



PHOENIX-TALENT SCHOOLS

EXCELLENCE *for* EVERYONE

Board Meeting - 6:00 PM

Thursday, September 1, 2022

In-Person at Phoenix Elementary School

<https://us02web.zoom.us/j/85826452123?pwd=bkdNRU5mVlJmM3E0U2xBc1JMTlhjdz09>

Password: 706395

AGENDA

- A. Executive Session - 5:30 PM
This is a closed meeting to the public.
The meeting is in accordance with ORS 192.660 (2) [a-personnel, d-negotiations, e-real estate]
- B. Call to Order
The Board Meeting was called to order at 6:00 p.m.
- C. Accentuate the Positive
- D. Public Comments
- E. Superintendent Report
- F. Consent Agenda
 - 1. Approval of Agenda
 - 2. Approval of Minutes from 8/11/2022
 - 3. Personnel Report
 - 4. Board Policy Rewrite Section J
- G. Action Items
 - 1. ****REVISED**** Declaration of Surplus Items
 - 2. Establish Meal Prices
 - 3. Board Operating Agreement
 - 4. Board Self-Evaluation Form
 - 5. Board Policy JBB - District Equity Policy
 - 6. Board Policy JFCJ - Weapons in the Schools
 - 7. OSBA Board Nomination for Position 5, Southern Region
- H. RECESS
- I. Information and Discussion
 - 1. Financial Update
 - 2. Facilities/Bond Update
 - 3. Legislative / OSBA Update
 - 4. Alameda Fire Update

5. Equity, Diversity, & Inclusion
 6. Review Budget Committee Applications
 7. Review Budget Calendar for the 23-24 Budget Year
 8. Review Employee Handbook
 9. Discuss Student Representative Appointments
 10. Board Self-Evaluation Timeline
 11. Superintendent Board Operating Agreement
 12. Board Policy Rewrite Sections K & L
- J. Review of the Next Meeting Agenda
- K. Adjournment

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PHOENIX-TALENT SCHOOLS
Regular School Board Meeting

Thursday, August 11, 2022

6:00 p.m. – Orchard Hill Elementary School & Virtual via ZOOM

MINUTES

CALL TO ORDER

Chair Michael Campbell called the meeting to order at 6:00 p.m. Other Board Members present: Directors Polly Farrimond, Sara Crawford, Rebecca Weathers and Nancy McKinnis (via ZOOM). Absent: Rick Nagel and Vice Chair Dawn Watson. Also present: Kalin Cross, Katherine Holden, Shawna Schleif, Kent Valier, Allison Hass, Erika Ochoa, Jon McCalip, Tiffanie Lambert, Jessica Hamlin, Brent Barry and Denise Skinner.

ACCENTUATE THE POSITIVE

- **OHES Principal Brandon Hammond** shared via Shawna Schleif:
 - As an administrator entering a new district, there is a myriad of policies, procedures, and plans that need to be made. There is also the awkwardness that you feel entering a district with being the "new" person. I am entering my 17th year in education and have been blown away by the genuine kindness shown to my family and me within the school and community. Change and transition can be difficult, but having a supportive group of individuals to help along the way has made our move feel like home. I want to publicly thank the district office staff and my new school family at Orchard Hill Elementary for creating an extremely positive atmosphere.
- **TES Principal Heather Lowe-Rogers** shared via Shawna Schleif:
 - Mrs. Lowe-Rogers gave a shout out to the Boys and Girls Club and teacher Kaylee Morse for hosting a Pre-Kindergarten Camp. We are thankful for their focus on helping students get prepared for the "big kid" school. There were over 20 kids who were able to participate.
 - The summer school was a success and I want to thank Maria Lee and the extensive team of both PTS Staff and folks from out of the district for all they did to ensure students participated in continuous learning throughout the summer.
- **PES Principal Shawna Schleif** shared the following:
 - Mrs. Schleif gave a shout out to the custodians at PES who have knocked it out of the park this summer. A big thank you to Dave Derby, Mike Copeland, and Dustin McFarland along with other district support.
 - Mrs. Schleif highlighted two newer-to-the-profession teachers at PES, Jennifer Hawkins and Amy Hartley. Both have participated in every professional development training offered both last year and this summer. In addition, Pam Ward and Aleyda Mark (TMS), Jenny Brown, Christian Sicairos, Jennifer Mohatt, Melanie Sprague, and Brenda Bazan-Madera participated in a GLAD training which was 6 full days of professional development.
 - Mrs. Schleif recognized Jenny Brown who is a TWI teacher. Jenny has been on fire getting the whole TWI team at both TES and PES together for

ACCENTUATE THE POSITIVE (cont.)

a restudy of our Teaching for Biliteracy book by hosting a study group tomorrow.

- **TMS Principal Katherine Holden** shared the following:
 - Mrs. Holden introduced her two new assistant principals, Erika Ochoa and Allison Hass.
 - Mrs. Holden thanked the district office staff for all of their help in learning our processes. Jessica Hamlin and Tiffany Britton have been amazing through the staff hiring process.
 - Mrs. Holden thanked Steven McCormick and the custodian crew as well as Jon McCalip and his extended group for their incredible job of supporting us with some pretty big projects.
 - Summer school was very positive experience and it was great to have kids on campus. We are looking forward to the migrant education students who will have a camp next week.

- **PTRA Principal Aaron Santi** shared the following via Shawna Schleif:
 - PTRA is exploring some elective class offerings through Talent Maker City which might include ceramics, hand tools and woodworking.

- **PHS Principal Kalin Cross** shared the following:
 - Mrs. Cross spent a few weeks this spring on campus at the high school and it was a great way to get to know the staff.
 - This summer we hosted summer school for three weeks. Our graduation coach Ben Evans was the point person during those weeks. Students worked hard to earn 11.75 credit hours. Students were feeling hopeful and the families felt renewed knowing that their students were on track to graduate.
 - Talent Maker City provided a Pirate Camp for our incoming freshman. It was a great opportunity for those students to get hands on learning. Angelica Mendoza and Sam Guyers were the point people for the camp. We served 34 incoming freshman and new students.
 - We had an opportunity to attend a lot of professional development over the summer and it has been such a great experience.

- **PHS Asst. Principal & Athletic Director Dave Ehrhardt** said that on Monday they will start practices for the fall sports. We are expecting about 185 kids to start. Our marching band will start soon and they will have three competitions that they will take part in this year. We have about 200 events planned at the high school this year between sports, activities, and family engagement opportunities.

- **Asst. Supt. Tiffanie Lambert** shared that Talent Maker City is busy this week and next week with our Kinder Camp. We were very fortunate to receive a Kinder Jump Start Grant from ODE and we are serving our students who are on an IEP and our migrant education students. Mrs. Lambert thanked Derek Rodman who is one of our school psychologists who helped plan the event. The staff who is running the camp are all special education staff including Rene Cabrera, Carmen Edwards Henry, Tatiana Ramos

ACCENTUATE THE POSITIVE (cont.)

Gallardo, Michelle Walter and Jordan Ehrhardt. Mrs. Lambert thanked Karinn Calhoun and Lori Evans-Duval who planned our family engagement piece.

- **Chair Michael Campbell** shared that he and Director Rick Nagel along with a consortium from Talent PD, Phoenix PD, and administrative staff attended a safety meeting this morning. We had several conversations about current events related to safety and the future. Director Nagel expressed his desire to strengthen the SRO program. That was met with a lot of positivity and creativity from the Phoenix and Talent police department. We are hoping to continue that conversation over the next few months at the additional safety meetings.

CITIZEN COMMENTS

- Chair Michael Campbell asked if there were any citizens present or online who would like to comment. There were none.

SUPERINTENDENT REPORT

- Supt. Barry is excited about all the new staff members and administrators coming on board.
- Supt. Barry shared that we lost Jennifer Chitwood (Patterson), who was an OHES staff member, unexpectedly this past Friday. There was a celebration of life yesterday and there were close to 65 staff members around the district. It was great to get together and share all of the wonderful things that Jennifer did for our kids and families.
- Supt. Barry shared his welcome back letter to staff along with the inservice week schedules. Board members were invited to join for a continental breakfast and our traditional all staff welcome back kickoff the first Tuesday morning of in service week.
- September 1st we will have an all staff BBQ at the high school provided by our very own staff member Bob Stapp of Preachers BBQ.
- Supt. Barry said that we will shoot for September 1st to start using BoardBook for our meetings.
- Supt. Barry shared that last week Talent City Council approved the UGB proposal for Colver Road and we are moving forward in plans to develop that property.
- Supt. Barry shared that the 20-21 English Learners in Oregon annual report has been published. The board members were provided a copy and there is a link to the report on our website.
- PHS has a program called Link Crew which is an onboarding process for freshman. Staff is proposing to make the current calendared ½ day to a full day for freshman so they can make good use of what Link Crew does.
- Supt. Barry shared a draft of his goals for the 22-23 school year and welcomed any comments for modifications.

PROGRAM REPORT ON FAMILY ENGAGEMENT

- Supt. Barry said that at our last board meeting and at our OSBA summer conference we talked about family engagement. Sherry Wilson from Chicago, who has supported us this last year, spoke about her work with family engagement at the state and federal level for the past 25 years. Sherry shared her most recent experience in coaching and working with our elementary school staff members within the district to help them think about

family engagement as a strategy to improve outcomes for students and to ground families.

- Shawna Schleif with PES spoke to how they plan to use what they learned about family engagement at the elementary schools. Ericka Ochoa with TMS and Kalin Cross with PHS shared what their plans are for the year to implement and incorporate family engagement strategies and partner with parents.

CONSENT AGENDA

- Chair Michael Campbell presented the consent agenda which included the following:
 - Approval of Agenda
 - Approval of Minutes of 7/6/22 and 7/21/22
 - Personnel Report
 - Board Policy Sections H & I with revisions

On motion by Director Sara Crawford, seconded by Director Nancy McKinnis to approve the consent agenda as presented. The consent agenda was approved by unanimous consent.

FACILITIES/BOND UPDATE

- Jon McCalip shared that they ran into a few supply issues with the concrete floor polishing at TMS. We hope to complete the projects over winter break, spring break, and the remaining next summer.
- The district office remodel has been completed.
- The playground site work at TMS was completed today. Fencing comes down tomorrow, the equipment will be delivered Monday, and we are waiting for our delivery date.
- Last night the Bond Oversight Committee met and some of the topics discussed included:
 - There is about \$4.75 million left in bond funds. Those funds are for TES (summer of 2023) and TMS (summer of 2024) seismic upgrades. We will try for another grant for TMS.
 - Once the bond projects are complete, it was discussed to turn the Bond Oversight Committee into a Facilities Oversight Committee. Since we have future projects at Colver Road, we felt this would be valuable.

FINANCIAL UPDATE LEGISLATIVE / OSBA UPDATE

- Supt. Barry said that a current end of year financial statement was provided in the blue folders and gave explanation on balances.
- Director Sara Crawford said the LPC Committee will have a meeting next week and she will have an update for the September 1 meeting.
- Supt. Barry said that the next legislative session on the school fund is going to be vital. The numbers are not realistic and we will need to have discussions with our legislators.
- Chair Michael Campbell mentioned that the OSBA Board Elections will be soon and we will be nominating Dawn at the September 15 meeting.

ALMEDA FIRE UPDATE

- Director Polly Farrimond said that she attended the monthly wildfire group meeting and the OEM funding received a six-month extension out to March 2023. Of the three properties that were hotel units converted into housing there are still 27 units available now, but they can only house 1-2 family member households. There are a total of 84 rooms being used and 132

**ALMEDA FIRE
UPDATE** (cont.)

clients who are still in need of transitional housing at this time. ODHS has added five more members to their team. Each one manages about 35 cases and they are at full capacity helping housing victims. There was a \$565,000 grant to help people create a fire barrier around their housing so it will reduce fire hazards.

- Supt. Barry attended a playground dedication at Blue Herron Park and it is amazing.

**EQUITY,
DIVERSITY, &
INCLUSION**

- Kelly Soter, our new Director of Equity and Community Care, spoke about what her job entails. In regards to the EDI focus, we had an opportunity this summer to attend trainings and professional development classes.
- The Southern Oregon Equity Summit is next week.
- We will be reenergizing our EDI district committee and we hope to expand our membership by including middle school and high school youth.
- We have hired three fabulous Community Care Specialists: Laura Millette, Rosario Medina and Katie McCormick. They will be housed at each of the elementary schools. Two of them are attending a 42 hour training this week and will obtain a certificate as a Family Support Specialist.
- Ms. Soter thanked Jenny Brown and those that worked hard during the summer break.
- We will be doing a year of study and will comprehensively evaluate our dual immersion program.

RECESS

- 7:10 – 7:18

**OUT OF STATE
STUDENT
ACTIVITY TRIPS**

- An out of state student activity trip agenda was presented for the board's review.

**BUDGET
COMMITTEE
VACANCIES**

- Chair Michael Campbell announced that there are three budget committee vacancies: Sara Adams and Roland Kretschmann have completed their three year terms. Elle Powell completed a previous committee member's term which ended in June.

**STUDENT
HANDBOOK
REVIEW**

- Student Handbooks were presented for the board's review.

**ESTABLISH MEAL
PRICES**

- A memo was provided regarding meal prices for the 22-23 school year. Supt. Barry mentioned that these numbers may possibly change by the next meeting as an action item, as we are still waiting for confirmation of some of the numbers.

**DECLARATION OF
SURPLUS ITEMS**

- A memo from Jon McCalip was provided requesting items to be declared as surplus.

**WATER TESTING
RESULTS FOR
LEAD**

- Recent water testing results for lead were provided to the board. Supt. Barry said that we are required to test our water faucets every five years.

**BOARD
OPERATING
AGREEMENT AND
SELF-
EVALUATION**

- The ad-hoc committee provided draft copies of a board operating agreement and a board self-evaluation document for review and discussion.

**BOARD POLICY
REWRITE
SECTION J**

- Board policy rewrite section J was presented for questions and comment.

**REVIEW OF NEXT
MEETING**

- Chair Michael Campbell reviewed a draft agenda for the September 1st meeting.

ADJOURNMENT

- The meeting adjourned at 7:45 p.m.

Brent Barry, Clerk of the Board

Michael Campbell, Board Chair

Recording Secretary: Denise Skinner
Board Secretary/Executive Assistant

Phoenix-Talent Schools District 4

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The following symbols are used on some sample policies:

- * May be subject to collective bargaining.
- ** As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005(4) and 125.300-125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.
- [] Brackets occur in sample policies to indicate the need for districts to select or tailor information specific to their particular situations.

Phoenix-Talent Schools District 4

Code: JB
Adopted: 3/06/14
Revised/Readopted: 1/14/21
Orig. Code: JB

Equal Educational Opportunity

(no action needed)

Every student of the district will be given equal educational opportunities regardless of age, sex, sexual orientation¹, race, religion, color, national origin, disability, marital status, familial status, parental status, linguistic background, culture, socioeconomic status, capability or geographic location.

No student will be excluded from participating in, denied the benefits of, or subjected to discrimination under any educational program or activity conducted by the district or denied access to facilities in the district.

A student or parent may also access and use the district’s general complaint procedure through Board policy KL - Public Complaints.

All reports, complaints or information will be investigated.

The district will communicate the availability of policy and available complaint procedures to students and their parents through available district communication systems, and handbooks and will be published to the district website.

A student of the district may not be subjected to retaliation by the district for the reason that the student has in good faith reported information that the student believes is evidence of a violation of a state or federal law, rule or regulation.

END OF POLICY

Legal Reference(s):

ORS 174.100	ORS 659.850	ORS 659A.403
ORS 192.630	ORS 659.852	ORS 659A.406
ORS 326.051	ORS 659A.003	OAR 581-021-0045
ORS 329.025	ORS 659A.006	OAR 581-021-0046
ORS 332.107	ORS 659A.103 - 659A.145	OAR 581-022-2310
ORS 336.086	ORS 659A.400	OAR 839-003-0000

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019).

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 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12333 (2018).

¹ “Sexual orientation” means an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behaviors differs from that traditionally associated with the individual’s sex at birth.

Phoenix-Talent Schools District 4

Code: JBA/GBN
Adopted: 9/15/20
Revised/Readopted: 8/02/21
Orig. Code(s): JBA/GBN

Sexual Harassment

(No action needed)

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 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.

OREGON DEFINITION AND PROCEDURES

Oregon Definition

Sexual harassment of students, staff members or third parties¹ 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.
3. Assault when sexual contact occurs without the student's, staff member's or third party's consent because the student, staff member or third party is under the influence of drugs or alcohol, is unconscious or is pressured through physical force, coercion or explicit or implied threats.

¹ "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.

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

Examples of sexual harassment may include, but not be limited to, 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
Jessica Hamlin	Assistant Superintendent	541-535-1517	jessica.hamlin@phoenix.k12.or.us
Tiffanie Lambert	Assistant Superintendent	541-535-1517	TitleIX@phoenix.k12.or.us

These individuals are responsible for accepting and managing complaints of sexual harassment. Persons wishing to report should contact them using the above information. *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 report their concerns to district officials, this includes officials such as the principal, compliance officer or superintendent. Students may also report concerns to a teacher, counselor or school nurse, who will promptly notify the appropriate district official.

Investigation

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

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

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

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

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

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 person² 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 include³:

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.
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

² 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.

³ Remember confidentiality laws when providing any information.

- 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 activity⁴;
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;

⁴ “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))

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.

Tiffanie Lambert, Assistant Superintendent is designated as the Title IX Coordinator and can be contacted at 541-535-1517. 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.⁵ The district shall treat complainants and respondents equitably by providing supportive measures⁶ to the complainant and by following a grievance procedure⁷ prior to imposing any disciplinary sanctions or other actions that are not

⁵ (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.

⁶ (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.⁶ 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))

⁷ 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).

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.⁸

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.⁹ 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.

No Retaliation

Neither the district or any person may retaliate¹⁰ 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.

⁸ The Title IX Coordinator may also discuss that the Title IX Coordinator has the ability to file a formal complaint.

⁹ 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))

¹⁰ Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

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 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](#)

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).

Phoenix-Talent Schools District 4

Code: JBA/GBN-AR(1)
Revised/Reviewed: 9/17/20; 8/02/21
Orig. Code(s): JBA/GBN-AR(1)

Sexual Harassment Complaint Procedure

(no action needed)

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

Name	Position	Phone	Email
Jessica Hamlin	Assistant Superintendent	541-535-1517	jessica.hamlin@phoenix.k12.or.us
Tiffanie Lambert	Assistant Superintendent	541-535-1517	TitleIX@phoenix.k12.or.us

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

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

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

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

Step 3 If a complainant is not satisfied with the decision at Step 2, the complainant may submit a written appeal to the Board. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The Board will review the decision of the superintendent or designee in a public meeting to determine what action is appropriate. The Board may use executive session if the subject matter qualifies under Oregon law. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, and adopting the

superintendent's or designee's decision. All parties involved, including the school administration, may be asked to attend a hearing for the purposes of making further explanations and clarifying the issues. The Board shall provide a written decision to the complainant within 30 working days following receipt of the appeal.

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

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

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

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

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

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

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

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

All documentation related to sexual harassment complaints may become part of the student's education record or employee's personnel file, as appropriate. Additionally, a copy of all sexual harassment complaints or reports and documentation will be maintained as a confidential file and stored in the district office.

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

Phoenix-Talent School District #4
401 West 4th Street, Phoenix OR 97535
541-535-1517

SEXUAL HARASSMENT COMPLAINT FORM

Name of complainant: _____

Position of complainant: _____

Date of complaint: _____

Name of alleged harasser: _____

Date and place of incident or incidents: _____

Description of misconduct: _____

Name of witnesses (if any): _____

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

Any other information: _____

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

Signature: _____ Date: _____

Phoenix-Talent School District #4
401 West 4th Street, Phoenix OR 97535
541-535-1517

WITNESS DISCLOSURE FORM

Name of Witness: _____

Position of Witness: _____

Date of Testimony/Interview: _____

Description of Instance Witnessed: _____

Any Other Information: _____

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

Signature: _____ Date: _____

Phoenix-Talent Schools District 4

Code: JBA/GBN-AR(2)
Adopted: 9/17/20
Orig. Code(s): JBA/GBN-AR(2)

Federal Law (Title IX) Sexual Harassment Complaint Procedure

Additional Definitions

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

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

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

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

Formal Complaint Procedures

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

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

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

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

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

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

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

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

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

Investigation

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

1. Include objective evaluation of all relevant evidence, including inculpatory and exculpatory evidence.
2. Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the district and not on the parties.⁷
3. Provide an equal opportunity for the parties to present witnesses, and other inculpatory and exculpatory evidence.
4. Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence.
5. Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice.⁸ The district may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.

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

⁷ The district cannot access, consider, disclose, or otherwise use a party's records that are made of maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's capacity, and which are maintained in connection with the provision of treatment to the party, unless the district obtains the party's (or eligible student's parent's) voluntary, written consent to do so.

⁸ In addition to an advisor, complainants and respondents may also be entitled to other accompaniment as required by law or as necessary for conducting of grievance procedures, including but not limited to translators, services for students with disabilities and parents of minor students.

6. Provide, to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
7. Provide both parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a formal complaint.⁹ Prior to completion of the investigative report, the district must send to each party and party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report;
8. Create an investigative report that fairly summarizes relevant evidence and is sent to each party and party's advisor in electronic format or hard copy at least 10 days prior to any hearing (if required or provided) or other time of determination of responsibility. The party and advisor will be allowed to review and provide a written response.

After the district has sent the investigative report to the parties and before reaching a determination regarding responsibility, the decision maker(s) must afford each party the opportunity to submit written, relevant questions¹⁰ that a party wants asked of any party or witness, provide each party with the answers, and allow for additional, limited follow-up questions from each party. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

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

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

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

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

Determination of Responsibility

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

⁹ This includes the evidence upon which the district does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to the investigation. The district must make all such evidence subject to the parties' inspection and review available at any hearing to give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

¹⁰ Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the question and evidence concern specific incidents of the complainants prior sexual behavior with respect to the respondent and are offered to prove consent.

The standard to be used for formal complaints in determining whether a violation has occurred is the preponderance of the evidence¹¹ standard.

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

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

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

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

Remedies

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

The disciplinary sanctions¹² may include:

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

¹¹ A preponderance of the evidence standard is understood to mean concluding that a fact is more likely than not to be true. U.S. Department of Education, Title IX Regulations commentary, p. 1268, FN 1409.

¹² Districts should review any other disciplinary procedures and requirements prior to imposing any discipline, and should contact legal counsel with questions.

4. Discipline up to and including termination, in accordance with laws, agreements, contracts, handbooks, etc.¹³

Other remedies may include:

1. Educational programming.

Dismissal of a Formal Complaint

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

1. Would not constitute sexual harassment, even if proved;
2. Did not occur in the district's education program or activity¹⁴; or
3. Did not occur against a person in the United States.

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

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

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

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

Consolidation of Complaints

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

¹³ It is important to keep supportive measures separate from disciplinary sanctions. Supportive measures must be “non-disciplinary” and “non-punitive.”

¹⁴ Includes locations, events, or circumstances over which the district exercised substantial control over both the respondent the respondent and the context in which the sexual harassment occurs. (Title 34 C.F.R. §106.44(a))

Informal Resolution

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

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

Appeals

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

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

When an appeal is filed, the district must:

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

Timelines

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

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

Temporary delays of the grievance process, or limited extensions of time will be allowed for good cause¹⁵ with written notice to the parties.

Records

Records will be created and maintained in accordance with the requirements in Title 34 C.F.R. §106.45(a)(10).¹⁶

Training

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

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

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

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

¹⁵ Good cause may include considerations such as the absence of a party, a party's advisor or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. (Title 34 C.F.R. § 106.45(b)(1)(v))

¹⁶ This includes creating a record for each investigation. This record must include:

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

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

Phoenix-Talent Schools District 4

Code:
Adopted:

JBAA

Section 504 – Students (Version 1)

The district recognizes its responsibility to provide a free, appropriate public education to students with disabilities under Section 504 of the Rehabilitation Act of 1973. Accordingly, no otherwise qualified individual with disabilities shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any district program or activity or those provided by the district through contractual or other arrangements. District aids, benefits and services will afford qualified 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. Programs and activities shall be accessible to and usable by individuals with disabilities as prescribed by law.

A qualified individual with disabilities under Section 504 is an individual who has a physical or mental impairment¹ that substantially limits one or more major life activities²; has a record of such an impairment; or is regarded as having such an impairment.

In compliance with the provisions of Section 504, the district will:

1. Provide written assurance of nondiscrimination in accordance with application procedures whenever the district receives federal money;
2. Designate an employee to coordinate compliance with Section 504;
3. Provide procedures to resolve complaints of discrimination under Section 504;
4. Provide notice to students, parents, employees, including those with vision or hearing impairments, of the district's policy and compliance with law assuring nondiscrimination in admission or access to, or treatment, in district programs, activities or employment. Notice will be included in student/parent and staff handbooks and other materials as appropriate;

¹ Impairments which may substantially limit major life activities, and without regard for the ameliorative effects of medication or aids/devices include, but are not limited to, chronic asthma and severe allergies, blindness or visual impairment, cancer, diabetes, deafness or hearing impairment, heart disease, mental illness and conditions which may be episodic or in remission.

² "Major life activities," as defined by the Americans with Disabilities Act Amendments Act of 2008, includes caring for one's self, walking, seeing, hearing, speaking, breathing, working, performing manual tasks, learning, eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, communicating; and major 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.

5. Annually identify and locate all Section 504 qualified students with disabilities in the district who are not receiving a free appropriate public education (FAPE)³;
6. Ensure that tests and other evaluation materials have been validated, are administered by trained personnel, are tailored to assess educational need and are not based on IQ scores, and reflect what the tests purport to measure;
7. Provide nonacademic and extracurricular services⁴ and activities in such a manner as to afford students with disabilities an equal opportunity for participation in such services and activities;
8. Annually notify students with disabilities and their parents or guardians of the district's responsibilities under Section 504, including those with limited proficiency in English and those with vision or hearing impairments;
9. Provide parents or guardians with procedural safeguards, including notification of their right:
 - a. To be notified in writing of any decisions made by the district concerning the identification, evaluation or educational placement of their student pursuant to Section 504[. The district will request parental consent prior to conducting an evaluation of the student];
 - b. To examine, copy and request amendments of the student's educational records;
 - c. To request an impartial hearing, with opportunity for participation by the student's parents or guardian and representation by counsel regarding district decisions concerning identification, evaluation or educational placement of their student. A review procedure will be provided.

Students identified as qualified individuals with disabilities under Section 504 shall be placed in the regular educational environment unless it is demonstrated by the district that the education of the student with the use of related aids and services in such a placement cannot be achieved satisfactorily. All placement decisions will be made by an evaluation team comprised of persons designated by the superintendent or designee, knowledgeable about the student, the meaning of the evaluation data and placement options.

Students will be reevaluated periodically, but no less than every three years. Additionally, before implementing discipline that constitutes a significant change in the placement (i.e., expulsion, serial suspensions which exceed 10 school days in a school year, a series of suspensions each of which is 10 or fewer school days in duration but that creates a pattern of exclusion), the district shall 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.

If it is determined that the misconduct of the student is caused by the disability, the district's team will continue the evaluation, following the requirements of Section 504 and the Americans with Disabilities

³ "Appropriate education" (34 C.F.R. § 104.33) means the provision of regular or special education and related aids and services that are designed to meet the student's individual educational needs as adequately as the needs of persons without disabilities are met and are based upon adherence to appropriate procedural requirements of 34 C.F.R. §§ 104.34, 104.35 and 104.36 concerning educational setting, evaluation and placement and procedural safeguards.

⁴ Nonacademic and extracurricular services and activities may include, but are not limited to, counseling services, transportation, health services, athletics, intramurals, clubs or organization activities, referrals to agencies which provide assistance to persons with disabilities and employment of students, including both employment by the district and assistance by the district in making available outside employment.

Act of 1990 and Americans with Disabilities Act Amendments Act of 2008 (ADA) for evaluation and placement to determine whether the student’s current educational placement is appropriate. Due process procedures that meet the requirements of the Individuals with Disabilities Education Act (IDEA) may be used to meet the procedural safeguards of law. 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.

A student identified as a qualified individual with disabilities under Section 504, who is also covered by the IDEA, will be disciplined in accordance with Board policy JGDA - Discipline of Students with Disabilities and accompanying administrative regulation.

A reevaluation will also be required before any other significant change in placement (i.e., transferring a student to alternative education, graduation from high school, significantly changing the composition of the student’s class schedule, such as from regular education to the resource room).

END OF POLICY

Legal Reference(s):

[ORS 192.630](#)

[ORS 326.051\(1\)\(e\)](#)

[ORS 659.850](#)

[ORS 659.865](#)

[ORS 659A.103](#)

[ORS 659A.109](#)

[OAR 581-015-2030](#)

[OAR 581-021-0045](#)

[OAR 581-021-0046](#)

[OAR 581-021-0049](#)

[OAR 581-022-2310](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2012); 29 C.F.R. Part 1630 (2017); 28 C.F.R. Part 35 (2017).

Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2012).

Americans with Disabilities Amendments Act of 2008.

Nondiscrimination on the Basis of Handicap in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 104 (2017).

Phoenix-Talent Schools District 4

Code: JBAA
Adopted:

Section 504 – Students (Version 2)

In compliance with 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 district shall ensure that no otherwise qualified individual with disabilities shall, solely by reason of his/her disability, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity conducted by the district or those provided by the district through contractual or other arrangements. Programs and activities shall be accessible and usable by individuals with disabilities as prescribed by law.

The superintendent will ensure all Section 504, qualified students with disabilities are identified annually. Students will be evaluated by a team of individuals knowledgeable about the student, the meaning of the evaluation data and placement options. Services will be provided as required by law.

The superintendent will develop administrative regulations as needed for the implementation of this policy and to meet the requirements of state and federal law. Regulations will include provisions to ensure notice of the district’s responsibilities are provided as required and that procedures are established for students, parents and staff with complaints concerning district compliance with the provisions of law.

END OF POLICY

Legal Reference(s):

ORS 192.630	ORS 659A.103	OAR 581-021-0045
ORS 326.051(1)(e)	ORS 659A.109	OAR 581-021-0046
ORS 659.850		OAR 581-021-0049
ORS 659.865	OAR 581-015-2030	OAR 581-022-2310

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2017); 28 C.F.R. Part 35 (2017).
Nondiscrimination on the Basis of Handicap in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 104 (2017).
Rehabilitation Act of 1973, 29 U.S.C. § 791, 793-794 (2012).
Americans with Disabilities Act Amendments Act of 2008.

Phoenix-Talent Schools District 4

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 Section 504 qualified students with disabilities in the district 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.

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.
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 Board policy AC - Nondiscrimination and the accompanying administrative regulation] [in accordance with established district complaint procedures].

Phoenix-Talent Schools District 4

Code: JBB
Adopted: 1/14/21
Orig. Code(s): JBB

District Equity Policy

Phoenix-Talent Schools believes in, and is committed to, honoring the inherent worth and dignity of every human being. We believe in, and are committed to, creating an inclusive culture where every student, staff member, and family feels seen, heard, and validated in their existence as a human being. We believe in, and are committed to, fostering a culture of belonging where people can show up as their full and authentic selves. In short, we believe, and are committed to, creating and maintaining an antiracist and equitable school environment.

