different feelings and how you can show your feelings in a respectful way, as well as being respectful of other’s feelings. Mr. Brumbaugh has been assisting Ms. Russell in helping students, and both have been working separately in their classrooms on those skills taught.

- The K – 6 students have been completing lessons on I – Ready and are getting ready to start their Spring Diagnostic in both reading and math.

Subject: Reading School: ALSEA ELEMENTARY Date Range: Last Month

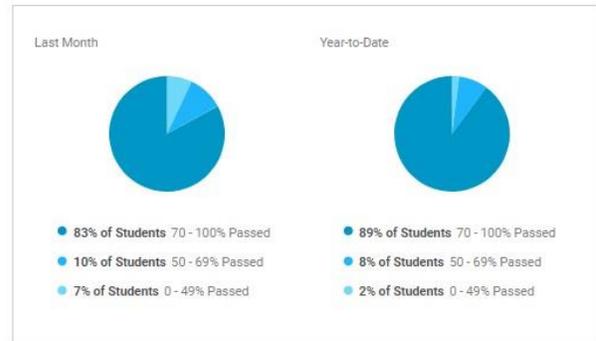
Students Using Instruction/Total (Last Month): 91/97

Weekly Average Lesson Time-on-Task Last Month



Students Completing Lessons/Total (YTD): 95/97

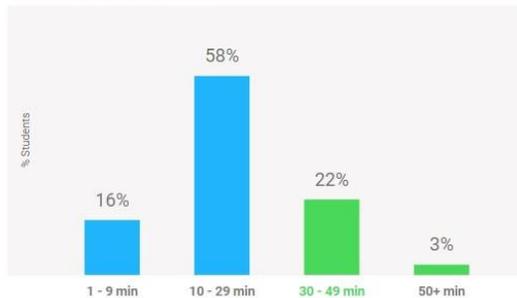
Lessons Passed



Subject: Math School: ALSEA ELEMENTARY Date Range: Last Month

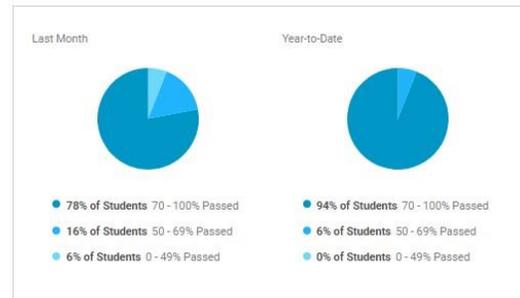
Students Using Instruction/Total (Last Month): 91/97

Weekly Average Lesson Time-on-Task Last Month



Students Completing Lessons/Total (YTD): 95/97

Lessons Passed



- Our students are working on the OSAS test for math. We have finished up the science and ELA testing. Our goal is to have all students in grades 3 – 8 and 11 complete the OSAS testing by the end of May. We are very proud of the students and their hard work.

- c. K-5 LaHO Principal Report
Speaker(s): Heather Shunk

ALSEA SCHOOL DISTRICT BOARD REPORT

Name: Heather Shunk **Position:** Principal

BOARD MEETING DATE: May 16, 2024

We had our first ever visit by an Alsea School Board member! Thank you Jamie Olsen for taking time to join our 2nd grade class. We loved having you spend the morning with us and are looking forward to more visits in the future.



[April 2024, Student of the Month Assembly - Character Trait - ALIVE: Link to Slides](#)

Highlights - Students of the Month, Character Trait - Alive (Vitality, energy, growth, growth mindset, mistakes are helpful, friendship, fun!); Celebrating Earth Week, Attendance and Punctuality, Math, & Reading Superstars in I-Ready, Exploratory Class: Art, Reader's Theater, Spanish, Nature Walks.

Learnathomeoregon.org Our school website has been updated!



Our 2nd grade students celebrated a classmate's birthday together!



Bringing the Character Traits to Life!

Learn at Home Oregon places significant emphasis on our monthly character traits to promote values, guide behavior, foster social and emotional learning, build community, and prepare our amazing students for life beyond school. By focusing on these specific traits each month, such as respect, responsibility, kindness, and honesty, students learn what constitutes appropriate conduct and develop essential social and emotional skills like empathy and self-awareness. This emphasis creates a sense of unity within our school community and prepares students to navigate challenges and contribute positively to society, reflecting our school and district commitment to nurturing well-rounded individuals.

ALIVE

When you make your friends or family happy or glad or your friends make you happy in all different ways you can be happy in all different ways you can be sad but you can still have a heart just a way to make a memory.

When your friend or family makes you happy and always makes a difference in your life it makes you feel alive. We know that would give you a second heartbeat in your life's memory. Life is beautiful

happy!

Alive means you have a lot of power or energy this helps you be alive. Alive also means being alive or living.

When you are happy you make other people happy. And when you're really joyful. Maybe even just slowly you can be joyful You might be excited.

Lucy was always positive and trying to do the right thing, solving problems instead of making them.

What does "ALIVE" mean? (having life; living, full of energy)

What does it mean to us?

- going on; not ended; active!
-

Images include: a yellow character with glasses, a green character with a hat, a silhouette of a person on a rock, a sun, a boy with a telescope, three children, a boy climbing a rope, a girl's face, a group of children, a boy climbing a rope, and another girl's face.

Our class is...

The word 'ALIVE' is written in large, colorful letters, with various organisms and plants integrated into the letters. Below the drawing is a grid of many small photos of children.

Alive in Kinder

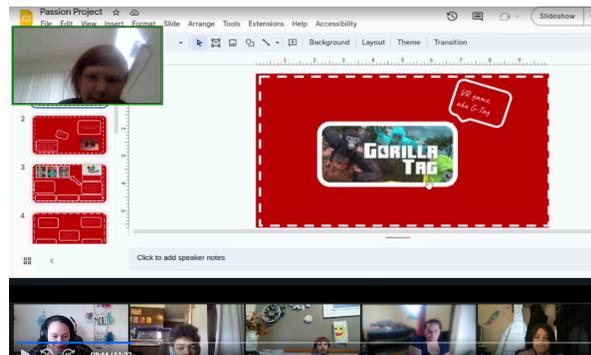
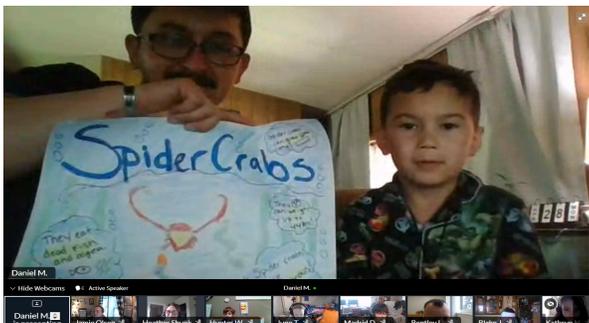
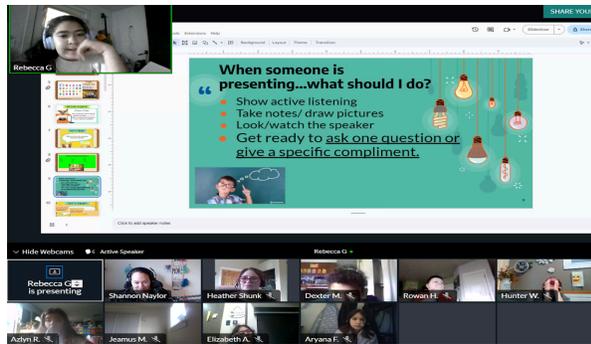
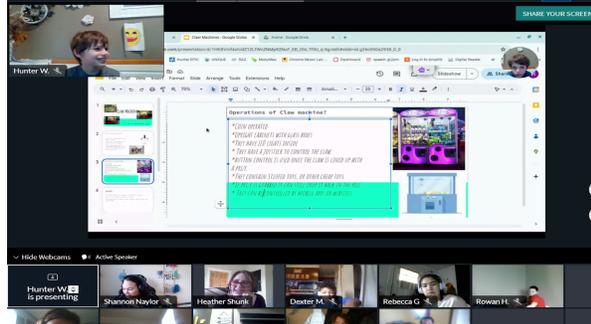
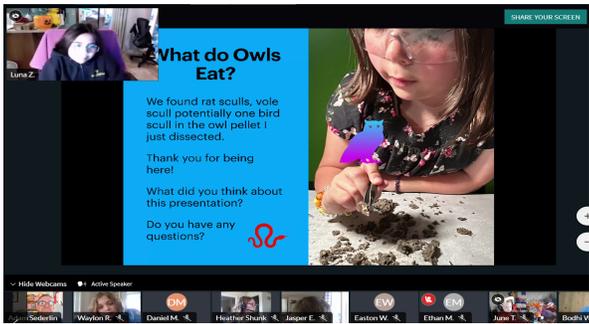
Eyes are open
Trees and grass are alive because they grow
People are alive

Images include: a child's face, a drawing of a tree, a drawing of a person, and a drawing of a person.

Genius Hour Passion Project Presentations:

Owl Pellet Dissection, All About Claw Machines, Rottweilers, Why Air Pollution Happens, History of Art, Spider Crabs, Dinosaurs, VR Games, and so much more!

A significant part of the Genius Hour Passion Project process is strengthening listening skills and active participation, asking thoughtful questions, and ensuring classmates feel respected while they are presenting.



OSAS

3rd - 5th grade students are completing their OSAS testing. Testing 100% remotely requires extensive coordination and communication with learning coaches.

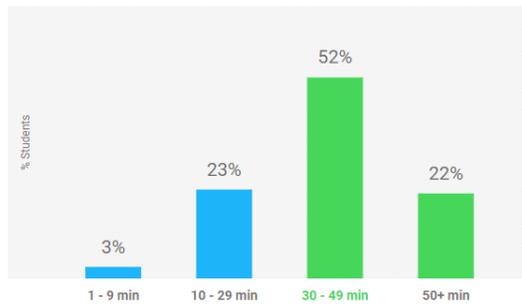
I- Ready

Subject: Reading School: LEARN AT HOME OREGON

Date Range: Last Week

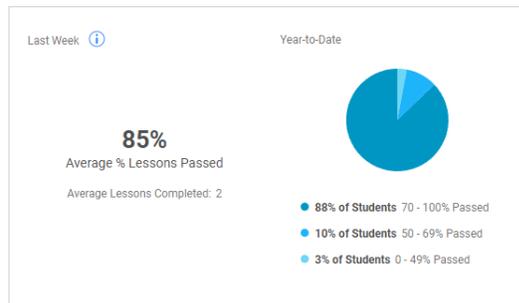
Students Using Instruction/Total (Last Week): 60/84

Lesson Time-on-Task Last Week



Students Completing Lessons/Total (YTD): 80/84

Lessons Passed

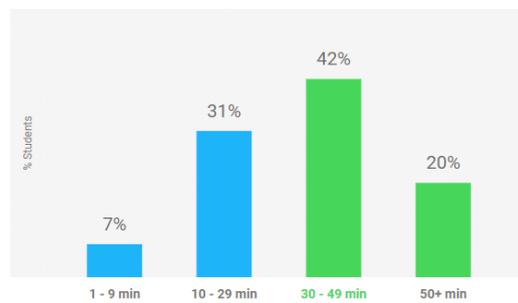


Subject: Math School: LEARN AT HOME OREGON

Date Range: Last Week

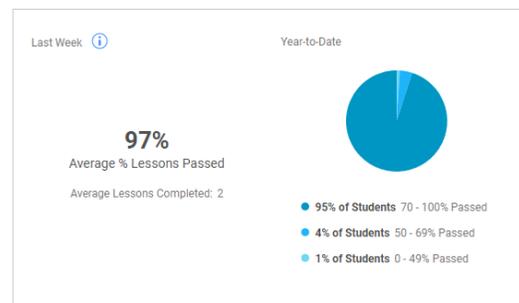
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Lesson Time-on-Task Last Week

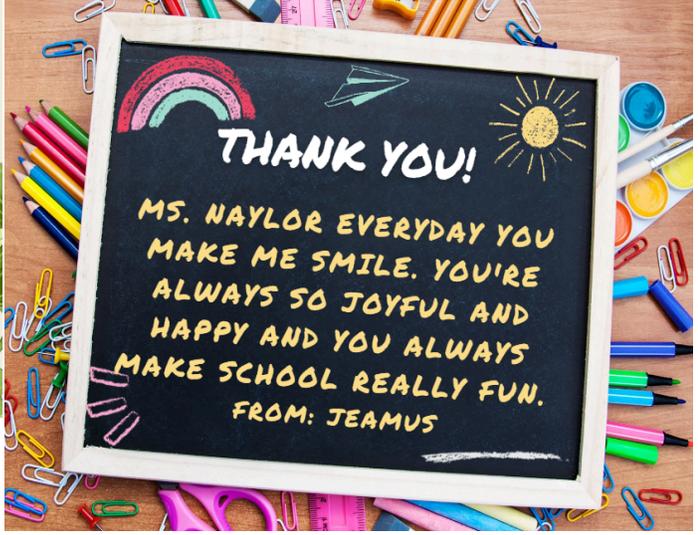
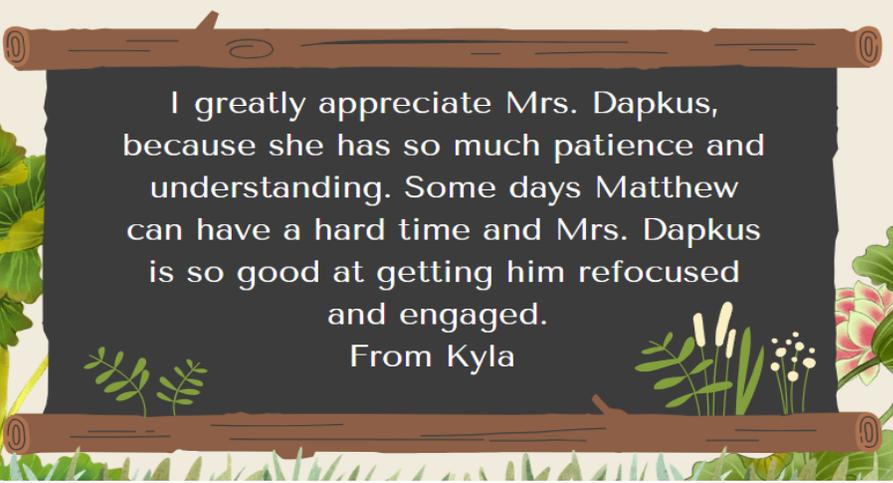
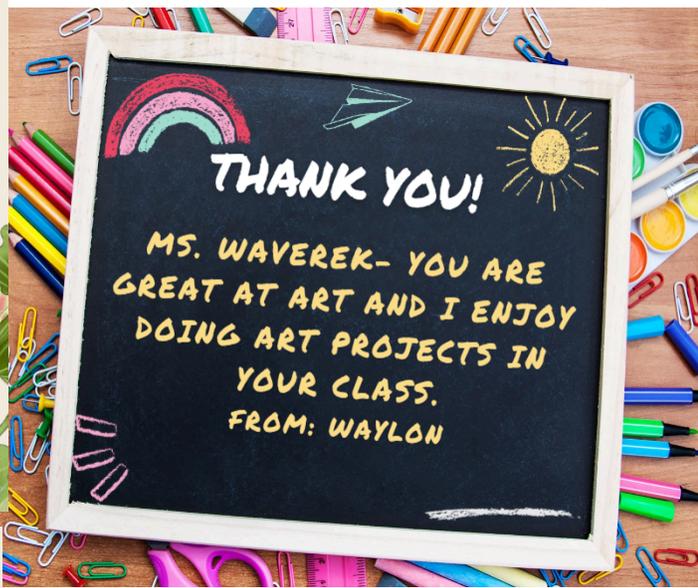
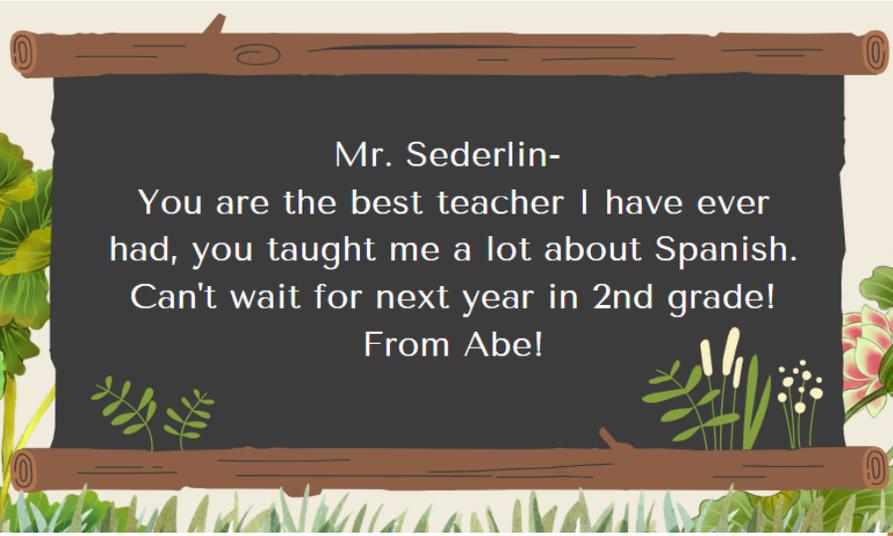
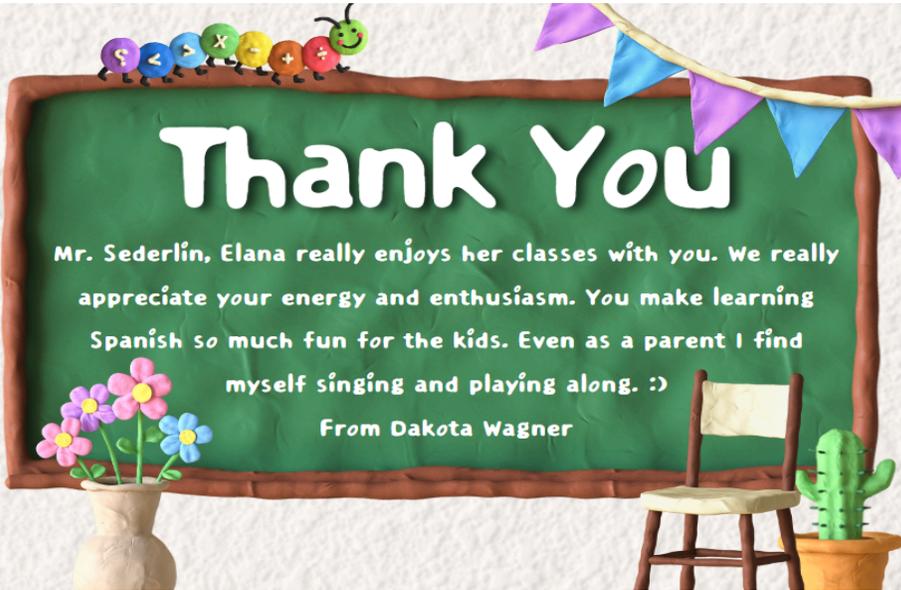


Students Completing Lessons/Total (YTD): 81/84

Lessons Passed



Teacher Appreciation A few examples of heartfelt appreciation sent in by our students and families.



- d. 7-12 Brick and Mortar Principal Report
Speaker(s): Bart Rothenberger

Board Report for 7-12 for: May

From behind the principal's desk:

This past month has been great. Lots of activities to look forward to

Prom: May 17th @ Bezel Barn

Senior Banquet: May 30th

Senior Trip: 3rd -6th

Graduation: June 7th

6th, 7th & 8th Grade Awards and Promotion Night

Kayla and I are continually meeting with students regarding their grades and making sure our seniors are prepared to walk across the stage. As stated later right now all 8 seniors are on track to walk across that stage.

Again, I asked my staff to give me a highlight of one positive from their department.

CTE/Ag

Students participated in a welding contest at LBCC.

In the process of making the New Alsea Grange sign (Pic attached)

High school PE and Health classes:

The HS health class filmed and edited videos on how to say no to drugs and alcohol.

MS health made fantastic drawings illustrating the immune system.

Elementary PE is finishing our 'throw and catch' unit and moving onto puzzle/matching relay games.

High school health is finishing our 'communicable and non-communicable diseases' unit, and holding a unit test this Thursday.

Social Studies

Junior class all have A's in US History

Science:

The 7th and 8th grade students have been looking forward to launching their Estes Wizard rockets for a week or so. Finally, today the weather cooperated enough. The wind was a little strong, but we were able to recover most of the rockets. Students had a good time and now they want to do it again.

We were visited by the kinders and 1st grade to help with the countdowns.

Art:

Class painted student section in gym, almost done. Making marionette puppets in 3d sculpture class. Graphic design class handed over design to Mr Steven's and sign for Alsea Hope grange should be delivered next week for installation!!!

English:

The Freshmen are in the middle of the second act of Romeo and Juliet. They have been reading the play out loud in parts, and they are doing a fantastic job! The majority of students have gotten a chance to read a part so far. Special shout out to Kai Ferguson (Romeo), Jesse Sexton (Juliet- he is doing great and being a good sport!), Lila Follett (Juliet's Nurse), and Gavin Taylor (all bit roles, including serving man, officer, and chorus). I was apprehensive about reading Shakespeare with this group, but they have made it the highlight of my day each day this week! AND, it was THEIR idea to read it like this! Thanks, students! I appreciate you!!.

Culinary:

The after-school culinary program has been a great success. Every class has had great turnout, and the students are showing great potential. The high school culinary class is working diligently researching recipes and testing them as well as creating them for their final project which is a hamburger and side competition. The judges have been selected and it's going to be great to see what creativity comes from the students. The school cafeteria is getting ready for the summer break. As we prepare for an extended period without power we are working on limited products on hand and still offer the students a healthy selection to choose from.

Math:

Positive 1, with the exception of algebra 2, all class averages have gone up in mathematics. 2, the 8th graders have started their final chapter of the year. 3, class behaviors has improved dramatically and algebra 1 is showing a turnaround in classroom culture.

Athletics:

Middle school finished up their track season at district's last weekend in McKenzie. We are waiting patiently to see if any of our athletes have qualified for Middle School State.

High School Track travels to Portland Christian for District Track this weekend. Good luck to our athletes.

Secretary:

We just launched our Facebook Ad Campaign on May 1st and so far have reached 9700 people and driven 130 people through our web page for registration.

The 'Senior Spotlights' were a hit and will run on our Facebook page starting 5/13.

Academic Advisor:

Students in grades 9-12 have worked hard the second half of the semester to get their grades up.

Students turned in their forecasting sheets and were excited that they were able to play a part in building the schedule for next year.

Transportation:

All buses are mechanically in good shape and running well. Fingers crossed!

Hope Grange 269



ALSEA, OR

Est. 1894

i. Senior Spotlights

SENIOR SPOTLIGHT



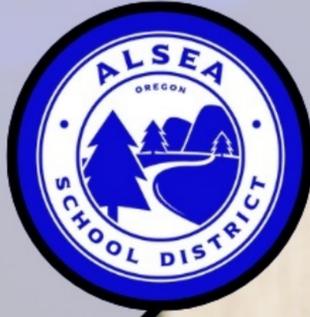
Ethan Cantrell

CONGRATULATIONS!

Ethan plans to attend
LBCC in the Fall
to pursue his Associates
in Welding.

Good Luck Ethan!

SENIOR SPOTLIGHT



Sebastian
Franciosi

CONGRATULATIONS!

Sebastian plans to attend Oregon State University to pursue his Bachelors in Engineering.

Good Luck Sebastian!

SENIOR SPOTLIGHT



Gunner Kill

CONGRATULATIONS!

**Gunner will be pursuing
a career on the
oil fields in Texas
after graduation.**

Good Luck Gunner!

SENIOR SPOTLIGHT



Rebecca

Lorain

CONGRATULATIONS!

**Rebecca plans to attend
Western Washington University
to pursue her Bachelors in
Creative Writing.**

Good Luck Rebecca!

SENIOR SPOTLIGHT



Hallie Olsen

CONGRATULATIONS!

Hallie plans to attend Western Oregon University to pursue her Bachelors in Business/Accounting.

Good Luck Hallie!

SENIOR SPOTLIGHT



Charity Richter

CONGRATULATIONS!

**Charity will be attending
Phagan's Beauty College
in the Fall to pursue a
specialization in nail design**

Good Luck Charity!

SENIOR SPOTLIGHT



Kaelynn Schubert

CONGRATULATIONS!

**Kaelynn will be attending
Phagan's Beauty College
in the Fall to pursue a
specialization cosmetology**

Good Luck Kaelynn!

SENIOR SPOTLIGHT



Hayden
Spaulding

CONGRATULATIONS!

Hayden plans to attend Oregon State University to pursue her Bachelors in Animal Science.

Good Luck Hayden!

- e. Financial Report
Speaker(s): Don Staehely

Financial Summary

General Fund Resources

- State School Support – The Oregon Department of Education has issued several updated estimates for 23-24, as well as updated ADM figures for 22-23. The district is estimated to receive an additional \$89,000 for 23-24. The final figures for 22-23 are not available until May 2024.
- 1510 - Earnings on investments – As shared last month funds in the Local Government Investment Pool (LGIP) are earning 5.2% compared to 1% last year at this time. The district earned \$33,000 in the General Fund and \$9,000 in the Bond Fund.
- 1960 – Employees must work 600 hours to retain their PERS contribution during a calendar year unless the employee meets specific exemptions. The district annually audits all employees to ensure they qualify and work with PERS on any reimbursements. The audit provided a approximate \$7,000 refund to the district.
- 5300 – The district will be issued \$5,000 for damages incurred during the ice storm. The district's deductible is \$1,000, which has been submitted to FEMA. The total damages to the district were approximately \$6,000.
- No other changes in revenues

General Fund Expenditures

- 1250 – Less Restrictive Programs: Students with Disabilities – the district did an analysis on actual time spent by all special education aides. Expenditures were reallocated to 1111 (Elementary Instruction), 1121 (Middle School Instruction) and 1131 (High School Instruction) based on the analysis.
- 1132 – Increase is due to spring sports extra duties and actual expenditures.
- 2540 – Operations and Maintenance of Facility – encumbrance for the refinishing of the gym floor.
- 2660 – Adding security cameras and receiving a refund for wireless services paid during the year.
- No other major changes

Ending Fund Balance - Presently the balance projected is \$6,471,000. The 24-25 Proposed Budget includes a \$6,000,000 beginning cash balance.

Special Revenue

- The 3rd Quarter Grant reports have been submitted to the Oregon Department of Education for reimbursement.
- 299 – Included in the financial statements is an analysis of the food service program and cost per meal.
- All grants are being monitored by Krista Nieraeth, Brynn Campbell, and Don Staehely to ensure all funds spent are following the grant requirements.

Debt Service

- No change – the district is projecting an ending balance of \$23,000 which will be used as the beginning cash for the 24-25 Proposed Budget

Capital Projects

- No change – the ending balance of \$274,000 will be used as the beginning cash for the 24-25 Proposed Budget

Bond 2021 and OSCIM Grant

- The only change is the available funds earned \$8,852 for the month of April.