In order to best accomplish this vision, as well as hold ourselves and one another accountable to it, we affirm the following:

1. A student's success should not be predicated upon, or influenced by, their race, gender, socioeconomic status, sexual orientation⁺, gender identity, language, ability, age or any other demographic factor beyond their control. We therefore commit to using disaggregated data – as much as possible – to inform district decision-making.
2. Equity should ensure that all students have an opportunity to reach their fullest potential. We therefore desire to see that no student demographic group is disproportionately overrepresented in our disciplinary systems nor is underrepresented in our academic success rates. Because we believe in addressing systemic inequities rather than blaming those who suffer from such inequities, we therefore commit to measuring equity in our district according to outcomes, not intentions.
3. Diversity is an asset that broadens not only our understanding of the world and others, but ourselves as well. We believe in the value of diverse perspectives and diverse experiences not only because of the enriching educational value they offer, but because they also make us and our students more well rounded, better, and more empathetic human beings. We therefore commit to recruiting, hiring, and retaining a workforce that reflects the diversity and demographics of our student body.
4. Professional development should be designed to help staff grow professionally as well as personally. We therefore commit to providing professional development that is culturally competent, culturally responsive, and curriculum that is culturally relevant in order to affirm the identity of both students and staff.
5. Schools should seek to narrow the opportunity (i.e. achievement) gap. In order to help accomplish this, resources should be distributed equitably, not equally. We therefore commit to directing resources based on need in order to address issues of equity first and foremost.

⁺ “Sexual orientation” is defined by Oregon Revised Statute (ORS) 174.100(7) to mean an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behavior differs from that traditionally associated with the individual’s sex at birth.

With this in mind, and to ensure that everyone’s voice is heard in the decision-making process, the Board will adopt an equity lens using the following questions to guide decisions that come before the Board:

- a. What data has been used to inform the initiative, and what does the data tell us about our subgroups?
- b. What subgroups does the decision or initiative affect, both positively and negatively?
- c. How has the community (students, staff, families, and community partners) been intentionally involved in the decision-making process?

END OF POLICY

Legal Reference(s):

[ORS 174.100\(7\)](#)
[ORS 332.075](#)

[ORS 332.107](#)
[ORS 342.437 to -342.449](#)

Phoenix-Talent Schools District 4

Code: JC
Adopted: 1/06/83
Orig. Code: JC

School Attendance Areas

Attendance areas will be established, recommended by administration and approved by the Board, and all modifications to the boundaries shall be approved by the Board.

The superintendent is directed to monitor student flow into and out of all buildings, and to make adjustments as needed. All changes in school attendance areas should benefit the total school program educationally and financially.

Attendance area information for all schools shall be maintained by the Superintendent and shall be available to the public at the District administration office.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 339.010 to -339.090](#)

Phoenix-Talent Schools District 4

Code: JE
Adopted: 10/05/95
Orig. Code: JE

Attendance**

Goals of attendance requirements are to:

1. Contribute to the academic success of students;
2. Inform parents about their student's class attendance or nonattendance;
3. Place the responsibility for attendance in the hands of students and their parents;
4. Aid students in making decisions and accepting the responsibilities and consequences resulting from those decisions;
5. Emphasize that punctual and regular attendance is a learned function necessary in coping with life;
6. Emphasize that attendance may impact grades and credit;
7. Meet Oregon graduation requirements.

Each school shall notify parents or guardians by the end of the school day if their child has an unplanned absence. The notification will be either in person, by telephone or another method identified in writing by the parent or guardian. If the parent or guardian cannot be notified by the above methods, a message shall be left, if possible.

The Board directs the superintendent to develop rules and regulations which meet these objectives and to publish those rules and regulations annually for students and their parents.

END OF POLICY

Legal Reference(s):

[ORS 336.010](#)
[ORS 339.020](#)
[ORS 339.030](#)

[ORS 339.055](#)
[ORS 339.065](#)
[ORS 339.071](#)

[OAR 581-021-0050](#)
[OAR 581-022-2000](#)

Phoenix-Talent Schools District 4

Code: JEA
Adopted: 2/20/20
Orig. Code(s): JEA

Compulsory Attendance**

Except when exempt by Oregon law, all children students 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.

All children students five years of age who have been enrolled in a public school are required to attend regularly while enrolled in the public school.

Persons having legal control of a child student between the ages 6 and 18, who has not completed the 12th grade, are required to have the child student attend and maintain the child in regular attendance during the entire school term. Persons having legal control of a child student, who is five years of age and has enrolled the child in a public school, are required to have the child student attend and maintain the child in regular attendance during the school term.

Attendance supervisors shall monitor and report any violation of the compulsory attendance law to the superintendent or designee. Failure to send a child to school student and to maintain a child student in regular attendance in school is a Class C violation.

The district will develop procedures for issuing a citation.

A parent who is not supervising their child student 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 students shall not be required to attend public, full-time schools:

1. Children Students 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 Students 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 Students who have received a high school diploma or a modified diploma.
4. Children Students 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 Students being educated in the home by a parent, or guardian or private teacher:

- a. When a student is taught or is withdrawn from a public school to be taught by a parent or private teacher, the parent or teacher must notify the Southern Oregon Education Service District (ESD) in writing within 10 days of such occurrence. In addition, when a home-schooled student moves to a new ESD, the parent shall notify the new ESD in writing, within 10 days, of the intent to continue home schooling. The ESD superintendent shall acknowledge receipt of any notification in writing within 90 days of receipt of the notification. The ESD is to notify, at least annually, school districts of home-schooled students who reside in their district;
 - b. Each ~~child~~student being taught by a parent or private teacher 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;
 - (2) If the ~~child~~student never attended public or private school, the first examination shall be administered prior to the end of grade 3;
 - (3) Procedures for ~~homeschooling~~home-schooled students with disabilities are set out in Oregon Administrative Rule (OAR) 581-021-0029.
 - c. Examinations testing each ~~child~~student shall be from the list of approved examinations from the State Board of Education;
 - d. The examination must be administered by a neutral, individual qualified to administer tests on the approved list provided by the Oregon Department of Education;
 - e. The person administering the examination shall score the examination and report the results to the parent. Upon request of the ESD superintendent, the parent shall submit the results of the examination to the ESD;
 - f. All costs for the test instrument, administration and scoring are the responsibility of the parent;
 - g. In the event the ESD superintendent finds that the ~~child~~student is not showing satisfactory educational progress, the ESD superintendent shall provide the parent with a written statement of the reasons for the finding based on the test results and shall follow the guidelines in Oregon Revised Statutes and Oregon Administrative Rules.
6. Children whose sixth birthday occurred on or before September 1 immediately 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~~Students excluded from attendance as provided by law.
 9. ~~Children~~Students who are eligible military children¹ are exempt up to 10 days after the date of military transfer or pending transfer indicated in the official military order.

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.

10. An exemption may be granted to the parent or guardian of any ~~child~~ ~~student~~ 16 or 17 years of age who is lawfully employed full-time, or who is lawfully employed part-time and enrolled in school, a community college or an alternative education program as defined in ORS 336.615.
11. An exemption may be granted to any child who is an emancipated minor or who has initiated the procedure for emancipation under ORS 419B.550 ~~to~~ 419B.558.

END OF POLICY

Legal Reference(s):

[ORS 153.018](#)
[ORS 163.577](#)
[ORS 339.010 - 339.095](#)
[ORS 339.139](#)

[ORS 339.990](#)
[ORS 807.065](#)
[ORS 807.066](#)
[OAR 581-021-0026](#)

[OAR 581-021-0029](#)
[OAR 581-021-0076](#)
[OAR 581-021-0077](#)

REPLACED

Phoenix-Talent Schools District 4

Code: JEA (**with August policy updates included**)
Adopted: 2/20/20
Orig. Code(s): JEA

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 legal control of a child between the ages 6 and 18, who has not completed the 12th grade, are required to have the child attend and maintain the child in regular attendance during the entire school term.**

All 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 legal control of a child, who is five years of age and has enrolled the child in a public school, are required to have the child attend and maintain the child in regular attendance during the school term.**

~~Persons having legal control of a child between the ages 6 and 18, who has not completed the 12th grade, are required to have the child attend and maintain the child in regular attendance during the entire school term. Persons having legal control of a child, who is five years of age and has enrolled the child in a public school, are required to have the child attend and maintain the child in regular attendance during the school term.~~

Attendance supervisors shall monitor and report any violation of the compulsory attendance law to the superintendent or designee. ~~Failure to send a child to school and to maintain a child in regular attendance in school is a Class C violation.~~

The district will develop procedures for issuing a citation.

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, guardian or private teacher:
 - a. When a student is taught or is withdrawn from a public school to be taught by a parent or private teacher, the parent or teacher must notify the [] Education Service District (ESD) in writing within 10 days of such occurrence. In addition, when a home-schooled student moves to a new ESD, the parent shall notify the new ESD in writing, within 10 days, of the intent to continue home schooling. The ESD ~~superintendent~~ shall acknowledge receipt of any notification in writing within 90 days of receipt of the notification. The ESD is to notify, at least annually, school districts of home-schooled students who reside in their district;
 - b. Each child being taught by a parent or private teacher 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;
 - (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 testing each child 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. Upon request of the ESD superintendent, the parent 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;
 - h. In the event the ESD superintendent finds that the child is not showing satisfactory educational progress, the ESD superintendent ~~shall provide the parent with a written statement of the reasons for the finding, based on the test results and~~ shall follow the guidelines in Oregon Revised Statutes and Oregon Administrative Rules.
6. Children whose sixth birthday occurred on or before September 1 immediately 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

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](#)

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.

Phoenix-Talent Schools District 4

Code: JEA-AR
Revised/Reviewed:

Compulsory Attendance Notices and Citations**

Compulsory attendance citations may be issued by the superintendent or designee as a means to enforce the compulsory attendance law. All such citations shall be issued according to the following procedures:

1. Attendance Supervisor

The attendance supervisor shall:

- a. Determine that the parent or guardian has failed to enroll their child and to maintain the child in regular attendance. "Regular attendance" means attendance which does not include more than eight unexcused one-half day absences or the equivalent in any four-week period in which school is in session;
- b. [Verify the compulsory attendance violation through such means as matching attendance supervisor records with classroom teacher records;]
- c. Provide written compulsory attendance noncompliance notification to the parent or guardian within 24 hours of verification of the violation. If the student is a youth offender 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 absence;
- d. Serve the notification personally or by certified mail. The notification will be written in the native language of the parent or guardian;
- e. Ensure that notification includes a statement requiring the student to appear on the next school day following receipt of the notice and to maintain regular attendance for the remainder of the school year;
- f. 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), if the child does not currently have an IEP, or request a review of their child's current IEP;
- g. Provide a copy of the notice and pertinent attendance records to the superintendent or designee at the time notice is given to the parent or guardian;
- h. Notify the superintendent within three days of knowledge that the parent or guardian receiving the notification has not complied with the notice.

2. Superintendent or Designee

The superintendent or designee will:

- a. [Review the compulsory attendance noncompliance notice and pertinent student attendance records;]
- b. If citation appears warranted, prior to issuing the citation, provide written notification to the parent or guardian. The notice will be written in the language the parent or guardian can understand. The notice will be delivered personally or by certified mail and will state that:

- (1) The student is required to attend regularly, a school full-time during the school year;

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- (2) Failure to send the student to school and to maintain the student in regular attendance is a Class C violation;
- (3) A citation for violation of compulsory attendance laws may be issued by the superintendent or designee;
- (4) The parent has the right to request:
 - (a) An evaluation to determine if the student should have an IEP, if the student does not have one; or
 - (b) A review of the student’s current IEP.
- (5) The parent or guardian and student are required to attend a conference with the superintendent or designee. The date, time and place of conference will be specified. This conference may not be scheduled until after an evaluation or review as described in item 4. above, if requested by the parent, has been completed[;][.]
- (6) [Failure to attend the conference or failure to send the student to school following the conference may result in the issuance of a citation.]

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3. [Conference

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

- a. Review Oregon’s compulsory 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 compulsory attendance noncompliance, including the potential for the issuance of a citation and the consequences for violation of the Board’s student conduct and truancy policies.]

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4. [Citation

Compulsory attendance noncompliance citations may be issued by the superintendent or designee. The superintendent or designee shall:

- a. Determine that the parent or guardian has continued to fail to enroll their student in school or maintain the student in regular attendance following a conference or has refused to attend the conference as required;
- b. Contact the clerk of the court for the county and determine which court will hear the case and when;
- c. Ensure the official representing the district will be available to present evidence of the violation at the time and date specified;
- d. Determine whether the local court’s interpretation of Oregon Revised Statute (ORS) 339.095 requires the student be named as defendant. Complete form accordingly;
- e. Complete Uniform Compulsory Attendance Citation and Complaint form as follows:
 - (1) Specify appropriate court, district, circuit, municipal or justice;

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- (2) Specify when the court will hear the case, including date, time and location of the court appearance at the bottom of the form;
 - (3) Provide all pertinent defendant information, including the name and address of the parent or guardian. Only one adult should be named as the defendant;
 - (4) Provide all pertinent offense information, including the period of time during which the absences occurred;
 - (5) Ensure the minimum number of absences constituting irregular attendance as defined in law has in fact occurred. Excused absences should not be counted for purposes of this citation;
 - (6) Provide all pertinent student information including the grade, date of birth, length of time in the district and parent(s) name(s);
 - (7) Provide date of superintendent's or designee's prior notification of attendance requirements, consequences including possibility of citation and conference meeting date was sent;
 - (8) Ensure that the prior notice was served to the same parent or guardian who is named as the defendant in the citation;
 - (9) Provide district name, date, superintendent's name and signature. If the superintendent has designated another district official to issue citations, such delegation will be documented and the delegated official's name and signature will appear on the form;
 - (10) Personally serve (not mail) the citation;
 - (11) Complete time and date citation was issued, name, title and signature of district official serving the citation;
 - (12) [Ensure the parent or guardian is served with the goldenrod (bottom) copy;]
 - (13) [Ensure the white and yellow copies are sent to the appropriate court, immediately after the citation is served;]
 - (14) [Ensure the pink copy is retained by the district. Additional information may be maintained on the back of the pink copy, including the dates the attendance supervisor's and the superintendent's or designee's notifications were sent, dates of contact with parents or guardians and names of school staff who have been involved with the issue;]
 - (15) Consult with district's attorney to assist in these procedures, as necessary.
- f. Maintain student attendance records in accordance with applicable education records laws.]

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[District]
[Address, City, State, Zip Code]
[Phone:]

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***** ATTENDANCE SUPERVISOR'S NON-ENROLLMENT NOTICE *****

Date _____
Parent(s)/Guardian _____
Address _____

Dear _____,
(Parent/Guardian)

A determination has been made that your student, _____, (student name) has not enrolled in school and has not been exempted from compulsory attendance in school, under provisions of ORS 339.030.

In accordance with Oregon law, you are hereby notified that you must enroll your student at [] School no later than the next school day following receipt of this notice and maintain your student in regular attendance for the remainder of the school year.

Please be advised that failure to comply with Oregon's compulsory attendance law is a Class C violation and may result in a compulsory attendance citation and complaint issued by the superintendent and a fine by a court.

You may request an evaluation to determine if your student should have an individualized education program (IEP), or request a review of your student's current IEP.

If you have questions, please contact [name] at [number].

Sincerely,

[Attendance Supervisor] [Principal]

[cc: [Principal][Superintendent]]

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[District]
[Address, City, State, Zip Code] | [Phone:]

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***** ATTENDANCE SUPERVISOR'S IRREGULAR ATTENDANCE NOTICE *****

Date _____
Parent(s)/Guardian _____
Address _____

Dear _____,
(Parent/Guardian)

A determination has been made that your student, _____, (student name) is not maintaining regular attendance 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 in any four-week period school is in session. According to school attendance records, your student has had unexcused absences from school [] days on the following dates: [].

You are hereby notified that you must send your student to school no later than the next school day following receipt of this notice and maintain your student in regular attendance for the remainder of the school year. Please be advised that failure to comply with Oregon's compulsory attendance law is a Class C violation and may result in a compulsory attendance citation and complaint issued by the superintendent and a fine by a court.

You may request an evaluation to determine if your student should have an individualized education program (IEP), or request a review of your student's current IEP. If you request an evaluation for an IEP or a review of a current IEP the conference referred to above will be held after such evaluation or review.

If you have questions, please contact [name] at [number].

Sincerely,

[Attendance Supervisor] [Principal]

[cc: [Principal]][/Superintendent]]

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[District]
[Address, City, State, Zip Code]
[Phone:]

**** SUPERINTENDENT'S NOTICE OF COMPULSORY ATTENDANCE NONCOMPLIANCE ****

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 student, [name], has [failed to enroll in school] [failed to maintain regular school attendance] as required by Oregon compulsory attendance laws.

Your student was required to appear in school no later than the next school day following your receipt of that notice and maintain regular attendance for the remainder of the school year. District records indicate your student continues to be absent from school.

The superintendent or designee may issue a citation for your continued violation of Oregon's compulsory attendance law.

A student is required to regularly attend a full-time school. Failure to send the student to school and to maintain the student in regular attendance is a Class C violation. A citation for such compulsory attendance violations may result in a court fine.

You [did not request an evaluation of your student's individualized education program (IEP) or a review of your student's current IEP.] [requested an evaluation to determine if your student should have an individualized education program (IEP).] [requested a review of an existing IEP for your student] and the requested evaluation or review was completed on [date].]

In accordance with law, you and your student are required to attend a conference with [designated school official] on [date] at [time] to discuss:

1. Oregon's compulsory attendance law and your student's attendance record;
2. The reasons for your noncompliance;
3. The development of a plan for improvement;
4. Resources available to help your student be successful in school, referrals to other agencies as may be needed and such alternative education information as may be required by law;
5. Any questions you may have concerning the potential consequences for continued noncompliance with Oregon's compulsory attendance law, as set forth above and as provided in Board student conduct and truancy policies.

Failure to attend this conference or failure to send your student to school and to maintain your student in regular school attendance following this conference will result in the issuance of a citation to you, as provided by law.

If you have questions, please contact [name] at [number].

Sincerely,

[Superintendent]/[Designee]

Phoenix-Talent Schools District 4

Code: JEBA
Adopted: 4/21/16
Orig. Code: JEBA

Early Entrance**

A student is ~~A child~~ considered six years of age and will be admitted into a public school if ~~the~~ child's ~~his/her~~ sixth birthday occurs on or before September 1. A ~~child~~ student whose sixth birthday occurs after that date may be admitted to the first grade if ~~the child~~ he/she has maintained regular attendance in any grade of a public full-time school during the entire school term.

A ~~child~~ student will be admitted to kindergarten if ~~the child's~~ his/her fifth birthday occurs on or before September 1, or is a kindergarten student transferring from a public school in another district.

The early ~~Early~~ entry into school may be allowed for a child who has not attained the minimum age requirement, [as per Oregon law,] if the needs of the ~~child~~ student whose needs would best be met in the school program based on an analysis by qualified professional staff of ~~the child's~~ his/her:

1. Cognitive development;
2. Social development; and
3. Physical development.

The superintendent [or designee] shall identify screening processes and instruments which will provide a dependable assessment of the preceding criteria.

Parents ~~are~~ will be required to pay the cost of the special testing involved.

END OF POLICY

Legal Reference(s):

[ORS 327.006](#)
[ORS 332.107](#)
[ORS 336.092](#)

[ORS 336.095](#)
[ORS 339.010](#)
[ORS 339.065](#)

[ORS 339.115](#)
[ORS 343.395](#)

Phoenix-Talent Schools District 4

Code: JEBA-AR
Revised/Reviewed:

Early Entrance */**

(Is this helpful? Keep?)

If a request for early admission to kindergarten or first grade is received by the district, the following guidelines will be used:

1. Parents will be [given a copy of Board policy JEBA - Early Entrance** and this administrative regulation and] notified about testing/evaluation requirements[and expense].
2. Testing/Evaluation by a qualified agency is required. The agency [and appropriate testing/evaluation] will be one approved by the [director of special services]. The cost of this testing/evaluation will be paid by the [parents] [district].

Three areas that must be tested/evaluated include:

- a. Cognitive (intelligence);
 - b. Affective (social/emotional); and
 - c. Physical.
3. Parents must submit the completed Request for Early Entrance form [with a formal evaluation] to the [director of special services] [to activate the early entry committee]. All required information must be submitted to the [director of special services] during business hours [through the [school] office] on or before [August 1].

[Members of that committee are: [kindergarten or first-grade teachers, the speech and language therapist, building principal(s)] and the [director of special services];]
 4. [The early entry committee will review the submitted materials.] [The submitted materials will be reviewed by the district's [designated staff].] [If a child is to be considered for early entrance, the child will also be required to participate in a one-day screening/observation conducted by the [district] [during the second week of [August]].] [Test scores should be in the top quartile for entering the requested grade level];
 5. Following the review[, and screening/observation if applicable,] the [screening committee] [designated district staff] will make recommendation to the [superintendent] and will issue a decision to parents [in writing] by [the end of the third week in August];
 6. If parents are dissatisfied with the decision, a written appeal can be made by the parents to the superintendent, who may affirm, reverse or modify the [early entry committee's] [designated staff] decision. The superintendent's decision is final.

REQUEST FOR EARLY ENTRANCE

(This form and required evaluation must be received by the district during business hours on or before [August 1].)

Date _____

Child Name _____

I request that my child be reviewed for early admission to:

(Check one) Kindergarten First grade

I [have had] [will have] _____ (Child name) evaluated [at my expense] in the following areas:

1. Cognitive (intelligence);
2. Affective (social/emotional);
3. Physical.

[Such evaluation is attached.]I understand the test scores must equal or surpass the established norms for the requested attendance grade level in all areas of assessment. I understand I will receive a written decision from the district concerning my request [within three weeks].

Parent Signature

Date

Phoenix-Talent Schools District 4

Code: JEC
Adopted: 2/20/20
Orig. Code: JEC

Admissions**

The Board is committed to providing an educational program for all students living in the district. The Board believes all students living in the district who have not completed 12 years of education should regularly attend a public full-time school and be included in the available educational programs.

A child is considered to be six years of age if the sixth birthday of the child occurred on or before September 1 immediately preceding the beginning of the current school term.

All new students must register in the office. Students enrolled in the district shall comply with Oregon laws related to age, residence, health, attendance, and immunization.

Students located in the district shall not be excluded from admission solely because the student does not have a fixed, regular and adequate nighttime residence or solely because the student is not under the supervision of a parent.

Students located in the district shall not be excluded from admission where they are otherwise eligible, not receiving special education, and they have not yet attained the age of 19 prior to the beginning of the current school year.

The district may admit an otherwise eligible person who is not receiving special education and who has not yet attained 21 years of age prior to the beginning of the current school year if the person is shown to be in need of additional education to receive a high school diploma or a modified diploma.

Students who attend a district school on an interdistrict transfer or were admitted prior to 2019 through open enrollment are considered residents of the district.

Students living in the district who have attained the age of majority are considered residents of the district unless the student has transferred to another district via interdistrict transfer or open enrollment.

Minor students living with a parent or guardian who resides in the district are considered residents of the district unless the student has transferred to another district via interdistrict transfer or open enrollment.

Students who are in foster care¹ and who are placed in the district are residents of the district of origin, unless the court determines that attending in the district of residence is in the best interest of the student.

¹ “Foster care” does not mean care for children whose parent or guardian voluntarily placed the child outside the child’s home with a public or private agency and for whom the child’s parent or guardian retains legal guardianship.

Students who are military children² are considered resident of the district, if the district is the district of military residence³ for the military child. Parents of military students must provide proof of residency within 10 days after the date of military transfer or pending transfer indicated on the official military orders.

Students whose parent or guardian voluntarily placed the child outside the child’s home with a public or private agency and who is living in a licensed, certified or approved substitute care program, and whose residency is established pursuant to Oregon Revised Statute (ORS) 339.134.

END OF POLICY

Legal Reference(s):

[ORS 327.006](#)
[ORS 336.092](#)
[ORS 339.010](#)
[ORS 339.115](#)

[ORS 339.125](#)
[ORS 339.133](#)
[ORS 339.134](#)
[ORS 339.139](#)

[ORS 433.267](#)
[OAR 581-022-2220](#)

Illegal Immigration and Immigrant Responsibility Act of 1996, 8 U.S.C. §§ 1101, 1221, 1252, 1324, 1363, 1367 (2018).
McKinney-Vento Homeless Assistance Act, Subtitle VII-B, reauthorized by Title IX-A of the Every Student Succeeds Act (ESSA), 42 U.S.C. §§ 11431, 11434a (2012).

² “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.

³ “School district of military residence” means the school district in which 1) the family of a military child intends to reside as the result of a military transfer; or 2) if the school district in which the family intends to reside is unknown, the school district in which the military installation identified in the official military order is located.

Phoenix-Talent Schools District 4

Code: JECA
Adopted: 2/20/20
Orig. Code: JECA

Admission of Resident Students**

Resident students may be admitted under the following conditions:

1. A school-age student who lives within the district attendance area between the ages of 5 and 19 shall be allowed to attend school without paying tuition.
2. A student who turns 19 years of age during the school year shall continue to be eligible for a free and appropriate public education for the remainder of the school year.
3. The Board may admit an otherwise eligible student who is not receiving special education and who has not yet attained 21 years of age prior to the beginning of the current school year if the student is shown to be in need of additional education in order to receive a diploma or a modified diploma. This student may attend school without paying tuition for the remainder of the school year.
4. The Board shall admit an otherwise eligible student who has not yet attained age 21 prior to the beginning of the current school year if the student is receiving special education services and:
 - a. Has not yet received a regular high school diploma; or
 - b. Has received a modified diploma, an extended diploma or an alternative certificate.
5. Students whose parent or guardian voluntarily placed the child outside the child's home with a public or private agency and who is living in a licensed, certified or approved substitute care program, and whose residency is established pursuant to Oregon Revised Statute (ORS) 339.134.
6. Students who are military children¹ are considered resident of the district, if the district is the district of military residence² for the military child. Parents of military students must provide proof of residency within 10 days after the date of military transfer or pending transfer indicated on the official military order.
7. The Board may, based on district criteria, deny regular school admission to a student who has become a resident student and who is under expulsion from another district for reasons other than a weapons policy violation.

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.

² "School district of military residence" means the school district in which 1) the family of a military child intends to reside as the result of a military transfer; or 2) if the school district in which the family intends to reside is unknown, the school district in which the military installation identified in the official military order is located.

8. The Board shall deny, for at least one calendar year from the date of the expulsion, regular school admission to a student who has become a resident student and who is under expulsion from another district for a weapons policy violation.
9. The Board may, based on district criteria, provide alternative programs of instruction to a student expelled for a weapons policy violation.

END OF POLICY

Legal Reference(s):

[ORS 109.056](#)
[ORS 327.006](#)
[ORS 339.115](#)

[ORS 339.133](#)
[ORS 339.134](#)
[ORS 433.267](#)

[Senate Bill 802 \(2019\)](#)
[Senate Bill 905 \(2019\)](#)

Phoenix-Talent Schools District 4

Code:
Adopted:

JECAA

Admission of Part-Time Private School Students

(Does the district admit private school students part-time?)

The Board reserves the right to accept or reject the part-time admission of private school students living in the district based upon the availability of space, resources, personnel, appropriate programs and upon a positive review of education records.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 339.030](#)

[ORS 339.035](#)

Phoenix-Talent Schools District 4

Code: JECAC/GBH
Adopted: 6/13/19
Orig. Code: JECAC/GBH

Staff/Student/Parent Relations

The Board encourages parents to be involved in their student’s school educational activities and, unless otherwise ordered by the courts, an order of sole custody on the part of one parent shall not deprive the other parent of the following authority as it relates to:

1. Receiving and inspecting their student’s education records and consulting with school staff concerning the student’s welfare and education, to the same extent as provided the parent having sole custody;
2. Authorizing emergency medical, dental, psychological, psychiatric or other health care for the student if the custodial parent is, for practical reasons, unavailable.

It is the responsibility of the parent with sole custody to provide any court order or parental plan that curtails the rights of the noncustodial parent at the time of enrollment or any other time a court order is issued.

In the case of joint custody, the district will adhere to all conditions specified and ordered by the court.

The district will use reasonable methods to identify and authenticate the identity of both parents.

END OF POLICY

Legal Reference(s):

[ORS 107.101](#)
[ORS 107.102](#)

[ORS 107.106](#)
[ORS 107.154](#)

[ORS 109.056](#)
[ORS 163.245 - 163.257](#)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).

Protection of Pupil Rights, 20 U.S.C. § 1232h (2012); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2017).

Phoenix-Talent Schools District 4

Code: JECB
Adopted: 4/18/19
Orig. Code(s): JECB

Admission of Nonresident Students

The district may enroll nonresident students as follows:

1. **Interdistrict Transfer Agreement.** By written consent of the affected school boards, the student becomes a resident student of the attending district thereby allowing the attending district to receive State School Fund moneys;
2. **Tuition Paying Student.** By admitting nonresident student with tuition, whereby neither affected districts are eligible for State School Fund moneys;
3. **Court Placement.** If a juvenile court determines it is in the student's best interest, a student placed in a substitute care program outside the district will continue to be considered a resident student and allowed to attend the school the student attended prior to placement. The public agency placing the student in a substitute care program will be responsible for the transportation of the student, if public agency funds are available.

The Board shall deny regular school admission to nonresident students who are under expulsion from another district for a weapons policy violation. The Board may, based on district criteria, deny regular school admission to nonresident students who are under expulsion from another district for reasons other than a weapons policy violation.

Consent for Admission of a Nonresident Student by Interdistrict Transfer or Consent for Admission of a Tuition Paying Student

Annually, by May 30, the Board shall establish the number of student transfer requests into the district, and out of the district, to which consent will be given for the upcoming school year.

The Board may not consider nor ask for any information from the student about race, religion, sex, sexual orientation, ethnicity, national origin, disability, health, whether a student has an individualized education program (IEP) or the terms of that IEP, identified as talented and gifted, income level, residence, proficiency in English, athletic ability, or academic records. The Board may not request or require the student to participate in an interview, tour any of the schools or facilities, or otherwise meet with any representatives of the school or district prior to the district deciding whether to give consent.

The Board may ask for the student's name, contact information, date of birth, grade level, whether the student may be given priority on consent for admission (see the following paragraph for priorities), information about which schools the student prefers to attend, and whether the student is currently expelled.

If the number of students seeking consent exceeds the number of spaces, the Board will use an equitable lottery selection process. The process may give priority to students who have siblings currently enrolled in the district; who previously received consent for admission because of a change in legal residence; or who

attended a public charter school located in the same district in which the student seeks to attend, for three consecutive years, completed the highest grade offered by the public charter school, and did not enroll and attend school in another district following completion of that highest grade in the public charter school.

The Board may revise the maximum number of students to whom consent will be given at a time other than the annual date established by the Board if there are no pending applications for consent.

If the Board decides not to give consent to a student the Board must provide a written explanation to the student.

The district may require minimum standards of behavior and/or attendance once the student has been accepted. The minimum standards must be the same for all students that are given consent. The district is not allowed to establish minimum standards for academics as a criteria for the student to remain in the district. Students whose consent is revoked for violation of set attendance and/or behavior standards will not be allowed to apply for consent to return to this district in the same or the following school year.

The Board may determine the length of time the consent is given. Any limitations in length of time must be applied consistently among all students to whom consent is given.

The district is not required to provide transportation outside the boundaries of the district. The student will be allowed to use existing bus routes and transportation services of the district. Transportation will be provided if required by federal law.

The attending district is responsible for a free appropriate public education for those students on an IEP.

END OF POLICY

Legal Reference(s):

[ORS 327.006](#)
[ORS 329.485](#)
[ORS 335.090](#)

[ORS 339.115 - 339.133](#)
[ORS 339.141](#)
[ORS 339.250](#)

[ORS 343.221](#)
[ORS 433.267](#)
[OAR 581-021-0019](#)

Phoenix-Talent Schools District 4

Code: JECB-AR
Revised/Reviewed: 4/18/19
Orig. Code(s): JECB-AR

Admission of Nonresident Students

By March 1 of each year, the principals will establish an approximate number of nonresident students their respective buildings can accommodate for the following school year.

Nonresident students may only be admitted with tuition, with the exception of students who become “resident pupils” by one of the following methods:

1. By written consent of affected school boards (interdistrict transfer);
2. A foreign exchange student attending a district school on a J-1 Visa; or
3. A court placement.