**GENERAL FUND
STATEMENT OF RESOURCES
FOR THE FISCAL YEAR 2023-24
As of April 30, 2024**

<u>LINE</u>	<u>SOURCE</u>	<u>BUDGET</u>	<u>Y-T-D 4/30/2024</u>	<u>PROJECTED</u>	<u>TOTAL 4/30/2024</u>	<u>BALANCE OVER/(UNDER)</u>	
STATE SCHOOL SUPPORT FORMULA							
1	1111	CURRENT YEAR'S TAXES	\$ 499,000.00	\$ 492,839.74	7,273.12	\$ 500,112.86	\$ 1,112.86
2	1112	PRIOR YEAR'S TAXES	1,000.00	2,843.74		2,843.74	1,843.74
3	1114	OTHER TAXES	-	4.72	-	4.72	4.72
4	1190	INTEREST ON TAX COLLECTIONS	800.00	547.79		547.79	(252.21)
5	2101	COUNTY SCHOOL FUND	2,500.00	1,666.58	-	1,666.58	(833.42)
6	3103	COMMON SCHOOL FUND	66,340.92	25,815.48	25,815.48	51,630.96	(14,709.96)
7	3101	STATE SCHOOL SUPPORT FUND	6,773,656.93	6,066,948.00	334,631.04	6,401,579.04	(372,077.89)
8	4801	FEDERAL FOREST FEES	-	-	-	-	-
9		TOTAL 2023-24 SSSF SOURCES (Line 1 - Line 8)	7,343,297.85	6,590,666.05	367,719.64	6,958,385.69	(384,912.16)
STATE SCHOOL SUPPORT FORMULA (Prior Yr Adjustments)							
10		STATE SCHOOL SUPPORT FUND 22-23			141,076.08	141,076.08	141,076.08
11		HIGH COST GRANT				-	-
12		TOTAL SSSF PRIOR YR ADJ (Line 10 - Line 11)	-	-	141,076.08	141,076.08	141,076.08
13		TOTAL SSSF SOURCES (Line 9 + Line 12)	7,343,297.85	6,590,666.05	508,795.72	7,099,461.77	(243,836.08)
NON STATE SCHOOL SUPPORT FORMULA SOURCES							
LOCAL SOURCES							
14	1510	EARNINGS ON INVESTMENTS	25,000.00	245,698.30	56,401.70	302,100.00	277,100.00
15	1710	ADMISSIONS - GATE FEES	7,500.00	5,245.71	-	5,245.71	(2,254.29)
16	1760	FUND RAISING	-	125.00	-	125.00	125.00
17	1910	RENTAL INCOME	12,000.00	3,000.00	600.00	3,600.00	(8,400.00)
18	1943	SERVICES PROVIDED CHARTER SCHOOLS	88,505.00	56,506.95	14,579.20	71,086.15	(17,418.85)
19	1960	RECOVER PRIOR YEAR'S EXPENDITURES	-	21,026.14	-	21,026.14	21,026.14
20	1920	DONATIONS	6,000.00	-	-	-	(6,000.00)
21	1980	FEES CHARGED OTHER GRANTS	15,000.00	-	-	-	(15,000.00)
22	1990	MISCELLANEOUS REVENUE	24,800.00	25,539.98		25,539.98	739.98
23		TOTAL LOCAL SOURCES (Line 14 - Line 22)	178,805.00	357,142.08	71,580.90	428,722.98	249,917.98
OTHER SOURCES							
24	2102	REVENUE THROUGH ESD	4,000.00	3,823.53	3,823.53	7,647.06	3,647.06
25	3203	SPECIAL EDUCATION PROGRAMS	8,000.00	-	-	-	(8,000.00)
26	5300	INSURANCE REIMBURSEMENT	5,000.00	-	5,000.00	5,000.00	-
27	5400	BEGINNING CASH	2,999,999.65	4,390,473.33		4,390,473.33	1,390,473.68
28		TOTAL OTHER SOURCES (Line 24 - Line 27)	3,016,999.65	4,394,296.86	8,823.53	4,403,120.39	1,386,120.74
29		TOTAL NON SSSF SOURCES (Line 23 + Line 28)	3,195,804.65	4,751,438.94	80,404.43	4,831,843.37	1,636,038.72
30		TOTAL RESOURCES (Line 13 + Line 30)	\$ 10,539,102.50	\$ 11,342,104.99	\$ 589,200.15	\$ 11,931,305.14	\$ 1,392,202.64

**GENERAL FUND
STATEMENT OF EXPENDITUES COMPARED TO BUDGET
FOR THE FISCAL YEAR 2023-24
As of April 30, 2024**

		<u>ACTUAL</u>				<u>BALANCE</u>	
		Y-T-D				FAVORABLE/	--%--
	<u>BUDGET</u>	<u>4/30/2024</u>	<u>ENCUMBERED</u>	<u>4/30/2024</u>	<u>(UNFAVORABLE)</u>	<u>COMMITTED</u>	
INSTRUCTION							
1111	Elementary, K-5	\$ 1,321,195.00	\$ 738,447.78	\$ 339,790.85	\$ 1,078,238.63	\$ 242,956.37	
1113	Elementary Extra-curricular	3,000.00	2,060.90	959.13	3,020.03	(20.03)	
1121	Middle/Junior High Programs	518,950.00	162,735.57	82,254.50	244,990.07	273,959.93	
	Middle/Junior High School Extra-						
1122	curricular	48,400.00	27,747.92	1,785.40	29,533.32	18,866.68	
1131	High School Programs	556,600.00	254,868.08	112,860.98	367,729.06	188,870.94	
1132	High School Extra-curricular	221,300.00	100,664.57	15,008.23	115,672.80	105,627.20	
1210	Programs for the Talented and Gifted	3,499.50	-	-	-	3,499.50	
	Less Restrictive Programs: Students w/						
1250	Disability	1,187,200.00	342,800.90	96,669.67	439,470.57	747,729.43	
1280	Alternative Education	21,000.00	-	-	-	21,000.00	
1291	English Second Language Programs	9,600.00	4,910.48	6,154.00	11,064.48	(1,464.48)	
	TOTAL INSTRUCTION	3,890,744.50	1,634,236.20	655,482.76	2,289,718.96	1,601,025.54	58.85%
SUPPORT SERVICES							
2114	Student Accounting Services	53,920.00	22,972.81	4,637.23	27,610.04	26,309.96	
2134	Nurse Services	12,000.00	7,087.04	754.00	7,841.04	4,158.96	
2142	Psychological Testing Services	35,000.00	50,200.00	-	50,200.00	(15,200.00)	
2152	Speech Pathology Services	161,360.00	59,958.02	-	59,958.02	101,401.98	
2160	Other Student Treatment Services	28,000.00	17,758.17	21,964.94	39,723.11	(11,723.11)	
	Service Direction, Student Support						
2190	Services	34,050.00	28,576.90	8,861.94	37,438.84	(3,388.84)	
2210	Improvement of Instruction Services	-	4,680.62	107.89	4,788.51	(4,788.51)	
2222	Library/Media Center	1,250.00	-	-	-	1,250.00	
2230	Assessment and Testing	6,848.00	3,204.68	1,078.95	4,283.63	2,564.37	
2240	Instructional Staff Development	26,000.00	1,088.73	-	1,088.73	24,911.27	
2310	Board of Education Services	161,200.00	73,215.50	165.84	73,381.34	87,818.66	

**GENERAL FUND
STATEMENT OF EXPENDITUES COMPARED TO BUDGET
FOR THE FISCAL YEAR 2023-24
As of April 30, 2024**

		<u>ACTUAL</u>			<u>TOTAL</u>	<u>BALANCE FAVORABLE/ (UNFAVORABLE)</u>	<u>--%-- COMMITTED</u>
		<u>Y-T-D</u>					
	<u>BUDGET</u>	<u>4/30/2024</u>	<u>ENCUMBERED</u>	<u>4/30/2024</u>			
2321	Office of the Superintendent Services	335,100.00	228,833.89	42,558.49	271,392.38	63,707.62	
2410	Office of the Principal Services	527,070.00	303,065.44	87,459.77	390,525.21	136,544.79	
2520	Fiscal Services	370,900.00	245,310.67	63,098.03	308,408.70	62,491.30	
2540	Operation and Maintenance of Plant Services	613,500.00	451,265.69	61,648.09	512,913.78	100,586.22	
2550	Student Transportation Services	1,645,150.00	705,818.52	149,556.14	855,374.66	789,775.34	
2660	Technology Services	92,400.00	107,086.47	8,457.25	115,543.72	(23,143.72)	
2700	Supplemental Retirement Program	-	6,751.92	-	6,751.92	(6,751.92)	
	TOTAL SUPPORT SERVICES	4,103,748.00	2,316,875.07	450,348.56	2,767,223.63	1,336,524.37	67.43%
OTHER REQUIREMENTS							
5110	Long-Term Debt Service	20,100.00	19,978.69	-	19,978.69	121.31	
5200	Transfers of Funds						
5200 790	Food Service	123,405.00	-	123,405.00	123,405.00	-	
5200 792	Bus Fund	259,000.00	-	259,000.00	259,000.00	-	
6110	Operating Contingency	120,000.00	-	-	-	120,000.00	
7000	Unappropriated Ending Fund Balance	2,022,105.00	-	-	-	2,022,105.00	
	TOTAL OTHER REQUIREMENTS	2,544,610.00	19,978.69	382,405.00	402,383.69	2,142,226.31	15.81%
	TOTAL EXPENDITURES	\$ 10,539,102.50	\$ 3,971,089.96	\$ 1,488,236.32	\$ 5,459,326.28	\$ 5,079,776.22	51.80%
	PROJECTED ENDING FUND BALANCE	\$ -			\$ 6,471,978.86	\$ 6,471,978.86	

**SPECIAL REVENUE FUNDS
STATEMENT OF GRANTS AND OTHER SPECIAL REVENUE FUNDS**

#	Fund Title	End Date	Grant Amount	REVENUE					EXPENDITURES			
				Beginning Cash	Y-T-D	PROJECTED	Transfer from General Fund	TOTAL	Y-T-D	Encumbered	TOTAL	Balance
200	Donations			\$ 3,353.63	\$ 13,797.64			\$ 17,151.27	\$ 13,052.78	\$ 1,436.91	\$ 14,489.69	\$ 2,661.58
203	Title I-A	9/30/2023	10,477.16	-	10,477.16	-		10,477.16	10,477.16	-	10,477.16	
203	Title I-A	9/30/2024	49,679.00		26,434.14	23,244.86		49,679.00	37,000.15	3,024.87	40,025.02	
203	Total Title I		60,156.16		36,911.30	23,244.86		60,156.16	47,477.31	3,024.87	50,502.18	9,653.98
207	YTP	9/15/2024	38,493.70	-	23,767.23	14,726.47		38,493.70	26,345.20	7,054.17	33,399.37	5,094.33
208	E-Rate			-	28,529.71			28,529.71	2,174.83	-	2,174.83	26,354.88
210	IDEA Part B 611	9/30/2024	16,528.60	-	16,528.60	-		16,528.60	16,528.60	-	16,528.60	
210	IDEA Part B 611	9/30/2025	94,297.70		13,257.96	81,039.74		94,297.70	43,893.57	33,922.95	77,816.52	
210	Total IDEA Part B 611		110,826.30		29,786.56	81,039.74		110,826.30	60,422.17	33,922.95	94,345.12	16,481.18
216	IDEA Part B, Section 619 2021-22 ARP	9/30/2023	849.00		-	849.00		849.00	-	-	-	
	IDEA Part B, Section 619 PassThru 2022-23	9/30/2023	-		-	-		-	-	-	-	
	IDEA Part B, Section 619 PassThru 2022-23	9/30/2024	1,453.00		-	1,453.00		1,453.00	-	-	-	
216	Total IDEA Part B 619		2,302.00		-	2,302.00		2,302.00	-	-	-	2,302.00
220	Title II-A - Teacher Quality 23-24	9/30/2024	6,439.00	-	968.61	5,470.39		6,439.00	1,133.34	-	1,133.34	
	Title IV-A - Student Support and Academic Enrichment 23-24	9/30/2024	10,000.00			10,000.00		10,000.00	-	-	-	
220	Title V- B REAP		16,439.00		968.61	15,470.39		16,439.00	1,133.34	-	1,133.34	15,305.66
227	Early Literacy Grant	6/30/2024	91,682.01	-	59,593.31	32,088.70		91,682.01	50,399.21	25,869.62	76,268.83	15,413.18
	ESSER											
230	ESSER II	9/30/2023	65,974.11	-	65,974.11	-		65,974.11	65,974.11	-	65,974.11	-
232	ESSER III	9/30/2024	172,510.72	-	50,709.93	121,800.79		172,510.72	50,709.93	121,800.80	172,510.73	(0.01)
	Total ESSER Grants		238,484.83		116,684.04	121,800.79	-	238,484.83	#####	121,800.80	238,484.84	(0.01)
	Integrated Guidance											
226	Early Indicator Intervention	6/30/2024	\$ 1,505.04	\$ -	\$ 527.41	\$ 977.63		\$ 1,505.04	\$ 1,505.04	\$ -	\$ 1,505.04	
	Federal School Improvement Funds to											
248	CSI & TSI Schools 22-23	9/30/2024	85,011.15	-	29,540.75	55,470.40		85,011.15	58,023.81	26,824.10	84,847.91	
251	Student Investment Account	9/30/2024	894,970.05	-	671,227.54	223,742.51		894,970.05	509,542.82	221,528.20	731,071.02	
252	High School Success M98	8/31/2025	116,492.52	-	39,605.92	76,886.60		116,492.52	77,796.60	41,081.80	118,878.40	
	Total Integrated Guidance		1,097,978.76		740,901.62	357,077.14	-	1,097,978.76	646,868.27	289,434.10	936,302.37	161,676.39
257	Baseball/Softball Program		-	3,706.92	-			3,706.92	-	-	-	3,706.92
259	Student Activity Funds		-	-	83,562.03			83,562.03	31,052.00	510.02	31,562.02	52,000.01
263	Outdoor School	6/30/2024	11,000.00	-	-	11,000.00		11,000.00	5,826.28	4,722.14	10,548.42	451.58
265	Menstrual Dignity Act	6/30/2025	2,343.30	-	-	2,343.30		2,343.30	157.97	-	157.97	2,185.33
267	TAP Asbestos Assessment	12/31/2023	11,500.00	-	11,500.00	-		11,500.00	11,500.00	-	11,500.00	-

**SPECIAL REVENUE FUNDS
STATEMENT OF GRANTS AND OTHER SPECIAL REVENUE FUNDS**

5

#	Fund Title	End Date	Grant Amount	REVENUE					EXPENDITURES			
				Beginning	Y-T-D	PROJECTED	Transfer from General Fund	TOTAL	Y-T-D	Encumbered	TOTAL	Balance
				Cash								
272	TAP Grant - Seismic		25,000.00	-	-	25,000.00		25,000.00	7,500.00	-	7,500.00	17,500.00
290	Bus Replacement Fund		-	33,225.19	218,828.77		259,000.00	511,053.96	424,985.00	-	424,985.00	86,068.96
299	Nutrition Services		-	-	91,290.86	36,203.00	123,405.00	250,898.86	136,483.01	73,694.90	210,177.91	40,720.95
126	CNP Equipment Grant	6/30/2024	3,158.00	-	-	3,158.00		3,158.00	3,064.88	-	3,064.88	93.12
125	Local Food for Schools (LFS) 23-24	8/31/2024	1,316.95	-	-	1,316.95		1,316.95	-	-	-	1,316.95
120	Farm to School	6/30/2025	3,500.00	-	-	3,500.00		3,500.00	-	-	-	3,500.00
299	Total Nutrition Services		7,974.95		91,290.86	44,177.95	123,405.00	258,873.81	139,547.89	73,694.90	213,242.79	45,631.02
TOTAL				40,285.74	1,456,121.68	730,271.34	382,405.00	2,609,083.76	1,585,126.29	561,470.48	2,146,596.77	462,486.99

**DEBT SERVICE
STATEMENT OF EXPENDITUES COMPARED TO BUDGET
FOR THE FISCAL YEAR 2023-24
As of April 30, 2024**

		<u>ACTUAL</u>		<u>TOTAL</u>	<u>BALANCE</u>	<u>--%--</u>	
		<u>Y-T-D</u>			<u>FAVORABLE/</u>		
		<u>BUDGET</u>	<u>4/30/2024</u>	<u>ENCUMBERED</u>	<u>4/30/2024</u>	<u>(UNFAVORABLE)</u>	<u>COMMITTED</u>
RESOURCES							
1111	CURRENT YEAR'S TAXES	\$ 91,400.00	\$ 91,499.24		91,499.24	99.24	
1112	PRIOR YEAR'S TAXES	500.00	380.14		380.14	(119.86)	
1190	OTHER TAXES	100.00	54.07		54.07	(45.93)	
1510	INTEREST EARNINGS	-	576.79		576.79	576.79	
5400	BEGINNING FUND BALANCE	18,000.00	23,161.82		23,161.82	5,161.82	
	TOTAL INSTRUCTION	110,000.00	115,672.06	-	115,672.06	5,672.06	
EXPENDITURES							
5110	Long-Term Debt Service						
5110 610	Redemption of Principal	30,000.00	30,000.00	-	30,000.00	-	
5110 621	Regular Interest	62,000.00	61,950.00	-	61,950.00	50.00	
7000	Unappropriated Ending Fund Balance	18,000.00	-	-	-	18,000.00	
	TOTAL EXPENDITURES	110,000.00	91,950.00	-	91,950.00	18,050.00	83.59%
PROJECTED ENDING FUND BALANCE		\$ -	\$ 23,722.06	\$ -	\$ 23,722.06	\$ 23,722.06	

CAPITAL PROJECTS (400)
STATEMENT OF EXPENDITUES COMPARED TO BUDGET
FOR THE FISCAL YEAR 2023-24
As of April 30, 2024

		<u>BUDGET</u>	<u>ACTUAL Y-T-D</u>	<u>ENCUMBERED</u>	<u>TOTAL 4/30/2024</u>	<u>BALANCE FAVORABLE/ (UNFAVORABLE)</u>	<u>--%-- COMMITTED</u>
RESOURCES							
1510	Interest Earnings	\$ -	\$ -		-	-	
5200	Transfer from General Fund	-	-		-	-	
5400	Beginning Fund Balance	274,747.25	274,747.25		274,747.25	-	
	TOTAL INSTRUCTION	274,747.25	274,747.25	-	274,747.25	-	
EXPENDITURES							
4150	Building Improvement	274,747.25	-	-	-	274,747.25	
7000	Unappropriated Ending Fund Balance	-	-	-	-	-	
	TOTAL EXPENDITURES	274,747.25	-	-	-	274,747.25	0.00%
PROJECTED ENDING FUND BALANCE		\$ -	\$ 274,747.25	\$ -	\$ 274,747.25	\$ 274,747.25	

BOND 2021 AND OSCIM GRANT (410)
STATEMENT OF EXPENDITUES COMPARED TO BUDGET
FOR THE FISCAL YEAR 2023-24
As of April 30, 2024

		<u>ACTUAL</u>			<u>BALANCE</u>	
		<u>Y-T-D</u>			<u>FAVORABLE/</u>	<u>--%--</u>
	<u>BUDGET</u>	<u>4/30/2024</u>	<u>ENCUMBERED</u>	<u>TOTAL</u>	<u>(UNFAVORABLE)</u>	<u>COMMITTED</u>
				<u>4/30/2024</u>		
RESOURCES						
1510	Interest Earnings	\$ 33,639.41	\$ 75,411.07		75,411.07	41,771.66
3299	State Grant	2,100,000.00	1,507,724.25	592,275.75	2,100,000.00	-
5400	Beginning Fund Balance	1,523,492.56	1,538,492.56		1,538,492.56	15,000.00
	TOTAL INSTRUCTION	3,657,131.97	3,121,627.88	592,275.75	3,713,903.63	56,771.66
EXPENDITURES						
4150	Building Improvement	3,657,131.97	1,110,979.99	2,518,496.99	3,629,476.98	27,654.99
7000	Unappropriated Ending Fund Balance	-	-	-	-	-
	TOTAL EXPENDITURES	3,657,131.97	1,110,979.99	2,518,496.99	3,629,476.98	27,654.99
	PROJECTED ENDING FUND BALANCE	\$ -	\$ 2,010,647.89	\$ (1,926,221.24)	\$ 84,426.65	\$ 84,426.65
						99.24%

299 - Food Service Program

Analysis per Meal

	Meals Served	<u>Total</u>	<u>Costs per Meal</u>	<u>%</u>
<u>State Reimb per meal</u>				
Adult Sales	334	\$ 1,420.04	\$ 4.25	
Breakfast	17,916	44,694.78	\$ 2.49	
Lunch	17,868	70,858.04	3.97	
Federal Commodities		9,868.00		
<hr/>				
Total Revenue	36,118	\$ 126,840.86	\$ 3.51	
Payroll Costs		\$ 90,699.95	\$ 2.51	43.1%
Food Costs		67,089.00	1.86	32.0%
Federal Commodities		9,868.00	0.27	4.6%
Fees		38,000.00	1.05	18.0%
Other		4,520.96	0.13	2.2%
<hr/>				
Total Costs		\$ 210,177.91	\$ 5.82	100%
<hr/>				
Net Loss		\$ (83,337.05)	\$ (2.31)	
<hr/> <hr/>				

Alsea School District 7J

Reprint Deposit Listing

Fiscal Year: 2023-2024

Criteria:

From Date: 04/01/2024 **To Date:** 04/30/2024
From Deposit: **To Deposit:**

Fund: 100 General Fund

<u>Deposit Number</u>	<u>Date</u>	<u>Memo</u>	<u>Deposit Total</u>	<u>Cleared?</u>	<u>Clear Date</u>	<u>Void Date</u>	
1062	04/02/2024	OADA Conf Room Split	\$540.00	<input checked="" type="checkbox"/>	04/30/2024		
1063	04/08/2024	SRF Utilities	\$300.00	<input checked="" type="checkbox"/>	04/30/2024		
1064	04/08/2024	Playon Sports	\$90.36	<input checked="" type="checkbox"/>	04/30/2024		
1065	04/09/2024	WLA Bus Lease Fees	\$2,079.00	<input checked="" type="checkbox"/>	04/30/2024		
1070	04/22/2024	Day Wireless - REFUND	\$10,817.08	<input checked="" type="checkbox"/>	04/30/2024		
1071	04/23/2024	WLA Q3	\$19,037.79	<input checked="" type="checkbox"/>	04/30/2024		
1073	04/30/2024	Regular Checking Interest Earned 4/30/24	\$11.56	<input type="checkbox"/>			
Total Deposits for Fund:		7	Total Amount:				\$32,875.79

Fund: 200 Special Revenue Funds

<u>Deposit Number</u>	<u>Date</u>	<u>Memo</u>	<u>Deposit Total</u>	<u>Cleared?</u>	<u>Clear Date</u>	<u>Void Date</u>	
1068	04/22/2024	Oregon FFA Grant - OCTSELF	\$1,000.00	<input checked="" type="checkbox"/>	04/30/2024		
Total Deposits for Fund:		1	Total Amount:				\$1,000.00

Fund: 207 Pre-Employment Transition Program

<u>Deposit Number</u>	<u>Date</u>	<u>Memo</u>	<u>Deposit Total</u>	<u>Cleared?</u>	<u>Clear Date</u>	<u>Void Date</u>	
1069	04/22/2024	LBLESD - YTP Q3	\$7,704.04	<input checked="" type="checkbox"/>	04/30/2024		
Total Deposits for Fund:		1	Total Amount:				\$7,704.04

Fund: 232 ESSER III

<u>Deposit Number</u>	<u>Date</u>	<u>Memo</u>	<u>Deposit Total</u>	<u>Cleared?</u>	<u>Clear Date</u>	<u>Void Date</u>	
1066	04/11/2024	ESSR III	\$798.46	<input checked="" type="checkbox"/>	04/30/2024		
Total Deposits for Fund:		1	Total Amount:				\$798.46

Fund: 259 Student Activity Funds

<u>Deposit Number</u>	<u>Date</u>	<u>Memo</u>	<u>Deposit Total</u>	<u>Cleared?</u>	<u>Clear Date</u>	<u>Void Date</u>
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Alsea School District 7J

Reprint Deposit Listing

Fiscal Year: 2023-2024

Criteria:

From Date: 04/01/2024 **To Date:** 04/30/2024
From Deposit: **To Deposit:**

Fund: 259 Student Activity Funds

<u>Deposit Number</u>	<u>Date</u>	<u>Memo</u>	<u>Deposit Total</u>	<u>Cleared?</u>	<u>Clear Date</u>	<u>Void Date</u>	
1072	04/24/2024	ASB Deposit 4/24/24	\$203.25	<input checked="" type="checkbox"/>	04/30/2024		
1072	04/24/2024	ASB Deposit 4/24/24	\$20.00	<input checked="" type="checkbox"/>	04/30/2024		
1072	04/24/2024	ASB Deposit 4/24/24	\$390.00	<input checked="" type="checkbox"/>	04/30/2024		
Total Deposits for Fund:		3	Total Amount:				\$613.25

Fund: 299 Nutrition Services

<u>Deposit Number</u>	<u>Date</u>	<u>Memo</u>	<u>Deposit Total</u>	<u>Cleared?</u>	<u>Clear Date</u>	<u>Void Date</u>	
1067	04/17/2024	SNP/State Breakfast & Lunch	\$8,926.74	<input checked="" type="checkbox"/>	04/30/2024		
1072	04/24/2024	ASB Deposit 4/24/24	\$15.00	<input checked="" type="checkbox"/>	04/30/2024		
Total Deposits for Fund:		2	Total Amount:				\$8,941.74

Total Deposits : 15 Total Amount: \$51,933.28

End of Report

f. Bond Update



Alsea School District Bond Projects Construction Manager's Report

Report Date: 2 May 2024

GENERAL OVERVIEW

Construction continues on the new CTE Building! Foundations are complete. Slab rebar and concrete will be installed in mid-May, followed by metal building erection. Long-lead equipment has been ordered and all permits have been issued by the County. Construction is on-schedule for completion in late August.

The Electrical Upgrade received brief work over spring break with underground utility installation on the north side of the gym. Some of the long-lead switchgear is being delivered this week and we're told the rest will arrive mid-May. They still expect to complete all required work in time for site-wide power shutdown and switchover in early July. The power shutdown is expected to last two to three weeks. The current expected completion date for the Electrical Upgrade is late July.

Work on the HVAC Upgrade project has been completed as much as possible until the gym is vacated in late June. The HVAC contractor has confirmed they have all equipment in their shop and they've scheduled a crew to start the last week of June. The new HVAC systems will be operational when the Electrical Upgrade is completed in late July.

A local contractor has been hired to repair deficiencies to the panel room door that CB Construction has not resolved. That work is scheduled to be completed later this month.

The seismic grant application for the gym was submitted to the State in early January and award notice is expected in late May or June. If successful, design will start this summer with a goal of completing construction during summer 2025. The District was awarded a TAP grant to fund the seismic grant application so there will be no impact to the District's budget even if the grant isn't awarded.

PROJECT TEAM

No changes this month.

BUDGET

The updated budget summary and details for bond project revenue and expenses are attached. Comments on revenue and expense elements are noted below.

Alsea School District Bond Program Construction Manager's Report

Revenue

The current program budget is \$4.75 million including ESSER funds and the OSCIM grant that doubles the value of the bond amount. Bond interest is being added to the income budget as it's earned.

Expenses

The "Current Budget" column in Expenses shows the projected costs matched to the Revenue budget. All budget elements have been included and there is \$101.5k remaining in Owner's Contingency for unforeseen costs.

The "Committed Costs" column shows the value of work that has been contracted so far. There were several surprise costs for site utility conditions along with a credit for site data changes that weren't necessary. Overall, their contract value increased less than \$300 which is great news for this stage of the project.

The "Paid to-Date" column shows the value of work that has been paid for. So far, a little more than \$2.0 million has been spent on completed work. The project management fee from IMS does not include a donated value of \$44k to-date.