The amount of tuition will be established ~~of~~ each year. Each admitted tuition paying student will be charged the same amount of tuition.

The district is not required to provide transportation outside the boundaries of the district. The student will be allowed to use existing bus routes and transportation services of the district. Transportation will be provided if required by federal law.

A written appeal for a denied request may be made to the Board whose decision, based upon review, will be final.

Consent for Admission of a Nonresident Student by Interdistrict Transfer

1. The application for admission must go through the principal’s office, which will then submit the petition to the superintendent’s office.
2. Admission and annual renewal must be approved by the superintendent.
3. Students receiving consent for admission may remain in the district until graduation¹. The student will not need to seek permission more than once from the same district of origin, to transfer to this district.

¹ The receiving district determines the length of time granted for a student of an interdistrict transfer by mutual agreement. The length of time determined by the receiving district must be applied the same for all students receiving consent by mutual agreement. The bracketed language represents only examples the district may consider. The district may insert whatever length of time they decide.

Consent for Admission of a Tuition-Paying Student

1. The application for admission must go through the principal's office, which will then submit the petition to the superintendent's office.
2. Admission and annual renewal must be approved by the superintendent.
3. Admission of students paying tuition will result in a tuition agreement between the parties and will be filed with the business office for billing and payment control.
4. The business manager shall prepare semester bills for all tuition paying students, and any student whose tuition remains unpaid 15 days after presentation of bills shall be excluded; the superintendent may grant additional time for payment should circumstances warrant it.

Phoenix-Talent Schools District 4

Code: JECBA
Adopted: 6/08/06
Orig. Code: JECBA

Admission of Exchange Students

In the interest of furthering better understanding and improving human relations among ~~district~~District students and youth from all parts of the world, the Board encourages the high school(s) to participate in student foreign exchange programs.

Exchange students must meet the regulations and expectations ~~as that~~ of local students, including the immunization requirements.

A high school diploma may be awarded at regular commencement exercises to all foreign exchange students who successfully meet the necessary academic requirements during the year in which they attend.

Exchange students will be encouraged to participate in all student activities and will be eligible to participate in interscholastic athletics, provided academic requirements and Oregon School Activities Association criteria are met.

The Board reserves the right to limit the number of exchange students in a given year.

Privately sponsored exchange students on an F-1 Visa may only attend ~~secondary schools within the district~~Phoenix High School and are required to pay tuition at the established ~~district~~District rate. The period of attendance may not exceed 12 months.

Exchange students attending ~~district~~District schools on a J-1 Visa as part of a group-sponsored program are not required to pay tuition.

END OF POLICY

Legal Reference(s):

[ORS 339.133](#)

[ORS 433.267](#)

[OAR 581-022-2000](#)

Illegal Immigration and Immigration Reform Act of 1996, 8 U.S.C. §§ 1101, 1221, 1252, 1324, 1363, 1367 (2012).

Phoenix-Talent Schools District 4

Code: JECBA-AR
Adopted: 6/08/06
Orig. Code: JECBA-AR

Visiting Foreign Student Program

(What needs to be updated in this AR?)

The District supports youth exchange programs and a visiting student program. The District will accept approximately six students (F-1 Visas) from Nabari Nisi High School, five students (F-1 Visas) on a foreign Youth Study program, and no more than four additional Exchange Program students (J-1 Visas). The foreign Youth Study program will be limited to high school students who are age appropriate for Junior or Senior status at Phoenix High School.

All students visit and study at the will of the Phoenix-Talent School Board. Tuition is required for all F-1 Visa students for whom the Phoenix-Talent School District issues I-20 student study applications. Tuition is initially set at 1.5 Oregon student reimbursement rate, plus a small administrative fee for a total of \$8500 for the 2006-07 school year. This amount is comparable to the amount received for other English Language Learners. Tuition will be reviewed and set on a yearly basis as state reimbursement varies from year to year.

Administration:

A Youth Study program is a complex undertaking and thus requires a strong emphasis on planning and teamwork. It is important to establish a schedule, be certain that all involved understand their role in the program, and set forth the policies and guidelines that govern a study visit. Advance preparation and attention to specifics will help this program function as smoothly as possible.

One key to a successful program is everyone's clear understanding of the terms under which the Youth Study program is being operated. The division of responsibilities and financial obligations must be clearly stated and agreed upon before the exchange begins. This is also a requirement of the Study & Exchange Visitor Information System through which this District issues I-20 forms.

Parents/Legal guardians:

1. Agree in writing to all rules of program.
2. Provide transportation to and from host community.
3. Provide appropriate clothing for visiting student.
4. Provide spending money and an emergency fund for use by visiting student.
5. Provide health and accident insurance acceptable to the District.
6. Arrange for all travel documents, such as passport and visas.

Visiting Student:

1. Agrees in writing to abide by all rules of program.
2. Acts as ambassador of his/her/their native country.
3. Agrees to accept supervision of the District and host family.
4. Returns home at a specified time and by a route agreed upon by the District and parents.
5. Agrees to be involved in school activities and do his/her/their best to be academically successful.

The District:

1. Agrees to provide the appropriate I-20 form and applicable paper work once tuition payment in full is received.
2. Agrees to provide the visiting student an educational opportunity equal to that of domestic students.
3. Agrees to provide the visiting student with opportunities to be involved in a variety of school activities.
4. Has the right to use F-1 Visa student tuition in any way it deems appropriate.

Insurance and Risk Management:

The importance of sufficient insurance coverage and effective risk management procedures should not be overlooked when sending any student abroad.

Risk is inherent in virtually all aspects of our society, and a Youth Study program may find it difficult, if not impossible, to eliminate all threats of harm to students. This District works tirelessly and vigilantly to provide to students safety and well-being.

Insurance Minimums:

The legal guardians of each visiting student shall be responsible for the payment of all medical and accident costs. They shall provide health and accident insurance with respect to each visiting by way of an insurance policy that must be acceptable to the Phoenix-Talent School District.

Such insurance shall provide not less than \$500,000 (U.S. or equivalent total) coverage for medical expenses occasioned by illness or accident, and not less than \$10,000 (U.S. or equivalent) coverage for accidental death.

Irrespective of other benefits that it provides, the insurance shall:

1. Provide coverage from the time of the visiting student's departure from home country until the visiting student's return to home country;
2. Provide not less than \$10,000 (U.S.) for repatriation of the visiting student's remains or cremation expenses in the hosting district in the event of the death of the visiting student;

3. Provide coverage for the cost of reasonable transport and accommodation incurred by any one close relative or friend to travel to, travel with, remain with, or escort the visiting student as a result of serious injury, illness, or death of the visiting student;
4. Guarantee payment directly to the provider of medical services by means of an acceptable international medical assistance organization;
5. Provide coverage not less than \$50,000 (U.S.) for necessary emergency transport or evacuation of the visiting student in the event of severe illness or bodily injury;
6. Provide coverage for ongoing treatment for a specified time for illness or accidental injury sustained during the period of coverage of the insurance policy;
7. Be worldwide and not limited to the hosting country. Coverage in the home country may be excluded.

Early Returns

Approximately three percent of all exchange students are sent home early. Some of these students request to be sent home due to homesickness, illness, or family problems. The remainder are sent home as the result of a violation of Youth Study program rules.

Phoenix High School may request a conference to discuss a visiting student's emotional state or behavior in an attempt to resolve any issues that may require the student's enrollment to be terminated early.

After it has been determined that a student should be sent home early for disregarding the rules the District will follow these guidelines:

1. The student's passport and plane ticket will be kept in the possession of the District while the student is visiting. The student will not obtain a copy of the passport. This will prevent the student from obtaining a new passport by claiming that the original was lost and arranging independent travel plans. Once the final decision is made, the visiting student may not stay in the United States, even if desired, on the F-1 student visa.
2. The Youth Study Program student's host family and parent/guardian with the specific reason(s) the student is being sent home. In the event that a Japanese Exchange student's enrollment is terminated, the officials at Nabari Nishi High School will be contacted. Initial contact may be done by telephone, but a fax or letter will be sent following the conversation.
3. The students travel plans and itinerary will be emailed or faxed to his/her/their parents/guardians.
4. Tuition will not be refunded for an early return after the first 60 calendar days of the school year. An early return prior to the first 60 days may result in a 50 percent refund, if the District incurs no additional expenses. If additional expenses are incurred during the first 60 days those expenses will be deduced prior to any refund.

General Rules

1. Phoenix High School shall provide an orientation program for incoming students. Because local laws and customs in one country may differ greatly from those in other parts of the world, orientation should include information on local laws and customs that may apply to young people.
2. The parents or legal guardians of each visiting student shall provide health, accident, and liability insurance with respect to each student in amounts satisfactory to the District, with coverage from the time of the student's departure from home country until the student's return to same. Evidence of coverage of all insurance with a responsible insurance company or companies satisfactory to the District prior to the beginning of the study visit must be submitted. Such insurance should provide not less than \$500,000 (U.S.) or equivalent medical expense coverage, not less than \$10,000 (U.S.) or equivalent accidental death or dismemberment, not less than \$10,000 (U.S.) or equivalent for repatriation of remains, nor less than \$50,000 (U.S.) or equivalent for emergency transport or evacuation.
3. The parents or legal guardians of the visiting student are responsible for providing appropriate clothing and round-trip transportation to and from the District.
4. The visiting student should undertake no travel outside the immediate area of the community without the consent of the student's parents or legal guardians and the District.
5. The visiting student SHALL NOT under any circumstances be permitted to operate or drive a motorized vehicle of ANY kind during the period of the study visit, nor to own a motorized vehicle in the U.S.
6. Proof of proper immunization is required.
7. The host family will provide room and board for the visiting student and exercise appropriate supervisory and parental responsibility to ensure the student's well-being. Host families of Japanese students, from Nabari Nishi, will receive a small stipend to assist with room and board.
8. All individuals involved in the Youth Study Program, including students and their parents or legal guardians, host family members, and the District, shall agree in writing to all the requirements of the program as determined by the Phoenix-Talent School Board. All participants should display comportment at all times reflecting credit on self, the home country, and the District and should respect each other and act responsibly, befitting their role in the program. Visiting students should strive to adapt to the way of life of the host country, and host family members should assist students in ways to ease that transition. The visiting students should accept the supervision and authority of the host family and the District during the period of the exchange. Students must return home at a time and by a route agreed upon by their parents or legal guardians and the District.
9. Any participant who does not comply with the requirements of the program will be removed from participation in the program. In the case of visiting students, they will be returned home by the District at the earliest practical time by a route agreed upon with the parents or legal guardians. All parties involved in the program will be fully informed prior to the student being sent home.
10. The visiting students should have a list of individuals to contact in the case of a problem or emergency. The District will support in getting appropriate District emergency numbers. This list

should include the name and contact information for the student's Phoenix High School contact, back-up District contact, host family, and etc.

11. Participants must be between the ages of 16 and 19 at the beginning of the program. They should be above average in their schoolwork, be of good behavior, and speak English at the Intermediate level. Youth Study Program student's participation will be for one academic year.
12. The District may adopt any other provisions consistent with the foregoing and which are deemed necessary or convenient for the operation of this program.

Program Rules and Conditions of Youth Study Program

As a Youth Exchange student of the Phoenix-Talent School District, you must agree to the following rules and conditions of exchange.

Strict Rules and Conditions of Exchange - Violations will result in student's immediate return home.

1. Obey the Laws of the United States, state and local communities - If found guilty of violation of any law, student can expect no assistance from the Phoenix-Talent School District, or their native country. Student will be returned home as soon as he/she is they are released by authorities.
2. The student is not allowed to possess or use illegal drugs. Medicine prescribed by a physician is allowed.
3. The student is not authorized to operate a motorized vehicle of any kind that requires a federal or state license or participate in driver education programs.
4. The illegal drinking of alcoholic beverages is expressly forbidden.
5. Stealing is prohibited. There are no exceptions.
6. The student must be covered by a health and life insurance policy agreeable to the Phoenix-Talent School District.
7. The student must attend school regularly and make an honest attempt to succeed.
8. The student must abide by the rules and conditions of exchange of the Phoenix-Talent School District #4.
9. Use of tobacco is expressly forbidden (at any time).

Common Sense Rules and Conditions of the Program - Violations will result in a district review and restrictions. Severe/Consistent disregard for these rules will result in being returned home.

1. Learn the English language. Teachers and others you meet in the community will appreciate the effort. It will go a long way in your gaining acceptance in the community and those who will become lifelong friends.

2. Get involved in your school and community activities. Plan your recreation and spare time activities around your school and community friends. Do not spend all your time with the other visiting students.
3. Choose friends in the community carefully. Ask for and heed the advice of teachers, counselors and school personnel in choosing friends.
4. Do not borrow money. Pay any bills you incur promptly. Ask permission to use the family telephone, keep track of long distance calls and reimburse your host family each month for the calls you make.
5. If you are offered an opportunity to go on a trip or to an event, make certain you understand any costs you must pay and your responsibilities before you go.
6. You must show proof of proper immunization.
7. Students should have sufficient financial support to assure their well-being during the study year.
8. Any costs relative to a student's early return home or any other unusual costs (e.g., language tutoring, tours, etc.) shall be the responsibility of the student's own parents/guardians.
9. Students must return home directly by a route mutually agreeable to the host district and student's parents/guardians.
10. You will be under the District's authority while you are a visiting student. Parents/guardians must avoid authorizing any extra activities directly to their son/daughter/child. The District Youth Study Officers and/or host family must authorize such activities. If the student has relatives in the host country or region, they will have no authority over the student while the student is in the program.
11. Avoid serious romantic activity. Abstain from sexual activity and promiscuity.

I agree to the above statement and rules and agree to abide by them:

Parent/Guardian _____	Date _____
Student _____	Date _____
Host _____	Date _____
District Representative _____	Date _____

Phoenix-Talent Schools District 4

Code:
Adopted:

JECBB

Intradistrict Transfer Students

With the superintendent's approval, the district may grant the request of a resident student to attend another school in the district, provided the receiving school agrees to that request.

Students who attend a district school identified as persistently dangerous, or who are victims of a violent criminal offense occurring in or on the grounds of the school the student attends, may transfer to a safe public school in the district, including transfer to a public charter school in the district.

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

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 339.133](#)

[OAR 581-021-0045](#)

Every Student Succeeds Act, 20 U.S.C. § 7912 (2012).

Phoenix-Talent Schools District 4

Code: JECBB-AR
Revised/Reviewed:

Intradistrict Transfer Procedures

The following procedures will govern consideration of a request by a parent for his/her student to attend a district school other than the one within the student's regular attendance boundary.

General Parent/Student Requests for Intradistrict Transfer

1. Resident students and their parents will be notified on an annual basis of intradistrict transfer options available;
2. Requests to transfer will be considered on a space-available basis and subject to the following criteria:
 - a. A financial, educational, safety or health condition affecting the student would likely be improved as a result of the transfer. "Would likely be improved" means it is probable, in the judgment of the district, that the nature and effect of the benefit to be received will be real and meaningful;
 - b. Attendance at the school nearer to the parent's place of work or to the location of child care;
 - c. The parent has moved and the place of residence is now located outside the attendance boundary of the student's assigned school, but remains within district boundaries and completion of the current school year in the student's school is in the student's best interest;
 - d. There is some other special hardship or detrimental condition affecting the student or his/her immediate family which would be alleviated as a result of the transfer. "Special" means a circumstance or factor not generally applicable to other students or families. "Hardship" and "detrimental condition" apply to any circumstance or factor which has a harmful effect on the student or his/her immediate family, and is not restricted to a financial, educational, safety, or health condition;
 - e. A program/activity is offered only at the receiving school.
3. Requests that a student attend a district school other than the student's assigned school within his/her regular attendance boundary must be made by the parent (or emancipated minor or student age 18 or older) and submitted in writing [on forms provided by the district] to the principal or designee of the school the student currently attends, no later than [March 31]. Later requests may be considered in unusual circumstances, at the district's discretion. Written requests must include a clear statement as to how the requested transfer meets district criteria;
4. The principals of the sending and receiving schools will consult and must mutually agree to the transfer. If either principal objects, the request will be denied;
5. The sending school principal or designee will notify the parent [in writing] that the request has been granted or denied, no later than [June 1];
6. Students who apply for an intradistrict transfer and are not accepted at the time of application because of space availability or Every Student Succeeds Act (ESSA) transfers will be placed on a

waiting list in the order in which the applications are received. Such applications will be considered for approval at a later date as space becomes available. The waiting list will be maintained until [February] of each year, after which time a new waiting list will be developed;

7. Transportation will be the responsibility of the parent. In certain circumstances, district transportation may be appropriately provided, on a space-available basis. Existing bus routes and loading areas will not, however, be disrupted or altered in order to accommodate an intradistrict transfer;
8. [Once a student transfer is approved, the district will, to the extent practicable, continue the student in the receiving school through the highest grade in that building, subject to the right of residents of the attendance area to attend their assigned school and students exercising safe school choice options under ESSA[.];] [Approved transfers will be reevaluated at the conclusion of each school year by the principal of the receiving school. Continuation of the transfer may be denied based on such considerations as space limitations, student behavior, attendance, academic performance or failure to continue an educational program for which the transfer request was originally approved;]
9. In the event building capacity is reached with attendance area residents or students from outside the attendance area who have transferred under provisions of ESSA, transfer students may be asked to enroll in another school or return to their school of origin;
10. An approved transfer granted to a student will not obligate the district to approve subsequent requests from another student in the same family;
11. Student violations of Board policy, administrative regulation or school rules may result in revocation of the transfer at any time at the discretion of the district, in addition to discipline imposed.

Safe Public School Choice Transfer Requests

In the event a district school is identified by the Oregon Department of Education (ODE) as persistently dangerous, or a student has been a victim of a violent criminal offense while in or on the grounds of a school the student attends, a transfer to meet the safe public school choice requirements of ESSA will be provided, subject to the following:

1. The district will provide notification to parents of all students attending a school identified as persistently dangerous of their student's right to transfer.

The notice will:

- a. Be in writing, provided within [10] school days from the time the district becomes aware that the school has been identified by ODE as persistently dangerous or from the time a parent or student has notified the district that the student has been the victim of a violent criminal offense as defined by ODE;
- b. Inform parents that their student is eligible to attend another public school in the district due to the identification of the school as persistently dangerous, or inform the parent of a student who has been the victim of a violent criminal offense, as defined by ODE, while in or on the grounds of a school the student attends, that their student is eligible to attend another public school in the district;

- c. Identify each public school in the district, including public charter schools, that the parent may select;
 - d. Explain why the choices made available may have been limited including, as applicable, that no choices are currently available; and
 - e. Describe the performance and quality of those schools of choice. Parents may request more detailed information and may ask to see a school’s academic report card.
2. The transfer will be to a safe school in the district;
 3. Requests to transfer must be in writing (standard mail, fax or e-mail) and submitted to the school office for consideration generally no later than [20] school days from the district notice. The district will confirm requests;
 4. The district will consider the education needs and preferences of the student and parent. Parents may decline the assigned school;
 5. Approved transfers will generally occur within [30] school days from the time the district learns that the school has been identified as persistently dangerous. A student who has been the victim of a violent criminal offense will be transferred as soon as practicable;
 6. Transfers may be temporary or permanent but will minimally be in effect as long as the student’s original school is identified as persistently dangerous. Transfers for a student who has been the victim of a violent criminal offense will remain in effect until such time as may be appropriate, based on the safety and welfare of the student. The district will consider the educational needs of all transfer students as well as other factors affecting the student’s ability to succeed if returned to the transferring school;
 7. The district may provide transportation using federal funds or through cooperative agreements with local victims assistance units.

In the event a district school is identified by ODE as persistently dangerous, or a student has been a victim of a violent criminal offense while in or on the grounds of a school the student attends and there is not another school in the district for the student to transfer to, the district may develop an agreement with a neighboring district to accept transfer students. The development of such agreements is at the discretion of the district. Transfer approval will be in accordance with established Board policy and administrative regulation.

Special Education and Public School Choice

The district will ensure that students with disabilities are provided a free appropriate public education (FAPE) in their school of choice, consistent with the Individuals with Disabilities in Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act. In offering choice to students with disabilities, the district may match the abilities and needs of a student with disabilities to the possible schools that have the ability to provide the student with FAPE.

Miscellaneous General Provisions for All Transfers

1. Students who wish to return to their home school or to transfer to a different district school must reapply in accordance with established request procedures.
2. Students granted permission to attend a district school other than the school in their assigned attendance area will have the same curricular and extracurricular status as all other students attending the school, consistent with applicable Oregon School Activities Association (OSAA) rules.
3. Students are expected to preregister and complete final registration and scheduling for the school in their assigned attendance area pending disposition of a transfer request.
4. Students may not sign up for or practice with athletic teams or other activity groups in the school they are requesting to transfer until the transfer is approved.
5. Recruitment of students by district employees is strictly prohibited.
6. Students whose place of residence changes within the district during the school year must notify the district. Students may be required to attend the school of their new attendance area the following year, consistent with the ESSA requirements, unless application is made for transfer.
7. Parents may appeal decisions to deny intradistrict transfer requests to the superintendent and Board, through established district procedures.

Record Keeping

The principal will maintain a file of all intradistrict transfer requests. A copy will be forwarded to the district office for districtwide data collection purposes.

Phoenix-Talent Schools District 4

Code: JECBD
Adopted: 4/06/17
Orig. Code: JECBD

Homeless Students

Homeless students in the district will have access to the education and other services needed to ensure that an opportunity is available to meet the same academic achievement standards to which all students are held.

A liaison for students in homeless situations will be designated by the district to carry out duties as required by law.

The district will ensure that homeless students are not stigmatized nor segregated on the basis of their status as homeless. A district will admit a homeless student ~~will be admitted~~, in accordance with the student's best interest, to the student's school of origin or enroll the student in a district school in the attendance area in which the homeless student is actually living, unless contrary to the request of the parent or unaccompanied student. Transportation will¹ be provided in accordance with law.

The superintendent will develop administrative regulations to remove barriers to access and participation by homeless students.

END OF POLICY

Legal Reference(s):

[ORS 109.056](#)
[ORS 327.006](#)

[ORS 339.115\(7\)](#)
[ORS 339.133](#)

[ORS 433.267](#)

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 (2012).
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).

¹ McKinney-Vento Homeless Assistance Act (see 42 U.S.C. 11432(g)(1)(J)(iii)).

Phoenix-Talent Schools District 4

Code: JECBD-AR
Adopted: 4/06/17
Orig. Code: JECBD-AR

Homeless Students**

Definitions

1. “Enrollment” means attending classes and participating fully in school activities.
2. “School of origin” means the school that a student attended when permanently housed or the school in which the student was last enrolled.

When the student has completed the final grade served by the school of origin, the term “school of origin” shall include the designated receiving school at the next grade level for all feeder schools.

3. “Homeless student” means individuals who lack a fixed, regular and adequate nighttime residence and includes:
 - a. Students who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals;
 - b. Students who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
 - c. Students who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings; and
 - d. Migratory students who qualify as homeless because the students are living in circumstances described in a-c.
4. “Unaccompanied student” includes a student not in the physical custody of a parent or guardian.

Assignment to School

The district shall, according to the student’s best interest, continue the student’s education in the school of origin for the duration of homelessness, or enroll the student in a district school that nonhomeless students who live in the attendance area in which the student is actually living are eligible to attend.

In determining the best interest of the student, the district shall:

1. Presume that keeping the student in their school of origin is in their best interest, unless doing so is contrary to the request of the student, or the student’s parent or guardian;
2. Provide a written explanation, including a statement regarding the right to appeal, if the district sends a homeless student to a school other than the school of origin or a school requested by the parent or guardian;

3. Ensure that the district's liaison helps with placement or enrollment decisions for an unaccompanied student and, considers the request of the student, and provides a notice of the right to appeal on placement and enrollment decisions.

Enrollment

The district shall immediately enroll the student in the school selected even if the student is unable to produce records normally required for enrollment, such as academic records, medical records, proof of residency or other documentation.

The district shall immediately contact the school last attended to obtain relevant academic and other student records.

If the student needs to obtain immunizations, or immunization or medical records, the district shall immediately refer the parent or guardian to the district's liaison, who will help in obtaining necessary immunizations, screenings or records.

A student shall be granted enrollment even if he or she has missed application or enrollment deadlines during any period of homelessness.

Records

Any records ordinarily maintained by the district, including immunization or medical records, academic records, birth certificates, guardianship records and evaluations for special services or programs, shall be maintained so that the records are available, in a timely fashion, when a homeless student enters a new school or school district, consistent with State and Federal Law.

Enrollment Disputes

If a dispute arises over school selection, enrollment or eligibility, the student shall be immediately admitted to the school requested, pending resolution of the dispute.

The parent or guardian of the student shall be provided with a written explanation of the district's decision regarding school selection, including the rights of the parent, guardian or student to appeal the decision through the McKinney-Vento Act dispute resolution and appeal process, including final appeal to the Oregon Department of Education (ODE) State Coordinator.

The student, parent or guardian shall be referred to the district's liaison, who shall ensure the resolution process is carried out as expeditiously as possible. In the case of an unaccompanied student, the district's liaison shall ensure the student is immediately enrolled in school pending the resolution of the dispute.

Services

Each homeless student shall be provided with services comparable to services offered to other students, including the following:

1. Transportation services;

2. Education services for which the student is eligible, such as:
 - a. Title IAF¹;
 - b. Special education;
 - c. Programs for English Learners;
 - d. Career and technical education;
 - e. Talented and gifted programs.
3. School nutrition programs.

Coordination

The district shall coordinate the provision of services to homeless students with local social service agencies, and other agencies or programs providing services to homeless students and their families. Services ~~also will also~~ be provided in cooperation with other districts on ~~interdistrict~~~~inter-district~~ issues, such as transportation, ~~or~~ transfer of school records, and issues concerning appropriate credit for full or partial course work completed at a prior school to ensure that homeless students have access to available educational ~~education~~ and related services.

District Liaison

The district's liaison shall ensure that:

1. Homeless students are identified;
2. Homeless students enroll in and have a full and equal opportunity to succeed in district schools;
3. Homeless families and students have access to and receive educational services through Head Start, Early Intervention and preschool services;
4. Homeless families and students receive educational services for which they are eligible, and referrals to health-care services, dental services, mental health service and other appropriate services;
5. Parents of homeless students are informed of the educational and related opportunities available to the students and are provided with meaningful opportunities to participate in the education of their students;
6. Public notice of the educational rights of homeless students is distributed where such students receive services (e.g., schools, shelters, public libraries and soup kitchens);
7. Enrollment disputes are mediated through McKinney-Vento Act dispute resolution procedures;
8. The parents of homeless students, or any unaccompanied student, is fully informed of all transportation services, including transportation to the school of origin, and is assisted in accessing transportation to the school selected;

¹ All homeless students are automatically eligible for Title IAF services, regardless of their current academic performance.

9. School personnel, service providers and advocates working with homeless students and their families are informed of the liaison's duties.

The district's liaison shall coordinate and collaborate with the ODE state coordinator, community and school personnel responsible for the provision of educational and related services to homeless students.

Phoenix-Talent Schools District 4

Code: JECC
Adopted: 10/05/17
Orig. Code: JECC

Assignment of Students to Schools

A student shall be required to attend the school serving their/his/her place of residence. Exceptions to the policy may be granted under the following conditions:

1. A student changing place of residence within district boundaries during the school year may continue in the school of enrollment until the end of the current year;
2. A student who anticipates moving to a different school assignment area may be admitted in that school upon presentation of satisfactory evidence to the administration showing that the move will be made within the grading period during which the admission is requested;
3. A student whose educational interest would be better served in another school, as determined by the administration or because the student has not met or has exceeded academic content standards as provided by Oregon Revised Statute (ORS) 329.485, may be allowed to attend that school;
4. A student who becomes a victim of a violent criminal offense while in or on the grounds of a school the student attends, or any student attending a district school that is identified by the Oregon Department of Education (ODE) as persistently dangerous may, as required by Every Student Succeeds Act of 2015 (ESSA), transfer to a safe district school as defined by law.

Students granted transfers will comply with the building and classroom rules of the receiving school.

In the event of an attendance change not required by ESSA or other state law, parents shall take the responsibility of providing transportation. Students may ride buses if buses are available and have sufficient room. Students transferring schools pursuant to the provisions of ESSA will be provided with district transportation.

END OF POLICY

Legal Reference(s):

[ORS 329.485](#)

[ORS 332.107](#)

[OAR 581-021-0045](#)

Every Student Succeeds Act, 20 U.S.C. § 7912 (2012).

Phoenix-Talent Schools District 4

Code: JECD
Adopted: 1/06/83
Orig. Code: JECD

Assignment of Students to Classes

The building principal shall assign students to classes. The building principal shall be responsible for assigning students to the appropriate class based on educational needs of the student ~~and the staff and facilities available. Exceptions to such assignments may be made only by the principal and only upon evidence that such assignment would cause undue stress to the student or the school.~~

1. Parents shall have the right to discuss student class assignments with principals and have the right to request placement of their student. Such requests should be made known prior to June 1 of the school year in question.
2. Any desire to change class assignments during the school year may be discussed with the principal.

Schools offering optional programs shall offer such programs to all students. Final selection of students for a program remains the responsibility of the principal. The principal shall be responsible for developing guidelines in the selection of students for optional programs. Guidelines for student selection shall adhere to Oregon laws and reflect the program goals.

END OF POLICY

Legal Reference(s):

[OAR 581-021-0045](#)

[OAR 581-021-0046](#)

Phoenix-Talent Schools District 4

Code: JECDA
Adopted: 1/22/09
Orig. Code: JECDA

Transcript Evaluation

The ~~district~~~~District~~ recognizes the importance of transcript evaluation to determine the value of credits earned, number of years of school attendance and placement for students transferring to ~~district~~~~District~~ schools from other public, private or alternative schools or a Department of Defense Education Activity (DoDEA) school, including those who have been receiving home-school based courses, online or other distant learning methods ~~school instruction~~.

Transfer credits and attendance may be accepted or rejected at the discretion of the ~~district~~~~District~~ consistent with Oregon law ~~Administrative Rules~~. Validation of credit may be required.

The ~~superintendent~~~~Superintendent~~ will develop administrative regulations to implement this policy.

END OF POLICY

Legal Reference(s):

[ORS 326.565](#)

[OAR 581-021-0210](#)

[OAR 581-022-2025](#)

[OAR 581-021-0220](#)

10 U.S.C. §§ 1209, 1211 (2012).

32 U.S.C. § 502(f) (2012).

Phoenix-Talent Schools District 4

Code: JECDA-AR
Adopted: 1/23/09
Orig. Code: JECDA-AR

Transcript Evaluation Procedures

The principal or designee will conduct an evaluation of transfer student transcripts and other documentation as may be required to: determine the value of course credits earned; acceptance or rejection of credit and grades; the number of years of school attendance or equivalent; and subsequent placement of students in district schools.

Awarding of Credits

1. Students, including dependents of an active duty or deployed member in the uniformed service of the United States, transferring from a standard Oregon public school, or another state's standard school or a Department of Defense Education Activity (DoDEA) school, will receive credit for previously completed courses and attendance on the same basis credit and attendance are accepted for such courses completed in district schools.
2. Students transferring from another district's approved alternative education program or a private alternative education program registered with the Oregon Department of Education (ODE) or other state's department of education will receive credit for previously completed courses and attendance on the same basis credit and attendance are accepted for such courses completed in district schools.
3. Students transferring from an alternative education program not registered as provided above, may receive credit for those courses that have the same or substantially similar course content and hours of instruction as existing district courses.
4. Students transferring from an accredited private school will receive credit for previously completed courses and attendance on the same basis credit and attendance are accepted for such courses completed in district schools.

Credits earned for classes of a sectarian nature will not be accepted. Students may be required to submit course descriptions, or other documentation as may be deemed necessary, to determine whether a course is primarily sectarian in nature.