SCHEDULE

Todd Construction's work is holding with the primary milestones in their master schedule and they continue to show substantial completion for occupancy in mid-August with final details completed before school starts. Primary construction elements are scheduled as follows:

- Pour building slab – May 10
- Metal building material delivery – May 16
- Metal building erection – late May & early June
- Door and window install – mid June
- Interior framing – late June
- Interior utility rough-in – early July
- Interior finishes – July
- Final finishes and trim – early August
- Substantial completion for move-in – August 18
- Final inspection and punchlist work – late August

CB Construction reported a delay in delivery of the main switchgear that was scheduled for 4/24. Some of the equipment will be delivered 5/3 and the remaining equipment on 5/17. Their current schedule has sufficient float so they can still be ready for power shutdown and switchover starting July 8. However, we put them on notice that they must make this date even if it means working overtime and weekends.

Alesea School District Bond Program
Construction Manager's Report

Electrical	97 days?	Mon 3/25/24	Tue 8/6/24
CPI Transformer delivery	1 day	Fri 3/29/24	Fri 3/29/24
Conduit for North Building	5 days?	Mon 3/25/24	Fri 3/29/24
Delivery of Panels MDB and MSB	1 day	Wed 4/24/24	Wed 4/24/24
Install CPI Transformer	5 days	Mon 4/29/24	Fri 5/3/24
Install Panels MDB and MSB	15 days	Mon 5/6/24	Fri 5/24/24
Pull wire to MDB and MSB	18 days	Mon 5/6/24	Wed 5/29/24
Disconnect Existing Service	5 days?	Mon 7/8/24	Fri 7/12/24
Connect New Service	10 days?	Mon 7/15/24	Fri 7/26/24
Commissioning	5 days	Mon 7/29/24	Fri 8/2/24
Final Inspection	2 days	Mon 8/5/24	Tue 8/6/24

CB Construction's HVAC contractor confirmed this month that they have all duct and equipment in their shop and their crew is ready to start the last week of June. Their work in the gym will take no longer than 2 weeks which will not impact the gym resurfacing scheduled to start July 29.

HVAC Upgrade	27 days?	Mon 6/24/24	Tue 7/30/24
Deliver RTUs	1 day	Mon 6/24/24	Mon 6/24/24
Install RTUs	10 days	Mon 6/24/24	Fri 7/5/24
Pull conductors to RTU	11 days	Tue 6/25/24	Tue 7/9/24
Install Gym Ducting	10 days	Mon 6/24/24	Fri 7/5/24
Power Up Units	5 days	Tue 7/16/24	Mon 7/22/24
Final Inspections	1 day?	Tue 7/23/24	Tue 7/23/24
Commisioning	5 days	Wed 7/24/24	Tue 7/30/24

PROJECT-SPECIFIC ACTIVITY

CTE Building

Construction fencing and signage is installed between the playground and construction area and includes the north parking lot which has been designated for construction vehicles & materials.



Alsea School District Bond Program
Construction Manager's Report

Footings have been poured and forms removed.



Compaction and grading for the building slab is in progress.



Alsea School District Bond Program
Construction Manager's Report

The West detention area has been excavated.



The electrical conduit for the secondary panel location is being installed.



COMMUNICATIONS

IMS Monthly Reports are being provided to the School Board along with weekly updates. We plan to submit another article to the Alsea Valley Voice June edition updating the community with pictures of the metal building erection.

Alesea School Bond Project Budget Summary - Updated May 2, 2024

Income

	Original Budget	Current Budget	Actual Income To-Date	Notes
Bond Sale	\$ 2,100,000.00	\$ 2,289,477.00	\$ 2,289,477.00	Bond value \$2.1M plus premium of \$189,477
Bond Fund Interest		\$ 121,265.36	\$ 121,265.36	Interest on bond proceeds updated 5/2/24
OSCIM Grant	\$ 2,100,000.00	\$ 2,100,000.00	\$ 1,507,724.25	Income value updated 3/3/24
ESSER Funds	\$ -	\$ 237,725.01	\$ 115,924.21	ESSER II \$68,251.41 (spent 9/23) and ESSER III \$169,473.60 (spend by 9/24) after "unfinished learning" deductions. Updated 3/3/24
Totals	\$ 4,200,000.00	\$ 4,748,467.37	\$ 4,034,390.82	

Expenses

	Original Budget	Current Budget	Committed Costs	Paid To-Date	Notes
Construction Cost		\$ 4,009,205.09	\$ 4,009,205.09	\$ 1,451,426.62	Costs for construction contractors.
Design Fees		\$ 362,684.06	\$ 362,684.06	\$ 318,766.06	Fees for architect, engineers, geotech, survey & haz material study.
Consultant Fees		\$ 54,407.31	\$ 54,407.31	\$ 32,189.13	Fees for soil testing, special inspections, commissioning & misc consulting.
Project Management		\$ 62,000.00	\$ 62,000.00	\$ 59,232.00	IMS not-to-exceed fee.
Permits & Fees		\$ 34,716.11	\$ 34,716.11	\$ 28,966.70	Permit & site plan fees.
Furnishings		\$ -	\$ -	\$ -	Furnishings, equipment, computers, etc. are either in possession or being funded separately.
Other Project Costs		\$ 123,993.13	\$ 123,993.13	\$ 123,993.13	Attorney, bank fees, insurance & advertising.
Owner's Contingency		\$ 101,461.67	NA	NA	For unforeseen costs based on available funds after committed values.
Totals	\$ -	\$ 4,748,467.37	\$ 4,647,005.70	\$ 2,014,573.64	



- g. Enrollment
Speaker(s): Lora Nickle

Alsea School District - Enrollment Totals

Grade Level	2023-24										2022-23									
	2023-24 SY										2022-23 SY									
	Sept 1	Oct 1	Nov 1	Dec 1	Jan 1	Feb 1	Mar 1	Apr 1	May 1	June 1	Sept 1	Oct 1	Nov 1	Dec 1	Jan 1	Feb 1	Mar 1	Apr 1	May 1	June 1
KG	19	18	18	16	16	16	17	17	16	58	62	60	61	60	56	55	53	50	49	
1st	35	42	39	39	39	40	40	39	39	56	66	64	66	64	60	60	58	54	53	
2nd	35	36	36	37	37	37	37	37	37	42	41	41	45	43	38	36	35	32	30	
3rd	28	32	30	29	29	28	28	27	25	43	50	54	53	51	46	46	46	45	44	
4th	24	25	26	25	25	25	24	24	24	37	41	47	47	47	43	42	40	39	39	
5th	23	24	26	25	25	24	21	21	18	29	32	36	36	36	29	29	26	24	23	
6th	13	13	12	12	12	12	13	13	15	35	45	49	49	46	43	37	34	34	33	
7th	18	20	19	19	18	17	17	17	17	44	59	59	61	59	56	56	52	48	41	
8th	13	13	13	13	13	13	13	13	13	41	51	53	52	50	44	42	42	41	39	
9th	20	22	22	23	23	22	20	17	16	14	14	13	13	12	12	12	12	13	12	
10th	12	12	12	12	12	12	12	12	11	17	16	16	16	16	15	15	14	14	13	
11th	13	14	13	14	14	14	13	13	13	21	21	21	22	20	20	20	19	17	17	
12th	13	11	10	10	10	10	10	8	8	25	24	22	22	21	20	20	15	14	14	
Total ADM	266	282	276	274	273	270	265	258	252	462	522	535	543	525	482	470	446	425	407	

h. Safety

Speaker(s): Lora Nickle



Alsea School District
Safety Committee meeting
May 14, 2024 3:30 PM

Committee Members present: Krista Nieraeth, Bart Rothenberger, Sara Littlefield, Mary O'Brien and Lora Nickle

Members absent: Keenan Elbers

1. Staff Concerns
 - a. Brynn reported that a community member was driving by the school one evening and witnessed students climbing the fence and throwing their bikes over because the gates were locked. – ***The committee discussed. An email will go out to the staff to remind them that the gates to access the playground and track are to remain accessible to the community after school and on non-school days.***
2. PACE
 - a. 5% Discount checklist – ***The checklist has been completed in order to receive the 5% discount on our district insurance premium.***
 - b. Quarterly walk through, 3rd – continuing concerns – ***The committee discussed. Krista and Keenan are looking into replacing the pea gravel with treated bark chips.***
3. ALICE Training update – ***Krista attended the ALICE training in March. She shared her handout with the committee. The committee discussed what training for staff and students will look like for the 2024-25 school year.***
4. May Fire Drill
 - a. Tuesday, May 28th at 1:45 PM

5. **New Business**

- a. WLA. ASD Transportation Contract



**Alsea School District 7J
Board Recommendation Form**

To: The Board of Directors of Alsea School District
Prepared By: Krista Nieraeth, Superintendent
Date: May 16, 2024

Background: Willamette Leadership Academy (WLA) has contracted with Alsea School District for transportation services since October 14, 2021. This contract agreement is up July 31, 2024. Both parties agree that keeping this arrangement is beneficial to both. I have worked with Richard Cohn – Lee at the Hungerford Law Firm to look at the previous agreement between WLA and ASD. The one presented outlines the responsibilities of each party and fits within the legal parameters set forth by law.

The agreement presented is 2 years, starting July 1, 2024 and expiring June 30, 2026.

Action Requested: I would ask that the board approve the agreement as presented tonight between Alsea School District and Willamette Leadership Academy.

Motion Requested: “I motion to approve the Transportation Services Agreement between Alsea School District and Willamette Leadership Academy that begins on July 1, 2024, and ends on June 30, 2026, as presented.”

TRANSPORTATION SERVICES AGREEMENT

Date: July 1, 2024

Parties: Alsea School District (ASD) and Willamette Leadership Academy (WLA)

1. **Term:** The term of this Agreement shall begin on the date set forth above and expire on June 30, 2026, unless otherwise extended or terminated under Section 8.

2. **Description of Services to be Provided:** ASD will provide school transportation services (Services) to WLA. This includes up to seven (7) buses to provide WLA with route and trip coverage.

For the 2024 – 25 school year, WLA will purchase through ASD two (2) new school buses. For the 2025 – 26 school year, WLA has the option of purchasing through ASD two (2) new school buses. WLA must notify ASD by January 31st, 2025, if new buses should be purchased on WLA's behalf by ASD. Notification after that date may result in buses not being purchased for the upcoming school year. All purchases will be through a ten (10) year lease.

3. **Amount of Contract; Payments:** The payments for each school year shall be made in 10 payments, starting in September and ending in June. Each month's payment is due by the 15th of the month.

4. **Compliance with Laws; Licenses:** ASD and WLA shall obey all law relating to school bus transportation. As required by the Oregon Department of Education, ASD is required to show title ownership of all vehicles in the service fleet. WLA agrees to sign over all Title ownership for all agreed upon vehicles.

5. **Independent Contractor Status; Right To Delegate:** In performing services to WLA, ASD is an independent contractor and School District, and will take or forbear from taking all such action as may be necessary or appropriate to establish and maintain its status as an independent contractor and School District. As an independent contractor, ASD shall accept any directions issued by WLA, but ASD shall be solely responsible for the manner and working hours in which it shall perform Services. Neither party (nor any of its employees or subcontractors) shall be deemed an agent, partner, joint venture, or related entity of the other party by reason of this Agreement.

6. **Services to Other Charter Schools; No Conflicting Interest:** ASD's obligations to perform Services for WLA shall not be exclusive. ASD is not a party to any existing or proposed agreements that may adversely affect ASD's ability to render the Services and shall not enter into any such agreements before the Services have been completed.

7. **Confidential Information; Work Product:** ASD shall use its best efforts to keep confidential information about WLA that is intended by WLA not to be disclosed, and ASD shall not disclose such information to any party for any reason unless WLA has authorized the disclosure. This does not include information that has (i) is now or becomes generally known or available to ASD or to the public by means other than the act by or failure to act by ASD; (ii) is given by any third party to ASD without restriction or disclosure; (iii) is known by ASD before entering into this Agreement. All work product created by ASD in performing the services shall be the joint property of ASD and WLA.

- 8. Termination and Extension:** This Agreement may be terminated before the expiration date stated in Section 1 by (i) mutual consent of both ASD and WLA, or (ii) by either party for any reason upon sixty (60) days written notice to the other party. Upon termination, ASD will give WLA its final bill for Services rendered up to the date of termination, and WLA will pay the bill within fifteen (15) days of receipt of the bill. WLA will have no obligation to ASD under Section 3 beyond the value of the Services to the date of termination. ASD's obligation under Section 7 to keep information confidential shall continue in effect even after termination; however, such confidentiality obligation shall not apply to information that ASD obtains after termination. Except as provided in this Section, termination shall not affect any right, liability (including payment for Services rendered), or obligation of either party that accrued before the effective date of termination, but neither party shall have any further rights or obligations arising after the effective date of termination (or expiration under Section 1).

This Agreement may be extended beyond the expiration date stated in Section 1 by mutual consent of both ASD and WLA. Any extension to this Agreement shall be documented in writing by an amendment to this Agreement that includes a revised expiration date and either a revised scope of services or a justification for the contract extension. The amendment must be signed and dated by both parties.

If this agreement is terminated for any reason, ASD will transfer the titles, leases, and all ownership to the WLA for any buses or other assets purchased for the purpose of providing transportation services to WLA. WLA will be responsible for the remaining lease costs or loans on any buses specifically purchased for WLA's usage or other assets. Any bus rentals or equipment loaned to WLA by ASD will be returned to ASD upon termination. ASD reserves the right to recoup any necessary costs associated with any buses or other assets purchased that were not reimbursed by WLA. WLA will also reimburse ASD for the difference between the loan/lease payments made and depreciation received through the state at the time of termination.

9. General Provisions:

- a. **Notices:** All notices required or permitted to be given under this Agreement shall be in writing and shall be done by certified mail. All notices will be delivered to the parties at the address set forth on the signature page of this Agreement unless either party gives notices to the other in writing.
- b. **Integration; Amendments; No Waiver:** This Agreement constitutes the entire agreement of the parties relating to the Services. There are no promises, understandings, terms, conditions, obligations, or warranties other than those contained in this Agreement. This Agreement supersedes all prior communications, negotiations, representations, drafts, or agreements, oral or written, between the parties relating to the subject matter of this Agreement. This Agreement may not be amended except in writing executed by both parties. No provision of this Agreement shall be deemed to have been waived unless such waiver is in writing signed by the waiving party.
- c. **Severability:** Any provision of this Agreement that is deemed invalid or unenforceable by a court of law shall be ineffective to the extent of such invalidity or unenforceability, without rendering invalid or unenforceable the remaining provisions of this Agreement.
- d. **Assignment; Binding Effect; No Rights of Third Parties:** ASD shall not assign or otherwise transfer its rights or obligations under this Agreement without prior written consent of WLA, and any

such attempted assignment or transfer shall be void. This Agreement shall be binding upon and inure to the benefit of the parties and their successors and approved assigns, if any.

e. **Governing Law:** The Agreement shall be governed by the laws of the State of Oregon.

f. **Dispute Resolution:** In the event a dispute shall arise between the parties of this Agreement, the parties agree to participate in at least four (4) hours of mediation. The parties agree to share equally the costs of the mediation. Should the mediation fail, and further action (or arbitration) arising out of or related to this Agreement is brought by either party, the prevailing party shall be entitled to recover from the losing party the costs and reasonable attorney fees it has incurred, including those incurred in mediation, arbitration, at trial, and in any appeal and review.

10. Financial Process: ASD will include WLA's transportation expenses in their overall transportation program and receive payment for these services from their State School Fund (SSF) payment each year.

WLA will reimburse ASD at 20% for WLA's qualifying transportation expenses. The actual amount will be determined based on the final determination of percentage of reimbursement by the State of Oregon. ASD will reimburse or charge WLA based on the final audited rate, which is provided by the State of Oregon, if the rate is higher or lower than 20%.

In addition to the percentage not reimbursed, WLA will pay an Administrative Fee of 5% each school year to cover payroll and AP costs. WLA will also pay for any transportation costs not reimbursed to ASD through the SSF. ASD will provide monthly invoices to WLA for these expenses.

11. Personnel: All transportation personnel who provide services for WLA routes and trips are employees of ASD and are subject to the policies and regulations set forth by the ASD School Board. Employees must also adhere to the ASD employee handbook.

When hiring employees for WLA routes and trips, all human resource procedures and policies will be followed, including applications, background checks, and any other employment paperwork deemed necessary by ASD, since these employees are ASD employees. They must be officially hired by the Board of Directors of ASD in an open session at a regularly scheduled meeting. WLA will let ASD know if the drivers will be route drivers or substitute drivers prior to the meeting and facilitate the completion of all employment paperwork prior to working for ASD. No driver shall work without the employment paperwork completed and background checks processed.

All drivers must be in compliance with Oregon Department of Education requirements for school bus drivers prior to starting employment with ASD.

Pay periods will be set by ASD each year and communicated to WLA by August 1st of the school year. Signed monthly pay sheets and will leave slips must be scanned and emailed to the HR secretary the day after the pay period is done, or the next business day if the day after falls on a non-business day. ASD will work with WLA to provide the necessary paperwork for pay periods and leaves.

Any disciplinary measures taken must be in compliance with ASD District Policy and the laws of the state of Oregon. All personnel files will be housed at the ASD District Office.

12. Transportation Management: ASD will submit all reports to the Oregon Department of Education for all transportation. It is expected that WLA provides ASD's transportation manager or their designee all the needed information in a timely manner. ASD will provide WLA with proper paperwork for documentation of routes and trips.

WLA will provide ASD's Transportation Manager with all file records for all drivers including: DMV records, training logs, physical results, and all pertinent driving information.

13. Contact Information: ASD's Transportation Director will be the main contact for WLA. By July 15th of each year of this Agreement, ASD will provide the name and contact information of the Transportation Director to WLA. By July 15th of each year of this Agreement, WLA will provide the name and contact information of their Transportation Director to ASD. All communications between ASD and WLA will be done through the transportation directors and/or their designees.

Executed on this _____ day of _____, 2024.

Alsea School District 7J

Willamette Leadership Academy

By: _____

By: _____

Title: _____

Title: _____

Print Name: _____

Print Name: _____

Address for notice purposes:

Alsea School District 7J
PO Box B
Alsea, OR 97324

Address for notice purposes:

Willamette Leadership Academy
34020 B St.
Eugene, OR 97405

b. WLA.ASD Bus Purchases Recommendation



**Alsea School District 7J
Board Recommendation Form**

To: The Board of Directors of Alsea School District
Prepared By: Bart Rothenberger, Transportation Director
Date: May 16, 2024

Background:

Alsea School District will purchase two 77 passenger buses for a total of \$324,938. This will be a ten-year lease. We are updating the fleet at WLA and WLA will be responsible for the payment of the lease each month.

Action Requested:

I would ask the board to approve Alsea School District the purchase of the two buses from Western Bus Company through Salem-Keizer School District as the cooperative sponsor.

Motion Requested: "I motion to approve Resolution 24-07 as presented."

Alsea School District 7J

Resolution 24-07

RESOLUTION TO PURCHASE 14-PASSENGER BUS AND INCREASE BUS RESERVE APPROPRIATIONS

WHEREAS the Alsea School District (“District”) provides transportation services to Willamette Leadership Academy Charter School (“WLA”); and

WHEREAS the bus fleet assigned to WLA requires two additional 77 passenger buses to meet transportation requirements; and

WHEREAS Salem-Keizer School District has a cooperative purchasing agreement (attached) with Western Bus Sales, Inc. that allows the District to purchase the buses without seeking formal quotes, and

WHEREAS the bus cost for the two 77 passenger buses is \$324,938; and

WHEREAS the purchase will be a lease purchase over a 10-year period and WLA will reimburse the ‘District’ annually based on the agreement with WLA for transportation services; and

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of Alsea School District authorizes the District to purchase the 2 77-passenger buses.

PASSED AND ADOPTED at a regular meeting of the Board of Directors of Alsea School District 7J on the ___ day of _____, 2024 by the following vote:

AYES: _____ NAYS: _____ ABSENT: _____ ABSTAIN: _____

Risteen Follett, Chair Board of Directors

Krista Nieraeth, Superintendent



NEW BUS PROPOSAL

30355 S.E. Highway 212
 Boring, Oregon 97009
 (800) 258-2473 westernbus.com

Quote Date		Revision Date		Sales Consultant & Phone	
3/22/2024		3/22/2024		SARAH JONES (503) 905-0011	
Customer/District #					
STOCK BUS #23B063-066 - STOCK BUS BBCV3310 - 77 PASS - QUOTED TO ALSEA SD FOR WLA					
Contact Name			Title		
BART ROTHENBERGER,			TRANSPORTATION		
Address		City	State	Zip	
PO BOX B		ALSEA,	OR	97324	
Phone		Email			
(541) 487-4305		bart.rothenberger@alsea.k12.or.us			
Purchase QTY	Model Year	Wheelbase	Estimated Delivery		
1	2024	273"	SUMMER 2024		
Make	Model	Body Length			
BLUE BIRD	VISION CONVENTIONAL	BBCV3310 (7800)			
Passenger Capacity	Alternate Capacity	Cooperative Contract, if Applicable			
77	N/A	SALEM-KEIZER COOP CONTRACT			
Trade Ins? Y/N	Beltline Lettering - Provide Exact Requirements				
<input type="checkbox"/> Y <input type="checkbox"/> N	WILLAMETTE LEADERSHIP ACADEMY w/4" ALSEA SCHOOL DISTRICT 7J lower & forward				
Financing? Y/N	Required Fleet Number(s)				
<input type="checkbox"/> Y <input type="checkbox"/> N					
WBS Coordinated? Y/N	Additional Comments / Notes				
<input type="checkbox"/> Y <input type="checkbox"/> N					
Sales Price Per Bus		\$	162,469.00		
Extended Sales Price Total		\$	162,469.00		

Thank you for the opportunity to present this new bus quotation. We look forward to working with you on your transportation needs.



BODY MODEL

X *Body Model* BBCV3310, 78 passenger body, 273" wheelbase, 477" overall length

CHASSIS SPECIFICATIONS

X	<i>Alternator</i>	240 amp Leece Neville brushed alternator, internal regulator	Incl'd
X	<i>Axle, Front</i>	Front spring suspension, Hendrickson Softek, 10,000 lbs.	
X	<i>Axle, Front</i>	Hendrickson Steertek NXT integrated front axle, 10,000 lbs.	STD
X	<i>Axle, Front</i>	Petroleum based oil lubed front & rear wheel bearings, Gunite brand wheel hubs	STD
X	<i>Axle, Rear</i>	Rear spring suspension, one-stage, 23,000 lb. (3201, 3303, 3310, & 3507 bodies)	
X	<i>Axle, Rear</i>	Dana 23,000 lb. rear axle with 5.29 rear axle ratio	
X	<i>Battery</i>	Three (3) group 31 batteries, Deka dual purpose batteries, 2100 CCA total	Incl'd
X	<i>Battery</i>	Battery compartment, chassis mounted, locking, with roll out tray	
X	<i>Battery</i>	Battery compartment closeout seal to body	Incl'd
X	<i>Battery</i>	Battery disconnect switch, in battery compartment with decal	
X	<i>Brakes</i>	Air service brakes, 16.5"X5" front and 16.5"X7" rear, Gunite brand brake drums	Incl'd
X	<i>Brakes</i>	Air brakes, Meritor Wabco brake chambers	Incl'd
X	<i>Brakes</i>	Meritor automatic slack adjusters	Incl'd
X	<i>Brakes</i>	Bendix AD-IP heated air dryer, internal purge design	
X	<i>Brakes</i>	Remote mounted air tank drain valves, below driver's window	
X	<i>Brakes</i>	E-Z Grip soft button cover cushion for parking brake release	Incl'd
X	<i>Brakes</i>	Parking brake interlock, service brake must be applied to release parking brake	Incl'd
X	<i>Brakes</i>	Brake dust shields, for front & rear brakes	Incl'd
X	<i>Brakes</i>	VGT engine brake enabled, includes switch	
X	<i>Brakes</i>	Adjustable driver's brake & throttle pedals, 3" total fore and aft adjustment	
X	<i>Brakes</i>	Bendix ESC electronic stability control, includes automatic traction control	STD
X	<i>Cooling</i>	Silicone cooling hoses w/Breeze brand constant torque clamps for Cummins diesel engines	STD
X	<i>Cooling</i>	Cummins Fleetguard ES Compleat, Ethylene Glycol, blue 50/50, 2 yr/150k miles/4000 hr	STD
X	<i>Electrical</i>	Standard chassis electrical system includes fuses with multiplex wiring	STD
X	<i>Electrical</i>	Power socket accessory with cap for cell phone charging, in LH side panel	STD
X	<i>Electrical</i>	Manual resetting circuit breakers for most chassis circuits in lieu of fuses	
X	<i>Electrical</i>	Ignition keyed alike, for multiple bus orders only	
X	<i>Engine</i>	750 watt engine block heater, front bumper plug, for Cummins engines	
X	<i>Engine</i>	Cummins B6.7, 250 hp @ 2600 RPM, 660 lb-ft @ 1600 RPM	
X	<i>Engine</i>	On-board diagnostics (OBD) meeting EPA 2021 emissions	STD
X	<i>Engine</i>	Cummins engines meet U.S. Phase 2 Greenhouse Gas Emissions Stds from CARB & EPA	STD
X	<i>Engine</i>	Cruise control	STD
X	<i>Engine</i>	Engine governor, limits top speed to 70 mph	
X	<i>Exhaust</i>	Two ply stainless steel non-flex style exhaust	STD
X	<i>Exhaust</i>	Tailpipe exits through rear bumper	Incl'd
X	<i>Exhaust</i>	Single exhaust aftertreatment module containing DPF & SCR for 2017 emissions	STD
X	<i>Exhaust</i>	15 gallon Diesel Exhaust Fluid (DEF) tank w/dosing system	STD
X	<i>Exhaust</i>	DEF tank located behind entrance door with curbside fill & locking door	STD
X	<i>Fuel System</i>	Racor heated fuel water separator	STD
X	<i>Fuel System</i>	100 gallon fuel tank, mounted between the frame rails	

X	Fuel System	Fuel fill location - RIGHT side	STD
X	Fuel System	Locking fuel tank door, spring loaded	Inc'd
X	Gauges	Speedometer, tachometer, odometer, and hourmeter	STD
X	Gauges	Oil pressure, coolant temp, fuel level, voltmeter, and digital clock	STD
X	Gauges	Transmission temperature gauge, included in dash readout	STD
X	Gauges	Ametek Dixon instrument cluster & message display center control panel	STD
X	Gauges	Ammeter, front dash mounted	
X	Gauges	Back-up camera monitor included in dash instrument cluster display	STD
X	Mud Flaps	Full length front and rear mud flaps	Inc'd
X	Mud Flaps	Rear rubber fenders	
X	Steering	Tilt & telescoping steering column	STD
X	Steps	Cowl step, folding option	Inc'd
X	Tires	Kumho 11R22.5 KRS12E hwy tread tires, front & rear, load range H	STD
X	Tow Hooks	Two front and rear tow hooks	Inc'd
X	Traction	OnSpot brand automatic tire chains, factory installed	
X	Transmission	Allison PTS 2500 automatic transmission, Gen 5, 5 speed, T-handle	STD
X	Transmission	Allison TCM 2.0 Green House Gas (GHG), w/neutral at stop comparable to prior PERFORMANCE programming	
X	Transmission	Allison TranSynd synthetic transmission fluid	STD
X	Undercoating	Premium undercoating, Sulfonate enhanced direct to metal modified wax coating	STD
X	Wheels	Hub piloted steel wheels, 22.5 X 8.25, black, 5 hand hole	STD