5. Students transferring from a nonaccredited private school may receive credit for those courses that have the same or substantially similar course content and hours of instruction as existing district courses.
6. Students transferring from homeschool-based courses, a home study program under Oregon Revised Statute (ORS) 339.035, online or other distance learning may receive credit for previously completed course work and attendance by:
 - a. Successfully passing an appropriate challenge exam;
 - b. Providing portfolio/work sample evidence which demonstrates equivalent knowledge or skill;

- c. Providing documentation of prior learning activities or experiences (e.g., certification of training, hours of instruction, letters, etc.).

Credit approval will be granted only when the student has demonstrated by clear and convincing evidence that he/she has achieved the same level of knowledge or skill as would have been accomplished by successful completion of the ~~district~~~~District~~ course(s) for which credit has been requested.

7. Students may be required to submit course descriptions or other documentation as deemed necessary, including hours of instruction, to assist ~~district~~~~District~~ officials in determining credit and attendance to be accepted. Such information may be gathered by phone.

Validation of Credit

1. The ~~district~~~~District~~ may, at its discretion, require validation of credit from students transferring from nonaccredited~~non-accredited~~ schools and nonregistered~~non-registered~~ alternative programs, by requiring that the student complete an assessment or provide equivalent portfolio/work sample evidence.
2. The ~~district~~~~District~~ may conditionally accept credit from students transferring from nonaccredited~~non-accredited~~ schools and nonregistered~~non-registered~~ alternative programs. Students not meeting course requirements at the four week mark, may be required to undergo further written or oral assessment.
3. Students unable to validate credit will be scheduled/rescheduled at the appropriate grade/course level and the credit(s) in question denied.

Grade-Level Placement

Students will be placed in the grade level or course best suited to their needs, based on the ~~district's~~~~District's~~ evaluation of the student's transcript and/or other documentation, assessment, portfolio/work sample evidence, etc., as may be required by the ~~district~~~~District~~.

If the student is unable to provide appropriate documentation, the principal or designee will make the grade level determination based upon ~~district~~~~District~~-administered assessment(s) as deemed appropriate.

Grades/GPA Academic Awards

1. Students transferring from the following programs may receive, subject to procedures established by the ~~district~~~~District~~, the grades/GPA value earned from the student's previous school(s), program(s) for purposes of determining a student's cumulative GPA, academic recognition and awards (e.g., Top 10, valedictorian, salutatorian, etc.):
 - a. Standard Oregon schools, ~~and~~ other states' standardized schools or a DoDEA school;
 - b. Another district's approved alternative program;
 - c. A private alternative program registered with ODE or another state's department of education;
 - d. An accredited private school.

[The district/District may include other schools and programs such as nonaccredited, nonregistered, non-accredited, non-registered and homeschool-based courses, online or other distant learning methods/home-school programs as deemed appropriate.

Appeals

Transcript evaluation decisions may be appealed to the superintendent/Superintendent.

Phoenix-Talent Schools District 4

Code: JECE
Adopted: 1/06/83
Orig. Code: JECE

Student Withdrawals from School

When it becomes necessary for a student to withdraw from school for any reason, the school office must be notified. A withdrawal slip must be completed and all necessary requirements fulfilled before withdrawal is complete.

Prior to the student leaving school, the district will propose in writing to the student or the student's parent or guardian appropriate, accessible alternative programs of instruction.

~~Parents of students who will be withdrawing from the school system are encouraged to notify the School District as soon as possible so that a smooth transition may take place. The District shall transfer progress records to the receiving school district upon receipt of notice of enrollment from that school district. Student behavioral records shall be transferred only upon signed request of the student's parent or guardian or the student if 18 years of age or over. (student records is covered in policy JO/IGBAB)~~

~~Parents are responsible for the payment of all outstanding fees, fines or charges before the student withdraws from the school; however, non-payment of such fees does not constitute reason for not forwarding such records. (Fees are handled in policy JN)~~

END OF POLICY

Legal Reference(s):

[ORS 332.072](#)
[ORS 332.107](#)
[ORS 336.635](#)
[ORS 336.645](#)
[ORS 336.665](#)

[ORS 339.030](#)
[ORS 339.250](#)
[OAR 581-021-0045](#)
[OAR 581-021-0065](#)

[OAR 581-021-0070](#)
[OAR 581-022-2320](#)
[OAR 581-022-2505](#)
[OAR 581-023-0006](#)
[OAR 581-023-0008](#)

Phoenix-Talent Schools District 4

Code: JECF
Adopted: 4/18/19
Orig. Code: JECF

Interdistrict Transfer of Resident Students**

Interdistrict Transfer

The Board recognizes there may be circumstances that arise in which a resident student may benefit from attendance in another public school in the state. Consequently, a student who resides within district boundaries may be released to attend school in another district that agrees to accept the student. The agreement will be by written consent of the affected school boards or designees whereby the student becomes a “resident student” of the attending district, allowing the attending district to receive State School Fund moneys. Any additional fees or tuition costs are the responsibility of the parent.

When the resident district approves the release of a resident student to another school district, the student or their parent(s) will be solely responsible for transportation unless federal or state law requires transportation to be provided by the district. When a resident student, who is on an individualized education plan (IEP) is accepted to another district by an interdistrict transfer, the attending district becomes responsible for a free appropriate public education (FAPE).

Additionally, an interdistrict transfer of a resident student will be permitted, as appropriate, to meet the requirements to provide a safe public school choice in the Every Student Succeeds Act (ESSA).

The resident district may not impose any limitations on the length of time for which consent is given to the student requesting release to another district.

The resident district shall not require a student to receive consent more than one time when the student requests admission to the same receiving district, regardless of any time limitations imposed by the receiving district.

The district shall allow the student whose legal residence changes to a different district during the school year or summer between school years, to complete the school year in the district if the student chooses to do so.

Safe Public School Choice Transfer Requests

An interdistrict transfer¹ may be permitted in the event a student has been a victim of a violent criminal offense occurring in or on the grounds of a school the student attends, or the student attends a school identified as persistently dangerous and all other district schools the student may transfer to are also identified as persistently dangerous or there is no other district school to which the student may transfer. The transfer must be to a safe school.

¹ Districts are encouraged, but not required, to explore other appropriate options such as an agreement with a neighboring district to accept transfer students if there is not another school in the district in which the student legally resides for the transferring student.

Homeless Student

A homeless student residing in the district and the student’s parent, or in the case of an unaccompanied student, the district’s liaison for homeless students, may request that the student attend their school of origin² located out-of-district. The request will be considered based on the best interest of the student. The student may continue in their school of origin for the duration of the student’s homelessness. Transportation will³ be provided in accordance with law.

The superintendent is directed to establish procedures for the review of any student request to attend school in another district.

END OF POLICY

Legal Reference(s):

[ORS 327.006](#)
[ORS 329.485](#)
[ORS 332.107](#)
[ORS 335.090](#)
[ORS 339.115 - 339.133](#)

[ORS 339.141](#)
[ORS 339.147](#)
[ORS 339.155](#)
[ORS 339.250](#)
[ORS 343.221](#)

[ORS 433.267](#)
[OAR 581-021-0019](#)

Illegal Immigration and Immigration Reform Act of 1996, 8 U.S.C. §§ 1101, 1221, 1252, 1324, 1363, 1367 (2012).
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 (2012).
Every Student Succeeds Act, 20 U.S.C. § 7912 (2012).

² “School of origin” means the school that a student attended when permanently housed or the school in which the student was last enrolled. When the student has completed the final grade served by the school of origin, the term “school of origin” shall include the designated receiving school at the next grade level for all feeder schools.

³ McKinney-Vento Homeless Assistance Act (see 42 U.S.C. 11432(g)(1)(J)(iii)).

Phoenix-Talent Schools District 4

Code: JECF-AR
Revised/Reviewed: 4/18/19
Orig. Code: JECF-AR

Interdistrict Transfer of Resident Students

General Parent/Student Requests for Interdistrict Transfer (Requiring the consent of both districts)

The following procedure will govern consideration of a request by a student who resides within district boundaries and who is requesting district approval for a transfer to attend school in another district:

A parent will request the release of their student by completing the appropriate district form;

1. The completed form must be submitted to the district office;
2. The Board chair, superintendent or designee will grant or deny the request for release according to established Board policy criteria and notify the parent in writing of the decision within 15 calendar days;
3. If the release is granted by mutual consent of the resident and nonresident districts, the resident district will make necessary arrangements for the transfer of the student's education records;
4. If the request for release is denied, parents will be notified in writing of the reason for denial and the right to appeal the decision to the Board by sending a written request to the superintendent or designee within 10 calendar days;
5. The Board will review the supporting information regarding the transfer request at a regularly scheduled Board executive session. ~~Parents will not be in attendance at this meeting may be invited. If the decision to deny the transfer is upheld by the Board, parents will be notified in writing within 20 calendar days. If the Board wishes additional information and chooses to hear directly from the parents, parents will be requested to attend an executive session so that relevant, new data may be presented. The Board will evaluate the new information from the parents, render a decision to grant or deny the transfer and communicate that decision in writing within 20 calendar days;~~
6. ~~A final decision will be made by the Board within 20 calendar days following the Board hearing. The Board's decision and~~ will be communicated to the parents in writing within 10 days.

Safe Public School Choice Transfer Requests

In the event a district school is identified by the Oregon Department of Education (ODE) as persistently dangerous, or a student has been a victim of a violent criminal offense while in or on the grounds of a school the student attends, and there is not another school in the district for the student to transfer to, the district may develop an agreement with a neighboring district to accept transfer students. The development of such agreements is at the discretion of the district.

Record Keeping

A file of all interdistrict transfer requests will be maintained at the district office.

Phoenix-Talent Schools District 4

Code: JED
Adopted: 10/03/19
Orig. Code(s): JED

Student Absence and Excuses**

It is the student's responsibility to maintain regular attendance in all assigned classes. A student's absence from school or class will be excused under the following circumstances:

1. Illness, including mental and behavioral health of the student;
2. Illness of an immediate family member when the student's presence at home is necessary;
3. Emergency situations that require the student's absence;
4. Student is a dependent of a member of the U.S. Armed Forces¹ who is on active duty or who is called to active duty. The student may be excused for up to seven days during the school year;
5. Field trips and school-approved activities;
6. Medical (dental) appointments. Confirmation of appointments may be required;
7. Other reasons deemed appropriate by the school administrator when satisfactory arrangements have been made in advance of the absence.

Each school shall notify a parents or guardians by the end of the school day if their child has an unplanned absence. The notification will be either in person, by telephone or another method identified in writing by the parent or guardian. If the parent or guardian cannot be notified by the above methods, a message shall be left, if possible.

Additionally, the superintendent will develop procedures whereby those students who are considered truant may be subject to the following penalties: detention, suspension² and/or ineligibility to participate in athletics or other activities.

END OF POLICY

Legal Reference(s):

¹ U.S. Armed Forces includes the Army, Navy, Air Force, Marine Corps and Coast Guard of the United States; reserve components of the Army, Navy, Air Force, Marines Corps and Coast Guard of the United States; and the National Guard of the United States and the Oregon National Guard.

² The use of out-of-school suspension or expulsion for discipline of a student in the fifth grade or below, is limited to:

1. Nonaccidental conduct causing serious physical harm to a student or employee;
2. When a school administrator determines, based on the administrator's observation or upon a report from an employee, the student's conduct poses a threat to the health or safety of students or employees; or
3. When the suspension or expulsion is required by law.

[ORS 109.056](#)
[ORS 332.107](#)
[ORS 339.030](#)
[ORS 339.055](#)

[ORS 339.065](#)
[ORS 339.071](#)
[ORS 339.250](#)
[ORS 339.420](#)

[OAR 581-021-0046](#)
[OAR 581-021-0050](#)
[OAR 581-023-0006\(11\)](#)

Phoenix-Talent Schools District 4

Code:
Adopted:

JEDA

Truancy

“Truancy” is defined as absence from school without permission.

The superintendent will develop procedures whereby those students who are considered truant may be subject to the following penalties: detention; suspension; and/or ineligibility to participate in athletics or other activities¹.

These procedures will be published annually for students, staff and parents.

END OF POLICY

Legal Reference(s):

[ORS 339.040](#) to -339.090
[ORS 339.240](#)

[ORS 339.250](#)

[OAR 581-021-0050](#) to -0075

¹ Expulsion may not be used to address truancy. (ORS 339.250(2)(c)(B))

Phoenix-Talent Schools District 4

Code: JEDB
Adopted: 1/06/83
Orig. Code: JEDB

Dismissal Precautions

~~Students are to remain on the school grounds during the school day with the exception of lunchtime for grades 9-12. Parents who wish to remove their child from the school premises shall contact the school principal.~~

No district staff may permit any individual student to leave school prior to the regular hour of dismissal except by permission of the building principal or designee.

~~No principal or other staff member shall release a student to any person other than his/her parents, legal guardian, or other properly identified person who has written permission from the parent or guardian of the student. Any exception to this policy must be approved by the Superintendent.~~

A student will not be released to any person without the approval of a parent and in accordance with policy JECAC/GBH. Parents who wish to remove their child from the school premises shall contact the school office.

END OF POLICY

Legal Reference(s):

[ORS 107.154](#)

[ORS 163.245 to -163.257](#)

[ORS 332.107](#)

Phoenix-Talent Schools District 4

Code: JEF
Adopted: 1/06/83
Orig. Code: JEF

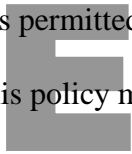


Released Time for Students

(Version 1)

No student shall be released during the regularly scheduled school day for private tutoring or private lessons except as permitted in State regulations for release time for religious instruction.

Exceptions to this policy may be granted by the Superintendent upon proof of exceptional needs of the student.



END OF POLICY



Phoenix-Talent Schools District 4

Code: JEF
Adopted:

Release Time for Religious Instruction (Version 2)

Students may be excused from school for religious instruction, not to exceed two hours for grades 1 through 8 and five hours for grades 9 through 12 in any school week.

Students not attending religious instruction will continue with the regular school program.

The administration shall have procedures for dismissing and recording excused absences for students attending religious instruction. [These procedures should be formulated cooperatively with the director of religious instruction.]

Any student unable to attend classes on a particular day due to religious beliefs shall be excused from attendance requirements for that day.

No such absence shall be counted against a student in determining exclusion, failure or reduction of grades. Any tests and assignments a student misses because of religious instruction shall be given to the student at another time.

END OF POLICY

Legal Reference(s):

[ORS 339.420](#)

[ORS 659.850](#)

[OAR 581-021-0046](#)

Dilger v. Sch. Dist. 24CJ, 222 Or. 108 (1960).

Phoenix-Talent Schools District 4

Code: JEFA
Adopted: 1/06/83
Orig. Code: JEFA

Open/Closed Campus**

The Board directs the elementary and middle to operate closed campuses. Students shall remain on the school grounds from their time of arrival until departure by bus or with a parent.

The high school functions as an open campus for students during the lunch periods[with parent permission]. Students may not leave the school grounds without permission at other times during the school day. ~~High school students and all others with parental approval may leave the campus at lunchtime.~~ Only those students involved in assigned class work, the work experience program or who have medical appointments or approved excuses may leave the campus during the remainder of the school day. Parents must make written requests for emergencies, i.e., medical or dental appointments, for their student to leave campus. Requests must be approved by the administrator or designee.

Students who violate this policy shall be considered truant.

The students, through the student government, and staff will make every effort to see that littering, loitering and damage to private property does not occur as a result of the open campus policy.

School officials will take disciplinary action against students who, during school hours, litter, loiter or damage private property, and parents of those students will be notified of their actions. Students off campus may be subject to such other action as may be taken by law enforcement authorities.

~~Regulations necessary to implement this policy shall be made available to students and parents annually.~~

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Phoenix-Talent Schools District 4

Code: JEFB
Adopted: 1/06/83
Orig. Code: JEFB

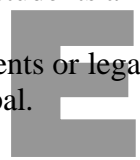


Released Time for Religious Instruction

(See proposed version 2 of policy JEF)

Students may be released from school for religious instruction, as provided by law, two (2) hours a week for elementary students and five (5) hours a week for secondary students.

A student's parents or legal guardian must make a written application for such released time to the building principal.



The Superintendent may request verification of student attendance at religious instruction classes.

END OF POLICY

Legal Reference(s):

[ORS 339.420](#)

[ORS 659.850](#)



[OAR 581-021-0046](#)

Dilger v. School District 24CJ, 222 Or. 108 (1960).



Phoenix-Talent Schools District 4

Code: JF/JFA
Adopted: 4/24/14
Orig. Code: JF/JFA

Student Rights and Responsibilities**

The Board has the responsibility to afford students the rights that are theirs by virtue of guarantees offered under federal and state constitutions and statutes. In connection with these rights are responsibilities that must be assumed by students.

Among these student rights and responsibilities are the following:

1. Civil rights — including the rights to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others;
2. The right to attend free public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school;
3. The right to due process of law with respect to suspension, expulsion and decisions which the student believes injure their/his/her rights;
4. The right to free inquiry and expression; the responsibility to observe reasonable rules regarding these rights;
5. The right to privacy, which includes privacy with respect to the student’s education records.

Students have the right to know the behavior standards expected of them as well as to know the consequences of misbehavior.

Students’ rights and responsibilities, including standards of conduct, will be made available to students, their parents or guardians and employees through information distributed annually.

END OF POLICY

Legal Reference(s):

[ORS 332.061](#)
[ORS 332.072](#)
[ORS 337.150](#)
[ORS 339.155](#)

[ORS 339.240](#)
[ORS 339.250](#)
[ORS 659.850](#)
[ORS 659.865](#)

[OAR 581-021-0045](#)
[OAR 581-021-0046](#)
[OAR 581-021-0050 to -0075](#)
[OAR 581-022-2310](#)

Hazelwood Sch. District v. Kuhlmeier, 484 U.S. 260 (1988).
Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986).

Phoenix-Talent Schools District 4

Code: JFBA
Adopted: 1/06/83
Orig. Code: JFBA

D

Student Government

(This is part of the school program – a policy is not needed)

Procedures for student self-government may be established in individual schools that are appropriate to the students' maturity.

In all cases, student organizations shall organize and operate under the authority of the building principal.

Standards for participation in school activities may be established by the Board or District Administration.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

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Phoenix-Talent Schools District 4

Code: JFC
Adopted: 9/21/17
Orig. Code: JFC

Student Conduct**

The Board expects student conduct to contribute to a productive learning climate. Students shall comply with the district’s written rules, pursue the prescribed course of study, submit to the lawful authority of district staff and conduct themselves in an orderly manner at school during the school day or during district-sponsored activities.

Careful attention shall be given to procedures and methods whereby fairness and consistency without bias in discipline shall be assured each student. The objectives of disciplining any student must be to help the student develop a positive attitude toward self-discipline, realize the responsibility of one’s actions and to maintain a productive learning environment. All staff members have responsibility for consistency in establishing and maintaining an appropriate behavioral atmosphere.

A student handbook, code of conduct or other document shall be developed by district administration, in cooperation with staff, and will be made available and distributed to parents, students and employees outlining student conduct expectations and possible disciplinary actions, including consequences for disorderly conduct, ~~as required by the Every Student Succeeds Act of 2015 (ESSA).~~ In addition, each school in the district shall publish a student/parent handbook detailing additional rules specific to that school. All rules applying to student conduct shall be posted in a prominent place in each school building.

Students in violation of Board policy, administrative regulation and/or code of conduct provisions will be subject to discipline up to and including expulsion. Students are subject to discipline for conduct while traveling to and from school, at the bus stop, at school-sponsored events, while at other schools in the district and while off campus, whenever such conduct causes a substantial and material disruption of the educational environment or the invasion of rights of others. Students may be denied participation in extracurricular activities. Titles and/or privileges available to or granted to students may also be denied and/or revoked (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). A referral to law enforcement may also be made.

The district will annually record and report expulsion data for conduct violations as required by the Oregon Department of Education.

END OF POLICY

Legal Reference(s):

[ORS 339.240](#)
[ORS 339.250](#)

[ORS 659.850](#)

[OAR 581-021-0050 to -0075](#)

Tinker v. Des Moines Sch. Dist., 393 U.S. 503 (1969).
Hazelwood Sch. District v. Kuhlmeier, 484 U.S. 260 (1988).
Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986).
Shorb v. Grotting and Powers Sch. Dist., Case No. 00CV-0255 (Coos County Circuit Ct.) (2000).

Ferguson v. Phoenix Talent Sch. Dist. #4, 172 Or. App. 389 (2001).
Morse v. Frederick, 551 U.S. 393, 127 S. Ct. 2618 (2007).
C.R. v. Eugene S.D. 4J, No. 12-1042, U.S. District Court of OR (2013).

Phoenix-Talent Schools District 4

Code: JFCA
Adopted: 1/06/83
Orig. Code: JFCA

Student Dress-Code

Responsibility for dress and grooming rests primarily with students and their parents; the district expects student dress and grooming to meet standards which ensure that the following conditions do not exist:

1. Disruption or interference with the classroom learning environment;
2. Threat to the health and/or safety of the student concerned or of other students.

Students who represent the school in a voluntary activity may be required to conform to dress and grooming standards and may be denied the opportunity to participate if those standards are not met.

Additional student dress guidelines are published in the student/parent handbook.
~~See student handbooks.~~

END OF POLICY

Legal Reference(s):

[ORS 339.240](#)
[ORS 339.250](#)

[OAR 581-021-0026\(10\)](#)
[OAR 581-021-0050 - 0075](#)

Phoenix-Talent Schools District 4

Code: JFCB
Adopted: 10/21/04
Orig. Code: JECBC

Care of District Property by Students

It is each student's responsibility to show respect for all district property. Any student who willfully damages or defaces district property will be disciplined.

The Board declares its intent to hold students and their parents responsible for loss or damage of district property. Notice of the district's intent will be provided annually in the student/parent handbook, as required by law.

END OF POLICY

Legal Reference(s):

[ORS 30.765](#)
[ORS 339.250](#)

[ORS 339.270](#)

[OAR 581-021-0050 to -0075](#)

Phoenix-Talent Schools District 4

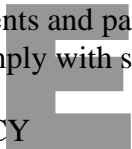
Code: JFCC
Adopted: 1/06/83
Orig. Code: JFCC



Student Conduct on School Buses

The Board has established rules of student conduct on school buses for established school routes. All students riding buses will comply with such rules. Copies of these rules shall be given wide distribution to insure that students and parents are aware of the conduct expected on school buses and the consequences of failure to comply with such rules.

END OF POLICY



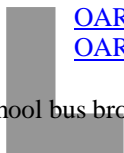
Legal Reference(s):

[ORS 332.405](#)

[OAR 581-021-0050 to -0075](#)

[OAR 581-053-0010](#)

Notes: See student handbooks and school bus brochure.



Phoenix-Talent Schools District 4

Code: JFCC-AR
Adopted: 8/94
Orig. Code: JFCC-AR



School Bus Regulations

(See EEACC-AR)

1. Pupils being transported are under authority of the bus driver.
2. Fighting, wrestling, or boisterous activity is prohibited on the bus.
3. Pupils shall use the emergency door only in case of emergency.
4. Pupils shall be on time for the bus both morning and evening.
5. Pupils shall not bring animals, firearms, weapons, or other potentially hazardous material on the bus.
6. Pupils shall remain seated while bus is in motion.
7. Pupils may be assigned seats by the bus driver.
8. When necessary to cross the road, pupils shall cross in front of the bus or as instructed by the bus driver.
9. Pupils shall not open or close windows without permission of driver.
10. Pupils shall keep the bus clean, and must refrain from damaging it.
11. Pupils shall be courteous to the driver, to fellow pupils, and passers-by.
12. Pupils who refuse to obey promptly the directions of the driver or refuse to obey regulations may forfeit their privilege to ride on the buses.



Phoenix-Talent Schools District 4

Code: JFCE
Adopted: 1/06/83
Orig. Code: JFCE

Secret Societies

No secret society or organization of any kind shall be allowed in the Phoenix-Talent Schools. The Board may suspend or expel¹ any student who participates in a secret society or organization.

END OF POLICY

Legal Reference(s):

[ORS 339.250](#)

[ORS 339.885](#)

¹ See Oregon Revised Statute (ORS) 339.250(2)(d),(e)

Phoenix-Talent Schools District 4

Code: JFCEA
Adopted: 12/09/93
Orig. Code: JFCEA

Gangs or Gang Activity

Gangs which initiate, advocate or promote activities that threaten the safety or well-being of persons or property on district grounds or that disrupt the school environment are harmful to the educational process.

Gangs and gang membership will not be permitted and will not be tolerated. A "Gang," as defined in this policy, is any group of two or more persons whose purpose includes the commission of illegal acts or whose activities can cause a substantial disruption of or material interference with school and school activities is defined as a group that identifies itself through the use of a name, unique appearance or language, including hand signs, the claiming of geographical territory or the espousing of a distinctive belief system that frequently results in criminal activity. The existence of gangs and gang activities are prohibited as follows:

(Is this covered in handbooks?) [Students shall not:

1. Wear, possess, use, distribute, display or sell any clothing, jewelry, emblem, badge, symbol, sign or other things that are evidence of membership or affiliation in any gang.
2. Commit any act or use any speech, either verbal or nonverbal (e.g., gesture, handshakes, etc.), showing membership or affiliation in any gang.
3. Use any speech or commit any act or omission in furtherance of the interest of any gang or gang activity including, but not limited to:
 - a. Soliciting others for membership in any gangs;
 - b. Requesting any person to pay protection or otherwise intimidating or threatening any person;
 - c. Inciting other students to act with physical violence upon any other person;
 - d. Committing any other illegal act or other violation of School District Policies board policies.]

The program shall include an assessment and the impact of gang-related activities in the district, strategies, methods and training for the reduction of gang involvement.

END OF POLICY

Legal Reference(s):

[ORS 336.109](#)
[ORS 339.240 to -339.280](#)

[ORS 339.885](#)
[ORS 659.850](#)

[OAR 581-021-0050 to -0075](#)

Olesen v. Board of Educ. of Sch. Dist., 676 F. Supp. 820 (N.D. Ill. 1987).
Neuhaus v. Federico, 12 Or. App. 314 (1973).
Burkitt v. Sch. Dist. No. 1, 195 Or. 471 (1952).
Tinker v. Des Moines Community Sch. District, 393 U.S. 503 (1969).

Phoenix-Talent Schools District 4

Code: JFCEB
Adopted: 9/04/14
Orig. Code: JECBC

Personal Electronic Devices and Social Media **

(Student may possess a personal electronic device)→

Students may be allowed to use and possess personal electronic devices on district property and at district-sponsored activities provided such devices are not used in any manner that may disrupt the learning environment or district-sponsored activities, or violate Board policies, administrative regulations, school or classroom rules, state and federal law.¹

As used in this policy, a “personal electronic device” (PED) is a device that is capable of electronically communicating, sending, receiving, storing, recording, reproducing and/or displaying information and data.

If the district implements a curriculum that uses technology, students may be allowed to use their own personal electronic devices to access the curriculum. Students who are allowed to use their own devices to access the curriculum will be granted access to any application or electronic materials when they are available to students who do not use their own devices, or provided free of charge to students who do not use their own devices for curriculum.

Students may not use district equipment to access social media websites using district equipment, while on district property or at district-sponsored activities, unless the access is approved by a district representative.

The district will not be liable for personal electronic devices brought to district property and district-sponsored activities. The district will not be liable for information or comments posted by students on social media websites when the student is not engaged in district activities and not using district equipment.

The superintendent is directed to develop administrative regulations and/or approve school rules as necessary to ensure that student use of such devices is consistent with this policy. Administrative regulations may include grade- or age-level possession and/or use restrictions by students on district property and at district-sponsored activities; consequences for violations; a process for responding to a student's request to use a personal electronic device, including an appeal process if the request is denied; and such other provisions as the superintendent may deem necessary. The superintendent is responsible for ensuring that pertinent provisions of Board policies, administrative regulations and school rules governing personal electronic devices are included in staff handbooks and student/parent handbooks, reviewed annually and updated as necessary.

END OF POLICY

¹ The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.

Legal Reference(s):

[ORS 332.107](#)

[ORS 336.840](#)

Copyrights, 17 U.S.C. §§ 101-1332 (2012); 19 C.F.R. Part 133 (2017).

Phoenix-Talent Schools District 4

Code: JFCEB-AR
Revised/Reviewed: 9/04/14
Orig. Code: JFCEB-AR

Personal Electronic Devices and Social Media

Students may use and possess personal electronic devices on district grounds subject to the following:

1. Personal electronic devices shall not be used in a manner that disrupts the educational process, school programs or activities, or in a manner that violates law, Board policy, administrative regulation or school rules;¹
2. Personal electronic devices, which have the capability to take photographs or record video or audio, shall not be used for such purposes while on district property or at district-sponsored events unless as expressly authorized in advance by the [principal] or designee;
3. The district shall not be responsible for loss, theft or damage to personal electronic devices brought to district property or district-sponsored events;
4. Personal electronic devices may be used as electronic study aids during the school day if provided as a part of a student's individualized education ~~program plan~~ (IEP) or if permission is received from the student's teacher;
5. The use of personal electronic devices in any way to send or receive messages, data or information that would pose a threat to academic integrity, contribute to or constitute academic dishonesty is strictly prohibited;
6. The use of personal electronic devices in any manner that would violate the confidentiality or privacy rights of another individual is strictly prohibited;
7. Students shall comply with any additional school rules as established by the principal and classroom rules as approved by the principal concerning the appropriate use of personal electronic devices;
8. Personal electronic devices used in violation of law, Board policy, administrative regulation or approved school rules will be confiscated, turned in to the school office and returned to the student or parent following parent notification, conference, detention, suspension, expulsion and/or referral to law enforcement officials as appropriate;
9. Students may not access social media websites using district equipment, while on district property or at district-sponsored activities unless the access is approved by a district representative.

¹ The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs will be reported to law enforcement and/or other appropriate state or federal agencies.

Phoenix-Talent Schools District 4

Code: JFCF
Adopted: 10/17/19
Orig. Code(s): JFCF

Hazing, Harassment, Intimidation, Bullying, Menacing, Cyberbullying, Teen Dating Violence, or Domestic Violence – Student**

The Board, in its commitment to providing a safe, positive, and productive learning environment for all students, will consult with parents/guardians, employees, volunteers, students, administrators, and community representatives in developing this policy in compliance with applicable Oregon law.

Hazing, harassment, intimidation or bullying, menacing, and acts of cyberbullying by students, staff, or third parties toward students is strictly prohibited in the district. Teen dating violence is unacceptable behavior and prohibited. Each student has the right to a safe learning environment.

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

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

Staff whose behavior is found to be in violation of this policy will be subject to consequences and appropriate remedial action which may include discipline, up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or the Board.

Students, staff, or third parties may also be referred to law enforcement officials.

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

Definitions

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

“Third parties” include, but are not limited to, coaches, school volunteers, parents, school visitors, service contractors, or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control at interdistrict and intradistrict athletic competitions or other school events.

“Hazing” includes, but is not limited to, any act that recklessly or intentionally endangers the mental health, physical health or safety of a student for the purpose of initiation or as a condition or precondition of attaining membership in, or affiliation with, any district-sponsored activity or grade level attainment, (i.e., personal servitude, sexual stimulation/sexual assault, forced consumption of any drink, alcoholic beverage, drug or controlled substance, forced exposure to the elements, forced prolonged exclusion from social contact, sleep deprivation or any other forced activity that could adversely affect the mental or physical health or safety of a student); requires, encourages, authorizes or permits another to be subject to wearing or carrying any obscene or physically burdensome article; or assignment of pranks to be performed or other such activities intended to degrade or humiliate. It is not a defense against hazing that the student subjected to hazing consented to or appeared to consent to the hazing.

“Harassment, intimidation or bullying” means any act that substantially interferes with a student’s educational benefits, opportunities or performance, that takes place on or immediately adjacent to district grounds, at any district-sponsored activity, on district-provided transportation, or at any official district bus stop, that may be based on, but not limited to, the protected class status of a person, and having the effect of:

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

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

“Teen dating violence” means:

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

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

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

[†]“Sexual orientation” means an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behaviors differs from that traditionally associated with the individual’s sex at birth.