BODY SPECIFICATIONS

X	Compartments	NO electrical compartment under driver due to std equipment change at Blue Bird	STD
X	Compartments	Driver's area glove compartment	Inc'd
X	Compartments	Emergency equipment compartment over windshield, non-locking, emergency equipment installed inside	
X	Compartments	Interior driver's storage compartment over driver's LH shoulder, locking	
X	Compartments	Side luggage, 20.75" X 23.62" X 100", double, 28.40 cu.ft., #186-06, LH mid mount	
X	Compartments	Side luggage, 20.75" X 23.62" X 100", double, 28.40 cu.ft., #186-05, RH mid mount	
X	Construction	Body meets Colorado Rack & Load Test & Kentucky Pole Test as STANDARD	STD
X	Doors	Air operated entrance door, outward opening, mechanical actuated switches	Inc'd
X	Doors	Keyed security lock on entrance door	
X	Doors	Entrance door wired battery hot	Inc'd
X	Doors	Rear center emergency door, with upper & lower glass	STD
X	Doors	Vandal lock on rear emergency door, slide bolt	
X	Electrical	Manual resetting circuit breakers for most body circuits, in lieu of fuses	
X	Electrical	Front upper inner access plates in front bulkhead area, both sides	STD
X	Fans	6" auxiliary fans, upper left and upper center	Inc'd
X	Floor	5/8" marine "BB" grade plywood flooring, screwed down	Inc'd
X	Floor	Gray rubber flooring with aluminum aisle trim	
X	Floor	Ribbed matching rubber flooring in driver's area (blue floor will be smooth)	STD
X	Grabrail	Left side grabrail in entrance door area, mounted to RH barrier	STD
X	Grabrail	Right side forward grabrail in stepwell	
X	Headroom	77" headroom with 12" split sash windows	Inc'd
X	Heaters	Front 90,000 BTU defroster system	STD

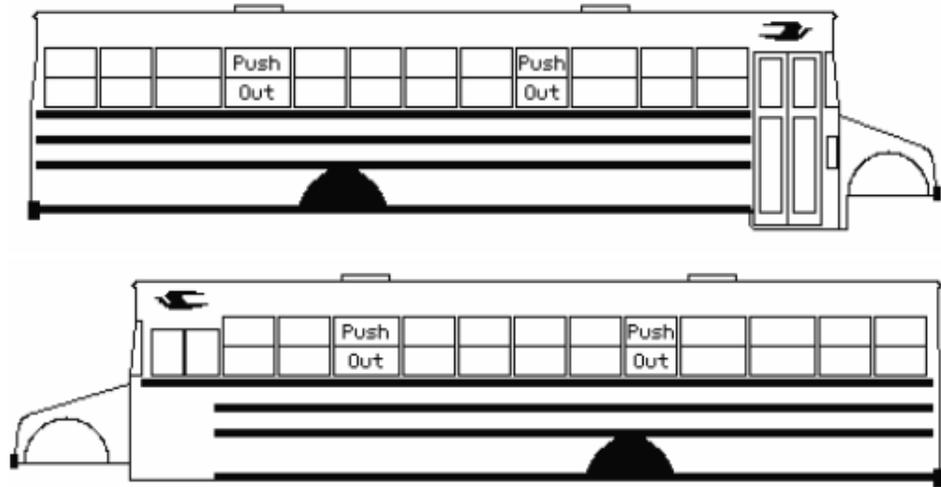
X	Heaters	Right side stepwell heater, 50,000 BTU	Inc'd
X	Heaters	Rear underseat floor mounted heater, 80,000 BTU, LH rear	Inc'd
X	Heaters	Rear underseat floor mounted heater, 50,000 BTU, LH mid	
X	Heaters	EPDM heater hose with Breeze brand constant torque clamps	STD
X	Horns	Backup alarm, 112 dBA, mounted under bus	Inc'd
X	Insulation	Fiberglass insulation roof, front, rear corners, and sidewalls	Inc'd
X	Insulation	Additional fiberglass insulation in front roof cap area & roof bow cavities	Inc'd
X	Insulation	Sound deadening spray coat	Inc'd
X	Insulation	Insulation on the driver's side external firewall/toe box	Inc'd
X	Insulation	Full length accoustical headliner with polyester body insulation in ceiling	
X	Lettering	6" black, both sides _____	Inc'd
X	Lettering	Bus numbers in standard locations, 6" black _____	Inc'd
X	Lettering	Emergency door/exit lettering for all pushout windows & doors	Inc'd
X	Lettering	Unlawful to pass signage to meet state specifications	Inc'd
X	Lights	Backlighting of switch panel controlled by rheostat switch	Inc'd
X	Lights	Clearance and cluster lights, LED grommet mounted with LED ID bar	STD
X	Lights	Daytime running lights	STD
X	Lights	Dual row dome lights in wire molding, driver's, LH, RH, & rear on switches, LED	
X	Lights	Front 7", rear 7", & side amber directional lights, LED	
X	Lights	Rear 7" & 4" red stop and tail lights, LED	
X	Lights	Backup lights, 4" LED, vandal resistant	
X	Lights	Eight way warning lights, LED, colored lenses	
X	Lights	Strobing pattern option for LED 8-lights	
X	Lights	Doran 16 light monitor for warning light system, universal	
X	Lights	NO hoods installed over 8-way warning lights	STD
X	Lights	Exterior boarding light at entrance door, downcast LED	
X	Lights	Pre-trip driver light check system	STD
X	Mirrors	Rosco Open View ES Split rearview mirrors, 7 3/8" X 10" flat & 7 3/8" X 10" convex, heated & remote controlled	
X	Mirrors	Rosco Eye-Max LP, Asymmetrical Shape, crossview mirrors, heated	
X	Mirrors	Interior rearview mirror, 6"X30"	STD
X	Paint	Body and chassis painted school bus yellow w/ black rubrails & bumpers	STD
X	Paint	3" black ABS bezel background around warning lights	Inc'd
X	Paint	Rubrails painted full width profile	Inc'd
X	Paint	Roof painted bright white, white stops 12.5" above rain visor, straight edge at front roof cap	
X	Radio	AM/FM/USB/MP3/SD/MMC/BT/PA with front USB and AUX inputs	Inc'd
X	Radio	Eight (8) interior deluxe speakers	Inc'd
X	Radio	Exterior PA speaker mounted behind grill	Inc'd
X	Reflective	3M Diamondgrade SCHOOL BUS signs, front and rear	Inc'd
X	Reflective	3M Diamondgrade reflective, 2" along sides and 1.75" rear outline	Inc'd
X	Rubrails	Four rubrails - window, seat, floor, & skirt level - 16 gauge steel, screwed w/steel end caps	STD
X	Rubrails	Rubrails extend on side lift doors only & seat rail around to rear corner	Inc'd
X	Safety Equip	First aid kit & body fluid kit, mounted either front bulkhead or front overhead compartment	Inc'd
X	Safety Equip	5 lb. fire extinguisher mtd in overhead compartment or floor & triangle kit mtd on floor	Inc'd

X	Seat, Barriers	Highback barriers at front RH and LH	STD
X	Seat, Driver's	Adjustable driver's shoulder belt, with in-line "D" ring for 17" adjustment	STD
X	Seat, Driver's	Updated driver's 3 point seat belt, floor mtd w/ emergency locking retractor	STD
X	Seat, Driver's	National Premium air susp. seat, w/ fabric, dual shocks, triple lumbar support, 6-way front cushion adj, black	
X	Seat, Driver's	Driver's console mounted armrest to the left of the driver	Inc'd
X	Seat, Driver's	Driver's seat armrest, for right side of seat only	
X	Seat, Passenger	Modesty panel below front barrier for RH side, behind entrance door	Inc'd
X	Seat, Passenger	Highback NON-Convertible & NON-Lap Belt Ready seats	STD
X	Seat, Upholstery	Gray fire block seat upholstery, seats & barriers	STD
X	Side Panels	Exterior side panels, 20 gauge w/beaded smooth side panels, standard 19 3/4" skirts	Inc'd
X	Stepwell	Galvanized G90 stepwell material	STD
X	Stepwell	Rubber studded step treads, w/white nosing, metal backing, gray	
X	Stop Arm	SMI stop arm, air operated, with LED cluster lights, hi-reflective, w/ wind guard	Inc'd
X	Sun Visor	6 1/2" X 30" dark tinted acrylic sun visor, padded edges	Inc'd
X	Switches	Updated switch style and switch locations due to new multi-plexed electrical architecture	STD
X	Switches	Noise suppression "railroad" switch, latching	Inc'd
X	Ventilation	Roof hatch, Spheros low-profile SMART Hatch, Qty 2	
X	Video System	Pre-wire for video system, 16 gauge ground wires, + ignition & battery hot wires w/6 amp circu	Inc'd
X	Video System	Seon DH4 DVR video system w/500 GB hard drive, 4 cameras, GPS & sensors installed	
X	Video System	Cameras: Front facing rear, over driver facing door, LH mid facing rear, & widest angle possible rear facing front	
X	Windows	Blue Bird E-Z Window split sash incl. interlocking sashes, weatherstripping	STD
X	Windows	Tinted & tempered side windows	
X	Windows	Four (4) pushout windows, two per side, vertical hinges	Inc'd
X	Windows	Rear emergency door & rear vision glass, tinted & tempered	
X	Windows	Clear & tempered entrance door glass	STD
X	Windows	Clear and tempered glass in driver's window	STD
X	Windshield	Four piece flat tinted windshield with blue shade band at top	STD
X	Windshield	Grip handles, two, for cleaning windshield	Inc'd
X	Windshield	Single switch, 2 speed, intermittent wet arm windshield wipers	STD
WARRANTY COVERAGE			
X	Warranty	Extended Blue Bird warranty "Bronze 2/10", two year/unlimited miles, Option 31300-25 (S3)	
X	Warranty	Cummins Engine Standard Warranty 5 years/100,000 miles	STD
X	Warranty	Allison Transmission EDGE Ext'd Warranty Coverage, 7 yrs/unlimited miles, PTS2500 only	STD

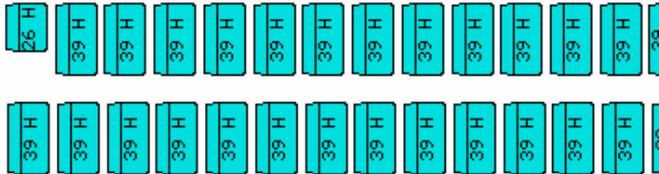
GRAND TOTAL VEHICLE SALES PRICE \$ 162,469.00

SEAT & BODY PLAN

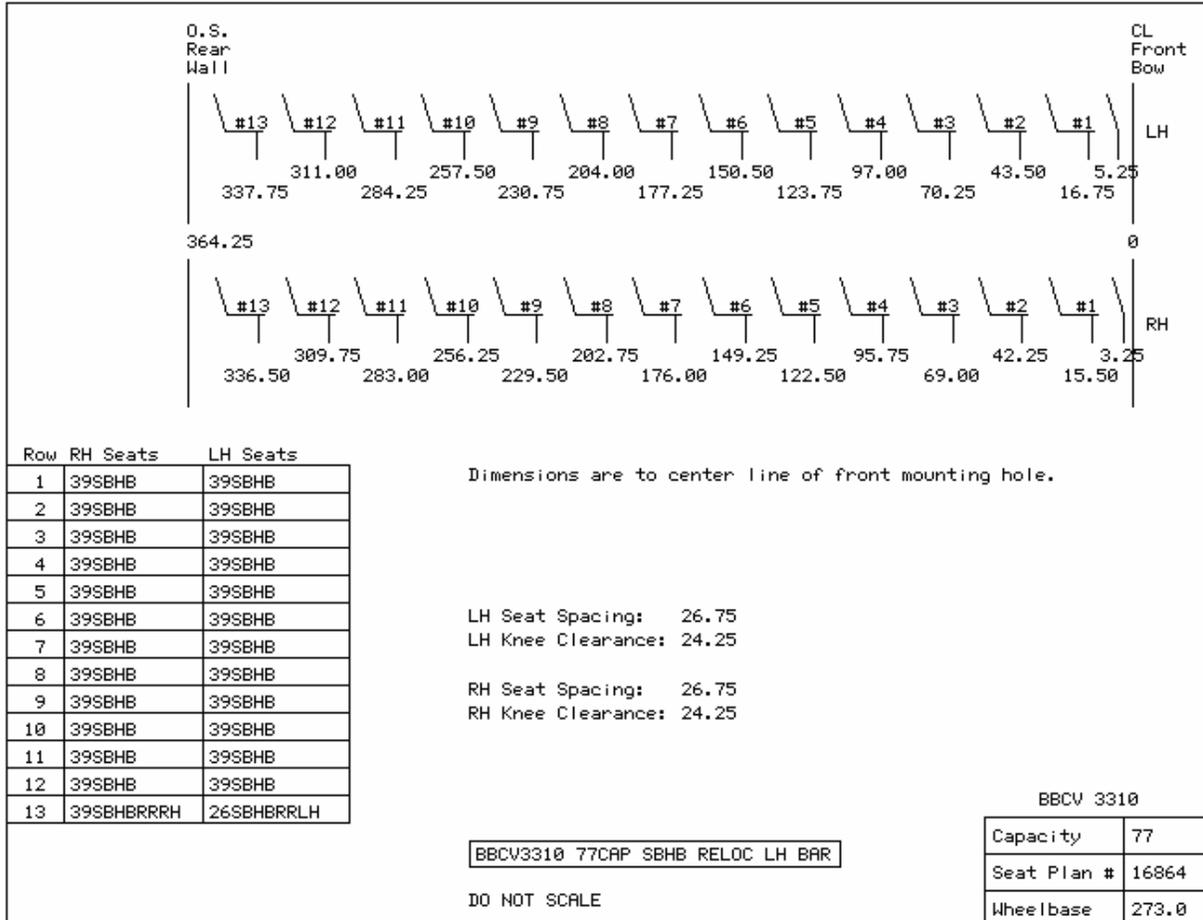
Body Plan: 5011881



SP: 16864 BBCV 3310, 77 CAP



SP: 16864 BBCV 3310, 77 CAP



6. **Old Business**

- a. K - 6 Math Curriculum Adoption
Speaker(s): Krista Nieraeth
- b. Resilience Grant Update
Speaker(s): Krista Nieraeth

7. **First Reading *(Shaded words are new/strike-throughs are deleted)**

8. **Second Reading**

- a. AC - Nondiscrimination

OSBA Model Sample Policy

Code: AC
Adopted:

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 staff to improve human relations within the schools, to respect all individuals and to establish channels through which patrons can communicate their concerns to the administration and the Board.

The Board directs the superintendent to designate the district's civil rights coordinator and make contact information available to staff, students and parents.²

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, 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.

END OF POLICY

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)).

²For additional information regarding civil rights coordinators and their responsibilities, see ORS 332.505(2).

Legal Reference(s):

ORS 174.100	ORS 659A.003	ORS 659A.321
ORS 192.630	ORS 659A.006	ORS 659A.409
ORS 326.051(1)(e)	ORS 659A.009	OAR 581-002-0001 – 002-0005
ORS 332.505	ORS 659A.029	OAR 581-021-0045
ORS 408.230	ORS 659A.030	OAR 581-021-0046
ORS 659.805	ORS 659A.040	OAR 581-021-0047
ORS 659.815	ORS 659A.103 - 659A.145	OAR 581-022-2310
ORS 659.850 - 659.860	ORS 659A.230 - 659A.233	OAR 581-022-2370
ORS 659.865	ORS 659A.236	OAR 839-003
ORS 659A.001	ORS 659A.309	

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).

b. CBG - Evaluation of the Superintendent

OSBA Model Sample Policy

Code: CBG
Adopted:

Evaluation of the Superintendent

The Board will formally evaluate the superintendent's job performance [at least once each year]. The evaluation will be based on the superintendent's job description, any applicable standards of performance, Board policy and progress in attaining any goals for the year established by the superintendent and/or the Board.

Additional criteria for the evaluation, if any, will be developed at a public board meeting prior to conducting the evaluation. The superintendent will be notified of the additional criteria prior to the evaluation.

The Board's discussion and conferences with and about the superintendent and their performance will be conducted in an executive session, unless the superintendent requests a session open to the public. Such an executive session will not include a general evaluation of any district goal, objective or operation. Results of the evaluation will be written and placed in the superintendent's personnel file.

At the Board's discretion, it may notify the superintendent in writing of specific areas to be remedied, and the superintendent may be given an opportunity to correct the problem(s). Where the Board provided written notice pursuant to the prior sentence, if the Board determines the superintendent's performance remains unsatisfactory, the Board may dismiss or non-renew the superintendent pursuant to Board policy, the superintendent's employment contract and state law and rules. In those situations where the superintendent's employment contract includes an evaluation, dismissal or non-renewal provision, it shall take precedent over this policy.

END OF POLICY

Legal Reference(s):

[ORS 192.660\(2\), \(8\)](#)
[ORS 332.107](#)

[ORS 332.505](#)

[OAR 581-022-2405](#)

Hanson v. Culver Sch. Dist. (FDAB 1975).

c. CCG - Evaluation of Administrators

OSBA Model Sample Policy

Code: CCG
Adopted:

Evaluation of Administrators

The superintendent will implement and supervise an evaluation system for administrators. The purpose of administrator evaluations is to assist an administrator with developing and strengthening professional abilities, to improve the instructional program and management of the school system, and for supervisors to make recommendations regarding their employment and/or salary status.

Evaluation and support systems established by the district must evaluate administrators on a regular cycle. A formal evaluation will be conducted at least once each year.

The evaluation shall be conducted according to the following guidelines:

1. Evaluative criteria for each position will be in written form and made available to the administrator;
2. Evaluations will be made by the superintendent and/or a qualified, licensed designee;
3. Evaluations will be in writing and discussed with the administrator by the person who conducts the evaluation; and
4. The administrator being evaluated will have the right to attach a memorandum to the written evaluation, and have the right of appeal through established grievance procedures, if applicable.

An administrator's evaluation shall use the following educational leadership-administrator standards¹ adopted by the State Board of Education.

1. Visionary leadership;
2. Instructional improvement;
3. Effective management;
4. Inclusive practice;
5. Ethical leadership; and
6. Socio-political context.

Administrator evaluations shall be based on the core administrator standards adopted by the Oregon State Board of Education. The standards shall be customized based on collaborative efforts with the administrators and any exclusive bargaining representative of the administration.

¹ These standards are aligned with the Interstate School Leaders Licensure Consortium (ISLLC) and the Educational Leadership Constituents Council (ELCC) standards for Education Leadership.

Local evaluation and support systems established by the district for administrators must be designed to meet or exceed the requirements defined in the Oregon Framework for Teacher and Administrator Evaluation and Support Systems, including:

1. Four performance level ratings of effectiveness;
2. Consideration of multiple measures of administrator practice and responsibility which may include, but are not limited to:
 - a. Classroom-based assessments including observations, lesson plans and assignments;
 - b. Portfolios of evidence;
 - c. Supervisor reports; and
 - d. Self-reflections and assessments.
3. Consideration of evidence of student academic growth and learning based on multiple measures of student progress including performance data of students, schools and districts that is both formative and summative. Evidence may also include other indicators of student success;
4. A summative evaluation method for considering multiple measures of professional practice, professional responsibilities, and student learning and growth to determine the administrator's professional growth path;
5. Customized by the district, which may include individualized weighting and application of the standards.

An evaluation using the administrator standards must attempt to:

1. Strengthen the knowledge, skills, disposition and administrative practices of the administrator;
2. Refine the support, assistance and professional growth opportunities offered to the administrator, based on the individual needs of the administrator and the needs of the students, the school and the district;
3. Allow the administrator to establish a set of administrative practices and student learning objectives that are based on the individual circumstances of the administrator, including other assignments of the administrator;
4. Establish a formative growth process for each administrator that supports professional learning and collaboration with other teachers and administrators;
5. Use evaluation methods and professional development, support and other activities that are based on curricular standards and are targeted to the needs of the administrator; and
6. Address ways to help all educators strengthen their culturally responsive practices.

The superintendent shall regularly report to the Board on the implementation of the evaluation and support systems and educator effectiveness.

END OF POLICY

Legal Reference(s):

[ORS 192.660\(2\),\(8\)](#)
[ORS 332.505](#)
[ORS 342.120](#)

[ORS 342.815](#)
[ORS 342.850](#)
[ORS 342.856](#)
[OAR 581-022-2405](#)

[OAR 581-022-2410](#)
[OAR 581-022-2420](#)

Hanson v. Culver Sch. Dist. (FDAB 1975).

d. EBBB - Injury or Illness Reports

OSBA Model Sample Policy

Code: EBBB
Adopted:

Injury or Illness Reports

All injuries or illnesses¹, sustained by the employee while in the actual performance of the duty of the employee, occurring on district premises, in district vehicles, at a district-sponsored activity or involving staff members who may be elsewhere on district business will be reported immediately to a supervisor. Staff members will report self-administered first-aid² treatment to an immediate supervisor. All accidents involving employees, students, visiting public or district property will be reported immediately to a supervisor.

A written report will be submitted within 24 hours to the district's safety officer. Reports will cover property damage as well as personal injury.

In the event of a work-related³ illness or injury to an employee resulting in in-patient hospitalization loss of an eye, amputation or avulsion⁴, the district safety officer shall report the incident to the Oregon Occupational Safety and Health Division (OR-OSHA) within 24 hours after notification to the district of an illness or injury. Fatalities or catastrophes⁵ shall be reported⁶ to OSHA within eight hours.

ALL injuries or illnesses sustained by an employee, while in the actual performance of the duty of the employee or by a student or visiting public and accidents involving district property, employees, students or visiting public will be promptly investigated. As a result of the investigation any corrective measures needed will be acted upon.

The district safety officer will maintain records on injuries, illnesses, and accidents involving district property, employees, students or visiting public.

¹ The Oregon Occupational Safety and Health Division provides: "Injury or illness" means an abnormal condition or disorder. Injuries include cases such as, but not limited to, a cut, fracture, sprain, or amputation. Illnesses include both acute and chronic illnesses, such as, but not limited to, skin disease, respiratory disorder, or poisoning (record injuries and illnesses only if they are new, work-related cases that meet one or more of the recording criteria). (OAR 437-001-0015(39))

² For employees, "first aid" means any one-time treatment and subsequent observation of minor scratches, cuts, burns, splinters, or similar injuries that do not ordinarily require medical care. Such one-time treatment and subsequent observation is considered first aid even though it is provided by a physician or registered professional personnel. (OAR 437-001-0015(34))

³ An injury or illness is work related if an event or exposure in the work environment either caused or contributed to the resulting condition or significantly aggravated a preexisting injury or illness. (OAR 437-001-0700(6))

⁴ Amputations and avulsions are only required to be reported if they result in bone loss. (OAR 437-001-0704(4))

⁵ "Catastrophe" is an accident in which two or more employees are fatally injured, or three or more employees are admitted to a hospital or an equivalent medical facility. (OAR 437-001-0015(11))

⁶ Reporting must be done in person or by telephone. (OAR 437-001-0704(3))

These records will include prevention measures taken, reporting information, periodic statistical reports on the number and types of injuries, illnesses and accidents occurring in the district, and monthly and annual analyses of accident data. Such reports will be submitted to the **Superintendent**.

END OF POLICY

Legal Reference(s):

[ORS 339.309](#)

[OAR 437-001-0700](#)

[OAR 437-002-0360](#)

[OAR 437-001-0015](#)

[OAR 437-001-0704](#)

[OAR 437-002-0377](#)

[OAR 437-001-0760](#)

[OAR 581-022-2225](#)

e. EBC - Emergency Plan and First Aid

OSBA Model Sample Policy

Code: EBC
Adopted:

Emergency Plan and First Aid**

The district will maintain a comprehensive safety program for all employees and students. This program will include a plan for responding to emergency situations. The superintendent will consult with community and county agencies while developing this plan. The district's emergency plan will meet any requirements of the State Board of Education.

Copies of the emergency plan will be available in every school office and other strategic locations throughout the district. Parents or guardians will be informed of the district's plan.

In each district facility, procedures for handling health emergencies will be established and made known to staff. Each district facility and district vehicle will be equipped with appropriate first-aid supplies and equipment. All employees are expected to know where first-aid supplies and equipment are kept in their work areas.

Each school in the district shall have, at a minimum, at least one staff member with a current first-aid/CPR/AED card for every 60 students enrolled and who are trained annually on the district and building emergency plans. Emergency planning will include the presence of at least one staff member with a current first-aid/CPR/AED card for every 60 students for school-sponsored activities where students are present.

The district shall provide instruction to staff and students in the emergency plan and safety program.

END OF POLICY

Legal Reference(s):

ORS 30.800	OAR 437-002-0042	OAR 581-022-2220
ORS 192.660(2)(k)	OAR 437-002-0120 - 0139	OAR 581-022-2225
ORS 332.107	OAR 437-002-0161	OAR 581-053-0003(40)
ORS 433.260	OAR 437-002-0360	OAR 581-053-0220(3)(e)(B)(iii)
ORS 433.441	OAR 437-002-0377	OAR 581-053-0320(5)(b)
	OAR 581-022-2030(3)(c)	OAR 581-053-0420(2)(f)(B)

Every Student Succeeds Act, 20 U.S.C. § 7928 (2018).

Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2018).

f. EBCA - Safety Threats

OSBA Model Sample Policy

Code: EBCA

Adopted:

Safety Threats**

“Safety threat action” means a lockdown, lockout, shelter in place or evacuation that: (a) is initiated by a school in response to a safety threat; and (b) is not a planned drill.

When a school or the district initiates a safety threat action, the school or district shall issue an electronic communication as expediently as possible and not later than 24 hours after initiation of the safety threat action. The communication will be issued in culturally appropriate languages to effectively communicate with parents and guardians of students attending the school at which the safety threat action occurred.

The communication must include:

1. A general description of the issue that caused the safety threat action to be taken;
2. The duration of time the safety threat action was taken, from when the action was initiated until when it concluded;
3. Actions taken by the school or district to resolve the situation that caused the safety threat action and actions taken to protect student safety; and
4. An explanation of how the situation was resolved.

The communication shall be provided in a manner which communicates relevant facts and details as may be necessary or useful for parents and guardians to understand any potential threats to student safety, and to assist parents and guardians in helping students understand and mentally process the incident and any resulting trauma.

A communication will also be issued to employees of the school at which the safety threat action occurred, and must include the same information as above and any additional information as may be permitted by relevant confidentiality and privacy requirements.

The Board may use Oregon Revised Statute (ORS) 192.660(2)(k) to conduct an executive session to consider matters related to school safety or a plan that responds to safety threats made toward a school in the district.

END OF POLICY

Legal Reference(s):

[ORS 192.660\(2\)\(k\)](#)

[ORS 332.107](#)

[ORS 339.324](#)

g. EBCB - Emergency Procedure Drills and Instruction

OSBA Model Sample Policy

Code: EBCB
Adopted:

Emergency Procedure Drills and Instruction

Each administrator will conduct emergency procedure drills in accordance with the provisions of Oregon Revised Statutes (ORS) and the applicable Oregon Fire Code.

All schools are required to instruct and drill students on district emergency procedures so they can respond to an emergency without confusion and panic. The emergency procedures shall include drills and instruction on fires, earthquakes, and safety threats. Instruction on emergency procedures shall be conducted for at least 30 minutes each school month.

The first emergency evacuation drill shall be conducted within 10 days of the beginning of classes.

Fire Emergencies

Drills and instruction on fire emergencies shall include routes and methods of exiting the school building.

Earthquake Emergencies

¹At least two drills on earthquakes shall be conducted each year.

Drills and instruction for earthquake emergencies shall include the earthquake emergency response procedure of “drop, cover and hold on” during the earthquake. When based on the evaluation of specific engineering and structural issues related to a building, the district may include additional response procedures for earthquake emergencies.

Safety Threats

At least two drills on safety threats shall be conducted each year. Drills and instruction on safety threats shall include procedures related to lockdown, lockout, shelter in place and evacuation and other appropriate actions to take when there is a threat to safety, and will include explanation of the district’s communication strategy following a safety threat action (See Board policy EBCA - Safety Threats**).

The district may provide additional instruction relating to other disasters such as flooding, drought, excessive snowfall or wildfires.²

Local units of government and state agencies associated with emergency procedures training and planning shall review the emergency procedures and assist the district with the instruction and the conducting of drills for students in these emergency procedures.

END OF POLICY

¹ This is required action for a district not in a tsunami hazard zone.

² The Oregon Department of Education has resources available at <https://www.oregon.gov/ode/schools-and-districts/grants/pages/threat-and-hazard-resources.aspx>.

Legal Reference(s):

[ORS 192.660\(2\)\(k\)](#)
[ORS 336.071](#)

[ORS 339.324](#)
[ORS 476.030](#)

[OAR 581-022-2225](#)

[OREGON STATE FIRE MARSHAL](#), OREGON FIRE CODE.

h. GBEB - Communicable Diseases in Schools

OSBA Model Sample Policy

Code: GBEB
Adopted:

Communicable Diseases in Schools

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

A student or employee may not attend school or work, respectively, while in a communicable stage of a restrictable disease or when an administrator has reason to suspect the student or employee has or has been exposed to any disease for which exclusion is required in accordance with law. The district may provide an educational program in an alternative setting. Services will be provided to students as required by law.

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

The district shall protect the confidentiality of each student's and employee's health condition and record to the extent possible and consistent with federal and state law. In cases when a restrictable or reportable disease is diagnosed and confirmed for a student, the administrator may inform employees with a legitimate educational interest.

The district will include, as part of its general emergency plans, a description of the actions to be taken by district staff in buildings and by the district in response to medical emergencies.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 431.150 - 431.157](#)

[ORS 433.001 - 433.004](#)

[ORS 433.010](#)

[ORS 433.110](#)

[ORS 433.235 - 433.284](#)

[OAR 333-018](#)

[OAR 333-019-0010](#)

[OAR 333-019-0014](#)

[OAR 581-022-2220](#)

[OAR 581-022-2225](#)

OREGON DEPARTMENT OF EDUCATION and OREGON HEALTH AUTHORITY, *Communicable Disease Guidance for Schools*. 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 (2023). Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. §§ 1320d to -1320d-8 (2018); 45 C.F.R. Parts 160, 164 (2023).

i. GBEB-AR - Communicable Diseases in Schools

OSBA Model Sample Administrative Regulation

Code: GBEB-AR
Revised/Reviewed:

Communicable Diseases in Schools

In accordance with state law, administrative rule, the local health authority and the *Communicable Disease Guidance*, the procedures established below will be followed.

1. “Restrictable diseases” are defined by rule¹ and include but are not limited to COVID-19², chickenpox, diphtheria, hepatitis A, hepatitis E, measles, mumps, pertussis, rubella, Salmonella enterica serotype Typhi infection, scabies, Shiga-toxigenic Escherichia coli (STEC) infection, shigellosis and infectious tuberculosis, and may include a communicable stage of hepatitis B infection in a child who, in the opinion of the local health officer, poses an unusually high risk to other children (e.g., exhibits uncontrollable biting or spitting). Restrictable disease also includes any other communicable disease identified in an order issued by the Oregon Health Authority or the local public health officer as posing a danger to the public’s health.
2. “Susceptible” for a child means lacking documentation of immunization required under OAR 333-050-0050, or if immunization is not required, lacking evidence of immunity to the disease.
3. “Susceptible” for a school employee means lacking evidence of immunity to the disease.
4. “Reportable diseases” means a disease or condition, the reporting of which enables a public health authority to take action to protect or to benefit the public health.

Restrictable Diseases

1. A student or employee of the district will not attend school or work, respectively, at a district school or facility while in a communicable stage of a restrictable disease, unless authorized to do so under Oregon law. When an administrator has reason to suspect that a student or employee has a restrictable disease, the administrator shall send them home.
2. An administrator shall exclude a susceptible student or employee if the administrator has reason to suspect they have been exposed to measles, mumps, rubella, diphtheria, pertussis, hepatitis A, or hepatitis B, unless the local health officer determines that exclusion is not necessary to protect the public’s health. The administrator may request the local health officer to make a determination as allowed by law. If the disease is reportable, the administrator or designee may report the occurrence to the local health department.
3. A student or employee will be excluded in such instances until such time as the student or employee, respectively, presents a certificate from a physician, a physician assistant licensed under Oregon Revised Statute (ORS) 677.505 - 677.525, a nurse practitioner licensed under ORS 678.375 - 678.390, local health department nurse or school nurse stating that the student or employee does not

¹ OAR 333-019-0010 lists restrictable diseases.

have or is not a carrier of any restrictable disease. An exclusion for chickenpox, scabies, staphylococcal skin infections, streptococcal infections, diarrhea or vomiting may be removed by a school nurse or health care provider.

4. More stringent exclusion standards for students or employees from school or work may be adopted by the local health department.

Reportable Diseases Notification

1. All employees shall comply with all reporting measures adopted by the district and with all rules set forth by Oregon Health Authority, Public Health Division and the local health department.
2. An administrator may seek confirmation and assistance from the local health officer to determine the appropriate district response when the administrator is notified that an employee or a student has been exposed to a restrictable disease which is also a reportable disease.
3. District staff with impaired immune responses, that are of childbearing age or some other medically fragile condition, should consult with a medical provider for additional guidance³.
4. An administrator shall determine other persons who may be informed of an employee's communicable disease, or that of a student's when a legitimate educational interest exists or for health and safety reasons, in accordance with law.

Equipment and Training

1. The administrator or designee shall determine what equipment and/or supplies are necessary in a particular classroom or other setting in order to prevent disease transmission.
2. The administrator or designee shall consult with the district's [school] nurse or other appropriate health officials to provide special training in the methods of protection from disease transmission.
3. All district personnel will be instructed annually to use the proper precautions pertaining to blood and body fluid exposure per the Occupational Safety and Health Administration (OSHA).

³ Refer to *Communicable Disease Guidance for Schools* published by the Oregon Health Authority and the Oregon Department of Education.

j. GBN/JBA - Sexual Harassment

OSBA Model Sample Policy

Code: GBN/JBA

Adopted:

Sexual Harassment

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

The district processes complaints¹ or reports of sexual harassment under Oregon Revised Statute (ORS) 342.700 et. al. and federal Title IX laws found in Title 34 C.F.R. Part 106. Individual complaints may require both of these procedures and may involve additional complaint procedures.

General Procedures

When information, a report or complaint regarding sexual harassment is received by the district, the district will review such information, report or complaint to determine which law applies and will follow the appropriate procedures. When the alleged conduct could meet both of the definitions in ORS Chapter 342 and Title IX, both complaint procedures should be processed simultaneously (*see* GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure and GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure). The district may also need to use other complaint procedures when the alleged conduct could meet the definitions for other complaint procedures².

OREGON DEFINITION AND PROCEDURES

Oregon Definition

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

1. A demand or request for sexual favors in exchange for benefits;
2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:
 - a. Interferes with a student's educational activity or program;
 - b. Interferes with a school or district staff member's ability to perform their job; or
 - c. Creates an intimidating, offensive, or hostile environment.

¹ Some districts choose not to use the terms "complaint" and "complainant" because they feel the stigma associated with the terms discourage victims from reporting conduct. The terms used in this policy are consistent with those included in the law. If the district chooses to change these terms, new terms must be consistent and clear. Note, "complainant" is defined under federal law.

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

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

3. Assault when sexual contact occurs without consent⁴.

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

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

Oregon Procedures

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

Name	Position	Phone	Email
Bart Rothenberger	HS Principal/AD	(541) 487 – 4305	bart.rothenberger@alsea.k12.or.us

This individual is responsible for accepting and managing complaints of sexual harassment. Persons wishing to report should contact them using the above information. This person is also designated as the Title IX coordinator.⁶ See GBN/JBA-AR(1) - Sexual Harassment Complaint Procedure.

Response

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

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

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

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

⁴ “Without consent” means an act performed: (a) without the knowing, voluntary and clear agreement by all parties to participate in the specific act; or (b) when a person who is a party to the act is incapacitated by drugs or alcohol; unconscious; or pressured through physical force, coercion or explicit or implied threats to participate in the act.

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

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

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

Investigation

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

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

The district will use a reasonable person standard when determining whether a hostile environment exists. A hostile environment exists if a reasonable person with similar characteristics and under similar circumstances would consider the conduct to be so severe as to create a hostile environment.⁷

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

1. Discipline of staff and students engaging in sexual harassment;
2. Removal of third parties engaged in sexual harassment;
3. Additional supervision in activities;
4. Additional controls for district electronic systems;
5. Trainings and education for staff and students; and
6. Increased notifications regarding district procedures and resources.

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

1. Removing that third party's ability to contract or volunteer with the district, or be present on district property;
2. If the third party works for an entity that contracts with the district, communicating with the third party's employer;
3. If the third party is a student of another district or school, communicate information related to the incident to the other district or school;

⁷ Of note, Title IX's definition of sexual harassment includes "unwelcome conduct determined *by a reasonable person* to be..." 34 CFR 106.30(a), emphasis added. It is important to consider the different definitions under Oregon law and Title IX when determining which standards will apply for the Oregon process.

4. Limiting attendance at district events; and
5. Providing for additional supervision, including law enforcement if necessary, at district events.

No Retaliation

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

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

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

Notice

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

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

The written notification must include⁹:

1. Name and contact information for all person designated by the district to receive complaints;
2. The rights of the person that the notification is going to;
3. Information about the internal complaint processes available through the school or district that the person who filed the complaint may pursue, including the person designated for the school or district for receiving complaints and any timelines;

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

⁹ Remember confidentiality laws when providing any information.

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

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

The notice must:

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

Oregon Department of Education (ODE) Support

The ODE will provide technical assistance and training upon request.

FEDERAL DEFINITION AND PROCEDURES

Federal Definition

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

1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual’s participation in unwelcome sexual conduct;

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

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

Federal Procedures

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

Reporting

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

The HS Principal is designated as the Title IX coordinator and can be contacted at (541) 487 - 4305. The Title IX coordinator will coordinate the district’s efforts to comply with its responsibilities related to this AR. The district prominently will display the contact information for the Title IX coordinator on the district website and in each handbook.

Response

The district will promptly respond to information, allegations or reports of sexual harassment when there is actual knowledge of such harassment, even if a formal complaint has not been filed.¹¹ The district shall

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

¹¹ (Title 34 C.F.R. § 106.44(a)) Response cannot be deliberately indifferent. A recipient is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

treat complainants and respondents equitably by providing supportive measures¹² to the complainant and by following a grievance procedure¹³ prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX coordinator is responsible for coordinating the effective implementation of supportive measures.

The Title IX coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes, with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.¹⁴

If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place.¹⁵ The district must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. A non-student employee may also be placed on non-disciplinary administrative leave pending the grievance process.

Notice

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

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

Inquiries about the application to Title IX and its requirements may be referred to the Title IX coordinator or the Assistant Secretary¹⁶, or both.

No Retaliation

¹² (Title 34 C.F.R. § 106.44(a)) Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment.¹² The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures. (Title 34 C.F.R. § 99.30(a))

¹³ This grievance procedure must meet the requirements of Title 34 C.F.R. § 106.45 (included in accompanying administrative regulation, *see* GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure).

¹⁴ The Title IX coordinator may also discuss that the Title IX coordinator has the ability to file a formal complaint.

¹⁵ The district may still have obligations under Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the American with Disabilities Act (ADA). (Title 34 C.F.R. § 106.44(c))

¹⁶ Of the United States Department of Education.

Neither the district or any person may retaliate¹⁷ against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. The district must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act (FERPA), as required by law, or to carry out the proceedings herein. Complaints of retaliation may be filed using these procedures.

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

Publication

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

END OF POLICY

Legal Reference(s):

[ORS 243.706](#)
[ORS 332.107](#)
[ORS 342.700](#)
[ORS 342.704](#)
[ORS 342.708](#)
[ORS 342.850](#)
[ORS 342.865](#)
[ORS 659.850](#)
[ORS 659A.006](#)
[ORS 659A.029](#)
[ORS 659A.030](#)
[OAR 581-021-0038](#)
[OAR 584-020-0040](#)
[OAR 584-020-0041](#)

¹⁷ Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

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).

k. GBNAB/JHFE - Suspected Abuse of a Child Reporting Requirements

OSBA Model Sample Policy

Code: GBNAB/JHFE

Adopted:

Suspected Abuse of a Child Reporting Requirements**

Any district employee who has reasonable cause to believe that **any child** with whom the employee has come in contact has suffered abuse¹ shall immediately make a report to the Oregon Department of Human Services (DHS) through the centralized child abuse reporting system² or to a law enforcement agency within the county where the person making the report is located at the time of the contact. Any district employee who has reasonable cause to believe that **any person**³ with whom the employee is in contact has abused a child shall immediately report in the same manner described above.

The report must contain, if known, the names and addresses of the child and the parents of the child or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, including any evidence of previous abuse, the explanation given for the suspected abuse, any other information that the person making the report believes might be helpful in establishing the possible cause of the abuse and the identity of a possible perpetrator.

Abuse of a child by district employees, contractors⁴, agents⁵, volunteers⁶, or students is prohibited and will not be tolerated. All district employees, contractors, agents, volunteers and students are subject to this policy and the accompanying administrative regulations.

Any district employee who has reasonable cause to believe that another district employee, contractor, agent, volunteer or student has engaged in abuse, or that a student has been subjected to abuse by another district employee, contractor, agent, volunteer or student shall immediately report such to DHS through its centralized child abuse reporting system or to a law enforcement agency, and to a designated licensed administrator.

The district will designate a licensed administrator and an alternate licensed administrator, in the event that the designated licensed administrator is the suspected abuser, for each school building to receive reports of suspected abuse of a child by district employees, contractors, agents, volunteers or students.

¹ Includes the neglect of a child; abuse is defined in ORS 419B.005.

² How to report abuse or neglect: [Oregon DHS](#). Call 855-503-SAFE (7233)

³ "Person" could include adult, student or other child.

⁴ "Contractor" means a person providing services to the district under a contract in a manner that requires the person to have direct, unsupervised contact with students.

⁵ "Agent" means a person acting as an agent for the district in a manner that requires the person to have direct, unsupervised contact with students.

⁶ "Volunteer" means a person acting as a volunteer for the district in a manner that requires the person to have direct, unsupervised contact with students.

If the superintendent is the alleged perpetrator the report shall be submitted to the building principal who shall also report to the Board chair.

The district will post the names and contact information of the designees for each school building, in the respective school, designated to receive reports of suspected abuse and the procedures in GBNAB/JHFE-AR(1) - Reporting of Suspected Abuse of a Child the designee will follow upon receipt of a report, the contact information for making a report to law enforcement or the centralized child abuse reporting system of DHS, and a statement that this duty to report suspected abuse is in addition to the requirements of reporting to a designated licensed administrator.

When a designee receives a report of suspected abuse, the designee will follow procedure established by the district and set forth in administrative regulation GBNAB/JHFE-AR(1) - Reporting of Suspected Abuse of a Child. All such reports of suspected abuse will be reported to a law enforcement agency or DHS for investigation, and the agency will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged abuser.

When there is reasonable cause to support a report, a district employee suspected of abuse shall be placed on paid administrative leave pending an investigation and the district will take necessary actions to ensure the student's safety. When there is reasonable cause to support a report, a district contractor, agent or volunteer suspected of abuse shall be removed from providing services to the district and the district will take necessary actions to ensure the student's safety.

The district will notify the person, as allowed by state and federal law, who was subjected to the suspected abuse about any actions taken by the district as a result of the report.

A substantiated report of abuse by an employee shall be documented in the employee's personnel file. A substantiated report of abuse by a student shall be documented in the student's education record.

The initiation of a report in good faith, pursuant to this policy, may not adversely affect any terms or conditions of employment or the work environment of the person initiating the report or who may have been subjected to abuse. If a student initiates a report of suspected abuse of a child by a district employee, contractor, agent, volunteer or student, in good faith, the student will not be disciplined by the district or any district employee, contractor, agent or volunteer. Intentionally making a false report of abuse of a child is a Class A violation.

The district shall provide information and training each school year to district employees on the prevention and identification of abuse, the obligations of district employees under ORS 339.388 and ORS 419B.005 - 419B.050 and as directed by Board policy to report suspected abuse of a child, and appropriate electronic communications with students. The district shall make available each school year the training described above to contractors, agents, volunteers, and parents and legal guardians of students attending district-operated schools and will be made available separately from the training provided to district employees. The district shall provide each school year information on the prevention and identification of abuse, the obligations of district employees under Board policy to report abuse, and appropriate electronic communications with students to contractors, agents, and volunteers. The district shall make available each school year training that is designed to prevent abuse to students attending district-operated schools.

The district shall provide to a district employee at the time of hire, or to a contractor, agent, or volunteer at the time of beginning service for the district, the following:

1. A description of conduct that may constitute abuse;

2. A description of the investigatory process and possible consequences if a report of suspected abuse is substantiated; and
3. A description of the prohibitions imposed on district employees, contractors, and agents when they attempt to obtain a new job, as provided under ORS 339.378. A district employee, contractor or agent will not assist another district employee, contractor or agent in obtaining a new job if the individual knows or has reasonable or probable cause to believe the district employee, contractor or agent engaged in abuse, unless criteria found in ORS 339.378(2)(c) are applicable.

Nothing in this policy prevents the district from disclosing information required by law or providing the routine transmission of administrative and personnel files pursuant to law.

The district shall make available to students, district employees, contractors, agents, and volunteers a policy of appropriate electronic communications with students.

Any electronic communications with students by a contractor, agent or volunteer for the district will be appropriate and only when directed by district administration. When communicating with students electronically regarding school-related matters, contractors, agents or volunteers shall use district e-mail, using mailing lists and/or other internet messaging approved by the district to a group of students rather than individual students or as directed by district administration. Texting or electronically communicating with a student through contact information gained as a contractor, agent or volunteer for the district is strongly discouraged.

The superintendent shall develop administrative regulations as are necessary to implement this policy and to comply with state law.

END OF POLICY

Legal Reference(s):

[ORS 339.370 - 339.400](#)
[ORS 418.257 - 418.259](#)

[ORS 419B.005 - 419B.050](#)

[OAR 581-022-2205](#)

Greene v. Camreta, 588 F.3d 1011 (9th Cir. 2009), vacated in part by, remanded by Camreta v. Greene, 131 S. Ct. 2020 (U.S. 2011); vacated in part, remanded by Greene v. Camreta 661 F.3d 1201 (9th Cir. 2011).

I. GBNAB/JHFE-AR - Reporting of Suspected Abuse of a Child

OSBA Model Sample Policy

Code: GBNAB/JHFE-AR
Revised/Reviewed:

Reporting of Suspected Abuse of a Child

Reporting

Any district employee having reasonable cause to believe that **any child** with whom the employee comes in contact has suffered abuse¹ shall make a report immediately to the Oregon Department of Human Services (DHS) through the centralized child abuse reporting system² or to a law enforcement agency within the county where the person making the report is at the time of their contact. Any district employee who has reasonable cause to believe that **any person**³ with whom the employee is in contact has abused a child shall immediately report in the same manner.

Any district employee who has reasonable cause to believe that another district employee, contractor, agent, volunteer or student has engaged in abuse, or that a student has been subjected to abuse by another district employee, contractor, agent, volunteer or student shall immediately report such to DHS through its centralized child abuse reporting system or to a law enforcement agency, and to a designated licensed administrator or alternate licensed administrator for their school building.

The report must contain, if known, the names and addresses of the child and the parents of the child or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, including any evidence of previous abuse, the explanation given for the suspected abuse, any other information that the person making the report believes might be helpful in establishing the possible cause of the suspected abuse and the identity of a possible perpetrator.

If the superintendent is the alleged abuser the report shall be submitted to the building principal who shall refer the report to the Board chair.

A written record of the abuse report shall be made by the employee reporting the suspected abuse of a student and will include: name and position of the person making the report; name of the student; name and position of any witness; description of the nature and extent of the abuse, including any information which could be helpful in establishing cause of abuse and identity of the abuser; description of how the report was made (i.e., phone or other method); name of the agency and individual who took the report; date and time that the report was made; and name of district administrator who received a copy of the written report.

The written record of the abuse report shall not be placed in the student's educational record. A copy of the written report shall be retained by the employee making the report and a copy shall be provided to the designee that received the report.

¹ Includes the neglect of a child; abuse is defined in ORS 419B.005.

² [How to report abuse or neglect: [Oregon DHS](#). Call 855-503-SAFE (7233)]

³ "Person" could include adult, student or other child.

When the designee receives a report of suspected abuse of a child by a district employee, and there is reasonable cause to support the report, the district shall place the district employee on paid administrative leave⁴ and take necessary actions to ensure the student’s safety. The employee shall remain on leave until DHS or law enforcement determines that the report is substantiated and the district takes the appropriate employment action, or cannot be substantiated or is not a report of abuse and the district determines that either 1) an employment policy was violated and the district will take appropriate employment action against the employee, or 2) an employment policy has not been violated and no action is required by the district against the employee.

When the designee receives a report of suspected abuse by a contractor⁵, agent or volunteer, the district may prohibit the contractor, agent or volunteer from providing services to the district. If the district determines there is reasonable cause to support the report of suspected abuse, the district shall prohibit the contractor agent or volunteer from providing services. The district may reinstate the contractor, agent or volunteer, and such reinstatement may not occur until such time as a report of suspected abuse has been investigated⁶ and a determination has been made by law enforcement or DHS that the report is unsubstantiated.

The written record of each reported incident of abuse of a child, action taken by the district and any findings as a result of the report shall be maintained by the district.

If, following the investigation, the district decides to take an employment action, the district will inform the district employee of the employment action to be taken and provide information about the appropriate appeal process. The employee may appeal the employment action taken through the appeal process provided by the applicable collective bargaining agreement. The employee not covered by a collective bargaining agreement may appeal the employment action taken through an appeal process administered by a neutral third party.

If the district is notified that the employee decided not to appeal the employment action or if the determination of an appeal sustained the employment action, a record of the findings of the substantiated report and the employment action taken by the district will be placed in the records on the school employee maintained by the district. Such records created are confidential and not public records as defined in Oregon Revised Statute (ORS) 192.311, however the district may use the record as a basis for providing information required to be disclosed about a district employee under ORS 339.378(1). The district will notify the employee that information about substantiated reports may be disclosed to a potential employer.

Definitions

1. Oregon law defines “abuse” in ORS 419B.005(1):.

⁴ The district employee cannot be required to use any accrued leave during the imposed paid administrative leave.

⁵ The district is encouraged to duplicate this language in the contract. If the contract is with a company and the person assigned to do the work is the alleged perpetrator, the district shall notify the company and request another company employee be assigned to complete the work.

⁶ The district will investigate all reports of suspected abuse, unless otherwise requested by DHS or law enforcement pursuant to law.

2. “Child” means an unmarried person who is under 18 years of age or is a child in care, as defined in ORS 418.257.
3. A “substantiated report” means a report of abuse that a law enforcement agency or DHS determines is founded.

Confidentiality of Records

The name, address and other identifying information about the employee who made the report are confidential and are not accessible for public inspection.

Upon request from law enforcement or DHS the district shall immediately provide requested documents or materials to the extent allowed by state and federal law.

Failure to Comply

Any district employee who fails to report a suspected abuse of a child as provided by this policy and the prescribed Oregon law commits a violation punishable by law. A district employee who fails to comply with the confidentiality of records requirements commits a violation punishable by the prescribed law. If an employee fails to report suspected abuse of a child or fails to maintain confidentiality of records as required by policy or this administrative regulation, the employee will be disciplined up to and including dismissal.

Cooperation with Investigator

The district staff shall make every effort in suspected abuse of a child case to cooperate with investigating officials as follows:

1. Any investigation of abuse of a child will be directed by the DHS or law enforcement officials as required by law. DHS or law enforcement officials wishing to interview a student shall present themselves at the school office and contact the school administrator unless the school administrator is the subject of the investigation. When an administrator is notified that the DHS or law enforcement would like to interview a student at school, the administrator must request that the investigating official fill out the appropriate form (See GBNAB/JHFE-AR(2) – Abuse of a Child Investigations Conducted on District Premises). The administrator or designee should not deny the interview based on the investigator’s refusal to sign the form. If the student is to be interviewed at the school, the administrator or designee shall make a private space available. The administrator or designee of the school may, at the discretion of the investigator, be present to facilitate the interview. If the investigating official does not have adequate identification the administrator shall refuse access to the student.

Law enforcement officials wishing to remove a student from the premises shall present themselves at the office and contact the administrator or designee. The law enforcement official shall sign the student out in accordance with district procedures;

2. When the subject matter of the interview or investigation is identified to be related to suspected abuse of a child, district employees shall not notify parents or anyone else other than DHS or law enforcement agency and any school employee necessary to enable the investigation;

3. The administrator or designee shall advise the investigator of any conditions of disability prior to any interview with the affected child;
4. District employees are not authorized to reveal anything that transpires during an investigation in which the employee participates, nor shall the information become part of the student's education records, except that the employee may testify at any subsequent trial resulting from the investigation and may be interviewed by the respective litigants prior to any such trial.

Nothing prevents the district from conducting its own investigation, unless another agency requests to lead the investigation or requests the district to suspend the **ir** investigation, or taking an employment action based on information available to the district before an investigation conducted by another agency is completed. The district will cooperate with agencies assigned to conduct such investigations.

m. GCDA/GDDA - Criminal Records Check and Fingerprinting

OSBA Model Sample Policy

Code: GCDA/GDDA

Adopted:

Criminal Records Checks and Fingerprinting *

In a continuing effort to ensure the safety and welfare of students and staff, the district shall require certain individuals to submit to a criminal records check and fingerprinting as required by law. This includes employees, contractors, volunteers and others.

Requirements for Employees not Licensed, Certified or Registered by the Teachers Standards Practices Commission (TSPC)

All newly hired employees¹ not identified under Oregon Revised Statutes (ORS) 342.223² are required to submit to a criminal records check and fingerprinting as required by law. A newly hired employee is not subject to fingerprinting if the district has evidence on file that the person successfully completed a state and national criminal records check for a previous employer that was a school district³ or private school, and has not resided outside the state between the two periods of employment^{4}.

An individual shall be subject to the collection of fingerprint information, only after the offer of employment from the district. Fees associated with criminal records checks and fingerprinting for individuals applying for employment with the district and not requiring licensure shall be paid by the district.

The district shall not begin the employment of an individual before the return and disposition of the required criminal records checks.

When the criminal records check indicates an individual has been convicted of any crimes⁵ prohibiting employment, the individual will not be employed, or if employed will be terminated. When the criminal records check indicates an individual has knowingly made a false statement as to the conviction of any crime, the individual may be employed by the district, or if employed by the district may be terminated. An individual who fails to disclose the presence of convictions that would not otherwise prohibit employment or contract with the district as provided by law may be employed by the district. Employment termination shall remove the individual from any district policies, collective bargaining provisions regarding dismissal procedures and appeals and the provisions of Accountability for Schools for the 21st Century Law.