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

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

Reporting

The building administration will take reports and conduct a prompt investigation of any reported acts of hazing, harassment, intimidation or bullying, menacing, cyberbullying, or teen dating violence. Any employee who has knowledge of conduct in violation of this policy shall immediately report concerns to the building administration who has overall responsibility for all investigations. Any employee who has knowledge of incidents of teen dating violence that took place on district property, at a district-sponsored activity, or in a vehicle used for district-provided transportation shall immediately report the incident to the building administrator. Failure of an employee to report any act of hazing, harassment, intimidation or bullying, menacing, cyberbullying, or teen dating violence to the building administration may be subject to remedial action, up to and including dismissal. Remedial action may not be based solely on an anonymous report.

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

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

The person who makes the report shall be notified when the investigation has been completed and, as appropriate, the findings of the investigation and any remedial action that has been taken. The person who made the report may request that the superintendent review the actions taken in the initial investigation, in accordance with district complaint procedures.

Notification to Parents or Guardians

The [employee position title] shall notify the parents or guardians of a student who was subject to an act of harassment, intimidation, bullying or cyberbullying, and the parents or guardians of a student who may have conducted an act of harassment, intimidation, bullying or cyberbullying.

The notification must occur with involvement and consideration of the needs and concerns of the student who was the subject to an act of harassment, intimidation, bullying or cyberbullying. The notification is not required if the [employee position title] reasonably believes notification could endanger the student

who was subjected to an act of harassment, intimidation, bullying or cyberbullying or if all of the following occur:

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

If the [employee position title] determines the notification is not in the best interest of the student, they must inform the student of that determination prior to providing notification.

When notification is provided, the notification must occur:

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

Training and Education

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

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

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

Notice

The superintendent shall be responsible for ensuring annual notice of this policy is provided in a student or staff handbook, school and district's website, and school and district office and the development of administrative regulations, including reporting and investigative procedures. Complaint procedures, as established by the district, shall be followed.

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

END OF POLICY

Legal Reference(s):

[ORS 163.190](#)
[ORS 163.197](#)
[ORS 107.705](#)
[ORS 166.065](#)
[ORS 166.155 - 166.165](#)
[ORS 174.100](#)
[ORS 332.072](#)

[ORS 332.107](#)
[ORS 339.240](#)
[ORS 339.250](#)
[ORS 339.351 - 339.368](#)
[OAR 581-021-0045](#)
[OAR 581-021-0046](#)
[OAR 581-021-0055](#)

[OAR 581-022-2310](#)
[OAR 581-022-2370](#)
House Bill 2631 (2021)
House Bill 3041 (2021)

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

Phoenix-Talent Schools District 4

Code: JFCF-AR(1)
Revised/Reviewed: 6/05/19
Orig. Code(s): JFCF-AR(1)

Hazing, Harassment, Intimidation or Bullying, Menacing, Cyberbullying, or Teen Dating Violence Reporting Procedures – Student

The building administration has responsibility for investigations concerning acts of hazing, harassment, intimidation or bullying, menacing, acts of cyberbullying, and incidents of teen dating violence. The investigator(s) shall be a neutral party having had no involvement in the report presented.

All reports will be investigated in accordance with the following procedures:

Step 1 Any reports or information on acts of hazing, harassment, intimidation or bullying, menacing, acts of cyberbullying, or incidents of teen dating violence (e.g., complaints, rumors) shall be presented to the building administration. Reports against the principal shall be filed with the superintendent. Reports against the superintendent shall be filed with the Board chair. All such information will be reduced to writing and will include the specific nature of the offense and corresponding dates.

Step 2 The ~~superintendent~~ district official receiving the report shall promptly investigate. Parents will be notified of the nature of any report involving their student. The principal will arrange such meetings as may be necessary with all concerned parties within five working days after receipt of the information or report. The parties will have an opportunity to submit evidence and a list of witnesses. All findings related to the report will be reduced to writing. The principal conducting the investigation shall notify the person making the report within 10 working days of receipt of the information or report, and parents as appropriate, in writing when the investigation is concluded and a decision regarding disciplinary action, as warranted, is determined.

A copy of the notification letter or the date and details of notification to the person making the report, together with any other documentation related to the incident, including disciplinary action taken or recommended, shall be forwarded to the superintendent.

Step 3 If the person making the report is not satisfied with the decision at Step 2, they may submit a written appeal to the superintendent or designee. Such appeal must be filed within 10 working days after receipt of the Step 2 decision. The superintendent or designee will arrange such meetings with the person making the report and other affected parties as deemed necessary to discuss the appeal. The superintendent or designee shall provide a written decision to the appeal within 10 working days.

Step 4 If the person making the report is not satisfied with the decision at Step 3, a written appeal may be filed with the Board. Such appeal must be filed within 10 working days after receipt of the Step 3 decision. The Board shall, within 20 working days, conduct a hearing at which time the person making the report shall be given an opportunity to present the report. The Board shall provide a written decision to the person making the report within 10 working days following completion of the hearing.

Reports against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 20 days, in open session what action, if any, is warranted.

Reports against the Board as a whole or against an individual Board member should be made to the Board chair on behalf of the Board. The Board chair shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 20 days, in open session what action, if any, is warranted.

Reports against the Board chair may be made directly to the district counsel on behalf of the Board. The district counsel shall present the report to the Board. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. After receiving the results of the investigation, the Board shall decide, within 20 days, in open session what action, if any, is warranted.

Timelines may be extended upon written agreement between both parties. This also applies to reports filed against the superintendent or any Board member.

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

Documentation related to the incident may be maintained as a part of the student's education records. Additionally, a copy of all reported acts of hazing, harassment, intimidation or bullying, menacing, or cyberbullying, or incidents of teen dating violence and documentation will be maintained as a confidential file in the district office.

Phoenix-Talent Schools District 4

Code: JFCF-AR(2)
Revised/Reviewed: 10/2011
Orig. Code: JFCF-AR(2)

Mediation Intervention

Parties as cited below are hereby required to cease all interaction(s), both physical and/or verbal, that could be construed as disruptive to their welfare and safety as well as to a positive learning environment.

Name: _____

Name: _____

Name: _____

(For additional names, please use reverse)

Any action that causes a person to feel threatened, belittled, afraid, ashamed, angry, hurt or upset in any other way must cease. It may be necessary for the parties listed above to have no further contact with each other, to the extreme that they may not even look at or talk to each other.

Actions/Behaviors Initially Cited as Basis for Mediation Intervention:

If either party needs assistance in complying with this Mediation Intervention, a staff member should be contacted.

I acknowledge I am aware of this order and understand I may face more serious consequences if I fail to comply.

Student Signature Date

Student Signature Date

Student Signature Date

Administrator Date

Phoenix-Talent Schools District 4

Code: JFCF-AR(3)
Revised/Reviewed: 11/17/11
Orig. Code: JFCF-AR(3)

Order to Cease and Desist

(still using?)

_____ is required to cease and desist all harassment behaviors against the student(s) listed below:

Harassment is defined by the victim, not by the harasser. Any action that causes the victim to feel threatened, belittled, afraid, ashamed, angry, hurt or upset in any other way must cease. It may be necessary for the parties listed above to have no further contact with each other, to the extreme that they may not even look at or talk to each other.

Responding to harassment with harassment is not acceptable. If you can't make it stop, ask a staff member for help. While students have rights to freedom of speech, rules of conduct expressly forbid menacing, fighting, profane or obscene language, and any other behaviors meant to cause harm.

Harassment behaviors may include:

Verbal Aggression:

- Name calling
- Mocking, teasing or using sarcasm
- Intimidating phone calls
- Spreading rumors
- Threats
- Making noises at someone

Intimidation:

- Publicly challenging others to do something they don't want to do
- Playing a dirty trick
- Taking things
- Demanding Money or other things

Emotional:

- Excluding
- Tormenting
- Hiding or taking things
- Threatening gestures
- Ridicule
- Staring

Physical Aggression:

- Pushing
- Kicking
- Punching or Slapping
- Tripping
- Pinching
- Spitting

Sexual:

- Touching
- Dirty jokes or sexual language
- Unwanted flirting
- Inviting out on dates or to go steady when they've said they are not interested
- Nicknames

Racial:

- Derogatory comments or nicknames about physical, behavioral or cultural differences

Written:

- Threatening or inappropriate notes or drawings

Description of the Situation:

I acknowledge I am aware of this order and that I have been told I may face more serious consequences if the harassment continues.

Student Signature _____

Date _____

This order was given by _____

Phoenix-Talent Schools District 4

Code: JFCFA/GBNAA
Adopted: 9/21/06
Orig. Code: JFCFA/GBNAA



Cyberbullying

(Cyberbullying is incorporated in to policy JFCF and GBNA)

The Board is committed to providing a positive and productive learning and working environment. Any form of harassment using electronic devices, commonly known as “cyberbullying,” by students or third parties is prohibited and will not be tolerated in the district. “Cyberbullying” is the use of any electronic communication device to convey a message in any form (text, image, audio or video) that defames, intimidates, harasses or is otherwise intended to harm, insult or humiliate another in a deliberate, repeated or hostile and unwanted manner under a person’s true or false identity. In addition, any communication of this form which disrupts or prevents a safe and positive educational or working environment may also be considered cyberbullying. Students will refrain from using personal communication devices or district property to harass or stalk another.

The district will take any report of cyberbullying seriously and will investigate credible reports promptly. Students are encouraged to report an incident immediately to a teacher or principal, who will take appropriate action. Students who make a report are expected, but not required, to preserve evidence of cyberbullying. For example, a student may save or bring a copy of an email, text message, picture or other electronic transmission that the student believes was intended harm, insult or humiliate.

The district may revoke the privilege of a student or third party, who uses district equipment or electronic communication system to engage in cyberbullying, to use any district electronic equipment under the procedures for policy IIBGA - Electronic Communications System. The district may revoke the privilege of a student or third party, who uses a personal communication device to engage in cyberbullying, to bring any personal communication device on district property or district-sponsored activities under policy JFCEB - Personal Communication Devices.

Students whose behavior is found to be in violation of this policy will be subject to loss of privileges, discipline, up to and including expulsion. Third parties whose behavior is found to be in violation of this policy will be subject to appropriate sanctions as determined and imposed by the Superintendent or Board. The district may also report individuals to law enforcement if necessary.

High school students will be responsible for complying with the internet/electronic communications policies and will be required annually to sign an “Acceptable Use Agreement” to ensure awareness of and compliance with district use policies. Elementary and Middle School students are responsible for complying with the rules as stipulated in the student handbooks.

END OF POLICY

Legal Reference(s):

[ORS 163.190](#)
[ORS 166.065](#)
[ORS 166.155 - 166.165](#)
[ORS 332.072](#)

[ORS 332.107](#)
[ORS 339.240](#)
[ORS 339.250](#)
[ORS 339.351 - 339.364](#)

[OAR 581-021-0045](#)
[OAR 581-021-0046](#)
[OAR 581-021-0055](#)
[OAR 581-022-1140](#)

Cyberbullying – JFCFA/GBNAA

Phoenix-Talent Schools District 4

Code: JFCG-AR
Revised/Reviewed: 7/12/18
Orig. Code: JFCG-AR

Discipline for Use, Possession, Distribution or Sale of Tobacco Products or Inhalant Delivery Systems

The following procedures will be used for students who violate the district’s policy on use, possession, distribution or sale of tobacco products or inhalant delivery systems:

First Offense

One day, in-school suspension and conference with students and parent. During in-school suspension, the student will be provided with information concerning harmful effects of smoking, or vaporizing or aerosolizing of inhalants and will be required to do further research on the effects of the same.

Second Offense

Three days, in-school suspension and restorative justice community project.

Third Offense

Five days, in-school suspension, suspension from extracurricular activities for remainder of semester, and restorative justice community project with a larger scope.

Alternative to Discipline

As an alternative to discipline, students may be referred to a cessation and/or tobacco education class. Attendance at such classes is voluntary. Any cost related to cessation classes is the responsibility of the student and their/his/her parent. The district may also require the successful completion of a behavior modification plan.

Other

A referral to law enforcement and/or public health authority may be made at any time.

Phoenix-Talent Schools District 4

Code: JFCG/JFCH/JFCI
Adopted: 7/12/18
Orig. Code: JFCG/JFCH/JFCI

Use of Tobacco Products, Alcohol, Drugs or Inhalant Delivery Systems**

Student abuse, ~~of a legally prescribed drug~~, possession, use, distribution or sale of tobacco products, inhalant delivery systems, alcohol or unlawful drugs, including drug paraphernalia or any substance purported to be an unlawful drug, on or near any district property or grounds, including parking lots, or while participating in school-sponsored activities is prohibited and will result in disciplinary action. If possession, use, distribution or sale occurred near district grounds, disciplinary action will include removal from any or all extracurricular activities and/or denial or forfeiture of any school honors or privileges (e.g., valedictorian, salutatorian, student body, class or club office positions, senior trip, prom, etc.). If possession, use, distribution or sale occurred on district grounds, at school-sponsored activities or otherwise while the student was under the jurisdiction of the school, students will be subject to discipline up to and including expulsion. Denial and/or removal from any or all extracurricular activities and/or forfeiture of any school honors or privileges may also be imposed. A student shall be referred to law enforcement officials. Parents will be notified of all violations involving their student and subsequent action taken by the school.

For the purpose of this policy, “tobacco products” is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew or snuff in any form. This does not include products that are USFDA-approved for sale as a tobacco cessation product or for any other therapeutic purpose, if marketed and sold solely for the approved purpose.

For the purpose of this policy, “inhalant delivery system” means a device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device; or a component of a device or a substance in any form sold for the purpose of being vaporized or aerosolized by a device, whether the component or substance is sold or not sold separately. This does not include products that are USFDA-approved for sale as a tobacco cessation product or for any other therapeutic purpose, if marketed and sold solely for the approved purpose.

A referral to community resources and/or cessation programs designed to help the student overcome tobacco product, inhalant delivery system, alcohol or unlawful drug use may also be made. The cost of such programs are the individual responsibility of the parent and the private health care system.

Clothing, bags, hats and other personal items used to display, promote or advertise tobacco products, inhalant delivery systems, alcohol or unlawful drugs are prohibited on all district grounds, including parking lots, at school-sponsored activities and in district vehicles.

Any person under age 21 possessing a tobacco product or inhalant delivery system on district property, in a district facility or while attending a district-sponsored activity is in violation of state law and is subject to a court-imposed fine.

Any person who distributes, sells or allows to be sold, tobacco products or any substance sold for the purpose of being smoked, vaporized or aerosolized, in any form, a tobacco-burning or inhalant delivery system device, to a person under 21 years of age is in violation of state law and is subject to a court-imposed fine.

An “unlawful drug” is any drug as defined by the Controlled Substances Act including, but not limited to, marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP). As used in this policy, unlawful drug also means possession, use, sale or supply of prescription and nonprescription drugs in violation of Board policy and any accompanying administrative regulation.

Unlawful delivery of a controlled substance to a student or minor within 1,000 feet of district property is a Class A felony, as provided by ORS 475.904.

END OF POLICY

Legal Reference(s):

[ORS 153.018](#)
[ORS 161.605](#)
[ORS 161.625](#)
[ORS 163.575](#)
[ORS 332.107](#)
[ORS 336.067](#)
[ORS 336.222](#)
[ORS 336.227](#)
[ORS 339.240](#)

[ORS 339.250](#)
[ORS 339.883](#)
[ORS 431.845](#)
[ORS 431A.175](#)
[ORS 431A.178](#)
[ORS 433.835 - 433.990](#)
[ORS Chapter 475](#)

[OAR 581-021-0050 - 0075](#)

[OAR 581-021-0110](#)
[OAR 581-022-2045](#)
[OAR 581-053-0230\(9\)\(s\)](#)
[OAR 581-053-0330\(1\)\(m\)-\(o\)](#)
[OAR 581-053-0430\(12\)-\(14\)](#)
[OAR 581-053-0531\(11\)-\(13\)](#)
[OAR 581-053-0630](#)
[OAR 584-020-0040](#)

Controlled Substances Act, 21 U.S.C. § 812 (2012); Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11-1308.15 (2017).
Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2012).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7118 (2012).

Phoenix-Talent Schools District 4

Code:
Adopted:

JFCHA

Use of Alcohol for Cooking**

(If alcohol is used in cooking or other reasons, this policy is required.)

The Board allows the use of alcoholic beverages in [specified classes, competitions or demonstrations in] grades 9-12 under the following circumstances:

1. As an ingredient in cooking or food preparations in a culinary arts class; or
2. In preparation for a culinary competition or demonstration by students.

The use of alcoholic beverages for the above purposes will be used only while students are under adult supervision.

The alcoholic beverages must be securely stored while not in use.

The parent or guardian of each student participating in a culinary project using alcoholic beverages must provide written consent for the student to use the alcoholic beverages in the project. If consent is not provided or the student chooses not to participate, the district shall allow the student to participate in an alternative project.

A district employee who provides alcoholic beverages to students as an ingredient for cooking in a culinary class, contest or demonstration will not be in violation of laws prohibiting providing alcohol to a minor.

A student in possession of an alcoholic beverage for cooking in a culinary class, contest or demonstration will not be in violation of laws prohibiting possession of alcohol by a minor.

END OF POLICY

Legal Reference(s):

[ORS 336.441](#)

[ORS 471.001](#)

Phoenix-Talent Schools District 4

Code: JFCJ
Adopted: 10/17/19
Orig. Code: JFCJ

Weapons in the Schools**

Students shall not bring, possess, conceal or use a weapon on or at any district property under the jurisdiction of the district, any activities under the jurisdiction of the district or any interscholastic activities administered by a voluntary organization.

In accordance with the federal Gun-Free School Zone Act, possession or discharge of a firearm in a school zone is prohibited. A “school zone,” as defined by federal law, means in or on school grounds or within 1,000 feet of school grounds.

The superintendent may authorize persons to possess weapons for courses, programs and activities approved by the district and conducted on district property [including, but not limited to, hunter safety courses, weapons-related vocational courses or weapons-related sports]. The district will post a notice at any site or premise off district grounds that at the time is being used exclusively for a school program or activity. The notice shall identify the district as the sponsor, the activity as a school function and that the possession of firearms or dangerous weapons in or on the site or premises is prohibited under Oregon Revised Statute (ORS) 166.370.

For purposes of this policy, and as defined by state and federal law, “weapon” includes:

1. A “dangerous weapon” means any weapon, device, instrument, material or substance, which under the circumstances in which it is used, attempted to be used or threatened to be used is readily capable of causing death or serious physical injury;
2. A “deadly weapon” means any instrument, article or substance specifically designed for and presently capable of causing death or serious physical injury;
3. A “firearm” means any weapon (including a starter gun) which will or is designed to or may readily be converted to expel a projectile by the action of an explosive, frame or receiver of any such weapon, any firearm muffler or silencer or any destructive device;
4. A “destructive device” includes but is not limited to means any explosive, incendiary or poison gas component or any combination of parts either designed or intended for use in converting any device into any destructive device or from which a destructive device may be readily assembled. A destructive device does not include any device which is designed primarily or redesigned primarily for use as a signaling, pyrotechnic, line-throwing, safety or similar device.

Weapons may also include, but are not limited to, knives, metal knuckles, straight razors, noxious or irritating gases, poisons, unlawful drugs or other items fashioned with the intent to use, sell, harm, threaten or harass students, staff members, parents and community members. patrons.

Replicas of weapons, fireworks and pocket knives are also prohibited by Board policy. Exceptions to the district's replicas prohibition may be granted only with prior principal approval for certain curriculum or school-related activities.

Prohibited weapons, replicas of weapons, fireworks, and pocket knives are subject to seizure or forfeiture.

In accordance with Oregon law, any district employee who has reasonable cause to believe a student or other person, while in a school, is or has, within the previous 120 days has, unlawfully been in possession of a firearm or destructive device, as defined by this policy, shall immediately report such violation to an administrator or, his/her designee or law enforcement. [Any district employee who has reasonable cause to believe that a person, while in a school, is or has been in possession of a firearm or destructive device more than 120 days previously, may report to law enforcement.] Employees who report directly to law enforcement shall also immediately inform an administrator.

Administrators shall promptly notify the appropriate law enforcement agency of staff reports received and at any other time there is reasonable cause to believe violations for firearms or destructive devices have occurred or that a student has been expelled for bringing, possessing, concealing or using a dangerous or deadly weapon, firearm or destructive device.

Parents will be notified of all conduct by their student that violates this policy.

A person making a report as described above who has reasonable grounds for making the report is immune from liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making or content of the report. The identity of a person participating in a good faith report as described above may not be disclosed except when allowed by law.

Employees shall promptly report all other conduct prohibited by this policy to an administrator.

Students determined found to have brought, possessed, concealed or used a firearm, as defined in policy, in violation of this policy or state law shall be expelled from school for a period of not less than one year. All other violations of the policy will result in discipline up to and may include including expulsion and/or referral to law enforcement, as appropriate. The superintendent may, on a case-by-case basis, modify this expulsion requirement. The superintendent may propose alternative programs of instruction or instruction combined with counseling that are age-appropriate and accessible to the student, and shall provide such information in writing to the student and the parent in accordance with law¹. Appropriate disciplinary and/or legal action will be taken against students or others who assist in activity prohibited by this policy.

Special education students shall be disciplined in accordance with federal law and Board policy JGDA – Discipline of Students with Disabilities and accompanying administrative regulation.

~~Weapons under the control of law enforcement personnel or a person who has a valid license under ORS 166.291 and 166.292 are permitted. The superintendent may authorize other persons to possess weapons for courses, programs and activities approved by the district and conducted on district property including, but not limited to, hunter safety courses, weapons-related vocational courses or weapons-related sports.~~

~~The district may post a notice at any site or premise off district grounds that at the time is being used exclusively for a school program or activity. The notice shall identify the district as the sponsor, the~~

¹ At least once every six months or at any time the information changes because of the availability of new programs.

~~activity as a school function and that the possession of firearms or dangerous weapons in or on the site or premises is prohibited under ORS 166.370.~~

~~In accordance with the federal Gun-Free School Zone Act, possession or discharge of a firearm in a school zone is prohibited. A “school zone,” as defined by federal law, means in or on school grounds or within 1,000 feet of school grounds.~~

“Gun-Free School Zone” signs may be posted in cooperation with city and/or county officials as appropriate. Violations, unless otherwise excepted by law or this policy, shall be reported to the appropriate law enforcement agency.

The superintendent will annually report the name of each school and the number of students from each listed schools expelled for bringing, possessing, concealing or using a firearm to the Oregon Department of Education.

END OF POLICY

Legal Reference(s):

[ORS 161.015](#)
[ORS 166.210 - 166.370](#)
[ORS 166.382](#)
[ORS 332.107](#)
[ORS 339.115](#)
[ORS 339.240](#)

[ORS 339.250](#)
[ORS 339.315](#)
[ORS 339.327](#)
[ORS 809.135](#)
[ORS 809.260](#)

[OAR 581-021-0050 - 021-0075](#)
[OAR 581-053-0010\(5\)](#)
[OAR 581-053-0230\(9\)\(k\)](#)
[OAR 581-053-0330\(1\)\(r\)](#)
[OAR 581-053-0430\(17\)](#)
[OAR 581-053-0531\(16\)](#)

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2018~~2~~).

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2018~~2~~).

Youth Handgun Safety Act, 18 U.S.C. §§ 922(x), 924(a)(6) (2018~~2~~).

Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101, 7111-7121 (2018~~2~~).

Phoenix-Talent Schools District 4

Code: JFCM
Adopted: 2/04/21
Orig. Code(s): JFCM

Threats of Violence

The Board is committed to promoting healthy relationships and a safe learning environment. To this end, student threats of harm to self or others, threatening behavior or acts of violence, including threats to severely damage any district property, shall not be tolerated on district property or at activities under the jurisdiction of the district.

Students shall be instructed of the responsibility to inform a teacher, counselor or administrator regarding any information or knowledge relevant to conduct prohibited by this policy. Parents and others will be encouraged to report such information to the district. Staff shall immediately notify an administrator of any threat, threatening behavior or act of violence the staff member has knowledge of, has witnessed or received. All reports will be promptly investigated.

Students found in violation of this policy shall be subject to discipline up to and including expulsion. The principal shall notify the parent or guardian of any student in violation of this policy and the disciplinary action imposed. A referral to law enforcement shall be made for any infraction involving a student bringing, possessing, concealing or using a weapon or destructive device as prohibited by state and federal law and Board policy.

The district shall enforce this policy consistently, fairly and without bias against any student, including a student from a protected class as defined in Oregon Revised Statute 659.850.

The principal shall, in determining appropriate disciplinary action, consider:

1. Immediately removing from the classroom setting any student who has threatened to injure another person or to severely damage district property;
2. Placing the student in a setting where the behavior will receive immediate attention from an administrator, counselor, licensed mental health professional or others;
3. Requiring the student to be evaluated by a licensed mental health professional before allowing the student to return to the classroom setting¹.

The district may enter into contracts with licensed mental health professionals to perform student evaluations. Funds for evaluations, other disciplinary options or other procedures as may be required by law and this policy shall be provided by the district.

¹ A student removed from the classroom setting for an evaluation may not be removed for more than 10 school days unless the principal is able to show good cause that an evaluation could not be completed in that time period.

The principal shall attempt to notify:

1. The parent or guardian of a student when the student's name appears on a targeted list at school that threatens violence or harm to the students on the list, or when threats of violence or harm to the student are made by another student at school;
2. Any district employee whose name appears on a targeted list at school threatening violence or harm to the district employee and when threats of violence or harm are made by a student or others at school.

The principal shall attempt to notify the above persons by telephone or in person promptly and within 12 hours of discovery of a targeted list or learning of a threat. Regardless, the principal shall issue a written follow-up notification within 24 hours of discovery of a targeted list or learning of a threat.

The principal will provide necessary information regarding threats of violence to law enforcement, child protective services and health care professionals in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. Additionally, the principal may provide such information to other school officials, including teachers within the district or other districts who have a legitimate educational interest in the student(s) consistent with state and federal education records laws and district policies.

The district or person participating in good faith in making the notification required by ORS 339.327 is immune from any liability, civil or criminal, that might otherwise be incurred or imposed with respect to the making or content of the notification.

END OF POLICY

Legal Reference(s):

[ORS 161.015](#)
[ORS 166.210 - 166.370](#)
[ORS 332.107](#)
[ORS 339.115](#)
[ORS 339.240](#)

[ORS 339.250](#)
[ORS 339.327](#)
[OAR 581-021-0050 - 021-0075](#)
[OAR 581-053-0010\(5\)](#)

[OAR 581-053-0230\(9\)\(k\)](#)
[OAR 581-053-0330\(1\)\(r\)](#)
[OAR 581-053-0430\(17\)](#)
[OAR 581-053-0531\(16\)](#)
[OAR 581-053-0630](#)

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2018).
Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (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 (2019).

Phoenix-Talent Schools District 4

Code: JFD
Adopted: 8/03/06
Orig. Code: JFD

D

Students of Legal Age

(This policy is not needed; follow law)

Every student 18 years of age or older shall be deemed an adult and shall have the same rights and responsibilities as an adult. Adult students, like all other students, shall comply with Board policy, established administrative regulation, school rules, pursue the prescribed course of study and submit to the authority of teachers and administration.

A student under 18 years of age may request adult status through proof of emancipation from parent. This request must be submitted in writing to the Superintendent and substantiate the student is:

1. Released from parent control;
2. Self-supporting;
3. Solely responsible for his/her food, shelter and clothing.

END OF POLICY

Legal Reference(s):

[ORS 109.510](#)
[ORS 109.520](#)

[ORS 419B.550](#)
[ORS 419B.552](#)

[ORS 419B.555](#)
[ORS 419B.558](#)

E

T

E

Phoenix-Talent Schools District 4

Code: JFE
Adopted: 8/24/95
Orig. Code: JFE

Pregnant and Parenting Students

A pregnant and/or parenting student shall be encouraged to continue with an educational program and to participate in all ~~district~~ school-sponsored activities unless physically unable. The ~~district~~ District shall ensure that pregnant and/or parenting students receive special services as ~~temporarily~~ necessitated by their condition.

Neither pregnancy nor parenting ~~constitute~~ constitutes an exemption from Oregon compulsory attendance law.

No pregnant or parenting student shall be excluded from the public schools on the basis of pregnancy or parenthood.

The ~~district~~ District shall, in considering and obtaining special services for pregnant and/or parenting students:

1. Inform pregnant and/or parenting students and their parents of the availability of such services in the ~~district, education service district~~ School District, ~~Education Service District~~ or in the community;
2. Facilitate the provision of such services, including counseling, life skills and parenting education, child care, transportation, career development and health and nutrition services to pregnant and/or parenting students;
3. Inform pregnant and/or parenting students and their parents of the availability of resources provided by other agencies, including health and social services;
4. Provide ~~educational~~ programs and schedules that address the ~~educational~~ individual learning styles and needs of pregnant and/or parenting students;
5. Develop individualized educational programs or services, or both, to address the needs of pregnant and/or parenting students when their educational needs cannot be met by the regularly provided school program.

The ~~superintendent~~ Superintendent will develop ~~guidelines~~ {¹} ~~Administrative Regulations~~ as necessary to ensure compliance with the provisions of state and federal law.

END OF POLICY

Legal Reference(s):

¹ Guidelines are required according to ORS 336.640 but does not rise to the level of an administrative regulation. A sample form is available to support developing a student's required individual written plan (OAR 581-023-0100(3)).

Phoenix-Talent Schools District 4

Code: JFE-AR
Adopted: 8/24/95
Orig. Code: JFE-AR

(Updated form. This is optional as an AR)

Individualized Plan for Pregnant and/or Parenting Teens

District _____ School _____

Date _____

Student Information

Student name: _____

Age: _____ Date of birth: _____

Pregnant? Yes No Due date: _____

Parenting? Yes No No. of children: _____ Ages: _____

Living situation: _____

Sources of financial support: _____

Education status: Grade completed 6 7 8 9 10 11 12
On track for graduation? Yes No Number of credits behind? _____

Date of Enrollment in Individualized Plan: _____

Program Information

Check whether service is to be provided and paid for by family, school or agency. If agency, please indicate source. Briefly describe service to be provided.

Education

Provided by:
 Family
 School
 Agency

Paid for by:
 Family
 School
 Agency

Description

Transportation

Provided by:
 Family
 School
 Agency

Paid for by:
 Family
 School
 Agency

Description

Child Care

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Life Skills Training

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Parenting Education

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Career Development

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Health Nutrition Services

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Counseling

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

Other Social Services

Provided by:

- Family
- School
- Agency

Paid for by:

- Family
- School
- Agency

Description

I have been informed of the services available for pregnant and parenting students in the District and I have received information about the availability of resources provided by other agencies, including health and social services.

Signature of Student

Date

Signature of Parent/Guardian

Date

Signature of School Representative

Date

Termination Data

Date of termination from program: _____

Reason (check one): Nonattendance Moved Completed diploma¹ Completed GED
 Returned to regular school program
 Other _____

Comments: _____

¹ A “diploma,” as it pertains to policy JFE, means a diploma, an extended diploma, a modified diploma or an alternative certificate.

Phoenix-Talent Schools District 4

Code: JFG
Adopted: 8/06/15
Orig. Code: JFG

Student Searches**

The Board seeks to ensure a learning environment which protects the health, safety and welfare of students and staff. To assist the Board in attaining these goals, district officials may, subject to the requirements below, search a student's person and property, including property assigned by the district for the student's use. Such searches may be conducted at any time on district property or when the student is under the jurisdiction of the district at school-sponsored activities.