¹ Any individual hired within the last three months. This does not include an employee hired within the last three months if the district has evidence on file that meets the definition in Oregon Administrative Rule (OAR) 581-021-0510(11)(b).

² ORS 342.223 includes teachers, administrators, personnel specialist, school nurses, persons participating in supervised clinical practice experience, practicum or internship as a teacher, administrator or personnel specialist. See statute for details.

³ As is defined in OAR 581-021-0510(9); includes school districts, the Oregon School for the Deaf, and educational program under the Youth Corrections Education Program, public charter schools and ESDs.

⁴ {Additional exception applies through July 1, 2024. See ORS 326.603(4)(b).}

⁵ See OAR 581-021-0511(8).

Requirements for TSPC Licensed, Certified or Registered Individuals

1. Any individual who is applying for a license as a teacher, administrator or personnel specialist is subject to a criminal records check and fingerprinting, unless the individual has submitted to such a check through the Teacher Standards and Practices Commission (TSPC) within the previous three years, or has remained continuously licensed by or registered with TSPC for a different license or registration for which the individual has already submitted to a criminal records check and fingerprinting.
2. Any individual who is applying for an initial certificate under ORS 342.475 as a school nurse shall submit to a criminal records check and fingerprinting with TSPC.
3. Any individual who is applying for a registration as a public charter school teacher or administrator with TSPC shall submit to a criminal records check and fingerprinting with TSPC.
4. Any individual applying for reinstatement of an Oregon license or registration as a teacher, administrator or personnel specialist, or a certificate as a school nurse with the TSPC, whose license, registration or certificate has lapsed for at least three years, shall submit to a criminal records check and fingerprinting with TSPC.
5. Any individual registering with the TSPC for student teaching, practicum or internship as a teacher, administrator or personnel specialist, if the individual does not hold a current license issued by TSPC and has not submitted to a criminal records check by TSPC within the previous three years for student teaching, practicum or internship as a teacher, administrator or personnel specialist, shall be required to submit to a criminal records check and fingerprinting with TSPC.

Requirements for Contractors⁶

All individuals employed as or by a contractor and considered by the district to have direct, unsupervised contact with students⁷ or unsupervised access to children are required to submit to a criminal records check and a fingerprint-based criminal records check.

The superintendent will identify contractors who are subject to such requirements.

A contractor or an employee of a contractor required to submit to a criminal records check and fingerprinting in accordance with law and Board policy will be terminated from contract status, or withdrawal of offer of contract will be made by the district upon:

1. Refusal to consent to a criminal records check and fingerprinting; or

⁶The district should include language regarding background checks in any contract that includes direct, unsupervised contact with students whenever applicable.

⁷ “Direct, unsupervised contact with students” means contact with students that provides the person opportunity and probability for personal communication or touch when not under direct supervision. (OAR 581-021-0510)

2. Notification⁸ from the Superintendent of Public Instruction that the individual has a conviction of any crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number.

A subject individual may be terminated from contract status upon notification from the Superintendent of Public Instruction that the individual has knowingly made a false statement as to the conviction of any crime.

Requirements for Volunteers

The district shall require a fingerprint-based criminal records check for volunteers allowed direct, unsupervised contact with students, in the following positions:

1. Head coach;
2. Assistant coach;
3. Overnight chaperone;
4. Volunteers transporting students, other than their own, in a private vehicle off district property for a district-sponsored activity;
5. List of other positions subject to this fingerprinting, if any.

The service of a volunteer into a position identified by the district as requiring a fingerprint-based criminal records check will not begin before the return and disposition of a state and national criminal records check based on fingerprints.

⁹Volunteers allowed by the district into a position designated by the district to have direct, unsupervised contact with students shall submit to an in-state criminal records check.

The service of a volunteer allowed to have direct, unsupervised contact with students will not begin before the return and disposition of a criminal records check.

A volunteer that is not likely to have direct, unsupervised contact with students, as determined by the district, will be required to submit to an in-state criminal records check.

A volunteer who knowingly made a false statement on a district volunteer application form or has a conviction of a crime listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number may result in immediate termination from the ability to volunteer in the district.

⁸ Prior to making a determination that results in this notification and opportunity for a hearing, the Superintendent of Public Instruction may cause an investigation pursuant to OAR 581-021-0511; involved parties shall cooperate with the investigation pursuant to law.

⁹ If the district allows volunteer service and the volunteers have direct, unsupervised contact with students, this policy language is required, and districts are required to conduct criminal records checks on these volunteers.

Fees associated with a required fingerprinting for volunteers shall be paid by the district. Fees associated with required non-fingerprinting criminal records checks for volunteers shall be paid by the district.

A volunteer who refuses to submit, when required, to a criminal records check or a fingerprint-based criminal records check in accordance with law and Board policy will be denied such ability to volunteer in the district.

Requirements for Others

Any community college faculty member providing instruction at the site of an early childhood education program, at a school site as part of an early childhood program or at a grade K through 12 school site during the regular school day is required to submit to a criminal records check and a fingerprint-based criminal records check.

Any individual who is an employee of a public charter school and not identified under ORS 342.223 is required to submit to a criminal records check and a fingerprint-based criminal records check.

Notification

The district will provide written notice about the requirements of fingerprinting and criminal records checks through means such as staff handbooks, employment applications, contracts or volunteer forms.

The district will provide the following notification to individuals subject to criminal records checks and fingerprinting:

1. Such criminal records checks and fingerprinting are required by law or Board policy;
2. All employment or contract offers or the ability to volunteer are contingent upon the results of such checks;
3. A refusal to consent to a required criminal records check and fingerprinting shall result in immediate termination from employment, contract status, or the ability to volunteer in the district;
4. A determination by the Oregon Department of Education (ODE) which affects an individual's eligibility to be employed, or contracted with, by the district may be appealed to the Superintendent of Public Instruction under ORS 183.413 – 183.470;
5. An individual determined to have knowingly made a false statement as to the conviction of any crime on district employment applications, contracts, or ODE forms written or electronic may result in immediate termination from employment or contract status;
6. An individual determined to have been convicted of any crime that would prohibit employment or contract will be immediately terminated from employment or contract status;
7. A volunteer candidate who knowingly made a false statement or has a conviction of the crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number may result in immediate termination from the ability to volunteer in the district.

Processing and Reporting Procedures

Immediately following an offer and acceptance of employment or contract, an individual subject to criminal records checks and fingerprinting shall complete the appropriate forms authorizing such checks and report to an authorized fingerprinter as directed by the district. The district shall send such authorization, any collection of fingerprint information, and the request to ODE pursuant to law.

Fingerprints may be collected by one of the following:

1. Employing district staff;
2. Contracted agent of employing district;
3. Local or state law enforcement agency; or
4. Statewide vendor identified by the Oregon Department of Administrative Services.

To ensure the integrity of the fingerprinting collection and prevent any compromise of the process, the district will provide the name of the individual to be fingerprinted to the authorized fingerprinter.

The authorized fingerprinter will obtain the necessary identification and fingerprinting and notify ODE of the results. ODE will then review and notify the district of said results as well as the identity of any individual it believes has knowingly made a false statement as to conviction of a crime or has a conviction of a crime prohibiting employment, contract or volunteering.

A copy of the fingerprinting results will be kept by the district. The district's use of criminal history must be relevant to the specific requirements of the position, services or employment.

END OF POLICY

Legal Reference(s):

[ORS 181A.180](#)
[ORS 181A.230](#)
[ORS 326.603](#)
[ORS 326.607](#)
[ORS 332.107](#)

[ORS 336.631](#)
[ORS 342.143](#)
[ORS 342.223](#)
[OAR 414-061-0010 – 061-0030](#)
[OAR 581-021-0510 – 021-0512](#)

[OAR 581-022-2430](#)
[OAR 584-050-0012](#)
[OAR 584-050-0100](#)

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

n. IGBAF-Special Education - Individualized Education Program (IEP)

OSBA Model Sample Policy

Code: IGBAF

Adopted:

Special Education - Individualized Education Program (IEP)**

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

If a student is to be placed or referred to a private school or facility or attends a private or parochial school, the district will ensure that a representative of the private school or facility attends the IEP meeting. If the representative of the private school or facility is unable to attend the IEP meeting, the district shall use other methods to ensure participation including but not limited to, individual or conference telephone calls or individual meetings.

END OF POLICY

Legal Reference(s):

[ORS 343.068](#)
[ORS 343.151](#)
[ORS 343.155](#)
[ORS 343.321 - 343.333](#)

[OAR 581-015-2000](#)
[OAR 581-015-2190](#)

[OAR 581-015-2195](#)
[OAR 581-015-2200](#)
[OAR 581-015-2205](#)
[OAR 581-015-2210](#)
[OAR 581-015-2215](#)
[OAR 581-015-2220](#)
[OAR 581-015-2225](#)

[OAR 581-015-2229](#)
[OAR 581-015-2230](#)
[OAR 581-015-2235](#)
[OAR 581-015-2055](#)
[OAR 581-015-2600](#)
[OAR 581-015-2065](#)
[OAR 581-015-2265](#)

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.5 - 300.6, 300.22 - 300.24, 300.34, 300.43, 300.105 - 106, 300.112, 320.325, 300.328, 300.501 (2012).

- o. IGBAF-AR - Special Education: Individualized Education Program (IEP)

OSBA Model Sample Policy

Code: IGBAF-AR

Revised/Reviewed:

Special Education - Individualized Education Program (IEP)**/*

1. General IEP Information

- a. The district ensures that an IEP is in effect for each eligible student:
 - (1) Before special education and related services are provided to a student;
 - (2) At the beginning of each school year for each student with a disability for whom the district is responsible; and
 - (3) Before the district implements all the special education and related services, including program modifications, supports and/or supplementary aids and services, as identified on the IEP.
- b. The district uses:
 - (1) The Oregon standard IEP; or
 - (2) An IEP form that has been approved by the Oregon Department of Education.
- c. The district develops and implements all provisions of the IEP as soon as possible following the IEP meeting.
- d. The IEP will be accessible to each of the student's regular education teacher(s), the student's special education teacher(s) and the student's related services provider(s) and other service provider(s). This includes all district employees assigned to work with a student with specialized needs to assist with the educational, behavioral, medical, health or disability-related support needs of the student.
- e. The district takes steps to ensure that parent(s) are present at each IEP meeting or have the opportunity to participate through other means.
- f. The district ensures that each teacher and service provider is informed of:
 - (1) Their specific responsibilities for implementing the IEP specific accommodations, modifications and/or supports that must be provided for, or on behalf of the student; and
 - (2) Their responsibility to fully implement the IEP including any amendments the district and parents agreed to make between annual reviews.
- b. The district takes whatever action is necessary to ensure that parents understand the proceedings of the IEP team meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.
- g. The district provides a copy of the IEP to the parents at no cost.

2. IEP Meetings

- a. The district conducts IEP meetings within 30 calendar days of the determination that the student is eligible for special education and related services.
- b. The district convenes IEP meetings for each eligible student periodically, but not less than once per year.

- c. At IEP meetings, the team reviews and revises the IEP to address any lack of expected progress toward annual goals and in the general curriculum, new evaluation data or new information from the parent(s), the student's anticipated needs, or the need to address other matters.
- d. Between annual IEP meetings, the district and the parent(s) may amend or modify the student's current IEP without convening an IEP team meeting using the procedures in the Agreement to Amend or Modify IEP subsection.
- e. When the parent(s) requests a meeting, the district will either schedule a meeting within a reasonable time or provide timely written prior notice of the district's refusal to hold a meeting.
- f. If an agency other than the district fails to provide agreed upon transition services contained in the IEP, the district convenes an IEP meeting to plan alternative strategies to meet the transition objectives and, if necessary, to revise the IEP.

3. IEP Team Members

- a. The district's IEP team members include the following:
 - (1) The student's parent(s);
 - (2) The student, if the purpose of the IEP meeting is to consider the student's postsecondary goals and transition services (beginning for IEPs in effect at age 16), or for younger students, when appropriate;
 - (3) At least one of the student's special education teachers or, if appropriate, at least one of the student's special education providers;
 - (4) At least one of the student's regular education teachers if the student is or may be participating in the regular education environment. If the student has more than one regular education teacher, the district will determine which teacher or teachers will participate;
 - (5) A representative of the district (who may also be another member of the team) who is qualified to provide or supervise the provision of special education and is knowledgeable about district resources. The representative of the district will have the authority to commit district resources and be able to ensure that all services identified in the IEP can be delivered;
 - (6) An individual, who may also be another member of the team, who can interpret the instructional implications of the evaluation results; and
 - (7) At the discretion of the parent or district, other persons who have knowledge or special expertise regarding the student.
- b. Student participation:
 - (1) Whenever appropriate, the student with a disability is a member of the team.
 - (2) If the purpose of the IEP meeting includes consideration of postsecondary goals and transition services for the student, the district includes the student in the IEP team meeting.
 - (3) If the purpose of the IEP meeting includes consideration of postsecondary goals and transition services for the student, and the student does not attend the meeting, the district will take other steps to consider the student's preferences and interests in developing the IEP.
- c. Participation by other agencies:

- (1) With parent or adult student written consent, and where appropriate, the district invites a representative of any other agency that is likely to be responsible for providing or paying for transition services if the purpose of the IEP meeting includes the consideration of transition services (beginning at age 16, or younger if appropriate); and
 - (2) If the district refers or places a student in an education service district, state-operated program, private school or other educational program, IEP team membership includes a representative from the appropriate agencies. Participation may consist of attending the meeting, conference call or participating through other means.
- d. Participation by other employees:

All district employees assigned to work with a student with specialized needs to assist the student with educational, behavioral, medical, health or disability-related support needs of the student must be consulted with when the IEP for the student is being developed, reviewed or revised. This includes being invited to, and compensated for attending, meetings regarding the student's IEP and other meetings regarding the student, when the decisions made and issues discussed are related to the responsibilities of the employee to support the student or when the employee has unique information about the student's needs and present level of performance.

4. Agreement for Nonattendance and Excusal

- a. The district and the parent may consent to excuse an IEP team member from attending an IEP meeting, in whole or in part, when the meeting involves a discussion or modification of team member's area of curriculum or service. The district designates specific individuals to authorize excusal of IEP team members.
- b. If excusing an IEP team member whose area is to be discussed at an IEP meeting, the district ensures:
 - (1) The parent and the district consent in writing to the excusal;
 - (2) The team member submits written input to the parents and other members of the IEP team before the meeting; and
 - (3) The parent is informed of all information related to the excusal in the parent's native language or other mode of communication according to consent requirements.

5. IEP Content

- a. In developing the IEP, the district considers the student's strengths, the parent's concerns, the results of the initial or most recent evaluation, and the academic, developmental and functional needs of the student.
- b. The district ensures that IEPs for each eligible student includes:
 - (1) A statement of the student's present levels of academic achievement and functional performance that:
 - (a) Includes a description of how the disability affects the progress and involvement in the general education curriculum;
 - (b) Describes the results of any evaluations conducted, including functional and developmental information;
 - (c) Is written in language that is understood by all IEP team members, including parents;

- (d) Is clearly linked to each annual goal statement;
 - (e) Includes a description of benchmarks or short-term objectives for children with disabilities who take alternative assessments aligned to alternate achievement standards.
- (2) A statement of measurable annual goals, including academic and functional goals, or for students whose performance is measured by alternate assessments aligned to alternate achievement standard, statements of measurable goals and short-term objectives. The goals and, if appropriate, objectives:
- (a) Meet the student’s needs that are present because of the disability, or because of behavior that interferes with the student’s ability to learn, or impedes the learning of other students;
 - (b) Enable the student to be involved in and progress in the general curriculum, as appropriate; and
 - (c) Clearly describe the anticipated outcomes, including intermediate steps, if appropriate, that serve as a measure of progress toward the goal.
- (3) A statement of the special education services, related services, supplementary aids and services that the district provides to the student:
- (a) The district bases special education and related services, modifications and supports on peer-reviewed research to the extent practicable to assist students in advancing toward goals, progressing in the general curriculum and participating with other students (including those without disabilities), in academic, nonacademic and extracurricular activities.
 - (b) Each statement of special education services, related or supplementary services, aids, modifications or supports includes a description of the inclusive dates, amount or frequency, location and who is responsible for implementation.
- (4) A statement of the extent, if any, to which the student will not participate with nondisabled students in regular academic, nonacademic and extracurricular activities.
- (5) A statement of any individual modifications and accommodations in the administration of state or districtwide assessments of student achievement.
- (a) A student will not be exempt from participation in state or districtwide assessment because of a disability unless the parent requests an exemption;
 - (b) If the IEP team determines that the student will take the alternate assessment instead of the regular statewide or a districtwide assessment, a statement of why the student cannot participate in the regular assessment and why the alternate assessment is appropriate for the student.
- (6) A statement describing how the district will measure student’s progress toward completion of the annual goals and when periodic reports on the student’s progress toward the annual goals will be provided.

6. Agreement to Amend or Modify IEP

Between annual IEP meetings, the district and the parent may agree to make changes in the student's current IEP without holding an IEP meeting. These changes require a signed, written agreement between the district and the parent.

- a. The district and the parent record any amendments, revisions or modifications on the student's current IEP. If additional IEP pages are required these pages must be attached to the existing IEP.
- b. The district files a complete copy of the IEP with the student's education records and informs the student's IEP team and any teachers or service providers of the changes.
- c. The district provides the parent prior written notice of any changes in the IEP and upon request, provides the parent with a revised copy of the IEP with the changes incorporated.

7. IEP Team Considerations and Special Factors

- a. In developing, reviewing and revising the IEP, the IEP team considers:
 - (1) The strengths of the student and concerns of the parent for enhancing the education of the student;
 - (2) The results of the initial or most recent evaluation of the student;
 - (3) As appropriate, the results of the student's performance on any general state or districtwide assessments;
 - (4) The academic, developmental and functional needs of the child.
- b. In developing, reviewing and revising the student's IEP, the IEP team considers the following special factors:
 - (1) The communication needs of the student; and
 - (2) The need for assistive technology services and/or devices.
- c. As appropriate, the IEP team also considers the following special factors:
 - (1) For a student whose behavior impedes their learning or that of others, strategies, positive behavioral intervention and supports to address that behavior;
 - (2) For a student with limited English proficiency, the language needs of the student as those needs relate to the IEP;
 - (3) For a student who is blind or visually impaired, instruction in Braille and the use of Braille unless the IEP team determines (after an evaluation of reading and writing skills, needs and media, including evaluation of future needs for instruction in Braille or the use of Braille, appropriate reading and writing), that instruction in Braille or the use of Braille is not appropriate;
 - (4) For a student who is deaf or hard of hearing, the student's language and communication needs, including opportunities for direct communication with peers and professional personnel in the student's language and communication mode, academic level and full range of needs, including opportunities for direct instruction in the student's language and communication mode;
 - (5) If a student is deaf, deafblind, or hard of hearing, the district will provide information about relevant services and placements offered by the school district, the education service district, regional programs, and the Oregon School for the Deaf; and

- (6) A statement of any device or service needed for the student to receive a free appropriate public education (FAPE).
- d. In addition to the above IEP contents, the IEP for each eligible student of transition age includes:
- (1) Beginning not later than the first IEP in effect when the student turns 16, or as early as 14 or younger, if determined appropriate by the IEP team (including parent(s)), and updated annually thereafter, the IEP must include:
 - (a) Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training education, employment, and where appropriate, independent living skills; and
 - (b) The transition services (including courses of study) needed to assist the student in reaching those goals.

Regarding employment planning, the parent shall be provided information about and opportunities to experience employment services provided by Oregon Vocational Rehabilitation or the Oregon Office of Developmental Disability Services. These services must be provided in a competitive integrated employment setting, as defined by Oregon Administrative Rule (OAR) 411-345-0020. Information about these services shall also be provided to the parent by the district at each annual review for IEPs to be in effect when the child turns 16, or as early as 14 or younger, if determined appropriate by the IEP team (including parent(s)).
 - (2) At least one year before a student reaches the age of majority (student reaches the age of 18, or has married or been emancipated, whichever occurs first), a statement that the district has informed the student that all procedural rights will transfer at the age of majority; and
 - (3) If identified transition service providers, other than the district, fail to provide any of the services identified on the IEP, the district will initiate an IEP meeting as soon as possible to address alternative strategies and revise the IEP if necessary.
- e. To promote self-determination and independence, the district shall provide the student and the student's parents with information and training resources regarding supported decision-making as a less restrictive alternative to guardianship, and with information and resources regarding strategies to remain engaged in the student's secondary education and post-school outcomes. The district shall provide this information at each IEP meeting that includes discussion of post-secondary education goals and transition services.

8. Incarcerated Youth

- a. For students with disabilities who are convicted as adults, incarcerated in adult correctional facilities and otherwise entitled to FAPE, the following IEP requirements do not apply:
 - (1) Participation of students with disabilities in state and districtwide assessment; and
 - (2) Transition planning and transition services, for students whose eligibility will end because of their age before they will be eligible to be released from an adult correctional facility based on consideration of their sentence and eligibility for early release.

- b. The IEP team may modify the student’s IEP, if the state has demonstrated a bona fide security or other compelling interest that cannot be otherwise accommodated.

9. Extended School Year Services

- a. The district makes extended school year (ESY) services available to all students for whom the IEP team has determined that such services are necessary to provide FAPE.
- b. ESY services are:
 - (1) Provided to a student with a disability in addition to the services provided during the typical school year;
 - (2) Identified in the student’s IEP; and
 - (3) Provided at no cost to the parent.
- c. The district does not limit consideration of ESY services to particular categories of disability or unilaterally limit the type, amount or duration of service.
- d. The district provides ESY services to maintain the student’s skills or behavior, but not to teach new skills or behaviors.
- e. The district’s criteria for determining the need for extended school year services include:
 - (1) Regression (a significant loss of skills or behaviors) and recoupment time based on documented evidence; or
 - (2) If no documented evidence, on predictions according to the professional judgment of the team.
- f. “Regression” means significant loss of skills or behaviors in any area specified on the IEP as a result of an interruption in education services.
- g. “Recoupment” means the recovery of skills or behaviors specified on the IEP to a level demonstrated before the interruption of education services.

10. Assistive Technology

- a. The district ensures that assistive technology devices or assistive technology services, or both, are made available if they are identified as part of the student’s IEP. These services and/or devices may be part of the student’s special education, related services or supplementary aids and services.
- b. On a case-by-case basis, the district permits the use of district-purchased assistive technology devices in the student’s home or in other settings if the student’s IEP team determines that the student needs access to those devices to receive FAPE. In these situations, district policy will govern liability and transfer of the device when the student ceases to attend the district.

11. Transfer Students

- a. In state:

If a student with a disability (who had an IEP that was in effect in a previous district in Oregon) transfers into the district and enrolls in a district school within the same school year, the district (in consultation with the student’s parents) provides FAPE to the student (including services comparable to those described in the student’s IEP from the previous district), until the district either:

- (1) Adopts the student's IEP from the previous district; or
- (2) Develops, adopts and implements a new IEP for the student in accordance with all of the IEP provisions.

b. Out of state:

If a student transfers into the district with a current IEP from a district in another state, the district, in consultation with the student's parents, will provide FAPE to the student, including services comparable to those described in the student's IEP from the previous district, until the district:

- (1) Conducts an initial evaluation (if determined necessary by the district to determine Oregon eligibility) with parent consent and determines whether the student meets eligibility criteria described in the OARs.
- (2) If the student is eligible under Oregon criteria, the district develops, adopts and implements a new IEP for the student using the Oregon Standard IEP or an approved alternate IEP.
- (3) If the student does not meet Oregon eligibility criteria, the district provides prior written notice to the parents explaining that the student does not meet Oregon eligibility criteria and specifying the date when special education services will be terminated.

12. Abbreviated School Day

"Abbreviated school day" means any school day during which a student with a disability receives instruction or educational services for fewer hours than the majority of other students who are in the same grade within the student's resident school district.

"Abbreviated school day program" means an education program:

- a. In which a school district restricts access for a student with a disability to hours of instruction or educational services to less than the number of hours of instruction or educational services that are provided to the majority of other students who are in the same grade within the student's resident school district; and
- b. That results in a student with a disability having an abbreviated school day for more than 10 school days per school year.

Abbreviated school day programs are only allowed when all requirements in state law are met.¹

Informed and written consent from the parent or foster parent is necessary prior to implementing an abbreviated school day program. A parent or a foster parent may, at any time, revoke consent for the placement of a student on an abbreviated school day program. Revoking consent or objecting to an abbreviated school day program shall be in writing.

Abbreviated school day programs limitations do not apply to students who are exempt per ORS 343.331.

¹ See ORS 343.324.

p. IGBAG - Special Education - Procedure Safeguards

OSBA Model Sample Policy

Code: IGBAG

Adopted:

Special Education - Procedural Safeguards**

Procedural Safeguards – General

A district ensures that students with disabilities and their families are afforded their procedural safeguards related to:

1. Access to students' educational records;
2. Parent and adult student participation in special education decisions;
3. Transfer of rights to students who have reached the age of majority;
4. Prior written notice of proposed district actions;
5. Consent for evaluation and for initial placement in special education¹;
6. Independent educational evaluation;
7. Dispute resolution through mediation, state complaint investigation, resolution sessions and due process hearings;
8. Discipline procedures and protections for students with disabilities, including placements related to discipline;
9. Placement of students during the pendency of due process hearings;
10. Placement of students by their parents in private schools;
11. Civil actions; and
12. Attorney's fees.

Procedural Safeguards Notice

The district provides to parents a copy of the *Procedural Safeguards Notice*, published by the Oregon Department of Education, at least once per year and upon initial referral or parent request for special

¹ If, at any time subsequent to the initial provision of special and related services, the parent of a child revokes consent in writing for the continued provision of special education and related services, the district: 1) may not continue to provide special education and related services to the child, but must provide prior written notice before ceasing the provision of special education and related services; 2) may not use mediation or due process procedures to obtain an agreement or ruling that the services may be provided to the child; 3) the district will not be considered to be in violation of the requirement to make a free appropriate public education (FAPE) available to the child because of the failure to provide the child with further special education and related services; and 4) the district is not required to convene an individualized education program (IEP) team meeting or develop an IEP for the child for further provision of special education or related services.

education evaluation and when the parent requests a copy. The district also gives a copy to the student at least a year before the student's 18th birthday or upon learning that the student is considered emancipated.

The district provides the *Procedural Safeguards Notice* in the parent's native language or other mode of communication unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, the district takes steps to ensure that the notice is translated orally or by other means understandable to the parent and that the parent understands the content of the notice. The district maintains written evidence that it meets these requirements.

Parent or Adult Student Meeting Participation

1. The district provides parents or adult students an opportunity to participate in meetings with respect to the identification, evaluation, IEP and educational placement of the student, and the provision of a free appropriate public education (FAPE) to the student.
2. The district provides parents or adult students written notice of any meeting sufficiently in advance to ensure an opportunity to attend. The written notice:
 - a. States the purpose, time and place of the meeting and who is invited to attend;
 - b. Advises that parents or adult students may invite other individuals who they believe have knowledge or special expertise regarding the student;
 - c. Advises that the team may proceed with the meeting even if the parents are not in attendance;
 - d. Advises the parents or adult students who to contact before the meeting to provide information if they are unable to attend; and
 - e. Indicates if one of the meeting's purposes is to consider transition services or transition services needs. If so:
 - (1) Indicates that the student will be invited; and
 - (2) If considering transition services, identifies any agencies invited to send a representative (with parent or adult student consent).
3. The district takes steps to ensure that one or both parents of a child with a disability are present at each IEP or placement meeting or are afforded the opportunity to participate, including:
 - a. Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and
 - b. Scheduling the meeting at a mutually agreed upon time and place.
4. If neither parent can attend, the district will use other methods to ensure an opportunity to participate, including, but not limited to, individual or conference phone calls or home visits.
5. The district may conduct an evaluation planning or eligibility meeting without the parent or adult student if the district provided meeting notice to the parent or adult student sufficiently in advance to ensure an opportunity to attend.