All student searches conducted by the district shall be subject to the following requirements:

1. The district official shall have individualized, "reasonable suspicion" based upon specific and articulated facts to believe that the student personally poses or is in possession of some item that poses an immediate risk or serious harm to the student, school officials and/or others at the school;
2. The search shall be "reasonable in scope." That is, the measures used are reasonably related to the objectives of the search, the unique features of the official's responsibilities, and the area(s) which could contain the item(s) sought and not excessively intrusive in light of the age, sex, maturity of the student and nature of the infraction.

Routine inspections of district property assigned to students may be conducted at any time.

Use of drug-detection dogs and metal detectors, or similar detection devices, may be used only on the express authorization of the superintendent.

District officials may seize any item which is evidence of a violation of law, Board policy, administrative regulation or school rule, or which the possession or use of is prohibited by such law, policy, regulation or rule.

Students may be searched by law enforcement officials on district property or when the student is under the jurisdiction of the district. Law enforcement searches ordinarily shall be based upon a warrant. District officials will attempt to notify the student's parent(s) in advance and will be present for all such searches, whenever possible.

The superintendent shall develop an administrative regulation for implementing this policy in a manner which protects students' rights and provides a safe learning environment without unreasonable interference. Provisions for staff, student and parent notice of the Board's policy and accompanying regulation shall be included.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)
R2/26/15 | KW

[OAR 581-021-0050 to -0075](#)

New Jersey v. T.L.O., 469 U.S. 325 (1985).
State ex. rel. Juv. Dept. v. M.A.D., 233 P3d. 437, 348 Or. 381 (2010).
State v. B.A.H., 263 P3d. 1046, 245 Or. App. 203 (2011).
State v. A.J.C., 326 P3d. 1195, 355 Or. 552 (2014).

Phoenix-Talent Schools District 4

Code: JFG-AR
Adopted: 8/06/15
Orig. Code: JFG-AR

Student Searches

1. Definitions

- a. “Reasonable suspicion” is based upon specific and articulated facts to believe that the student personally poses, or is in possession of some item that poses a risk of immediate and serious harm to the student, school officials and/or others at the school. The official’s knowledge may be based upon relevant past experience of the official, observation by the official and/or credible information from another person.
 - (1) “Past experience” may provide the district official with information relevant to the violation as well as information which enables the official to evaluate the credibility of information from another person.
 - (2) “Credible information from another person” may include information which the district official reasonably believes to be true provided by another district employee, a student, a law enforcement or other government official or some other person.
- b. “Reasonable in scope” means that the manner and extent of the search are reasonably related to the objectives of the search, the unique features of the official’s responsibilities, and limited to the particular student or students most likely to be involved in the infraction and the area(s) which could contain the item(s) sought, and not excessively intrusive in light of the student’s age, sex, maturity and the nature of the infraction.

2. Routine Inspection of District Property Assigned to Students

- a. Lockers, desks and other storage areas provided by the school and assigned to a particular student(s) are the property of the district, remain in the possession of the district and are under the control of the principal. Students have no expectation of privacy regarding these items/areas.
- b. Students may use district-owned storage areas for the limited purpose of temporarily keeping items needed for attendance and participation in school instructional and activity programs only. No other purpose is permitted.
- c. Students shall be provided notification that district-owned storage areas assigned to students are subject to routine inspection without prior notice for the following reasons:
 - (1) Ensure that no item which is prohibited on district premises is present;
 - (2) Ensure maintenance of proper sanitation;
 - (3) Ensure mechanical condition and safety;
 - (4) Reclaim overdue library books, texts or other instructional materials, property or equipment belonging to the district.

3. Voluntary Consent

When a district official has the requisite justification to search either a particular district-owned storage area assigned to a student or the clothing or the personal property of a student, the official has the option of making a search or asking the student to voluntarily provide the item(s) sought. Before making a search, the official should ordinarily ask for the student's voluntary consent by requesting the student to empty the contents of the storage area, clothing or personal property. If the student refuses consent for ~~their~~~~his~~~~her~~ personal property, the official may elect to contact the student's parents to obtain consent for the search of personal property.

4. Search Procedures

- a. With the requisite justification, a school official may search an individual student, a district-owned storage area assigned to a student or the personal property of a student. Personal property of a student includes, but is not limited to, wallets, purses, lunch boxes/sacks, book bag, backpack or other containers used to carry belongings.
- b. All searches of a student or a student's personal property shall be based on the required reasonable suspicion/risk of immediate and serious harm and shall be reasonable in scope. A "strip search," requiring a student to remove clothing down to the student's underwear or including underwear is prohibited by the district.
- c. Searches will generally be conducted by an administrator. In certain circumstances an administrator may be assisted by a law enforcement official(s).
- d. The student will generally be permitted to be present during a search of a district-owned storage area assigned to the student or during a search of the student's personal property. The student's presence is not required, however.
- e. Search of a student's clothing will be limited to the student's "outer clothing" only. "Outer clothing" means the student's coat, jacket or other such outerwear garments worn by a student. A search of the clothing may include the search of a container inside the clothing, provided that the container is of a size and shape to hold the object of the search.
- f. Searches of a student's outer clothing will be conducted by a district official of the same sex as the student.
- g. Where the object of the search may be felt by a "pat down" of clothing or personal property, the district official may first pat the clothing or property in an attempt to locate the object before searching inside the clothing or property.
- h. Searches will be conducted in privacy, out of the view of other students, staff and others and in the presence of an adult witness of the same sex as the student.
- i. Any item removed from the student as a result of the above procedures which is not evidence of a violation of a law, Board policy, administrative regulation or school rule may be returned to the student, as appropriate.

5. Other Searches

- a. Student vehicles may be parked on district property on the condition that the student and ~~their~~~~his~~~~her~~ parent(s) allow the vehicle and its contents, upon reasonable suspicion/risk of immediate serious harm, to be examined.

If a student or parent(s) refuses to allow access to a vehicle when requested under the circumstances described above, the student's privilege of bringing a vehicle onto district

property will be terminated for the remainder of the school year. Law enforcement officials may be notified.

- b. Metal detectors, including walk-through and hand-held devices, may be used when the superintendent determines that there is a need for such detectors based upon reasonable information of a history of:
 - (1) Weapons or dangerous objects found at school, on district property, at a school function or in the vicinity of the school; or
 - (2) Incidents of violence involving weapons at a school, on district property, at a school function or in the vicinity of the school.

Upon positive detection, a student will be asked to voluntarily remove the metal item. If the student refuses consent, the student will be held (will not be allowed further entrance into the building) and any personal property will be seized and secured while the parent(s) and law enforcement officials are summoned.

- c. Drug-detection dogs may be used when the superintendent determines that there is a need for use of such dogs based upon reasonable information of a history of:
 - (1) Drugs and/or drug paraphernalia use/possession at school, on district property, at a school function or in the vicinity of the school; or
 - (2) Incidents of violence or health emergencies involving drugs and/or drug paraphernalia at a school, on district property, at a school function or in the vicinity of the school.

After such need has been determined, drug-detection dogs may be used to sniff out contraband in district-owned storage areas or in student vehicles parked on district property upon reasonable suspicion to believe that contraband is in the area or vehicle.

Drug-detection dogs will not be used for general or “dragnet” searches.

- d. Body fluid searches of students for the presence of alcohol or drugs are prohibited by the district unless specifically authorized by the Board as part of its athlete drug-testing program.
- e. The district may deploy breathalyzer devices at extracurricular events and activities. Students may be subject to testing procedures as a prerequisite to attending the event/activity. If a student refuses testing, they/he/she will be detained and parents will be contacted to come and take the student home.

6. Discipline

- a. Possession or use of unauthorized, illegal, unhealthy or unsafe materials will result in the following:
 - (1) Seizure of the material:
 - (a) Property, the possession of which is a violation of law, Board policy, administrative regulation or school rule will be returned to the parent or, if also a violation of law, turned over to law enforcement officials or destroyed by the district as deemed appropriate by the principal;
 - (b) Stolen property will be returned to its rightful owner;

(c) Unclaimed property may be disposed of in accordance with Board policy DN - Disposal of District Property.

(2) Discipline up to and including expulsion and notification given to law enforcement officials as appropriate or as otherwise required by law or Board policy.

7. Documentation

a. Administrators shall document all searches.

b. Documentation shall consist of the following:

(1) Name, age and sex of student;

(2) Date, time and location of search;

(3) Justification for search and nature of the reasonable suspicion/risk of immediate and serious harm;

(4) Description of the object(s) of the search;

(5) Type/Scope of search (areas/items searched);

(6) Results of search, prohibited material(s) found, disposition of the material(s) seized and discipline imposed;

(7) Name of the witness to the search;

(8) Name of the district official conducting the search;

(9) Contacts with law enforcement and name/position of the contact(s).

c. Documentation will be maintained as a part of the student's education records and retained in accordance with applicable Oregon Administrative Rules governing records' retention.

8. Notice

Notice of the Board's policy and this administrative regulation will be provided to staff, students and their parent(s) annually, through staff and student/parent handbooks.

9. Cooperation with Law Enforcement Officials

a. Administrators will meet with law enforcement officials annually to review:

(1) Official contact protocols;

(2) Applicable Board policies and administrative regulations;

(3) Circumstances in which the district will generally be requesting local law enforcement involvement in student searches and suspected crimes;

(4) Handling searches and evidence when involving law enforcement officials.

STUDENT SEARCH FORM

1. Name, age and sex of student: _____

2. Date, time and location of search: _____

3. Basis for search and nature of reasonable suspicion. What factors caused you to have a reasonable suspicion that the search of this student, ~~their~~^{his/her} person or property or property assigned by the district for student use, would turn up evidence of some item that posed a risk of immediate and serious harm to the student, school officials and/or others at the school? Describe.

4. Describe areas and items searched: _____

5. What did the search yield? Were any prohibited items/materials seized? Were seized items/materials turned over to police? Parents? Other? Why or why not? Explain and include name(s)/position(s) of law enforcement contacts.

6. Was discipline imposed? Why or why not? _____

7. Name and title/position of the witness to the search: _____

8. Name and title/position of district official conducting the search: _____

Signature of Witness

Date

Signature of District Official
Conducting Search

Date

Phoenix-Talent Schools District 4

Code: JFH
Adopted:

Student Complaints

The Board recognizes the necessity for each school to develop and maintain an orderly procedure for resolving student complaints. The principal shall [involve staff and students in] establish[ing] procedures which fairly and quickly resolve student complaints. Procedures established should allow for:

1. Informal conferences between the parties concerned;
2. Written appeal to the principal when step one does not resolve the complaint;
3. Written appeal to the superintendent when step two does not resolve the complaint;
4. Written appeal to the Board when step three does not solve the complaint.

It is the purpose of appeals and hearings to provide access to appropriate school officials when an informal conference cannot resolve the complaint. It is not the purpose of appeals and hearings to provide a forum through which nonrelated issues are conveyed. It is recommended that as many student complaints as possible be handled through informal conferences.

END OF POLICY

Legal Reference(s):

[ORS 192.610 to -192.690](#)

[ORS 332.107](#)

[OAR 581-022-2370](#)

Phoenix-Talent Schools District 4

Code: JFI
Adopted:

Student Demonstrations and Petitions

Demonstrations

District students are permitted to hold demonstrations on district property under the following conditions:

1. The demonstration must be scheduled with the superintendent in advance; a crowd control plan must be presented;
2. The demonstration must not disrupt classroom activities;
3. The demonstration must not present a threat to student or staff safety or be a hazard to district property.

Petitions

Students may petition for a change in Board policies, administrative regulations and school rules. Petitions must be reviewed by an administrator prior to circulation on district grounds and must be submitted to the superintendent upon completion. The superintendent will forward petitions to the Board or administrator, as appropriate.

Informal Student Gatherings

Students gathered informally shall not disrupt the orderly operation of the educational process.

Students gathered informally shall not infringe upon the rights of others to pursue their activities.

END OF POLICY

Legal Reference(s):

[ORS 332.072](#)
[ORS 332.107](#)

[OAR 581-021-0050](#)
[OAR 581-021-0055](#)

U.S. Const. amend. I; U.S. Const. amend. XIV.
Or. Const., art. I, § 8.
Equal Access Act, 20 U.S.C. §§ 4071-4074 (2012).

Phoenix-Talent Schools District 4

Code: JG
Adopted: 6/02/16
Orig. Code: JG

Student Discipline**

Discipline in the district is based upon a philosophy designed to produce behavioral changes that will enable students to develop the self-discipline necessary to remain in school and to function successfully in their educational and social environments.

Students are subject to discipline for conduct while traveling to and from school, at the bus stop, at school-sponsored events, while at other schools in the district and while off campus, whenever such conduct causes a substantial and material disruption of the educational environment or the invasion of rights of others.

The major objectives of the district discipline program are to teach the following fundamental concepts for living:

1. Understanding and respect for individual rights, dignity and safety;
2. Understanding and respect for the law, Board policies, administrative regulations and school rules;
3. Understanding of and respect for public and private property rights.

The Board seeks to ensure a school climate which is appropriate for learning and which assures the safety and welfare of personnel and students. The superintendent will develop ~~procedures~~ administrative regulations whereby those students who disrupt the educational setting or who endanger the safety of others, will be ~~offered corrective counseling and~~ be subject to disciplinary sanctions that are age appropriate, and to the extent practicable, use approaches that are shown through research to be effective to correct behavioral problems, while supporting a students' attendance to school and classes. Examples include, but are not limited to, reprimands, conferences, detention and denial of participation in cocurricular and extracurricular activities. Titles and/or privileges available to or granted to students may be denied and/or revoked (e.g., valedictorian, salutatorian, student body, class or club office positions, field trips, senior trip, prom, etc.). The superintendent may propose alternative programs ~~district shall consider the age of instruction or instruction combined with counseling prior to at the student and the student's past pattern of behavior prior to suspension or expulsion or a of the student leaving school in accordance with law.~~

The district shall enforce consistently, fairly and without bias all student conduct policies, administrative regulations and school rules.

A student whose conduct or condition is seriously detrimental to the school's best interests may be suspended. Students may be expelled for any of the following circumstances: a) when a student's conduct poses a threat to the health or safety of students or employees; b) when other strategies to change the student's behavior have been ineffective, except that expulsion may not be used to address truancy; or c) when required by law. The district shall consider the age of the student and the student's past pattern of behavior prior to imposing the suspension or expulsion. The district will ensure careful consideration of

the rights and needs of the individual concerned, as well as the best interests of other students and the school program as a whole.

The use of out-of-school suspension or expulsion for discipline of a student in the fifth grade or below, is limited to:

1. Nonaccidental conduct causing serious physical harm to a student or employee;
2. When a school administrator determines, based on the administrator's observation or upon a report from an employee, the student's conduct poses a threat to the health or safety of students or employees; or
3. When the suspension or expulsion is required by law.

When an out-of-school suspension is imposed on a student in the fifth grade or lower, the district shall take steps to prevent the recurrence of the behavior that led to the out-of-school suspension, and return the student to a classroom setting to minimize the disruption of the student's academic instruction.

Special education students shall be disciplined in accordance with federal law and Board policy JGDA - Discipline of Students with Disabilities and accompanying administrative regulation.

Parents, students and employees shall be notified by handbook, code of conduct or other document of acceptable behavior, behavior subject to discipline and the procedures to address behavior. These procedures will include a system of consequences designed to correct student misconduct and promote acceptable behavior.

END OF POLICY

Legal Reference(s):

[ORS 243.650](#)
[ORS 332.061](#)
[ORS 332.072](#)
[ORS 332.107](#)

[ORS 339.115](#)
[ORS 339.240 to -339.280](#)
[ORS 659.850](#)

[OAR 581-021-0045](#)
[OAR 581-021-0050 to -0075](#)

Tinker v. Des Moines Sch. Dist., 393 U.S. 503 (1969).

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

Ferguson v. Phoenix Talent Sch. Dist. #4, 172 Or. App. 389 (2001).

Phoenix-Talent Schools District 4

Code: JG-AR
Revised/Reviewed: 5/31/17
Orig. Code: JG-AR

Student Discipline Behavior – Problem-Solving Form

School Level Meeting Participants:

Name:

Title:

Background Information:

Classroom Teacher/Section:

Current Class Size:

Number of students represented in subgroups:

- | | | |
|--|---|---|
| <input type="checkbox"/> Male | <input type="checkbox"/> ELL | <input type="checkbox"/> Tier 2 Behavior Plan |
| <input type="checkbox"/> Female | <input type="checkbox"/> Homeless | <input type="checkbox"/> Tier 3 Behavior Plan |
| <input type="checkbox"/> Special education | <input type="checkbox"/> Transitional ELL | <input type="checkbox"/> Number of |
| <input type="checkbox"/> TAG | <input type="checkbox"/> Behavior issues | referrals/notifications |

1. What is impeding the classroom environment from being conducive to all learners?

2. What behavior interventions have you tried?

Possible school level solutions: (solutions selected identified by *)

Office Checklist – Please see and check that the following items are turned in and/or completed:

- Copy of form to district office
- Copy of form to local association president
- School level meeting held
- School level solutions identified
- Follow-up meeting scheduled
- Requested and scheduled a meeting with the district office (if more help is needed)

Phoenix-Talent Schools District 4

Code: JGA
Adopted: 8/05/21
Orig. Code(s): JGA

Corporal Punishment

The use of corporal punishment in any form is strictly prohibited in the district. No student will be subject to the infliction of corporal punishment.

“Corporal punishment” is defined as the willful infliction of, or willfully causing the infliction of, physical pain.

No teacher, administrator, other school personnel or school volunteer will subject a student to corporal punishment or condone the use of corporal punishment by any person under their supervision or control. Permission to administer corporal punishment will not be sought or accepted from any parent or school official.

A staff member is authorized to employ reasonable physical force upon a student when and to the extent the application of physical force is consistent with ORS 339.285 - 339.303. Physical force shall not be used to discipline or punish a student. A staff member found in violation of this policy may be subject to discipline up to and including dismissal. A volunteer found in violation of this policy by administration may be subject to sanctions and/or prohibited from volunteer service in the district.

The superintendent shall inform all staff members and volunteers of this policy.

END OF POLICY

Legal Reference(s):

[ORS 161.205](#)
[ORS 332.107](#)
[ORS 339.240](#)

[ORS 339.250](#)
[OAR 581-021-0050 – 0075](#)

[OAR 584-020-0040](#)

Phoenix-Talent Schools District 4

Code: JGAB
Adopted: 3/05/20
Orig. Code(s): JGAB

Use of Restraint or Seclusion**

The Board is dedicated to the development and application of best practices within the district's public educational/behavioral programs. The Board establishes this policy and its administrative regulation to define the circumstances that 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 non-accidental 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.

Restraint or seclusion may not be used for discipline, punishment, retaliation or convenience of staff, contractors or volunteers of the district.

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 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, *(do you allow volunteers?)* 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. “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.

4. “Substantial physical or bodily injury” means any impairment of the physical condition of a person that requires some form of medical treatment.
5. “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.
6. “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.
 7. “Prone restraint” means a restraint in which a student is held face down on the floor.
 8. “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 utilize the Crisis Prevention Institute training program of restraint or seclusion for use in the district. As required by state regulation, the selected program shall be one approved by the Oregon Department of Education (ODE) and include, but not limited to, positive behavior support, conflict prevention, de-escalation and crisis response techniques. Any program selected by the district must be in compliance with state and federal law with respect to the use of restraint and seclusion.

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. This appeal process is identified in administrative regulation KL-AR(2) - Appeal to the Deputy Superintendent of Public Instruction.

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.

END OF POLICY

Legal Reference(s):

[ORS 161.205](#)
[ORS 339.250](#)
[ORS 339.285](#)
[ORS 339.288](#)
[ORS 339.291](#)
[ORS 339.294](#)
[ORS 339.297](#)

[ORS 339.300](#)
[ORS 339.303](#)

[OAR 581-021-0061](#)
[OAR 581-021-0550](#)
[OAR 581-021-0553](#)
[OAR 581-021-0556](#)

[OAR 581-021-0563](#)
[OAR 581-021-0566](#)
[OAR 581-021-0568](#)
[OAR 581-021-0569](#)
[OAR 581-021-0570](#)
[OAR 581-022-2267](#)
[OAR 581-022-2370](#)

REPLACED

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.

Phoenix-Talent Schools District 4

Code: JGAB (with August Policy Updates included)
Adopted: 3/05/20
Orig. Code(s): JGAB

Use of Restraint or Seclusion**

The Board is dedicated to the development and application of best practices within the district's public educational/behavioral programs. The Board establishes this policy and its administrative regulation to define the circumstances that 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.

Restraint or seclusion may not be used for discipline, punishment, retaliation or convenience of staff, contractors or volunteers of the district.

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 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 utilize the Crisis Prevention Institute’s training program of restraint or seclusion for use in the district. As required by state regulation, the selected program shall be one approved by the Oregon Department of Education (ODE) and include, but not limited to, positive behavior support, conflict prevention, de-escalation and crisis response techniques. Any program selected by the district must be in compliance with state and federal law with respect to the use of restraint and seclusion.

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. This appeal process is identified in administrative regulation KL-AR(2) - Appeal to the Deputy Superintendent of Public Instruction.

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.

END OF POLICY

Legal Reference(s):

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

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.

Phoenix-Talent Schools District 4

Code: JGAB-AR
Adopted: 5/08/14
Orig. Code(s): JGAB-AR(1)

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; and
 - (6) Timely notification of a debriefing meeting to be held and of the parent's or guardian's right to attend the meeting.
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 that includes the lack of training, and the reason why a person without training administered the restraint or seclusion. The administrator will ensure written notice of the same to the superintendent.
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 seclusion; staff members involved in the intervention must be included in the meeting. The debriefing team shall include an administrator. Written notes shall be taken and a copy of the written notes shall be provided to the parent or guardian of the student.
8. If serious bodily injury or death of a student occurs in relation to the use of restraint or seclusion, written notification of the incident must be provided to the Department of Human Services 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 to the superintendent within 24 hours of the incident, or to the union representative for the affected person, if applicable.
10. The district will maintain a record of each incident in which injuries or death occurs in relation to the use of restraint or seclusion.

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 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.

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.

Phoenix-Talent Schools District 4

Code: JGAB-AR(2)
 Adopted: 4/01/10
 Orig. Code: JGAB-AR(2)

CPI Physical Restraint and/or Seclusion Incident Report

(This form is outdated. Does CPI have a new model template to use? Otherwise this link accesses ODE's sample forms: <https://www.oregon.gov/ode/students-and-family/healthsafety/Documents/restraintandseclusionssampleforms.docx>)

Physical restraint means “the restriction of a student’s movement by one or more persons holding the student or applying physical pressure upon the student” and “does not include touching or holding a student without the use of force for the purpose of directing the student or assisting the student in completing a task or activity.” Seclusion means “the involuntary confinement of a student alone in a room from which the student is prevented from leaving.” OAR 581-021-0062(1) (a)

Prior approval from Special Education is required before seclusion can be employed, and the student must be on an approved Behavior Intervention Plan that includes the use of physical restraint and/or seclusion.

Physical restraint and/or seclusion also may be used in “an emergency by a school administrator, teacher, school employee, or volunteer as necessary to maintain order or to prevent a student from harming him/herself, other students, and school staff or property in accordance with OAR 581-021-0061(2).” OAR581-021-0062(2) (a) (B)

Phoenix-Talent School District employs the use of Crisis Prevention Intervention (CPI)

Student Name:	DOB
School:	Grade:

Incident Description		
Date Incident Occurred:	Time Restrain Began:	Time Restraint Ended:
Seclusion Included? [] Yes [] No	Time Seclusion Began:	Time Seclusion Ended:
Location of Incident: [] Classroom [] Hall [] Cafeteria [] Playground [] Bus [] Other:	Justification for Initiating Physical Restraint And/or Seclusion (Check All That Apply): [] Danger to self [] Danger to others [] Destruction of school property [] Other:	

Behavior(s) directed at: <input type="checkbox"/> Staff <input type="checkbox"/> Peers <input type="checkbox"/> Self <input type="checkbox"/> Other:	Description of Student Behavior Immediately Preceding Use of Physical Restraint And/or Seclusion:
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Description of efforts made to de-escalate student and alternatives to physical restraint and/or seclusion that were attempted:

Physical Restraint Hold(s) Used: <input type="checkbox"/> Children's Control Position <input type="checkbox"/> Team Control Position <input type="checkbox"/> Transport Position	How Restraint Ended (Check All That Apply): <input type="checkbox"/> Determination by staff member that student was no longer a risk to himself or others. <input type="checkbox"/> Intervention by CPI personnel to facilitate de-escalation. <input type="checkbox"/> Law enforcement personnel arrived. <input type="checkbox"/> Seclusion <input type="checkbox"/> Staff/student sought medical assistance (describe): <input type="checkbox"/> Other (describe):
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Staff Administering or Observing Restraint and/or Seclusion

Name	Position	CPI Certified to Administer Restraints	Role of Staff Member
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Observer <input type="checkbox"/> Restraint
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Observer <input type="checkbox"/> Restraint
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Observer <input type="checkbox"/> Restraint
		<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Observer <input type="checkbox"/> Restraint

Name and Position of Person Supervising Seclusion:

P a r e n t N o t i f i c a t i o n

Name of Parent(s) Contacted: D Phone #: Date and Time of Contact:	Documented Attempt to Contact Parent if Unable to Contact Verbally (Describe):	Contacted by the Following Staff Member:
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This Report Has Been Prepared by:

Name:

E

Position:

Copies Provided To:

- Parent
- Principal (cumulative file)
- Case Manager (504/IEP File)
- Superintendent

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Phoenix-Talent Schools District 4

Code: JGAB-AR(3)
Adopted: 4/01/10
Orig. Code: JGAB-AR(3)

(Use of 'physical' indicates this may also be out-dated. Does CPI have a model template? Otherwise, consider ODE's forms)

Physical Restraint and/or Seclusion Debriefing Notes

Student Name:	DOB:
School:	Grade:
Date of Restraint:	Date of Debriefing:

Team Members Must Address Each of the Following Areas:
Review Incident Report and Provide a Brief Summary:
Note Disciplinary Action Proposed/taken:
Review Factors Preceding Physical Restraint and Identify Possible Triggers to the Behavior:
Note Patterns of Escalating Student Behavior:
List Possible De-escalation Techniques/interventions to Reduce the Chance of Future Restraint And/or Seclusion:

Action to Be Taken	By Whom
1) Conduct debriefing with student and teach behavioral alternatives.	
2)	
3)	

Signature of Participants (Must Include a CPI-certified Staff Member)		
Name	CPI Certified?	Title
	[] Yes [] No	
	[] Yes [] No	
	[] Yes [] No	
	[] Yes [] No	
	[] Yes [] No	

Copies Provided To:

- [] Parent
- [] Principal (cumulative file)
- [] Case Manager (504/IEP File)
- [] Superintendent

Phoenix-Talent Schools District 4

Code: JGB
Adopted:

Detention of Students**

(optional policy)

A school administrator or teacher may detain a student for disciplinary reasons after school hours, provided the parent has been notified of the detention and, in the case of bus students, arrangements have been made for the student's transportation home. In cases where transportation is required, 24-hour notice will be given so that transportation may be arranged.

Parents may be asked to arrange for the transportation of the detained student; however, if the parent cannot or will not provide it, an alternative disciplinary procedure must be substituted.

Students who are detained after school must not be left alone during their detention. Their supervision must be provided or arranged for by the teacher or administrator who detains them.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 339.250](#)

[OAR 581-021-0050 to -0075](#)

Phoenix-Talent Schools District 4

Code: JGD
Adopted: 10/01/15
Orig. Code: JGD

Suspension**

The Board authorizes the administration to suspend a student suspension for one or more of the following reasons:

1. Willful disobedience and violation of Board policies, administrative regulations or school rules;
2. Willful conduct which materially and substantially disrupts the rights of others to an education;
3. Willful conduct which endangers the student, other students or staff members;
4. Willful conduct which damages or injures district property.

A student whose conduct or condition is seriously detrimental to the school's best interests may be suspended. The district shall consider the age of the student and the student's past pattern of behavior prior to imposing the suspension. The district will ensure careful consideration of the rights and needs of the individual concerned, as well as the best interests of other students and the school program as a whole.

The use of out-of-school suspension for discipline of a student in the fifth grade or below, is limited to:

1. Nonaccidental conduct causing serious physical harm to a student or employee;
2. When a school administrator determines, based on the administrator's observation or upon a report from an employee, the student's conduct poses a threat to the health or safety of students or employees; or
3. When the suspension is required by law.

When an out-of-school suspension is imposed on a student in the fifth grade or lower, the district shall take steps to prevent the recurrence of the behavior that led to the out-of-school suspension, and return the student to a classroom setting to minimize the disruption of the student's academic instruction.

~~Students and parents are given notice of possible discipline actions resulting from student misconduct that may result in suspension in the Student/Parent Handbook made available by the district.~~

Each notice of suspension will include a statement of the reasons for suspension, the length of the suspension, a plan for readmission and may include a plan for the student to make up school work. No suspension shall extend beyond 10 school days. Every reasonable and prompt effort must be made to notify the parents of suspended students. The district may require a student to attend school during nonschool hours as an alternative to suspension.

In emergency situations that are a result of risk to health and safety, the district may postpone the suspension notice process above until the emergency condition has passed.

Students who are suspended may not attend after-school activities and athletic events, be present on district property without a parent or participate in activities directed or sponsored by the district.

A decision by the superintendent or designee to suspend a student may be appealed to the Board through the district's complaint procedures (see Board policy KL - Public Complaints and its accompanying administrative regulations).

Students and parents are given notice of possible discipline actions resulting from student misconduct that may result in suspension in the *Student/Parent Handbook* made available by the district.
~~Suspensions may be appealed to the Board.~~

END OF POLICY

Legal Reference(s):

[ORS 339.240](#)

[ORS 339.250](#)

[OAR 581-021-0050](#)

[OAR 581-021-0055](#)

[OAR 581-021-0060](#)

[OAR 581-021-0065](#)

[OAR 581-021-0071](#)

[OAR 581-021-0075](#)

Phoenix-Talent Schools District 4

Code: JGD-AR
Adopted: 10/05/95
Orig. Code: JGD-AR



Suspension

1. The principal or his designee may suspend students. The principal will review all suspensions.
2. No suspensions are to exceed ten (10) school days.
3. The pupil must have an opportunity to appear at an informal hearing before the principal or his designee and has the right to challenge the reasons for the intended suspension or otherwise explain his actions.
4. The principal or his designee must give written notice of intention to suspend and the reason for the possible suspension to the pupil.
5. The suspending official shall attempt to contact the home immediately to notify the pupil's parent, guardian, or custodian of the suspension. Notice must include the reason for the suspension and the right of the pupil, parent, guardian or custodian to appeal to the Superintendent and the conditions, if any, for reinstatement.
6. Students shall be allowed to make up schoolwork upon their return from the suspension that reflects achievement over a greater period of time than the length of the suspension. For example, the students shall be allowed to make up final, mid-term, and unit examinations, without an academic penalty.
7. In special circumstances, a suspension may be continued until some specific pending action occurs, such as a physical or mental examination or incarceration by court action if school is unable to make immediate arrangements with parents.



Phoenix-Talent Schools District 4

Code: JGDA/~~JGEA~~
Adopted: 2/07/08
Orig. Code: JGDA/JGEA

Discipline of Students with Disabilities**

When considering student disciplinary procedures that may result in removal of the student, the district follows all special education procedures and ensures the parent and the student are afforded the procedural safeguards of the Individuals with Disabilities Education Act (IDEA) if:

1. The student is receiving individualized education program (IEP) services; or
2. ~~The~~For the student has not yet been identified as a student with a disability, but the district had knowledge that the student had a disability and needed special education.

For a violation of a code of conduct, the district may remove a student with a disability from a current educational placement to an appropriate interim alternative educational setting, another setting, or suspension, for up to 10 school days in a school year to the same extent, and with the same notice, as for students without disabilities, if the removals do not constitute a pattern. The district may remove a student with disabilities for additional periods of up to 10 days if the removals do not constitute a pattern. The determination regarding whether a series of removals constitutes a pattern is subject to review in an expedited due process hearing.