Access to Records

A parent is entitled at any reasonable time to examine all of the records of the district pertaining to the identification, evaluation and educational placement of their child and the provision of FAPE to their child. Records must be provided without undue delay, which may not exceed 10 business days, as defined

in ORS 192.311, from the date of the request for the records. Records may be redacted only to the extent necessary to protect personally identifiable information of other children unless disclosure is authorized by law or court order.

END OF POLICY

Legal Reference(s):

[ORS 343.155](#)

[ORS 343.165](#)

[ORS 343.173](#)

[ORS 343.177](#)

[ORS 343.181](#)

[OAR 581-001-0005](#)

[OAR 581-015-2000](#)

[OAR 581-015-2030](#)

[OAR 581-015-2090](#)

[OAR 581-015-2095](#)

[OAR 581-015-2190](#)

[OAR 581-015-2195](#)

[OAR 581-015-2305](#)

[OAR 581-015-2310](#)

[OAR 581-015-2325](#)

[OAR 581-015-2330](#)

[OAR 581-015-2345](#)

[OAR 581-015-2360](#)

[OAR 581-015-2385](#)

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.300, 300.500 - 300.505, 300.515, 300.517.

q. IKC - Class Rankings

OSBA Model Sample Policy

Code: IKC

Adopted:

Class Rankings

In the interest of encouraging and recognizing outstanding academic achievement, a valedictorian and a salutatorian will be selected for each graduating class.

The district's valedictorian and salutatorian may be permitted to speak as part of the district's planned graduation program at the discretion of the principal or designee. All speeches must be reviewed and approved in advance by the principal or designee. Titles and privileges granted to students designated as valedictorian or salutatorian may be denied and/or revoked for violation of Board policy, administrative regulation or school rule.

The valedictorian and salutatorian will be selected according to the following procedure:

1. The valedictorian will be the student with the highest grade point average as computed at the end of seven semesters of high school work;
2. The salutatorian will be the student with the second highest grade point average as computed at the end of seven semesters of high school work;
3. In case of a tie for valedictorian, co-valedictorians will be honored;
4. In case of a tie for salutatorian, co-salutatorians will be honored;
5. Foreign exchange students will not be considered in computing class rank and, therefore, will not be eligible for any academic honors;
6. To be eligible for valedictorian or salutatorian honors, a student must be enrolled at Alsea High School prior to and continuously following the 10th school day of the student's senior year.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 336.179](#)

Shorb v. Grotting and Powers Sch. Dist., Case No. 00 CV-0255 (Coos County Circuit Ct.) (2000).

r. JBA/GBN - Sexual Harassment

OSBA Model Sample Policy

Code: JBA/GBN

Adopted:

Sexual Harassment

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

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

General Procedures

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

OREGON DEFINITION AND PROCEDURES

Oregon Definition

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

1. A demand or request for sexual favors in exchange for benefits;
2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:
 - a. Interferes with a student's educational activity or program;
 - b. Interferes with a school or district staff member's ability to perform their job; or
 - c. Creates an intimidating, offensive, or hostile environment.

¹ Some districts choose not to use the terms "complaint" and "complainant" because they feel the stigma associated with the terms discourage victims from reporting conduct. The terms used in this policy are consistent with those included in the law. If the district chooses to change these terms, new terms must be consistent and clear. Note, "complainant" is defined under federal law.

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

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

3. Assault when sexual contact occurs without consent⁴.

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

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

Oregon Procedures

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

Name	Position	Phone	Email
Bart Rothenberger	HS Principal	(541) 487-4305	bart.rothenberger@alsea.k12.or.us

This individual is responsible for accepting and managing complaints of sexual harassment. Persons wishing to report should contact them using the above information. This person is also designated as the Title IX coordinator.⁶ See JBA/GBN-AR(1) - Sexual Harassment Complaint Procedure.

Response

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

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

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

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

⁴ “Without consent” means an act performed: (a) without the knowing, voluntary and clear agreement by all parties to participate in the specific act; or (b) when a person who is a party to the act is incapacitated by drugs or alcohol; unconscious; or pressured through physical force, coercion or explicit or implied threats to participate in the act.

⁵ OAR 581-021-0038 requires that the policy include a “examples of harassing behaviors covered by policy”.

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

Investigation

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

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

The district will use a reasonable person standard when determining whether a hostile environment exists. A hostile environment exists if a reasonable person with similar characteristics and under similar circumstances would consider the conduct to be so severe as to create a hostile environment.⁷

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

1. Discipline of staff and students engaging in sexual harassment;
2. Removal of third parties engaged in sexual harassment;
3. Additional supervision in activities;
4. Additional controls for district electronic systems;
5. Trainings and education for staff and students; and
6. Increased notifications regarding district procedures and resources.

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

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

⁷ Of note, Title IX's definition of sexual harassment includes "unwelcome conduct determined *by a reasonable person* to be..." 34 CFR 106.30(a), emphasis added. It is important to consider the different definitions under Oregon law and Title IX when determining which standards will apply for the Oregon process.

No Retaliation

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

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

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

Notice

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

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

The written notification must include⁹:

1. Name and contact information for all person designated by the district to receive complaints;
2. The rights of the person that the notification is going to;
3. Information about the internal complaint processes available through the school or district that the [student, student's parents, staff member, person or person's parent] [person] who filed the complaint may pursue, including the person designated for the school or district for receiving complaints and any timelines;
4. Notice that civil and criminal remedies that are not provided by the school or district may be available to the person through the legal system and that those remedies may be subject to statutes of limitation;

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

⁹ Remember confidentiality laws when providing any information.

5. Information about services available to the student or staff member through the school or district, including any counseling services, nursing services or peer advising;
6. Information about the privacy rights of the person and legally recognized exceptions to those rights for internal complaint processes and services available through the school or district;
7. Information about, and contact information for, services and resources that are available to the person, including but not limited to:
 - a. For the reporting person, state and community-based resources for persons who have experienced sexual harassment; or
 - b. For the reported persons, information about and contact information for state and community-based mental health services.
8. Notice that students who report about possible prohibited conduct and students who participate in an investigation under this policy may not be disciplined for violations of the district’s drug and alcohol policies that occurred in connection with the reported prohibited conduct and that were discovered as a result of a prohibited conduct report or investigation unless the student gave another person alcohol or drugs without the person’s knowledge and with the intent of causing the person to become incapacitated and vulnerable to the prohibited conduct; and
9. Prohibition of retaliation.

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

The notice must:

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

Oregon Department of Education (ODE) Support

The ODE will provide technical assistance and training upon request.

FEDERAL DEFINITION AND PROCEDURES

Federal Definition

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

1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual’s participation in unwelcome sexual conduct;

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

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

Federal Procedures

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

Reporting

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

Bart Rothenberger is designated as the Title IX coordinator and can be contacted at (541) 487 – 4305. The Title IX coordinator will coordinate the district’s efforts to comply with its responsibilities related to this policy. The district prominently will display the contact information for the Title IX coordinator on the district website and in each handbook.¹¹

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

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

Response

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

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

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

Notice

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

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

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

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

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

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

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

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

No Retaliation

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

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

Publication

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

END OF POLICY

Legal Reference(s):

[ORS 243.706](#)
[ORS 332.107](#)
[ORS 342.700](#)
[ORS 342.704](#)
[ORS 342.708](#)
[ORS 342.850](#)
[ORS 342.865](#)
[ORS 659.850](#)
[ORS 659A.006](#)
[ORS 659A.029](#)
[ORS 659A.030](#)

[OAR 581-021-0038](#)
[OAR 584-020-0040](#)
[OAR 584-020-0041](#)

¹⁷ Of the United States Department of Education.

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

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).
Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).
Gebser v. Lago Vista Indep. Sch. Dist., 524 U.S. 274 (1998).

s. JBAA-AR - Section 504 - Students**/*

OSBA Model Sample Policy

Code: JBAA-AR
Revised/Reviewed:

Section 504 – Students**/*

In order to meet the requirements of Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendments Act of 2008 (ADA), the following procedures have been established:

Definitions

1. A student is considered a “qualified individual with disabilities” under Section 504 if the student:
 - a. Has a physical or mental impairment which substantially limits one or more major life activities, even when mitigating measures, such as medication, prosthetics, hearing aids, etc., ameliorate the effects of the disability (e.g., any student receiving services under the Individuals with Disabilities Education Act (IDEA), students with diabetes). The term does not cover students disadvantaged by cultural, environmental or economic factors;
 - b. Has a record or history of such an impairment (e.g., a student with learning disabilities who has been decertified as eligible to receive special education under IDEA, a student who had cancer, a student in recovery from chemical dependencies);
 - c. Is regarded as having such an impairment. A person can be found eligible under this provision if the student:
 - (1) Has a physical or mental impairment that does not substantially limit a major life activity but is treated by the district as having such a limitation;
 - (2) Has a physical or mental impairment that substantially limits a major life activity only as a result of the attitudes of others towards such impairment (e.g., a student who is obese); or
 - (3) Has no physical or mental impairment but is treated by the district as having such an impairment (e.g., a student who tests positive with the HIV¹ virus but has no physical effects from it).
 - d. Has a qualifying disability that is episodic or in remission.
2. “Physical or mental impairment” means any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; endocrine; or any mental or psychological disorder, such as intellectual disability, organic brain syndrome, emotional or mental illness and specific learning disabilities;
3. “Major life activities,” as defined by the ADA, means functions such as caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, communicating; and major

¹ HIV - Human Immunodeficiency Virus

bodily functions including, but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine and reproductive functions;

4. “Program or activity” includes all district programs and activities. The district will also ensure that contracts with those who provide services to the district, such as alternative programs, also provide students with disabilities an equal opportunity to participate in the program or activity;
5. “Potentially disabling conditions” under Section 504, if they substantially limit a major life activity, may include, but are not limited to:
 - a. Attention deficit disorder (ADD);
 - b. Behavior disorders;
 - c. Chronic asthma and severe allergies;
 - d. Physical disabilities such as spina bifida, hemophilia and conditions requiring students to use crutches;
 - e. Diabetes.

District Responsibilities

The superintendent or designee will:

1. Provide written assurance of nondiscrimination whenever the district receives federal money in accordance with application guidelines;
2. Designate an employee to coordinate the district’s compliance efforts with Section 504;
3. Provide procedures to resolve student, parent and employee complaints of discrimination;
4. Provide notice to students, parents, employees, including those with vision or hearing impairments, of the district’s policy of compliance with Section 504 prohibiting nondiscrimination in admission or access to or treatment or employment in district programs or activities. District aids, benefits and services will afford students with disabilities equal opportunity to obtain the same result, gain the same benefit or reach the same level of achievement as students without disabilities, in the most integrated setting appropriate to the student’s needs. Notice will specify the employee designated by the district to coordinate the district’s Section 504 compliance efforts;
5. Annually identify and locate students with disabilities who are Section 504 qualified in the district and who qualify for services;
6. Annually notify students with disabilities and their parents or guardians of the district’s responsibilities under Section 504;
7. Provide parents or guardians with procedural safeguards:
 - a. Notice of their rights under Section 504, including the right to request an impartial hearing as provided by Oregon Administrative Rule (OAR) 581-015-2390;
 - b. An opportunity to review relevant records.

8. Provide all employees assigned to work with a student with specialized needs to assist the student with educational, behavioral, medical, health or disability-related support access to the 504 Plan.

Transportation

1. If the district proposes to terminate transportation services for a student who qualifies for services under Section 504, the district will first determine the relationship between the student's behavior and disability and provide the parent with notice of rights.
2. If the district places a student in a program not operated by the district, the district will ensure that adequate transportation to and from the program is provided at no additional cost to the parent or student than would be incurred if the student were placed in programs operated by the district.

Evaluation

1. The district will conduct an evaluation of any student who, because of a disability, needs or is believed to need accommodations or related services. Such evaluation will be completed by an evaluation team comprised of a group of persons knowledgeable about the student, the meaning of the evaluation data and placement options. The team will be appointed by the superintendent or designee. Such evaluation will be completed before any action is taken with respect to the initial placement of the student in a regular or special education program and any subsequent, significant change in placement.

All employees assigned to work with a student with specialized needs to assist the student with educational, behavioral, medical, health or disability-related support needs of the student must be consulted with when the 504 Plan for the student is being developed, reviewed or revised. This includes being invited to, and compensated for attending, meetings regarding the student's 504 Plan and other meetings regarding the student, when the decisions made and issues discussed are related to the responsibilities of the employee to support the student or when the employee has unique information about the student's needs and present level of performance.

2. Tests and other evaluation materials will:
 - a. Be validated and administered by trained personnel;
 - b. Tailored to assess educational need and not merely based on IQ scores;
 - c. Reflect aptitude or achievement. All tests must measure what they purport to measure.

Placement

In interpreting evaluation data and making placement decisions, the evaluation team will:

1. Draw upon information from a variety of sources;
2. Ensure that all relevant information is documented and considered;
3. Ensure that the student is educated with students without disabilities to the maximum extent possible.

Reevaluations

1. The evaluation team will periodically reevaluate all students identified as qualified to receive services under Section 504. Minimally, students will be reevaluated every three years.
2. A reevaluation will be conducted by the evaluation team whenever a significant change in placement occurs. Examples of significant changes in placement include, but are not limited to:
 - a. Expulsion;
 - b. Serial suspensions which exceed 10 school days in a school year. Consideration will be given to the frequency of suspensions, the length of each and their proximity to one another;
 - c. Transferring or placing the student in alternative education or other such programs;
 - d. Graduation;
 - e. Significantly changing the composition of the student's class schedule (e.g., moving the student from regular education to the resource room, etc.).

Discipline

1. Before implementing a suspension or expulsion that constitutes a significant change in the placement of a student with disabilities under Section 504, the evaluation team will conduct a reevaluation of the student to determine whether the misconduct in question is caused by the student's disability and, if so, whether the student's current educational placement is appropriate:
 - a. If it is determined that the misconduct of the student is caused by the student's disability, the evaluation team will continue the evaluation, following the requirements of Section 504 and the ADA for evaluation and placement, to determine whether the student's current educational placement is appropriate. Due process procedures that meet the requirements of IDEA may be used to meet the procedural safeguards of law;
 - b. If it is determined that the misconduct is not caused by the student's disability, the student may be excluded from school in the same manner as are similarly situated students who do not have disabilities.
2. When the placement of a student with disabilities under Section 504 is changed for disciplinary reasons, the student and parents are entitled to the procedural protections as specified above. These protections include appropriate notice to parents, an opportunity for their examination of pertinent records, an impartial hearing with the participation of the parents and an opportunity for representation by counsel and a review procedure.
3. The district may take disciplinary action against a student with disabilities under Section 504 who is engaged currently in the use of alcohol or illegal drugs to the same extent that it takes disciplinary action against students not having disabilities. As provided by law, due process procedures specified above will not apply to disciplinary actions arising from the use or possession of alcohol or illegal drugs. Regularly established district due process procedures will, however, be provided.
4. Students with disabilities under Section 504 who are also covered by IDEA will be disciplined in accordance with Board policy JGDA - Discipline of Students with Disabilities and the accompanying administrative regulation.

Complaints

Student, parent or staff complaints of noncompliance with the provisions of Section 504 will be reported to the superintendent or designee and processed as provided in accordance with established district complaint procedures.

t. JEA - Compulsory Attendance

OSBA Model Sample Policy

Code: JEA
Adopted:

Compulsory Attendance**

Except when exempt by Oregon law, all children 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 control of a child between the ages 6 and 18, who has not completed the 12th grade, are required to send the child to school and maintain the child in regular attendance during the entire school term.

All children 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 control of a child, who is five years of age and who have enrolled the child in a public school, are required to send the child to school 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. A citation for violation of ORS 339.035 may be issued.

A parent who is not supervising their child by requiring school attendance may also be in violation of Oregon Revised Statute (ORS) 163.577(1)(c); failing to supervise a child is a Class A violation.

Exemptions from Compulsory School Attendance

In the following cases, children shall not be required to attend public, full-time schools:

1. Children 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. Children 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. Children who have received a high school diploma or a modified diploma.
4. Children 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. Children being educated in the home by a parent, legal guardian or private teacher.
 - a. When a student is taught or is withdrawn from a public school to be taught by a parent, legal guardian or private teacher, the parent, legal guardian or private teacher must notify the Linn Benton Lincoln Education Service District (LBLEDSD) in writing within 10 days of such occurrence. In addition, when such a student moves to a new ESD, the parent, guardian or private teacher shall notify the new ESD in writing, within 10 days, of the intent to continue home schooling. The ESD shall acknowledge receipt of any notification in writing within 90 days of receipt of the notification. The ESD is to notify, at least annually, the school districts of students who are registered with the ESD and reside in their district;

- b. Each child being taught as described above shall be examined no later than August 15, following 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 from public school;
 - (2) If the child never attended public or private school, the first examination shall be administered prior to the end of grade 3.
 - c. Procedures for homeschooling students with disabilities are set out in Oregon Administrative Rule (OAR) 581-021-0029;
 - d. Examinations shall be from the list of approved examinations from the State Board of Education;
 - e. The examination must be administered by a neutral, individual qualified to administer tests on the approved list provided by the Oregon Department of Education;
 - f. The person administering the examination shall score the examination and report the results to the parent or guardian. Upon request of the ESD superintendent, the parent or guardian shall submit the results of the examination to the ESD;
 - g. All costs for the test instrument, administration and scoring are the responsibility of the parent or guardian;
 - h. In the event the ESD superintendent finds that the child is not showing satisfactory educational progress, the ESD superintendent shall follow the guidelines in Oregon Revised Statutes and Oregon Administrative Rules.
6. Children whose sixth birthday occurred on or before September 1 immediately preceding the beginning of the current school year, if the parent or guardian notified the child’s resident district in writing that the parent or guardian 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 or guardian.
 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 excluded from attendance as provided by law.
 9. Children 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 or guardian of any child 16 or 17 years of age who is lawfully employed full-time, or who is lawfully employed part-time and enrolled in school, 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 - 419B.558.

END OF POLICY

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.

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](#)

u. JEA-AR - Compulsory Attendance

OSBA Model Sample Policy

Code: JEA-AR
Revised/Reviewed:

Compulsory Attendance Notices and Citation**

Appropriate notices on student absences or irregular attendance may be issued by the district in accordance with law. A citation may be issued by the superintendent or designee for noncompliance of ORS 339.035¹ in accordance with ORS 339.095.

1. Attendance Supervisor

The attendance supervisor shall:

- a. Determine whether a parent or guardian has failed to enroll their child and to maintain the child in regular attendance at a public school. “Regular attendance” means attendance which does not include more than eight unexcused one-half day absences, or the equivalent thereof, in any four-week period in which school is in session;
- b. Provide written compulsory attendance noncompliance notification to the parent or guardian within 24 hours of notification of the violation from the proper authority. If the student is an adjudicated youth on parole or probation, at the same time notice is given to the parent or other person, the attendance supervisor shall notify the student’s parole or probation officer of the student’s absence;
- c. Serve the notification personally or by certified mail. The notification will be written in the home language of the parent or guardian of the student;
- d. Ensure that notification includes a statement requiring the student to appear at the public school on the next school day following receipt of the notice and to maintain regular attendance for the remainder of the school year;
- e. Ensure that the notification states that the parent or guardian has the right to request an evaluation to determine if the child should have an individualized education program (IEP) or Section 504 plan (“504 plan”) or right to request a review of their child’s current IEP or 504 plan;
- f. Provide a copy of the notice to the superintendent or designee² at the time notice is given to the parent or guardian.

The attendance supervisor, within three days of knowledge of noncompliance by the parent or guardian, shall notify the superintendent.

2. Superintendent or Designee

If after review of a student’s record, a citation in violation of ORS 339.035 appears warranted, prior to issuing the citation, the superintendent or designee shall provide written notification to the parent

¹ ORS 339.035 provides requirements for teaching by private teacher, parent or guardian.

² OAR 581-021-0077, requires such notice to the superintendent, a principal or other appropriate school official.

or guardian of the student and the student. The notice will be written in the native language of the parent or guardian. The notice will be delivered personally or by certified mail and will state that:

- a. The student is required to attend regularly, a full-time school during the school year;
- b. A citation for violation of ORS 339.035 may be issued by the superintendent or designee;
- c. The parent or guardian has the right to request an evaluation to determine if the student should have an IEP or 504 plan, if the student does not have one, or a review of the student's current IEP or 504 plan;
- d. The parent or guardian and student are required to attend a scheduled conference with the superintendent or designee. The date, time and place of conference will be specified in the notice.

If an evaluation or review as described in item c. above has been requested, will be scheduled after its completion.

3. Conference

The superintendent or designee may conduct a conference with the parent or guardian and student. Auxiliary aids and services will be provided upon advance request. The superintendent or designee may:

- a. Review Oregon's attendance law and the student's attendance record;
- b. Determine the reasons for the noncompliance;
- c. Develop a plan for student attendance improvement (i.e., contract, etc.);
- d. Inform the parent and student of other available resources in the district and community, if available;
- e. Discuss the potential consequences for continued attendance noncompliance, including the potential for the issuance of a citation, if applicable.

Alsea School District
PO Box B
Alsea, OR 97324
(541) 487 - 4305

***** **NON-ENROLLMENT NOTICE** *****

Date _____
Parent(s)/Guardian _____
Address _____

Dear _____,
(Parent/Guardian)

After review of attendance records, your child _____ (name) is not exempted from compulsory attendance for school, under provisions of ORS 339.030, and is not currently enrolled in school.

In accordance with Oregon law, children between ages 6 through 18 must be enrolled in school. Please enroll your child at [Alsea Charter school no](#) later than the next school day following receipt of this notice and maintain your child in regular attendance for the remainder of the school year.

You may request an evaluation to determine if your child should have an individualized education program (IEP) or Section 504 plan (“504 plan”), or request a review of your child’s current IEP or 504 plan.

If your child is taught by a parent, guardian or private teacher, you must notify your local education service district and comply with ORS 339.035. Your local ESD is: [name of ESD and contact information].

If you have questions and/or need assistance, please contact [name] at [number].

Sincerely,

[Attendance Supervisor] [Principal]

[cc: [Principal]/[Superintendent]]

Alesea School District
PO Box B
Alesea, OR 97324
(541) 487 - 4305

*******-IRREGULAR ATTENDANCE NOTICE *******

Date _____
Parent(s)/Guardian _____
Address _____

Dear _____,
(Parent/Guardian)

After review of attendance records, your child _____ (name) is not maintaining regular attendance at a public school as required by ORS 339.065. [“Regular attendance” is defined by Oregon law as attendance which does not include more than eight unexcused one-half day absences or the equivalent thereof in any four-week period school is in session. According to attendance records, your child has had [] unexcused absences from school on the following dates: [].

Please send your child to school no later than the next school day following receipt of this notice and maintain your child in regular attendance for the remainder of the school year.

You may request an evaluation to determine if your child should have an individualized education program (IEP) or Section 504 plan (“504 plan”); or request a review of your child’s current IEP or 504 plan. If you request an evaluation for, or a review of a current IEP or 504 plan, a conference will be held after such evaluation or review has been completed.

If your child is taught by a parent, guardian or private teacher, you must notify your local education service district and comply with ORS 339.035. Your local ESD is: [name of ESD and contact information].

If you have questions and/or need assistance, please contact [name] at [number].

Sincerely,

[Attendance Supervisor] [Principal]

[cc: [Principal] [/Superintendent]]

Alesea School District
PO Box B
Alesea, OR 97324
(541) 487 - 4305

****SUPERINTENDENT’S NOTICE****

Date _____
Parent(s)/Guardian _____
Address _____

Dear _____,
(Parent/Guardian)

According to district records, you were notified by the district’s attendance supervisor on [date] that your child, [name], [is not yet enrolled in school] [is not maintaining regular school attendance] [is not enrolled with the local education service district] as required by Oregon law.

Your child was required to appear in school no later than the next school day following your receipt of the notice and to maintain regular attendance for the remainder of the school year. District records indicate your child continues to be absent from a public school. A child is required to regularly attend a full-time school.

You [may request an evaluation of your child’s individualized education program (IEP) or Section 504 plan or a review of same.] [requested an evaluation to determine if your child should have an individualized education program (IEP) or Section 504 plan.] [[requested a review of an existing IEP or Section 504 plan for your child] and the requested evaluation or review was completed on [date].]

You and your child are requested to attend a conference with [designated school official] on [date] at [time].

1. The development of a plan for improvement;
2. Resources available to help your child be successful in school, referrals to other agencies as may be needed and such alternative education information as may be required by law;
3. Any questions you may have concerning district programs and resources to help your child attend regularly.

If your child is taught by a parent, guardian or private teacher, you must notify your local education service district and comply with ORS 339.035. Your local ESD is: [Linn Benton Lincoln ESD and their contact information is as follows: lbl.homeschool@lblesd.k12.or.us or \(541\) 812-2751.](#)

If you have questions and/or need assistance, please contact [name] at [number].

Sincerely,

[Superintendent]/[Designee]]

v. JGAB - Use of Restraint or Seclusion

OSBA Model Sample Policy

Code: JGAB
Adopted:

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 must exist and the requirements that 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.

The use of a seclusion cell is prohibited.

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.

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 volunteer], 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;
- 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.

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) 581-021-0568.

The district shall only utilize a training program for restraint or seclusion to train staff and use in the district which has been approved by the Oregon Department of Education (ODE)

The district shall preserve, and may not destroy, any records related to an incident of restraint or seclusion, including an audio or video recording. The records must be preserved in the original format and without alteration in accordance with law.

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;
9. The demographic characteristics² of all students upon whom restraint or seclusion was imposed;
10. 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. At least once each school year the parents and guardians of students of the district shall be notified about how to access the report.

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 or an individual, may appeal a district’s final decision to the Oregon Department of Education pursuant to OAR 581-002-0001 - 581-002-0023.

The superintendent 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. A staff member who violates this policy or its administrative regulation may be subject to discipline, up to and including dismissal.

END OF POLICY

Legal Reference(s):

- | | | |
|-----------------------------|----------------------------------|----------------------------------|
| ORS 161.205 | ORS 339.297 | OAR 581-021-0569 |
| ORS 339.250 | ORS 339.300 | OAR 581-021-0570 |
| ORS 339.285 | ORS 339.303 | OAR 581-022-2267 |
| ORS 339.288 | | OAR 581-022-2370 |
| ORS 339.291 | OAR 581-021-0061 | |
| ORS 339.294 | OAR 581-021-0550 | |
| | OAR 581-021-0553 | |
| | OAR 581-021-0556 | |
| | OAR 581-021-0563 | |
| | OAR 581-021-0566 | |
| | OAR 581-021-0568 | |

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.

w. JGAB-AR - Use of Restraint or Seclusion

OSBA Model Sample Policy

Code: JGAB-AR
Revised/Reviewed:

Use of Restraint or Seclusion**

Procedure

1. If restraint or seclusion continues for more than 30 minutes, school staff will attempt to immediately notify parents or guardians verbally or electronically.
2. Following an incident involving the use of restraint or seclusion, school staff will provide parents or guardians of the student the following:
 - a. Verbal or electronic notice of the incident by the end of the school day when the incident occurred.
 - b. Written documentation of the incident within 24 hours that provides:
 - (1) A description of the restraint or seclusion including:
 - (a) The date of the restraint or seclusion;
 - (b) The times the restraint or seclusion began and ended; and
 - (c) The location of the incident.
 - (2) A description of the student’s activity that prompted the use of restraint or seclusion;
 - (3) The efforts used to de-escalate the situation and the alternatives to restraint or seclusion that were attempted;
 - (4) The names of staff of the district who administered the restraint or seclusion;
 - (5) A description of the training status of the staff of the district who administered the restraint or seclusion, including any information that may need to be provided to the parent or guardian.
 - c. Timely notification of a debriefing meeting to be held and of the parent’s or guardian’s right to attend the meeting.
 - d. Immediate¹, written notification of the existence of any records² related to an incident of restraint or seclusion (including photos or audio or video recording).
3. If the restraint or seclusion was administered by a person without training, the administrator will ensure written notice is issued to the parent or guardian of the student which includes notice of the lack of training and the reason restraint or seclusion was administered by a person without training. The administrator will ensure written notice of the same to the superintendent.