Disciplinary removal of a student with a disability constitutes a change in the student's educational placement when the removal is for more than 10 consecutive school days, or the removal is for more than 10 cumulative school days and constitutes a pattern of removals. When considering whether to order a disciplinary change of placement the district may consider any unique circumstances on a case-by-case basis. Any decision to initiate a disciplinary change in placement requires a determination of whether the conduct leading to the disciplinary removal was caused by, or was substantially related to, the student's disability or was a direct result of the district's failure to implement the student's IEP.

For a violation involving drugs, weapons or the infliction of serious bodily injury, the district may remove a student with a disability from the student's current educational placement to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than 45 school days in a school year without regard to whether the behavior is a manifestation of the student's disability. This removal is considered a change in placement.

The district will provide educational services to a student who is suspended or expelled for more than 10 school days in a school year. These services may be provided in a different location or interim alternative educational setting as determined by the IEP and placement teams.

END OF POLICY

Legal Reference(s):

[ORS 326.565](#)
[ORS 326.575](#)

[ORS 336.187](#)
[ORS 339.240](#)

[ORS 339.250](#)
[ORS 339.252](#)

R4/17/17 | RS

Discipline of Students with Disabilities** – JGDA

[ORS 343.177](#)

[OAR 581-015-2400](#)

[OAR 581-015-2405](#)

[OAR 581-015-2410](#)

[OAR 581-015-2415](#)

[OAR 581-015-2420](#)

[OAR 581-015-2425](#)

[OAR 581-015-2430](#)

[OAR 581-015-2435](#)

[OAR 581-015-2440](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1415(k) (2012).

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.507, § 300.508(a)-(c); §§ 300.510-300.514; §§ 300.530-300.536 (2017).

Phoenix-Talent Schools District 4

Code: JGDA/JGEA-AR
Adopted: 2/07/08
Orig. Code: JGDA/JGEA-AR

Discipline of Students with Disabilities**

Definition

1. The district applies the following definitions when considering disciplinary action:
 - a. “Behavioral intervention plan” means an individualized plan, including positive interventions, designed to assist a student to decrease inappropriate behavior and increase or teach an alternative appropriate behavior.
 - b. “Current educational placement” means the type of educational placement of the student as described in the student’s “annual determination of placement” document at the time of the disciplinary removal. It does not mean the specific location or school but the types of placement on the continuum of placement options.
 - c. “Disciplinary removal” means suspension, expulsion or other removal from school for disciplinary reasons, including removals pending completion of a risk assessment. It does not include:
 - (1) Removals by other agencies;
 - (2) Removals for public health reasons (e.g., head lice, immunizations, communicable diseases); etc.);
 - (3) In-school suspensions if the student continues to have access to the general curriculum and to special education and related services as described in the student’s individualized education program (IEP), IEP, and continues to participate with nondisabled students to the extent they would in their current placement; or
 - (4) Bus suspensions, unless the student’s IEP includes transportation as a related service, the district makes no alternative transportation arrangements for the student, and the student does not attend school as a result of the bus suspension.
2. “Functional behavioral assessment” means an individualized assessment of the student that results in a team hypothesis about the function of a student’s behavior and, as appropriate, recommendations for a behavior intervention plan.
3. “Suspension” means any disciplinary removal other than expulsion.

Disciplinary Change of Placement

1. Disciplinary removal of a student with a disability constitutes a change in the student’s educational placement when:
 - a. The removal is for more than 10 consecutive school days; or
 - b. The removal is for more than 10 cumulative school days and constitutes a pattern of removals.

2. The district may consider any unique circumstances on a case-by-case basis when determining whether to order a disciplinary change in placement.

Manifestation Determination

1. Within 10 days of any decision to initiate a disciplinary change in placement of a student with a disability, the district convenes a manifestation determination meeting.
2. The district follows all required special education procedures for determining whether a student's conduct that led to a disciplinary removal from school was caused by, or had a substantial relationship to, the student's disability or was a direct result of the district's failure to implement the student's IEP.

Disciplinary Removals for up to 10 School Days

1. The district may remove students with disabilities from their current educational placement; to an appropriate interim alternative educational setting, another setting; or suspension, for up to 10 school days in a school year, to the same extent; and with the same notice; for violation of a code of conduct as for students without disabilities. These removals are not considered a change in placement.
2. During disciplinary removals for up to 10 school days:
 - a. The district is not required to provide access to special education and the general curriculum unless students without disabilities are provided access during this time.
 - b. The district is not required to determine whether the student's behavior resulting in the disciplinary removal is a manifestation of the student's disability.
 - c. The district counts days of suspension for the purposes of procedural safeguards as follows:
 - (1) Suspensions of a half day or less will be counted as a half day; and
 - (2) Suspensions of more than a half day will be counted as a whole day;
 - (3) If a student moves from another district in Oregon, any days of suspension from the former district apply, unless the district does not have knowledge of previous suspensions.

Disciplinary Removals of More than 10 Cumulative School Days and Pattern of Removal

1. The district may remove students with disabilities from their current educational placement to an appropriate interim alternative educational setting, another setting or suspension for additional periods of up to 10 days in a school year, to the same extent; and with the same notice as for students without disabilities, if the removals do not constitute a pattern. These removals do not constitute a change in placement.
2. In determining whether removals of additional periods of up to 10 school days constitute a pattern of removals, school personnel will consider, on a case-by-case basis:
 - a. Whether the behavior is substantially similar to the student's behavior in previous incidents that resulted in the series of removals; and
 - b. Additional factors such as the length of each removal, the total number of days of removal; and the proximity of removals to one another.

3. During removals of additional periods of up to 10 school days in a school year that do not constitute a pattern, the district will provide services that are necessary to enable the student to:
 - a. Continue to participate in the general education curriculum;
 - b. Progress toward achieving the goals in the student’s IEP; and
 - c. The services and location for delivery of services in this section will be determined by school personnel, in consultation with at least one of the student’s teachers, or by the student’s IEP team.
4. The determination regarding whether a series of removal constitutes a pattern is subject to review in an expedited due process hearing.

Removal to an Interim Alternative Educational Setting for Not More Than 45 Days by the District under Special Education Circumstances

1. The district may remove a student with a disability from the student’s current educational placement to an appropriate interim alternative educational setting for the same amount of time that a student without a disability would be subject to discipline, but for not more than 45 school days in a school year, for a drug or weapon violation, or for infliction of serious bodily injury, without regard to whether the behavior is manifestation of the student’s disability. This removal is considered a change in placement. School personnel may consider any unique circumstances on a case-by-case basis when determining whether to order such a removal.
2. For the purpose of determining a drug or weapon violation or serious bodily injury, the district will apply the following definitions:
 - a. “Drug” means illegal drug or controlled substance but does not include a substance that is legally possessed or used under the supervision of a licensed health-care professional or otherwise legally possessed. It does not include alcohol or tobacco.
 - b. “Drug violation” means the use, possession, sale or solicitation of drugs at school or a school function.
 - c. “Infliction of serious bodily injury” means serious bodily injury caused by a student to another person while at school, on school premises or at a school function under the jurisdiction or the Oregon Department of Education (ODE) or a district.
 - d. “Serious bodily injury” means bodily injury, which involves substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ or mental faculty.
 - e. “Weapon” means a weapon, device, instrument, material or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that it does not include a pocket knife with a blade of less than 2-1/2 inches in length.
 - f. “Weapon violation” means carrying a weapon to school or to a school function or acquiring a weapon at school.
3. On the date that the district decides to remove a student to an interim alternative educational placement because of a drug or weapon violation(s) or for serious bodily injury, the district notifies that parent(s) of the decision and gives the parent(s) a Procedural Safeguards Notice.
4. Within 10 school days of any decision to remove the student to an interim alternative educational placement because of a drug or weapon violation or for serious bodily injury, the district:

- a. Convenes a meeting to determine whether the behavior is a manifestation of the student’s disability; and
- b. Conducts, as appropriate, a functional behavior assessment, and develops a behavior intervention plan based on the functional behavior assessment that is designed to address the behavior so it does not recur.

Removal to an Interim Alternative Educational Setting for Not More than 45 Days by Administrative Law Judge for Injurious Behavior

1. The district may request an expedited due process hearing to obtain an administrative law judge’s order to remove a student to an interim alternative educational setting for not more than 45 school days if the student is exhibiting injurious behavior. For the purpose of this request, “injurious behavior” is defined as behavior that is substantially likely to result in injury to the student or to others.
2. The interim alternative educational setting must meet the requirements of the “Interim Alternative Educational Setting” section.

Interim Alternative Educational Setting

When a student with a disability is placed in an interim alternative educational setting, the setting:

1. Is determined by the student’s IEP; and
2. Enables the student to:
 - a. Continue to participate in the general curriculum, although in another setting;
 - b. Progress toward achieving the goals in the student’s IEP; and
 - c. Receive services and modifications designed to address the misconduct that led to placement in the interim alternative educational setting and to prevent the misconduct from recurring.

Placement Pending Appeal

If a parent disagrees with the manifestation determination or any decision about placement related to the disciplinary removal and requests a due process hearing, the student will remain in the interim alternative educational setting pending the decision of the administrative law judge, or until the end of the disciplinary removal, whichever is shorter, unless the parent and district agree to another placement pending the hearing.

Conduct and Outcome of a Manifestation Determination

1. Within 10 school days of any decision to change the placement of a student with a disability for disciplinary reasons, the district convenes a manifestation determination meeting.
2. The team that determines whether a student’s behavior that led to a disciplinary removal from school was caused by, or had a substantial relationship to the student’s disability or was a direct result of the district’s failure to implement the student’s IEP, includes the parent(s), district representatives and other relevant members of the IEP team, as determined by the parent and district.

- a. The team reviews all relevant student information, including the student’s IEP, teacher observations and information provided by the parent.
 - b. The team concludes that the conduct in question is a manifestation of the student’s disability if it determines the behavior was caused by, or had a substantial relationship to, the child’s disability, or if it was the direct result of the district’s failure to implement the IEP.
3. If the team determines that the district did not implement the student’s IEP or identifies other deficiencies in the student’s IEP or placement, the district corrects the identified deficiencies immediately.
 4. Regardless of whether the behavior was a manifestation of the student’s disability, the district may remove the student to an interim alternative educational setting for weapons or drug violations or for infliction of serious bodily injury for up to 45 days.
 5. When behavior is a manifestation of disability.

If the team concludes that the behavior was a manifestation of the student’s disability:

- a. The district will not proceed with a disciplinary removal for more than 10 days.
 - b. The district conducts a functional behavioral assessment and develops a behavior plan to address the behavior that led to the disciplinary action. If the district has already conducted a functional behavioral assessment or if the student already has a behavior intervention plan regarding that behavior, the district reviews, modifies as necessary and implements the plan to address the behavior.
 - c. The district may review and revise the student’s IEP and placement through normal IEP and placement processes.
 - d. The district may enter into an agreement with the parent to change the student’s placement as part of the modification of the behavioral intervention plan.
 - e. If the district believes that maintaining the current placement of the child is substantially likely to result in injury to the student or to others, the district may appeal the decision of the manifestation determination team by requesting an expedited due process hearing. An administrative law judge who concludes that maintaining the current educational placement is substantially likely to result in injury to the student or to others may order a change in placement to an interim alternative educational setting for no more than 45 days.
6. When behavior is not a manifestation of disability.

If the IEP team determines that the student’s behavior is not a manifestation of the student’s disability, the district may proceed with disciplinary removals, in the same manner and for the same duration, as would be applied to students without disabilities. If the district takes such action, applicable to all students, the district:

- a. Notifies the parent(s) of the decision to remove the student on the date that decision is made and gives the parents a Procedural Safeguards Notice;
- b. Give the parent(s) prior written notice of any proposed change in placement;
- c. Provides services to the student in an interim alternative educational setting that is determined by the IEP team; and
- d. Provides, as appropriate, a functional behavioral assessment, develops appropriate behavioral interventions to address the behavior and implements those interventions.

Protections for Students not yet Eligible for Special Education

1. The district will follow all special education disciplinary procedures for a student who has not yet been identified as a student with a disability if the district had knowledge that the student had a disability and needed special education.
2. The district is presumed to have such knowledge if, before the behavior that precipitated the disciplinary action occurred:
 - a. The student's parent(s) expressed a concern in writing to supervisory or administrative school personnel, or to a teacher of the student, that the student is in need of special education and related services;
 - b. The student's parent(s) requested a special education evaluation of the student; or
 - c. The student's teacher or other school personnel expressed specific concerns about a pattern of behavior demonstrated by the student directly to the district's special education director or other district supervisory personnel.
3. The district is not presumed to have knowledge of a disability if:
 - a. The parent has not allowed an evaluation of the student or has refused the initial provision of special education services to the student; or
 - b. The student has been evaluated and found not eligible for special education services.
4. If the district did not have knowledge before taking disciplinary action against the student, the district may take the same disciplinary actions as applied to students without disabilities who engaged in comparable behaviors. However:
 - a. If a special education evaluation is requested, or if the district initiates a special education evaluation, the evaluation will be conducted in an expedited manner.
 - b. Until the evaluation is completed, the student may remain in the educational placement determined by school personnel, which may include suspension, expulsion or placement in alternative education.
 - c. Upon completion of the evaluation, if the student is determined to be a student with a disability, the district will conduct an IEP meeting to develop an IEP and determine placement and will provide special education and related services in accordance with the IEP.
 - d. The district will apply the Individuals with Disabilities Education Act (IDEA) discipline protections beginning on the date of the eligibility determination.

Phoenix-Talent Schools District 4

Code: JGE
Adopted: 2/06/20
Orig. Code(s): JGE

Expulsion**

A principal, after reviewing available information, may recommend to the superintendent that a student be expelled. Expulsion of a student shall not extend beyond one calendar year.

A student may be expelled for any of the following circumstances:

1. When a student's conduct poses a threat to the health or safety of students or employees;
2. When other strategies to change the student's behavior have been ineffective, except that expulsion may not be used to address truancy; or
3. When required by law.

The use of expulsion for discipline of a student in fifth grade or lower is limited to:

1. Nonaccidental conduct causing serious physical harm to a student or employee;
2. When a school administrator determines, based on the administrator's observations or upon a report from an employee, the student's conduct poses a threat to the health or safety of students or employees; or
3. When the expulsion is required by law.

The age of the student and the past pattern of behavior will be considered prior to imposing the expulsion.

No student may be expelled without a hearing unless the student's parents, or the student if 18 years of age, waive the right to a hearing, either in writing or by failure to appear at a scheduled hearing. By waiving the right to a hearing, the student and parent agree to abide by the findings of a hearing officer.

When an expulsion hearing is not waived, the following procedure is required:

1. Notice will be given to the student and the parent by personal service¹ or by certified mail² at least five days prior to the scheduled hearing. Notice shall include:
 - a. The specific charge or charges;
 - b. The conduct constituting the alleged violation, including the nature of the evidence of the violation and reason for expulsion;
 - c. A recommendation for expulsion;

¹ The person serving the notice shall file a return of service. (OAR 581-021-0070)

² When "certified mail is given to a parent of a suspended student, the notice shall be placed in the mail at least five days before the date of the hearing." (OAR 581-021-0070)

- d. The student's right to a hearing;
 - e. When and where the hearing will take place; and
 - f. The right to representation.
2. The Board may expel, or may delegate the authority to decide on an expulsion to the superintendent or superintendent's designee, who may also act as the hearings officer. The district may contract with an individual who is not employed by the district to serve as the hearings officer. The hearings officer designated by the Board will conduct the hearing and will not be associated with the initial actions of the building administrators;
 3. Expulsion hearings will be conducted in private and will not be open to the general public unless the student or the student's parents request an open session;
 4. In case the parent or student has difficulty understanding the English language or has other serious communication disabilities, the district will provide a translator;
 5. The student shall be permitted to have representation present at the hearing to advise and to present arguments. The representation may be an attorney and/or parent. The district's attorney may be present;
 6. The student shall be afforded the right to present their version of the events underlying the expulsion recommendation and to introduce evidence by testimony, writings, or other exhibits;
 7. The student shall be permitted to be present and to hear the evidence presented by the district;
 8. The hearings officer or the student may record the hearing;
 9. Strict rules of evidence shall not apply to the proceedings. However, this shall not limit the hearings officer's control of the hearing;
 10. If the Board is conducting the expulsion hearing, the Board may designate the Board chair or a third party as the hearings officer. The hearings officer will determine the facts of each case on the evidence presented at the hearing. Evidence may include the relevant past history and student education records. The hearings officer will provide to the Board, findings as to the facts, the recommended decision and whether or not the student has committed the alleged conduct. This will include the hearings officer's recommended decision on disciplinary action, if any, including the duration of any expulsion. This material will be available in identical form to the Board, the student if age 18 or over, and the students' parents at the same time. Following the review by the Board of the hearings officer's recommendation, the Board will make the final decision regarding the expulsion;
 11. If the Board has delegated authority to the superintendent or designee to act as the hearings officer, the superintendent may designate themselves, or a third party, as the hearings officer. The hearings officer's decision is final. However, a decision of the hearings officer may be appealed by the parent, or the student if age 18, or over to the Board for review. If the decision of the hearings officer is appealed to the Board for review, the findings as to the facts and the hearings officer's decision will be submitted to the Board and will be available in identical form to the Board, the student, and the student's parents at the same time. At its next regular or special meeting the Board will review the hearings officer's decision and will affirm, modify or reverse the decision;

12. A Board review of the hearings officer’s decision will be conducted in executive session unless the student or the student’s parent requests a public hearing. If an executive session is held by the Board or a private hearing held by the hearings officer, the following will not be made public:
- a. The name of the minor student;
 - b. The issues involved, including a student’s confidential records;
 - c. The discussion;
 - d. The vote of Board members, which may be taken in executive session when considering an expulsion.

Prior to expulsion, the district must propose alternative programs of instruction or instruction combined with counseling to a student subject to expulsion for reasons other than a weapons policy violation. The district must document to the parent of the student that proposals of alternative education programs have been made.

END OF POLICY

Legal Reference(s):

[ORS 192.660](#)
[ORS 332.061](#)
[ORS 336.615 - 336.665](#)

[ORS 339.115](#)
[ORS 339.240](#)
[ORS 339.250](#)

[OAR 581-021-0050 - 021-0075](#)
House Bill 2514 (2019)

Phoenix-Talent Schools District 4

Code: JGE-AR
Adopted: 9/15/94
Orig. Code: JGE-AR



Expulsion Procedures

(See policy language)

1. Prior to expulsion, the Superintendent shall give the student and his/her parent, guardian or custodian written notice of the possibility of expulsion and shall provide the student and his/her parent, guardian or custodian with an opportunity to appear in person before the Superintendent and challenge the reasons for the possible expulsion or otherwise explain the student's reactions.
2. The notice shall include the reasons for the possible expulsion, notification of the right of the student, guardian, custodian, or their representative to appear before the Superintendent to hear and to challenge the reasons for the possible expulsion or otherwise to explain the student's actions and notification of the time and place to appear. The time to appear shall not be earlier than five or later than ten days after the notice is mailed.
3. If the Superintendent is considering expelling a student due to a specific behavioral problem, he/she shall propose to the pupil prior to expulsion and document to the parent specific alternative programs of instruction and/or counseling for the pupil.
4. Within 24 hours after the time of any expulsion, the Superintendent shall send written notice to the student and his/her parent, guardian, or custodian and the Board of Education. The notice shall specify the duration of the expulsion and the reasons therefore. It also shall include the notification of the right of the pupil or his/her parent, guardian or custodian to appeal the expulsion to the Board of Education within 14 days.
5. A student or his/her parent, guardian or custodian may appeal his/her expulsion to the Board of Education. Notice of such appeal shall be filed, in writing, with the clerk of the Board of Education within 14 days of the expulsion. The student or his/her parent, guardian or custodian may be represented in the appeal proceeding and shall be granted a hearing before the Board to be heard against the expulsion.
6. If an appeal is taken before the Board of Education, such appeal may, upon the request of the student, his/her parent, guardian, custodian or attorney be heard in Executive Session. The Board shall be provided findings as to the facts and the decision of the hearing officer. This material shall be made available at the same time to the parent or guardian and to the student if age 18 or over.
7. The Board, by a majority vote of its full membership, or by the action of its designee, may affirm the expulsion or may reinstate the affected student or may otherwise reverse, vacate or modify the order of expulsion.
8. A verbatim record shall be kept of all appeal hearings.

Phoenix-Talent Schools District 4

Code: JGEA
Adopted: 8/15/96
Orig. Code: JGEA

Alternative Education Programs

Prior to a student leaving school or a student's expulsion, unless the expulsion is for a weapons policy violation, the ~~district~~ District will propose in writing to the student or student's parent or guardian, appropriate, accessible alternative education programs ~~educational alternatives~~ as determined by the district. ~~District and as defined in the Board's policy on alternative education notification.~~ Such alternative education program(s) will consist of instruction or instruction combined with ~~be instructional and may include~~ counseling.

~~The District may require a student to attend school during non-school hours as an alternative to suspension.~~

The proposal of potential alternative education programs ~~alternatives~~ will be hand-delivered or sent by certified mail to assure that the parent or guardian receives it prior to the time of an actual expulsion of the student or the student ~~or~~ leaving school.

Appropriate accessible alternative education programs may be either public or private. ~~(non-sectarian).~~ Programs may be provided by the ~~district~~ District as a separate school, evening classes or tutorial instruction. Homebound instruction could be considered an appropriate alternative. The district shall continue to provide a free appropriate public education in an alternative setting to a child with a disability who has been removed for disciplinary reasons.

The ~~district~~ District shall pay the actual cost of the ~~district~~ District-proposed private alternative education program or an amount equal to 80 percent of the ~~district's~~ District's estimated current year's average per student net operating expenditure, whichever is less. The ~~district~~ District shall ~~District is not obligated to provide or pay for transportation.~~ The district has no obligation to pay for an alternative education ~~District will enter into a written contract with the program if an emancipated minor or a provider.~~ If a parent or guardian receives an exemption on a ~~semiannual~~ semi-annual basis to withdraw a student age 16 or 17 from compulsory attendance, ~~the District has no obligation to pay for an alternative program.~~

If a student is not successful in the alternative education program selected or the alternative education programs offered ~~are~~ program is not accepted by the student ~~students~~ and/or parent or guardian ~~parents~~, there is no obligation to propose or fund ~~other alternatives~~ a second alternative.

END OF POLICY

Legal Reference(s):

[ORS 336.615 to -336.665](#)
[ORS 339.030](#)
[ORS 339.240](#)
[ORS 339.250](#)

[ORS 339.252](#)
[OAR 581-021-0070](#)
[OAR 581-021-0071](#)

[OAR 581-022-2505](#)
[OAR 581-022-2320](#)
[OAR 581-023-0006](#)
[OAR 581-023-0008](#)

Phoenix-Talent Schools District 4

Code: JH
Adopted:

Student Welfare**

(Optional policy)

Students' safety will be assured through close supervision of students in all school buildings and grounds during the hours when students are normally present. Such supervision does not include early morning or the time following usual departure, unless students are present for a scheduled activity. Hours when supervision is available shall be included in the [student/parent handbook].

The district further assures the following practices:

1. Maintaining a safe school environment; appropriate personnel will be responsible for periodically inspecting the physical condition of all buildings and grounds;
2. Observation of safe practices on the part of school personnel and students, particularly in those areas of instruction or extracurricular activities that offer special hazards;
3. Offering safety education to students as germane to particular subjects such as science, professional technical, health and physical education courses;
4. Providing, [through the services of the school nurse,] first-aid care for students in case of accident or sudden illness;
5. Providing adequate supervision on the grounds when they are used by students **during school hours**.

In addition, school personnel will be concerned about and aware of suspicious strangers loitering in or near school buildings or sitting in parked vehicles nearby. The principal will notify law enforcement if the circumstances warrant such action.

Teachers will instruct students not to accept gifts or vehicle rides from strangers. Students will be instructed to tell teachers, their parents, law enforcement or school security personnel of any suspicious strangers.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[OAR 581-022-2225](#)

Phoenix-Talent Schools District 4

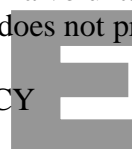
Code: JHA
Adopted: 1/06/83
Orig. Code: JHA



Student Insurance Programs

A student accident insurance program and a student dental accident insurance program are made available to all students on a voluntary basis. Students and parents will be informed at the start of each school year that District #4 does not provide accident insurance coverage for students except by Board action.

END OF POLICY



Legal Reference(s):

[ORS 332.072](#)

[ORS 332.107](#)

[ORS 332.435](#)



Phoenix-Talent Schools District 4

Code: JHAA
Adopted: 8/18/88
Orig. Code: JHAA



Student Insurance Program for Participation in Athletics

The School District encourages all students participating in athletics (team sports) to obtain an accident insurance policy. The School District expects parents to assume responsibility for medical bills incurred as a result of injuries to students participating in athletics.

Regulations:



Students may be permitted to participate in athletic activities under one of the following conditions (please check one):

- 1. An accident insurance policy provided by a parent and/or guardian.
- 2. A statement signed by the parent or guardian acknowledging the possibility of medical expenses if their son/daughter is injured while participating in athletic activities.
- 3. The District provides insurance for participants.

* * *

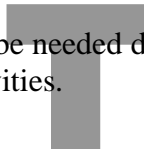
PARENT ACKNOWLEDGEMENT



I, _____
(Name of Parent/Guardian)

(Address)

do hereby acknowledge that medical care for my child may be needed due to injury while he/she participates in school-sponsored and school-supervised activities.



(Name of Student)

(School)

Date _____

Signature _____



END OF POLICY

Legal Reference(s):

D

E

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Phoenix-Talent Schools District 4

Code: JHC
Adopted: 10/05/17
Orig. Code: JHC

Student Health Services and Requirements

Although the district's primary responsibility is to educate students, the students' health and general welfare is also a major Board concern. The Board believes school programs should be conducted in a manner that protects and enhances student and employee health and is consistent with good health practices.

The nurse(s) employed by the district, or contracted through an outside agency, shall be licensed to practice as a registered nurse or nurse practitioner in Oregon and will function as an integral member of the instructional staff, serving as a resource person to teachers in securing appropriate information and materials on health-related topics.

The district shall provide:

1. One registered nurse or school nurse for every 125 medically fragile students;
2. One registered nurse or school nurse or one licensed practical nurse under the supervision of a registered nurse or school nurse for each nursing dependent student; and
3. One registered nurse or school nurse for every 225 medically complex students.

The district may use the most cost effective means available to meet the above requirements.

The district shall maintain a prevention oriented health services program which provides:

1. Pertinent health information on the students, as required by Oregon statutes or rules;
2. Health appraisal and/or screening for possible vision or hearing problems;
3. Health counseling for students and parents, when appropriate;
4. Health care and first-aid assistance that are appropriately supervised and isolates the sick or injured child from the student body;
5. Control and prevention of communicable diseases as required by Oregon Health Authority, Public Health Division, and the county health department;
6. Assistance for students in taking prescription and/or nonprescription medication according to established district procedures;
7. Services for students who are medically fragile or have special health care needs;
8. Integration of school health services with school health education programs.

The Board directs its district health staff to coordinate with health personnel from other public agencies in matters pertaining to health instruction or the general health of students and employees.

In accordance with the requirements of federal law, ~~the Every Student Succeeds Act of 2015 (ESSA)~~, the district recognizes its responsibility to notify parents in advance of any nonemergency, invasive physical examination¹ or screening that is required as condition of attendance; administered and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students.

Notification will be provided at least annually at the beginning of the school year or when enrolling students for the first time in school and will include the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

Procedures shall be developed and implemented to carry out this policy. All district employees will be apprised of their responsibilities in this area. Parents shall have the opportunity to request their students be exempt from participation in vision or hearing screening. The district will abide by those requests.

END OF POLICY

Legal Reference(s):

[ORS 329.025](#)
[ORS 336.201](#)

[OAR 581-022-2050](#)
[OAR 581-022-2220](#)

[OAR 581-022-2225](#)

Protection of Pupil Rights, 20 U.S.C. § 1232h (2012); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2017).

Every Student Succeeds Act, 20 U.S.C. § 7928 (2015).

Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2012).

REPLACED

¹ The term “invasive physical examination”, as defined by law, means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening. The term does not include any physical examination or screening that is permitted or required by state law, including physical examinations or screenings that are permitted without parental notification.

Phoenix-Talent Schools District 4

Code: JHC (from August Policy Update)
Adopted: 10/05/17
Orig. Code: JHC

Student Health Services and Requirements**

Although the district's primary responsibility is to educate students, the students' health and general welfare is also an ~~major concern~~ **important Board responsibility**. The Board believes school programs should be conducted in a manner that protects and enhances student and employee health and is consistent with good health practices.

~~[The district shall staff nursing services appropriate for students with medical needs and prevention-oriented health services per applicable requirements of Oregon Revised Statutes (ORS) 336.201 and Oregon Administrative Rule (OAR) 581-022-2220.]~~

The district shall provide:

1. One registered nurse or school nurse for every 125 medically fragile students;
2. One registered nurse or school nurse or one licensed practical nurse under the supervision of a registered nurse or school nurse for each nursing-dependent student; and
3. One registered nurse or school nurse for every 225 medically complex students.

The district may use the most cost effective means available to meet the above requirements.

The nurse(s) employed by the district, or contracted through an outside agency, shall be licensed to practice as a registered nurse or nurse practitioner in Oregon and will function as an integral member of the instructional staff, serving as a resource person to teachers in securing appropriate information and materials on health-related topics.

~~[Any nurse(s) providing services on behalf of the district shall follow all applicable requirements of ORS Chapter 678 and OAR Chapter 851. This includes, but is not limited to, delegation in accordance with OAR 851-047, which includes performing a nursing assessment of the patient prior to delegation, providing adequate supervision during the delegation, and evaluating the skills, ability and willingness of the delegee.¹]~~

The district shall maintain a prevention-oriented health services program which provides:

1. Pertinent health information on the students, as required by Oregon statutes or rules;
2. Health appraisal to include screening for possible vision or hearing problems ~~{and also scoliosis}~~;
3. Health counseling for students and parents, when appropriate;

¹ For additional delegation requirements, see OAR [851-047-0030](#).

4. Health care and first-aid assistance that are appropriately supervised and isolates the sick or injured child from the student body;
5. Control and prevention of communicable diseases as required by Oregon Health Authority, Public Health Division, and the county health department;
6. Assistance for students in taking prescription and/or nonprescription medication according to established district procedures;
7. Services for students who are medically fragile or have special health care needs;
8. Integration of school health services with school health education programs.

The Board directs its district health staff to coordinate with health personnel from other public agencies in matters pertaining to health instruction or the general health of students and employees.

In accordance with the requirements of federal law, the district recognizes its responsibility to notify parents in advance of any nonemergency, invasive physical examination² or screening that is required as condition of attendance; administered and scheduled by the school in advance; and not necessary to protect the immediate health and safety of the student, or of other students. Notification will be provided at least annually at the beginning of the school year or when enrolling students for the first time in school and will include the specific or approximate dates during the school year when such activities are scheduled or expected to be scheduled.

Procedures shall be developed and implemented to carry out this policy. All district employees will be apprised of their responsibilities in this area. Parents shall have the opportunity to request their students be exempt from participation in vision or hearing screening. The district will abide by those requests.

END OF POLICY

Legal Reference(s):

[ORS 329.025](#)
[ORS 336.201](#)

[ORS 336.211](#)
[OAR 581-022-2050](#)

[OAR 581-022-2220](#)
[OAR 581-022-2225](#)

Protection of Pupil Rights, 20 U.S.C. § 1232h (~~2012~~2018); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (~~2017~~2022).

Every Student Succeeds Act, 20 U.S.C. § 7928 (~~2012~~2018).

Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (~~2012~~2018).