¹ “Immediate” means to act as soon as possible without undue delay, but in no case later than within 24 hours of the incident. (OAR 581-021-0556 (2)(e))

² Such records shall be maintained in accordance with ORS 339.294(9).

4. An administrator will be notified as soon as practicable whenever restraint or seclusion has been used.
5. If restraint or seclusion continues for more than 30 minutes the student must be provided with adequate access to bathroom and water every 30 minutes. If restraint or seclusion continues for more than 30 minutes, every 15 minutes after the first 30 minutes, an administrator for the district must provide written authorization for the continuation of the restraint or seclusion, including providing documentation for the reason the restraint or seclusion must be continued. Whenever restraint or seclusion extends beyond 30 minutes, staff of the district will immediately attempt to verbally or electronically notify a parent or guardian.
6. A district Restraint and/or Seclusion Incident Report must be completed and copies provided to those attending the debriefing meeting for review and comment. The completed Restraint and/or Seclusion Incident Report Form shall include the following:
 - a. Name of the student;
 - b. Name of staff member(s) administering the restraint or seclusion;
 - c. Date of the restraint or seclusion and the time the restraint or seclusion began and ended;
 - d. Location of the restraint or seclusion;
 - e. A description of the restraint or seclusion;
 - f. A description of the student's activity immediately preceding the behavior that prompted the use of restraint or seclusion;
 - g. A description of the behavior that prompted the use of restraint or seclusion;
 - h. Efforts to de-escalate the situation and alternatives to restraint or seclusion that were attempted;
 - i. Information documenting parent or guardian contact and notification.
7. A documented debriefing meeting must be held within two school days after the use of restraint or seclusion³. The parent or guardian of the student must be invited to attend the meeting³, and the meeting will include staff members involved in the intervention and any other appropriate personnel. The debriefing team shall include an administrator. At the debriefing meeting, the district shall review, in its entirety, any audio or video recording^[4] preserved as a record of the incident involving restraint or seclusion in accordance with law. Written notes shall be taken and a copy of the written notes shall be provided to the parent or guardian of the student.

The parent or guardian has the right to request another meeting in the event they were unable to attend the debriefing meeting scheduled to be held within two school days of the incident.

³ "Meeting" means the debriefing meeting at which the audio or video recording will be viewed. (OAR 581-021-0556(9))

⁴ To the extent practicable without altering the meaning of the record, the district shall segregate or redact from such a record any personally identifiable information of other students before disclosure to the student's parent or guardian. If the district is unable to segregate or redact personally identifiable information of other students without altering the meaning of the record, the district shall disclose the record to the student's parent or guardian in its original format and without any alteration. "Disclose" means to inform the student's parent or guardian that the record exists; that the record in its original format and without alteration will be available for review by the parent or guardian privately and in the debriefing meeting; and that a copy of the record will be provided to the student's parent or guardian upon request in its original and unaltered format except to the extent that the redaction is needed to protect the personally identifiable information of another student. (ORS 339.294; OAR 581-021-0556(10))

8. If serious bodily injury or death of a student occurs in relation to the use of restraint or seclusion:
 - a. Oral notification of the incident must be provided immediately to a parent or guardian of the student and to the Oregon Department of Human Services (DHS); and
 - b. Written notification of the incident must be provided to DHS within 24 hours of the incident.
9. If serious bodily injury or death of a staff member occurs in relation to the use of restraint or seclusion, written notification of the incident must be provided within 24 hours of the incident to the superintendent, to the Superintendent of Public Instruction and, if applicable, to the union representative for the affected person.
10. The district shall maintain a record of each incident in which injuries or death occurs in relation to the use of restraint or seclusion.
11. The district, upon request from DHS regarding an investigation of an incident of restraint or seclusion as suspected child abuse, shall disclose any records preserved to DHS or its designee which are deemed relevant to the subject investigation, in its original format and without any alteration.

Restraint and/or seclusion as a part of a behavioral support plan in the student’s Individual Education Program (IEP) or Section 504 plan.

1. Parent participation in the plan is required.
2. The IEP team that develops the behavioral support plan shall include knowledgeable and trained staff, including a behavioral specialist and a district representative who is familiar with the restraint and seclusion training practices adopted by the district.
3. Prior to the implementation of any behavioral support plan that includes restraint and/or seclusion, a functional behavioral assessment must be completed. The assessment plan must include an individual threshold for reviewing the plan.
4. [When a behavior support plan includes restraint or seclusion the parents [will] [may] be provided a copy of the district Use of Restraint or Seclusion policy at the time the plan is developed.]
5. If a student is involved in five incidents in a school year, the team, including a parent or guardian of the student, will form for the purpose of reviewing and revising the student’s behavior plan and ensuring the provision of any necessary behavioral supports.

Use of restraint and/or seclusion in an emergency by school administrator, staff or volunteer to maintain order or prevent a student from harming themselves, other students or school staff.

Use of restraint and/or seclusion under these circumstances with a student who does not have restraint and/or seclusion as a part of their IEP or Section 504 plan, is subject to all of the requirements established by Board policy and this administrative regulation with the exception of those specific to plans developed in an IEP or 504 plan.

x. JHCA/JHCB - Immunization and School Sports Participation

OSBA Model Sample Policy

Code: JHCA/JHCB
Adopted:

Immunization and School Sports Participation**

Immunization

Proof of immunization must be presented at the time of initial enrollment¹ in school or within 30 days of transfer to the district in accordance with Oregon law. Proof consists of a signed Certificate of Immunization Status form documenting either evidence of immunization, a religious, philosophical beliefs and/or medical exemption or immunity documentation.²

School Sports Participation

A student participating in extracurricular sports in grades 7 through 12 is required to submit to an appropriate School Sports Pre-Participation Examination³ prior to their initial participation in a related district program. The form⁴ is to be completed and signed by a parent or guardian giving permission for the student to participate and signed by a medical provider authorized by law⁵ who has examined and evaluated the student. The completed form(s) must be returned [as directed] [to the school office].

A student who is subsequently diagnosed with a significant illness or has had a major surgery is required to have a physical examination prior to further participation.

A student who exhibits signs, symptoms or behaviors consistent with a concussion following an observed or suspected blow to the head or body, or who has been diagnosed with a concussion will not be allowed to participate in any athletic event or training on that day, unless an athletic trainer licensed by the Board of Athletic Trainers or a physician licensed pursuant to ORS 677.100 - 677.228 has determined the student has not suffered a concussion.⁶ Except as allowed above, a student excluded for concussion reasons will not be allowed to return to participate in an athletic event or training until the following three conditions have been met:

1. It is not the same day as the student exhibited signs, symptoms or behaviors, experienced a blow to the head or body, or was diagnosed with a concussion;

¹ The district shall immediately enroll a student experiencing houselessness in the school selected even if the student is unable to produce records normally required for enrollment.

² Documentation requirements for exemptions are outlined in ORS 433.267.

³ The required form is available at <https://www.osaa.org/governance/forms>, a copy may be obtained from a school office, or a form generated by the medical provider may be used if it meets requirements of law in OAR 581-021-0041.

⁴ The form may be used in either a hard copy or electronic format.

⁵ This physical examination must be conducted by a physician possessing an unrestricted license to practice medicine, a licensed naturopathic physician, a licensed physician assistant, a licensed nurse practitioner or a licensed chiropractic physician who has clinical training and experience in detecting cardiopulmonary diseases and defects.

⁶ For more information regarding medical releases for students in grades 9-12, see OSAA rules.

2. The student no longer exhibits signs, symptoms or behaviors consistent with a concussion; and
3. The student has received a medical release form from a health care professional⁷.

A student who continues to participate in extracurricular sports in grades 7 through 12 shall be required to complete a sports examination once every two years, thereafter.

END OF POLICY

Legal Reference(s):

[ORS 326.580](#)

[ORS 336.479](#)

[ORS 336.485 - ORS 336.490](#)

[ORS 433.235 - 433.280](#)

[OAR 333-019-0010](#)

[OAR 333-050-0010 - 050-0120](#)

[OAR 581-021-0041](#)

McKinney-Vento Homeless Assistance Act, Subtitle VII-B, reauthorized by Title IX-A of the Every Student Succeeds Act, 42 U.S.C. §§ 11431-11435 (2018).

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 (2024).

⁷ “Health care professional” includes a chiropractic physician, a naturopathic physician, a psychologist, a physical therapist, an occupational therapist, a physician assistant or a nurse practitioner who is licensed or registered under the laws of Oregon.

y. JHFE/GBNAB - Suspected Abuse of a Child Reporting Requirements

OSBA Model Sample Policy

Code: JHFE/GBNAB
Adopted:

Suspected Abuse of a Child Reporting Requirements**

Any district employee who has reasonable cause to believe that **any child** with whom the employee has come in contact has suffered abuse¹ shall make a report to the Oregon Department of Human Services (DHS) through the centralized child abuse reporting system^[2] or to a law enforcement agency within the county where the person making the report is located at the time of the contact. Any district employee who has reasonable cause to believe that **any person**³ with whom the employee is in contact has abused a child shall immediately report in the same manner described above

The report must contain, if known, the names and addresses of the child and the parents of the child or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, including any evidence of previous abuse, the explanation given for the suspected abuse, any other information that the person making the report believes might be helpful in establishing the possible cause of the abuse and the identity of a possible perpetrator.

Abuse of a child by district employees, contractors⁴, agents⁵, volunteers⁶, or students is prohibited and will not be tolerated. All district employees, contractors, agents, volunteers and students are subject to this policy and the accompanying administrative regulations.

Any district employee who has reasonable cause to believe that another district employee, contractor, agent, volunteer or student has engaged in abuse, or that a student has been subjected to abuse by another district employee, contractor, agent, volunteer or student shall immediately report such to DHS through its centralized child abuse reporting system or to a law enforcement agency pursuant to ORS 419B.015, and to a designated licensed administrator.

¹ Includes the neglect of a child; abuse is defined in ORS 419B.005.

² How to report abuse or neglect: [Oregon DHS](#). Call 855-503-SAFE (7233)

³ "Person" could include adult, student or other child.

⁴ "Contractor" means a person providing services to the district under a contract in a manner that requires the person to have direct, unsupervised contact with students.

⁵ "Agent" means a person acting as an agent for the district in a manner that requires the person to have direct, unsupervised contact with students.

⁶ "Volunteer" means a person acting as a volunteer for the district in a manner that requires the person to have direct, unsupervised contact with students.

The district will designate a ⁷licensed administrator and an alternate licensed administrator, in the event that the designated licensed administrator is the suspected abuser, for each school building to receive reports of suspected abuse of a child by district employees, contractors, agents, volunteers or students.

If the superintendent is the alleged perpetrator the report shall be submitted to the [insert {⁸} licensed administrator position title] who shall also report to the Board chair.

The district will post the names and contact information of the designees for each school building, in the respective school, designated to receive reports of suspected abuse and the procedures in JHFE/GBNAB-AR(1) - Reporting of Suspected Abuse of a Child the designee will follow upon receipt of a report, the contact information for making a report to law enforcement or the centralized child abuse reporting system of DHS, and a statement that this duty to report suspected abuse is in addition to the requirements of reporting to a designated licensed administrator.

When a designee receives a report of suspected abuse, the designee will follow procedure established by the district and set forth in administrative regulation JHFE/GBNAB-AR(1) - Reporting of Suspected Abuse of a Child. All such reports of suspected abuse will be reported to a law enforcement agency or DHS for investigation, and the agency will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged abuser.

When there is reasonable cause to support a report, a district employee suspected of abuse shall be placed on paid administrative leave pending an investigation and the district will take necessary actions to ensure the student's safety. When there is reasonable cause to support a report, a district contractor, agent or volunteer suspected of abuse shall be removed from providing services to the district and the district will take necessary actions to ensure the student's safety.

The district will notify the person, as allowed by state and federal law, who was subjected to the suspected abuse about any actions taken by the district as a result of the report.

A substantiated report of abuse by an employee shall be documented in the employee's personnel file. A substantiated report of abuse by a student shall be documented in the student's education record.

The initiation of a report in good faith, pursuant to this policy, may not adversely affect any terms or conditions of employment or the work environment of the person initiating the report or who may have been subjected to abuse. If a student initiates a report of suspected abuse of a child by a district employee, contractor, agent, volunteer or student, in good faith, the student will not be disciplined by the district or any district employee, contractor, agent or volunteer. Intentionally making a false report of abuse of a child is a Class A violation.

⁷ ORS 339.372 requires the district to post the names and contact information of the persons, i.e., a licensed administrator and an alternate licensed administrator, who are designated to receive reports of sexual abuse for a school building in the respective school building. A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.

⁸ A "licensed administrator" is a person employed as an administrator by the district and holds an administrative license issued by TSPC or may be a person employed by the district that does not hold an administrative license issued by TSPC if the district does not require the administrator to be licensed by TSPC.

The district shall provide information and training each school year to district employees on the prevention and identification of abuse, the obligations of district employees under ORS 339.388 and ORS 419B.005 - 419B.050 and as directed by Board policy to report suspected abuse of a child, and appropriate electronic communications with students. The district shall make available each school year the training described above to contractors, agents, volunteers, and parents and legal guardians of students attending district-operated schools, and will be made available separately from the training provided to district employees. The district shall provide each school year information on the prevention and identification of abuse, the obligations of district employees under Board policy to report abuse, and appropriate electronic communications with students to contractors, agents and volunteers. The district shall make available each school year training that is designed to prevent abuse to students attending district-operated schools.

The district shall provide to a district employee at the time of hire, or to a contractor, agent, or volunteer at the time of beginning service for the district, the following:

1. A description of conduct that may constitute abuse;
2. A description of the investigatory process and possible consequences if a report of suspected abuse is substantiated; and
3. A description of the prohibitions imposed on district employees, contractors, and agents when they attempt to obtain a new job, as provided under ORS 339.378. [A district employee, contractor or agent will not assist another district employee, contractor or agent in obtaining a new job if the individual knows, or has reasonable or probable cause to believe the district employee, contractor or agent engaged in abuse, unless criteria found in ORS 339.378(2)(c) are applicable.]

Nothing in this policy prevents the district from disclosing information required by law or providing the routine transmission of administrative and personnel files pursuant to law.

The district shall make available to students, district employees, contractors, agents, and volunteers a policy of appropriate electronic communications with students.

Any electronic communications with students by a contractor, agent or volunteer for the district will be appropriate and only when directed by district administration. When communicating with students electronically regarding school-related matters, contractors, agents or volunteers shall use district e-mail, using mailing lists and/or other internet messaging approved by the district to a group of students rather than individual students or as directed by district administration. Texting or electronically communicating with a student through contact information gained as a contractor, agent or volunteer for the district is strongly discouraged.

The superintendent shall develop administrative regulations as are necessary to implement this policy and to comply with state law.

END OF POLICY

Legal Reference(s):

[ORS 339.370 - 339.400](#)
[ORS 418.257 - 418.259](#)

[ORS 419B.005 - 419B.050](#)

[OAR 581-022-2205](#)

Greene v. Camreta, 588 F.3d 1011 (9th Cir. 2009), vacated in part by, remanded by Camreta v. Greene, 131 S. Ct. 2020 (U.S. 2011); vacated in part, remanded by Greene v. Camreta 661 F.3d 1201 (9th Cir. 2011).

z. JHFE/GBNAB-AR - Reporting of Suspected Abuse of a Child

OSBA Model Sample Policy

Code: JHFE/GBNAB-AR(1)

Revised/Reviewed:

Reporting of Suspected Abuse of a Child

Reporting

Any district employee having reasonable cause to believe that **any child** with whom the employee comes in contact has suffered abuse¹ shall make a report immediately to the Oregon Department of Human Services (DHS) through the centralized child abuse reporting system² or to a law enforcement agency within the county where the person making the report is at the time of their contact. Any district employee who has reasonable cause to believe that **any person**³ with whom the employee is in contact has abused a child shall immediately report in the same manner.

Any district employee who has reasonable cause to believe that another district employee, contractor, agent, volunteer or student has engaged in abuse, or that a student has been subjected to abuse by another district employee, contractor, agent, volunteer or student shall immediately report such to DHS through its centralized child abuse reporting system or to a law enforcement agency, and to a designated licensed administrator or alternate licensed administrator for their school building.

The report must contain, if known, the names and addresses of the child and the parents of the child or other persons responsible for the child's care, the child's age, the nature and extent of the suspected abuse, including any evidence of previous abuse, the explanation given for the suspected abuse, any other information that the person making the report believes might be helpful in establishing the possible cause of the suspected abuse and the identity of a possible perpetrator.

If the superintendent is the alleged abuser the report shall be submitted to the building principal who shall refer the report to the Board chair.

A written record of the abuse report shall be made by the employee reporting the suspected abuse of a student and will include: name and position of the person making the report; name of the student; name and position of any witness; description of the nature and extent of the abuse, including any information which could be helpful in establishing cause of abuse and identity of the abuser; description of how the report was made (i.e., phone or other method); name of the agency and individual who took the report; date and time that the report was made; and name of district administrator who received a copy of the written report.

The written record of the abuse report shall not be placed in the student's educational record. A copy of the written report shall be retained by the employee making the report and a copy shall be provided to the designee that received the report.

¹ Includes the neglect of a child; abuse is defined in ORS 419B.005.

² How to report abuse or neglect: [Oregon DHS](#). Call 855-503-SAFE (7233)

³ "Person" could include adult, student or other child.

When the designee receives a report of suspected abuse of a child by a district employee, and there is reasonable cause to support the report, the district shall place the district employee on paid administrative leave⁴ and take necessary actions to ensure the student’s safety. The employee shall remain on leave until DHS or law enforcement determines that the report is substantiated and the district takes the appropriate employment action, or cannot be substantiated or is not a report of abuse and the district determines that either 1) an employment policy was violated and the district will take appropriate employment action against the employee, or 2) an employment policy has not been violated and no action is required by the district against the employee.

When the designee receives a report of suspected abuse by a contractor⁵, agent or volunteer, the district may prohibit the contractor, agent or volunteer from providing services to the district. If the district determines there is reasonable cause to support the report of suspected abuse, the district shall prohibit the contractor agent or volunteer from providing services. The district may reinstate the contractor, agent or volunteer, and such reinstatement may not occur until such time as a report of suspected abuse has been investigated⁶ and a determination has been made by law enforcement or DHS that the report is unsubstantiated.

The written record of each reported incident of abuse of a child, action taken by the district and any findings as a result of the report shall be maintained by the district.

If, following the investigation, the district decides to take an employment action, the district will inform the district employee of the employment action to be taken and provide information about the appropriate appeal process. The employee may appeal the employment action taken through the appeal process provided by the applicable collective bargaining agreement. The employee not covered by a collective bargaining agreement may appeal the employment action taken through an appeal process administered by a neutral third party.

If the district is notified that the employee decided not to appeal the employment action or if the determination of an appeal sustained the employment action, a record of the findings of the substantiated report and the employment action taken by the district will be placed in the records on the school employee maintained by the district. Such records created are confidential and not public records as defined in Oregon Revised Statute (ORS) 192.311, however the district may use the record as a basis for providing information required to be disclosed about a district employee under ORS 339.378(1). The district will notify the employee that information about substantiated reports may be disclosed to a potential employer.

Definitions

1. Oregon law defines “abuse” in ORS 419B.005(1).

⁴ The district employee cannot be required to use any accrued leave during the imposed paid administrative leave.

⁵ The district is encouraged to duplicate this language in the contract. If the contract is with a company and the person assigned to do the work is the alleged perpetrator, the district shall notify the company and request another company employee be assigned to complete the work.

⁶ The district will investigate all reports of suspected abuse, unless otherwise requested by DHS or law enforcement pursuant to law.

2. “Child” means an unmarried person who is under 18 years of age or is a child in care, as defined in ORS 418.257.
3. A “substantiated report” means a report of abuse that a law enforcement agency or DHS determines is founded.

Confidentiality of Records

The name, address and other identifying information about the employee who made the report are confidential and are not accessible for public inspection.

Upon request from law enforcement or DHS the district shall immediately provide requested documents or materials to the extent allowed by state and federal law.

Failure to Comply

Any district employee who fails to report a suspected abuse of a child as provided by this policy and the prescribed Oregon law commits a violation punishable by law. A district employee who fails to comply with the confidentiality of records requirements commits a violation punishable by the prescribed law. If an employee fails to report suspected abuse of a child or fails to maintain confidentiality of records as required by policy or this administrative regulation, the employee will be disciplined up to and including dismissal.

Cooperation with Investigator

The district staff shall make every effort in suspected abuse of a child case to cooperate with investigating officials as follows:

1. Any investigation of abuse of a child will be directed by the DHS or law enforcement officials as required by law. DHS or law enforcement officials wishing to interview a student shall present themselves at the school office and contact the school administrator unless the school administrator is the subject of the investigation. When an administrator is notified that the DHS or law enforcement would like to interview a student at school, the administrator must request that the investigating official fill out the appropriate form (See JHFE/GBNAB-AR(2) – Abuse of a Child Investigations Conducted on District Premises). The administrator or designee should not deny the interview based on the investigator’s refusal to sign the form. If the student is to be interviewed at the school, the administrator or designee shall make a private space available. The administrator or designee of the school may, at the discretion of the investigator, be present to facilitate the interview. If the investigating official does not have adequate identification the administrator shall refuse access to the student.

Law enforcement officials wishing to remove a student from the premises shall present themselves at the office and contact the administrator or designee. The law enforcement official shall sign the student out in accordance with district procedures;

2. When the subject matter of the interview or investigation is identified to be related to suspected abuse of a child, district employees shall not notify parents or anyone else other than DHS or law enforcement agency and any school employee necessary to enable the investigation;

3. The administrator or designee shall advise the investigator of any conditions of disability prior to any interview with the affected child;
4. District employees are not authorized to reveal anything that transpires during an investigation in which the employee participates, nor shall the information become part of the student's education records, except that the employee may testify at any subsequent trial resulting from the investigation and may be interviewed by the respective litigants prior to any such trial.

Nothing prevents the district from conducting its own investigation, unless another agency requests to lead the investigation or requests the district to suspend the **ir** investigation, or taking an employment action based on information available to the district before an investigation conducted by another agency is completed. The district will cooperate with agencies assigned to conduct such investigations.

aa. KBA-AR - Public Records Request

OSBA Model Sample Policy

Code: KBA-AR

Revised/Reviewed:

Public Records Request

{Highly recommended administrative regulation}

In compliance with Oregon law the following guidelines apply to the dissemination, inspection and examination of the public records of the district:

1. A public records request shall be submitted in writing through the Alsea District office at 301 South 3rd Street, Alsea, OR to Krista Nieraeth, Superintendent.
2. Upon receipt of a written request, the district shall respond within five business days¹ acknowledging receipt of the request or completing² the district's response to the request.

If the district provides an acknowledgment of the request, it must:

- a. Confirm that the district is the custodian of the requested record;
 - b. Inform the requester that the district is not the custodian of the requested record; or
 - c. Notify the requester that the district is uncertain whether the district is the custodian of the requested record.
3. If the district is the custodian of the requested record, as soon as reasonably possible but not later than 10 business days after the date the district is required to acknowledge receipt of the request as described above, the district shall:
 - a. Complete its response to the public records request in accordance with ORS 192.329(2). If the district determines that a record is exempt from public disclosure, the district will include a statement to that effect and that the requester may appeal the decision pursuant to state law; or
 - b. Provide a written statement that the district is still processing the request and a reasonable estimated date by which the district expects to complete its response based on the information currently available.
 4. The time periods, established by Oregon law and identified above in Section 2 or 3, will not apply to the district if compliance would be impracticable because:
 - a. The staff or volunteers³ necessary to complete a response to the public records request are unavailable;
 - b. Compliance would demonstrably impede the district's ability to perform other necessary services; or

¹ "Business day" means a day other than Saturday, Sunday or a legal holiday, and on which at least one paid employee of the district is scheduled to and does report to work. Business day does not include any day on which the central administration offices of the district are closed.

² The district response to a public records request will be considered complete when it complies with criteria in Oregon law (ORS 192.329).

³ Staff member or volunteers who are on leave or are not scheduled to work are considered to be unavailable.

- c. Of the volume of the public records request being simultaneously processed by the district.

In these situations, the district shall, as soon as practicable and without unreasonable delay, acknowledge a public records request and complete the response to the request.

5. The district may request additional information or clarification from the requester for the purpose of expediting the district's response to the request as permitted by law. If the district requests additional information or clarification, in good faith, the obligation to complete the request is suspended until the requester provides the requested information or clarification or affirmatively declines to provide the information or clarification. If the requester fails to respond within 60 days to a good faith request from the district for information or clarification, the district shall close the request.
6. If a copy of a public record is requested, the district will provide a single copy. If a request to inspect a public record is made and the record is maintained in a machine readable or electronic form, the custodian shall provide the record in the form requested, if available. If the public record is not available in the form requested, it will be made available in the form the record is maintained.
7. If a person who is a party to a civil judicial proceeding to which the district is a party or who has filed notice under Oregon Revised Statute (ORS) 30.275(5)(a) asks to inspect or to receive a copy of a public record that the person knows relates to the proceeding or notice, the individual must submit the request in writing to the designated custodian of district records and at the same time to the district's attorney.
8. Information will be made available to individuals with disabilities in an accessible format upon request and advance notice. Auxiliary aids and services available to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.
9. Where the labor effort exceeds 30 minutes, labor, material and out-of-pocket charges will be charged to the requester.

⁴Costs will be as follows:

- a. Clerical time: \$50 per hour;
- b. Administrator time: \$100 per hour;
- c. Attorney time: \$300 per hour;
- d. Printing: \$0.25 per page.

Auxiliary aids and services for qualified persons with disabilities will be available at no additional charge.

If the district has informed the requester of a permitted fee, the obligation of the district to complete its response to the request is suspended until the fee has been received by the district. If the requester fails to pay the fee within 60 days of the date they were informed of the fee or fails to pay the fee within 60 days of the date on which the district informed them of the denial of the fee waiver, the district shall close the request.

⁴ ORS 192.324(7) requires the public body to include "the amounts of and the manner of calculating fees that the public body charges for responding to requests of public records."

9. **Board Comments**

10. **Future Agenda Items**

11. **Key Dates**

May 17th - Prom

May 21st, Budget Committee Meeting, 6:00 PM

May 30th - Senior Banquet, 6:00 PM

June 7th - Graduation, 7:00 PM

June 11th - 6th, 7th and 8th - Awards Night and Promotion, 6:00 PM

June 13th - Last Day of School (Half Day)

June 13th - Regular School Board Meeting, 7:00 PM