² The term “invasive physical examination,” as defined by law, means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision or scoliosis screening. The term does not include any physical examination or screening that is permitted or required by state law, including physical examinations or screenings that are permitted without parental notification.

Phoenix-Talent Schools District 4

Code: JHCA/JHCB
Adopted: 4/05/18
Revised/Readopted: 8/05/21
Orig. Code(s): JHCA/JHCB

Immunization, Physical Examination, Vision Screening/Eye Examination and Dental Screening**

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

Physical Examination

The Board recommends that all students initially enrolling in school have a physical examination. Parents will be asked to complete a district Health History form when initially enrolling their student in the district and when registering them for grade 7.

All students participating in athletic programs are required to submit to the district a School Sports Pre-participation Examination³ form prior to their initial participation in a district athletic program. The form is to be completed and signed by a parent or guardian and physician giving permission for the student to participate.

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 in extracurricular sports.

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

Vision Screening or Eye Examination

The parent or guardian of a student who is 7 years of age or younger and is beginning an education program with the district for the first time shall, within 120 days of beginning the education program, submit a certification that the student has received:

¹The district shall immediately enroll a homeless student 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 Form available at <http://www.osaa.org/governance/forms>

1. A vision screening or eye examination; and
2. Any further examination, treatments or assistance necessary.

The certification is not required if the parent or guardian provides a statement to the district that:

1. The student submitted a certification to a prior education provider; or
2. The vision screening or eye examination is contrary to the religious beliefs of the student or the parent or guardian of the student.

Dental Screening

The district shall file in the student's dental health record any dental screening certifications and any results of a dental screening known by the district. The district will provide to the parent or guardian of each student, standardized information developed by the Oregon Health Authority's dental director regarding dental screenings, further examinations or necessary treatments and preventative care including fluoride varnish, sealants and daily brushing and flossing.

The parent or guardian of a student who is 7 years of age or younger, and is beginning an education program with the district for the first time, shall submit a certification within 120 days of beginning the education program that the student has received a dental screening within the previous 12 months.

The certification is not required if the parent or guardian provides a statement to the district that:

1. The student submitted a certification to a prior education provider;
2. The dental screening is contrary to the religious beliefs of the student or the parent or guardian of the student; or
3. The dental screening is a burden for the student or the parent or guardian of the student in the following ways:
 - a. The cost of obtaining the dental screening is too high;
 - b. The student does not have access to an approved screener;
 - c. The student was unable to obtain an appointment with an approved screener.

The certification may be provided by a licensed dentist, a dental hygienist or a health care practitioner as defined by state law. The certification must include the:

1. Student's name;
2. Date of screening; and
3. Name of entity conducting the dental screening.

The district shall submit to the Oregon Department of Education a report that identifies the percentage of students who failed to submit the certification for the previous year, no later than October 1 of each year.

If the district is causing the dental screening to be conducted, the district will follow the notice requirements in accordance with law.

END OF POLICY

Legal Reference(s):

[ORS 326.580](#)
[ORS 336.211](#)
[ORS 336.213](#)
[ORS 336.214](#)

[ORS 336.479](#)
[ORS 433.235 - 433.280](#)
[OAR 333-019-0010](#)
[OAR 333-050-0010 - 050-0120](#)

[OAR 581-021-0017](#)
[OAR 581-021-0031](#)
[OAR 581-021-0041](#)
[OAR 581-022-2220](#)

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 (2020).

OREGON SCHOOL ACTIVITIES ASSOCIATION, *OSAA HANDBOOK*.

Phoenix-Talent Schools District 4

Code: JHCC
Adopted: 9/03/20
Orig. Code(s): JHCC

Communicable Diseases - Students

good

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

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

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

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

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

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

END OF POLICY

Legal Reference(s):

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

[OAR 333-019-0010](#)
[OAR 333-019-0014](#)
[OAR 437-002-0360](#)

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

OREGON DEPARTMENT OF EDUCATION and OREGON HEALTH AUTHORITY, *Communicable Disease Guidance* (2020).
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).

Phoenix-Talent Schools District 4

Code: JHCC-AR
Adopted: 9/03/20
Orig. Code(s): JHCC-AR

Communicable Diseases – Student

good

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 rule and include but are not limited to COVID-19¹, 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 if, in the opinion of the local health officer, the person poses an unusually high risk to others (e.g., a child that 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. A disease is considered to be a restrictable disease if it is listed in Oregon Administrative Rule (OAR) 333-019-0010, or it has been designated to be a restrictable disease by the local public health administrator after determining that it poses a danger to the public’s health.
2. “Susceptible” for a child means lacking documentation of immunization required under OAR 333-050-0050.
3. “Reportable disease” 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 of the district will not attend a district school or facility while in a communicable stage of a restrictable disease, including a communicable stage of COVID-19², unless authorized to do so under Oregon law. When an administrator has reason to suspect any child has a restrictable disease, the administrator shall send the student home.
2. An administrator shall exclude a susceptible child from school if the administrator has reason to suspect that the student has 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 will report the occurrence to the local health department.

¹ Added per OAR 333-019-1000(2).

² “Communicable stage of COVID-19” means having a positive presumptive or confirmed test of COVID-19.

3. An administrator shall exclude a student if the administrator has been notified by a local public health administrator or local public health officer that the student has had a substantial exposure to an individual with COVID-19 and exclusion is deemed necessary by same.
4. A student will be excluded in such instances until such time as the student or the parent or guardian of the student 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 does not have or is not a carrier of any restrictable diseases.
5. The district may, for the protection of both the student who has a restrictable disease and the exposed student, provide an educational program in an alternative setting. A student may remain in an alternative educational setting until such time as a certificate from a physician, physician assistant, nurse practitioner, local health department nurse or school nurse states that the student does not have or is not a carrier of any restrictable disease, or until such time as a local public health administrator states that the disease is no longer communicable to others or that adequate precautions have been taken to minimize the risk of transmission. A restrictable disease exclusion for chickenpox, scabies, staphylococcal skin infections, streptococcal infections, diarrhea or vomiting may be removed by a school nurse or health care provider.
6. More stringent exclusion standards for students from school may be adopted by the local health department.
7. The district's emergency preparedness plan shall address the district's plan with respect to a declared public health emergency at the local or state level.

Reportable Diseases Notification

1. All employees shall comply with all reporting measures adopted by the district and with all rules set forth by the 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 a student or an employee has been exposed to a restrictable disease that is also a reportable disease.
3. An administrator shall determine other persons who may be informed of a student's communicable disease when a legitimate educational interest exists or for health and safety reasons in accordance with law.

Education

1. The administrator or designee shall seek information from the district's school nurse or other appropriate health officials regarding the health needs/hazards of all students and the impact on the educational needs of a student diagnosed with a restrictable disease or exposed to a restrictable disease.
2. The administrator or designee shall, utilizing information obtained above, determine an educational program for such a student and implement the program in an appropriate (i.e., regular or alternative) setting.

3. The administrator or designee shall review the appropriateness of the educational program and the educational setting of each individual student diagnosed with a restrictable disease.

Equipment and Training

1. The administrator or designee shall, on a case-by-case basis, 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). (*See* policy EBBAA).

Phoenix-Talent Schools District 4

Code: JHCCA
Adopted: 8/01/13
Orig. Code: JHCCA

Students – HIV, HBV and AIDS**

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

The district recognizes a parent (student) has no obligation to inform the district of an HIV, HBV or AIDS condition, and that the student has a right to attend school. If the district is informed of such a student, written guidelines shall be requested of the parent (student). These guidelines shall include who may have the information, who will give the information, how the information will be given, and where and when the information will be given.

When informed of the infection, and with written permission from the parent (student), the district will develop procedures for formulating an evaluation team. The team shall address the nature, duration and severity of risk as well as any modification of activities. The team shall continue to monitor the student's condition. The district will make reasonable accommodations to allow students living with HIV infection to participate in school-sponsored physical activities.

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

[The district may also develop policies and/or procedures for rumor control, infection control, student accommodations and public relations/media.]

END OF POLICY

Legal Reference(s):

[ORS 326.565](#)
[ORS 326.575](#)
[ORS 332.061](#)
[ORS 336.187](#)
[ORS 336.615 to -336.665](#)

[ORS 339.030](#)
[ORS 339.250](#)
[ORS 433.008](#)
[ORS 433.045](#)
[OAR 333-018-0000](#)

[OAR 333-018-0005](#)
[OAR 581-022-2060](#)
[OAR 581-022-2220](#)

OREGON DEPARTMENT OF EDUCATION and OREGON HEALTH AUTHORITY, *Communicable Disease Guidance* (2017).
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).

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

Phoenix-Talent Schools District 4

Code: JHCCBA/EBBAB/GBEBAA
Adopted: 8/24/95
Orig. Code: JHCCBA/EBBAB/GBEBAA

Hepatitis B/Bloodborne Pathogens

(See EBBAA)

The Board recognizes that staff/students incur some risk of infection and illness each time they are exposed to blood or other potentially infectious materials. While the risk to staff/students of exposure to body fluids due to casual contact with individuals in the school environment is very low, the Board regards any such risk as serious.

Consequently, the Board directs adherence to standard precautions. Standard precautions require that staff and students approach infection control as if all direct contact with human blood and body fluids is known to be infectious for HIV, HBV and/or other blood borne pathogens¹.

In order to reduce the risk to staff/students by minimizing or eliminating staff exposure incidents to blood borne pathogens¹, the Board directs the Superintendent to develop and implement an Exposure Control Plan.

The plan shall include training followed by an offer of immunization with Hepatitis B vaccine for all staff who are required to provide first aid to students and/or staff and/or for all staff who have occupational exposure as determined by the District. Personal protective equipment appropriate to job task shall be provided by the District. Follow up by nursing/medical personnel will be provided by the District to any employee sustaining an occupational exposure.

END OF POLICY

Legal Reference(s):

[OAR 437-002-0360](#)
[OAR 437-002-0377](#)

[OAR 437-002-1030](#)
[OAR 437-002-1035](#)

¹ Bloodborne pathogens – pathogenic microorganisms that are present in human blood and can cause disease in humans. These include, but are not limited to, Hepatitis B virus (HBV), and human immunodeficiency virus (HIV).

Phoenix-Talent Schools District 4

Code: JHCCC/EBBAA/
GBEBC
Adopted: 8/24/95
Orig. Code: JHCCC/EBBAA/
GBEBC

Infection Control - HIV, AIDS, HBV

(See policy EBBAA.)

The District shall use standard precautions at all times for infection control. Each person is therefore treated as though an HIV, AIDS or HBV¹ infection exists.

The District shall develop an Exposure Control Plan that includes infection control procedures for staff and students.

Staff and students shall receive an annual in-service that includes correct procedures for cleaning up body fluid spills and for personal cleanup, immunization and personal hygiene, as well as the location and a content review of first-aid and clean-up kits. Kits shall be available for each room in the building and in each District vehicle.

In addition to an annual in-service, staff and students on a regular basis will receive HIV, AIDS and HBV information.

The information shall emphasize infection — how infection is spread as well as how it is not spread.

The District will cooperate with the local health department in delivering HIV, AIDS and HBV education.

END OF POLICY

Legal Reference(s):

[OAR 437-002-0360](#)
[OAR 437-002-0377](#)

[OAR 581-022-0705](#)
[OAR 581-022-1440](#)

[OAR 581-053-0517 \(13\)\(c\)\(e\)](#)

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

Phoenix-Talent Schools District 4

Code: JHCCE/KBCAA/
GBEBE
Adopted: 8/24/95
Orig. Code: JHCCE/KBCAA/
GBEBE

News/Media - HIV, AIDS or HBV

The District shall appoint a District spokesperson who shall respond to media inquiries regarding rumored or identified HIV, AIDS or HBV¹ cases.

The spokesperson shall stress:

1. School districts are not informed of a person infected with HIV, AIDS or HBV unless the infected person or his/her parent releases the information;
2. School districts, if informed, may not release the information unless the infected person or parent gives permission for such release;
3. School districts may not prevent a staff member from working if he/she is able to perform his/her job responsibilities. Students have a right to continue to attend school.

The District shall ask the local Health Department or other health authorities to assist the District spokesperson in responding to media inquiries.

END OF POLICY

Legal Reference(s):

ORS 326.565	OAR 333-012-0270
ORS 326.575	OAR 333-018-0000
ORS 332.061	OAR 333-018-0005
ORS 336.187	OAR 333-018-0030
ORS 342.850 (7)	OAR 581-015 -0005
ORS 433.008	OAR 581-022-1440
ORS 433.045	

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

Phoenix-Talent Schools District 4

Code: JHCCF
Adopted: 4/20/17
Orig. Code: JHCCF

Pediculosis (Head Lice)

(Excludes a student with 10 or more live lice; allows attendance of a student with nits and less than 10 live lice.)

A student with a suspected case of head lice will be referred to the school nurse or administrator for assessment. A student found with live lice may be excluded from school. A parent of the student will be notified and treatment will be requested. Students with a severe infestation¹ will be excluded immediately until treated. A student excluded from school that has been treated will be readmitted after an assessment by designated personnel. The student may be subject to periodic checks.

The successful treatment of head lice requires a coordinated approach and may involve the use of anti-lice products, combing and implementation of preventative measures recommended by health authorities. Treatment information will be provided by the district to the parents of students found to have contracted head lice.

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

END OF POLICY

Legal Reference(s):

[ORS 433.255](#)
[ORS 433.260](#)

[OAR 333-019-0010](#)
[OAR 437-002-0360](#)

[OAR 581-022-2220](#)

National Association of School Nurses, Pediculosis Management in the School Setting: Position Statement Revised 2011.
American Academy of Pediatrics: Position Statement on Head Lice 8-1-2012.
Centers for Disease Control and Prevention Head Lice Information for Schools 2011.

¹ Ten or more live lice are present on the student upon assessment by designated personnel.

Phoenix-Talent Schools District 4

Code: JHCCF-AR
Revised/Reviewed: 4/20/17
Orig. Code: JHCCF-AR

Pediculosis (Head Lice)

(Exclude a student with 10 or more live lice; allows attendance of a student with nits and less than 10 live lice.)

Suggested school measures for head lice control, as provided in *Communicable Disease*¹ issued through the Oregon Department of Education will be followed.

1. Periodic head lice checks of students are not recommended; however, screening recommendations are as follows:
 - a. Criteria for screening an individual for lice are:
 - (1) Persistent itching or scratching;
 - (2) Known exposure to sibling or other close contact with head lice (e.g., seat mate in classroom, locker partners, overnight sleep activities, scouts, etc.); or
 - (3) Self (student or parent) referral.
 - b. Three nonrelated cases of head lice in a classroom within 10 consecutive school days requires that all students in the classroom be screened by the following school day;
 - c. If there is infestation among three percent of the entire student population within 10 consecutive school days, there should be a screening of all students in the school within one week. Multiple cases from a single household count as one case for purposes of calculating the percentage of students infested.
2. Treatment information, district policy requirements and readmittance provisions will be provided to a parent. A parent will be advised to:
 - a. Use a lice-killing agent that a health care provider, school nurse or local health authority has recommended on all family members who demonstrate symptoms of infestation; and
 - b. Follow the personal and household cleaning instructions provided by the district, health care provider or local health authority, as appropriate.
3. Following treatment, the student may be readmitted to school. A parent must either accompany their student to school for readmittance or provide a signed statement that treatment has been initiated.
4. The student will be subject to screening by designated personnel to determine the treatment's effectiveness. The student will be readmitted to school or denied admittance, as appropriate.
5. A student who has been readmitted to school will be subject to follow-up screening by designated personnel.

¹ <http://www.oregon.gov/ode/students-and-family/healthsafety/Documents/commdisease.pdf>

6. The parent should contact their local health department in the event additional assistance and/or information is needed regarding the treatment of the student, other family members, close contacts and the home environment (e.g., bedding, linens, grooming equipment, etc.).
7. A student with chronic head lice may be referred for follow-up to the school's nurse or local health department, as appropriate.
8. A parent who identifies head lice on their student(s) at home should complete treatment prior to the readmission of their student, as required above. A parent is also encouraged to notify the school of their student's condition so that appropriate preventative measures may be implemented at school.

Phoenix-Talent Schools District 4

Code: JHCD/JHCDA
Adopted: 3/05/20
Orig. Code(s): JHCD/JHCDA

Medications**

The district recognizes that administering a medication to a student and/or permitting a student to administer a medication to ~~them self~~themselves, may be necessary when the failure to take such medication during school hours would prevent the student from attending school, and recognizes a need to ensure the health and well-being of a student who requires regular doses or injections of a medication as a result of experiencing a life-threatening allergic reaction or adrenal crisis¹, or a need to manage hypoglycemia, asthma or diabetes. Accordingly, the district may administer or a student may be permitted to administer to ~~them self~~themselves prescription (injectable and noninjectable) and/or nonprescription (noninjectable) medication at school.

The district shall designate personnel authorized to administer medications to students. Annual training shall be provided to designated personnel as required by law in accordance with guidelines approved by the Oregon Department of Education (ODE). When a licensed health care professional is not immediately available, trained personnel designated by the district may administer epinephrine, glucagon or another medication to a student as prescribed and/or allowed by Oregon law.

Current first-aid and CPR cards are strongly encouraged for designated personnel.

The district reserves the right to reject a request for administration of medication at school, either by district personnel or student self-administration, if the medication is not necessary for the student to remain in school.

The superintendent and/or designee will require that an individualized health care plan and allergy plan is developed for every student with a known life-threatening allergy or a need to manage asthma, and an individualized health care plan for every student for whom the district has been given proper notice of a diagnosis of adrenal insufficiency. Such a plan will include provisions for administering medication and/or responding to emergency situations while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity.

A student may be allowed to self-administer a medication for asthma, diabetes, hypoglycemia or severe allergies as prescribed by an Oregon licensed health care professional, upon written and signed request of the parent or guardian and subject to age-appropriate guidelines. This self-administration provision also requires a written and signed confirmation the student has been instructed by the Oregon licensed health care professional on the proper use of and responsibilities for the prescribed medication. A request to the

¹ Under proper notice given to the district by a student or student's parent or guardian.

district to administer or allow a student to self-administer prescription medication shall include a signed prescription and treatment plan from a prescriber².

A request to the district to administer or allow a student to self-administer nonprescription that is not approved by the Food and Drug Administration (FDA) shall include a written order from the student's prescriber that meets the requirements of law.

A written request and permission form signed by a student's parent or guardian, unless the student is allowed to access medical care without parental consent under state law³, is required and will be kept on file.

If the student is deemed to have violated Board policy or medical protocol by the district, the district may revoke the permission given to a student to self-administer medication.

Prescription and nonprescription medication will be handled, stored, monitored, disposed of and records maintained in accordance with established district administrative regulations governing the administration of prescription or nonprescription medications to students, including procedures for the disposal of sharps and glass.

A process shall be established by which, upon parent or guardian written request, a backup prescribed autoinjectable epinephrine is kept at a reasonably, secure location in the student's classroom as provided by state law.

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

Naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing an overdose of an opioid drug.

This policy shall not prohibit, in any way, the administration of recognized first aid to a student by district employees in accordance with established state law, Board policy and administrative regulation.

A school administrator, teacher or other district employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of the administration, in good faith and pursuant to state law, of prescription and/or nonprescription medication.

A school administrator, school nurse, teacher or other district employee designated by the school administrator is not liable in a criminal action or for civil damages as a result of a student's self-administration of medication, as described in Oregon Revised Statute (ORS) 339.866, if that person in good faith and pursuant to state law, assisted the student in self-administration of the medication.

² A registered nurse who is employed by a public or private school, ESD or local public health authority to provide nursing services at a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

³ Subject to ORS 109.610, 109.640 and 109.675.

A school administrator, school nurse, teacher or other district employee designated by the school administration is not liable in a criminal action or for civil damages as a result of the use of medication if that person in good faith administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who that person believes in good faith is experiencing an overdose of an opioid drug.

The district and the members of the Board are not liable in a criminal action or for civil damages as a result of the use of medication if any person in good faith, on school premises, including at a school, on school property under the jurisdiction of the district or at an activity under the jurisdiction of the district, administers autoinjectable epinephrine to a student or other individual with a severe allergy who is unable to self-administer the medication, regardless of whether the student or individual has a prescription for epinephrine, or administers naloxone or any similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug to a student or other individual who the person believes in good faith is experiencing an overdose of an opioid drug.

The superintendent shall develop administrative regulations as needed to meet the requirements of law and the implementation of this policy.

END OF POLICY

Legal Reference(s):

[ORS 109.610](#)
[ORS 109.640](#)
[ORS 109.675](#)
[ORS 332.107](#)
[ORS 339.866 - 339.871](#)

[ORS 433.800 - 433.830](#)
[ORS 475.005 - 475.285](#)
[OAR 166-400-0010\(17\)](#)
[OAR 166-400-0060\(29\)](#)

[OAR 333-055-0000 -055-0115](#)
[OAR 581-021-0037](#)
[OAR 581-022-2220](#)
[OAR 851-047-0030](#)
[OAR 851-047-0040](#)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).

OREGON HEALTH AUTHORITY AND OREGON DEPARTMENT OF EDUCATION, *Medication Administration: A Manual for School Personnel*.

Phoenix-Talent Schools District 4

Code: JHCD/JHCDA-AR
Adopted: 9/20/18
Orig. Code: JHCD/JHCDA-AR

Medications**

Students may, subject to the provisions of this administrative regulation, have prescription or nonprescription medication administered by designated personnel, or may be permitted to administer prescription or nonprescription medication to ~~themselves~~ themselves.

1. Definitions

- a. “Medication” means any drug, chemical compound, suspension or preparation in suitable form for use as a curative or remedial substance taken internally or externally but not injected except for premeasured doses of epinephrine, medication to treat adrenal insufficiency and glucagon to treat severe hypoglycemia. Medication includes any prescription for bronchodilators or autoinjectable epinephrine prescribed by a student’s Oregon licensed health care professional for asthma or severe allergies. Medication also includes naloxone or any similar medication that is in any form available for the safe administration and that is designed to rapidly reverse an overdose of an opioid drug.
- b. “Prescription medication” means any medication that under federal or state law requires a prescription by a prescriber.
- c. “Nonprescription medication” means medication that under federal law does not require a prescription from a prescriber.
- d. “Adrenal crisis” means adrenal crisis as defined in Oregon Revised Statute (ORS) 433.800.
- e. “Adrenal insufficiency” means adrenal insufficiency as defined in ORS 433.800.
- f. “Notice of a diagnosis of adrenal insufficiency” means written notice to the district from a student or the parent or guardian of a student who has been diagnosed as adrenal insufficient with a copy of an order from the student’s primary care provider that includes the student’s diagnosis, description of symptoms indicating the student is in crisis, prescription for medication to treat adrenal insufficiency crisis and instructions for follow-up care after medication to treat adrenal insufficiency crisis has been administered.
- g. “Prescriber¹” means a doctor of medicine or osteopathy, a physician assistant licensed to practice by the Board of Medical Examiners for the state of Oregon, an Oregon-licensed, advance practice registered nurse with prescriptive authority, a dentist licensed by the Board of Dentistry for the state of Oregon, an optometrist licensed by the Board of Optometry for the state of Oregon, a naturopathic physician licensed by the Board of Naturopathy for the state of Oregon or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.
- h. “Qualified trainer” means a person who is familiar with the delivery of health services in a school setting and who is a registered nurse licensed by the Oregon State Board of Nursing, a doctor of medicine or osteopathy or a physician assistant licensed by the Board of Medical

¹ A registered nurse who is employed by a public or private school, ESD or local public health authority to provide nursing services at a public or private school may accept an order from a physician licensed to practice medicine or osteopathy in another state or territory of the U.S. if the order is related to the care or treatment of a student who has been enrolled at the school for not more than 90 days.

Examiners for the state of Oregon or a pharmacist licensed by the Board of Pharmacy for the state of Oregon.

- i. “Severe allergy” means a life-threatening hypersensitivity to a specific substance such as food, pollen, dust or insect sting.
- j. “Asthma” means a chronic inflammatory disorder of the airways that requires ongoing medical intervention.
- k. “Designated personnel” means the school personnel designated to administer medication pursuant to district policy and procedure.

2. Designated Staff/Training

- a. The principal will designate personnel authorized to administer prescription or nonprescription medication to a student while the student is in school, at a school-sponsored activity, under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, as required by Oregon law. The principal will supervise and ensure building and activity practices and procedures are consistent with the requirements of law, rules and this administrative regulation.
- b. The principal will ensure the training required by Oregon law is provided to designated personnel. Training must be conducted by a qualified trainer. Training will be provided annually to designated personnel authorized to administer medication to students. The first year and every third year of training requires in-person instruction; during the intervening years, designated personnel may complete an online training that has been approved by the Oregon Department of Education (ODE) so long as a trainer is available within a reasonable amount of time following the training to answer questions and provide clarification.
- c. Training will provide an overview of applicable provisions of Oregon law, administrative rules, district policy and administrative regulations and include, but not be limited to, the following: safe storage, handling, monitoring medication supplies, disposing of medications, record keeping and reporting of medication administration and errors in administration, emergency medical response for life-threatening side effects, allergic reactions or adrenal insufficiency and student confidentiality. Materials as recommended and/or approved by the ODE will be used.
- d. A copy of the district’s policy and administrative regulation will be provided to all staff authorized to administer medication to students and others, as appropriate.
- e. A statement that the designated personnel has received the required training will be signed by the staff member and filed in the district office.

3. Administering Premeasured Doses of Epinephrine to a Student or Other Individual

A premeasured dose of epinephrine may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing a severe allergic reaction, regardless of whether the student or individual has a prescription for epinephrine.

4. Administering Naloxone or Other Similar Medication to a Student or Other Individual

Naloxone or any other similar medication that is in any form available for safe administration and that is designed to rapidly reverse an overdose of an opioid drug may be administered by trained, designated personnel to any student or other individual on school premises who the person believes in good faith is experiencing an opioid overdose.

5. Administering of Medication to a Student Experiencing Symptoms of Adrenal Crisis

A student experiencing symptoms of adrenal crisis while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from a school or a school-sponsored activity, may be treated by designated personnel and shall be subject to the following:

- a. Upon notice of a diagnosis of adrenal insufficiency, as defined in Oregon Administrative Rule (OAR) 581-021-0037, the building principal will designate one or more school personnel to be responsible for administering the medication to treat adrenal insufficiency;
- b. The designated personnel will successfully complete training to administer medication to treat a student who has adrenal insufficiency and is experiencing symptoms of adrenal crisis in accordance with the rules adopted by the Oregon Health Authority;
- c. The student or the student's parent or guardian must provide adequate supply of the student's prescribed medication to the district;
- d. The district will require the development of an individualized health care plan for the student that includes protocols for preventing exposures to allergens, and establishes if or when a student may self-carry prescription medication when the student has not been approved to self-administer medication;
- e. In the event that a student experiences symptoms of adrenal crisis and the designated personnel determines the medication to treat adrenal insufficiency should be administered, any available staff member will immediately call 911 and the student's parent or guardian.

6. Administering Medication to a Student

- a. A request to permit designated personnel to administer medication to a student may be approved by the district and is subject to the following:
 - (1) A written request for designated personnel to administer prescription medication to a student, if because of the prescribed frequency or schedule, the medication must be given while the student is in school, at a school-sponsored activity, while under the supervision of school personnel and in transit to or from school or a school-sponsored activity, must be submitted to the school office and shall include:
 - (a) The written permission of the student's parent or guardian or the student if the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
 - (b) The written instruction from the prescriber for the administration of the medication to the student that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instructions from the prescriber, if any; and
 - (vii) Signature of the prescriber.

The prescription label prepared by a pharmacist at the direction of the prescriber, will be considered to meet this requirement if it contains the information listed in (i)-(vi) above.

- (2) A written request for designated personnel to administer nonprescription medication to a student must be submitted to the school office and is subject to the following:
- (a) The nonprescription medication is necessary for the student to remain in school;
 - (b) The nonprescription medication is provided in the original manufacturer's container by the parent or guardian of the student;
 - (c) The written instruction from the student's parent or guardian for the administration of the nonprescription medication includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Method of administration;
 - (iv) Dosage;
 - (v) Frequency of administration;
 - (vi) Other special instructions, if any; and
 - (vii) Signature of the student's parent or guardian.

If the written instruction is not consistent with the manufacturer's guidelines for the nonprescription medication, the written instruction must also include a written order allowing the inconsistent administration signed by a prescriber.

- (d) If the nonprescription medication is not approved by the Food and Drug Administration (FDA), a written order from the student's prescriber is required and will include:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school;
 - (vii) Other special instructions, if any; and
 - (viii) Signature of the prescriber.
- b. An individualized health care and allergy plan will be developed for a student with a known life-threatening allergy and will include protocols for preventing exposures to allergens and procedures for responding to life-threatening allergic reactions while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity, and will include a determination on if or when the student may self-carry prescription medication if the student has not been approved to self-administer medication;

- c. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that an adequate amount of medication is on hand at the school for the duration of the student's need to take medication;
- d. It is the student's parent or guardian's, or the student's if the student is allowed to seek medical care without parental consent, responsibility to ensure that the school is informed in writing of any changes in medication instructions;
- e. In the event a student refuses medication, the parent or guardian will be notified immediately, except where a student is allowed to seek medical care without parental consent. No attempt will be made to administer medication to a student who refuses a medication;
- f. Any error in administration of a medication will be reported to the parent or guardian immediately, except where a student is allowed to seek medical care without parental consent[, and documentation will be made on the district's Accident/Incident Report form]. Errors include, but are not limited to, administering medication to the wrong student, administering the wrong medication, dose, frequency of administration or method of administration;
- g. Medication shall not be administered until the necessary permission form and written instructions have been submitted as required by the district.

7. Administration of Medication by a Student to ~~Themselves~~ ~~Themselves~~

- a. A student, including a student in grade K through 12 with asthma or severe allergies, may be permitted to administer medication to ~~themselves~~ ~~themselves~~ without assistance from designated personnel and is subject to the following:
 - (1) A student must demonstrate the ability, developmentally and behaviorally, to self-administer prescription medication and must have:
 - (a) A permission form from a parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675, and other documentation requested by the district must be submitted for self-medication of all prescription medications;
 - (b) If the student has asthma, diabetes and/or a severe allergy, a medication that is prescribed by a prescriber and a written treatment plan developed by a prescriber or other Oregon licensed health care professional for managing of the student's asthma, diabetes and/or severe allergy, and directs use by the student while the student is in school, at a school-sponsored activity, while under the supervision of school personnel, in a before-school or after-school care program on school-owned property and in transit to or from school or a school-sponsored activity. The prescriber will include acknowledgment that the student has been instructed in the correct and responsible use of the prescribed medication;
 - (c) The permission to self-administer the medication from a building administrator and a prescriber or registered nurse practicing in a school setting.
 - (2) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication and must have:
 - (a) The written permission of the student's parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675;
 - (b) The student's name affixed to the manufacturer's original container; and
 - (c) The permission to self-administer medication from a building administrator.

- (3) A student must demonstrate the ability, developmentally and behaviorally, to self-administer nonprescription medication that is not approved by the FDA and must have:
 - (a) The written permission of the student’s parent or guardian, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675; and
 - (b) A written order from the student’s prescriber that includes:
 - (i) Name of the student;
 - (ii) Name of the medication;
 - (iii) Dosage;
 - (iv) Method of administration;
 - (v) Frequency of administration;
 - (vi) A statement that the medication must be administered while the student is in school;
 - (vii) Other special instructions, if any; and
 - (viii) Signature of the prescriber.

- b. The student may have in their possession only the amount of medication needed for that school day, except for manufacturer’s packaging that contains multiple dosage, the student may carry one package, such as, but not limited to, autoinjectable epinephrine or bronchodilators/inhalers;
- c. Sharing and/or borrowing of any medication with another student is strictly prohibited;
- d. For a student who has been prescribed bronchodilators or epinephrine, the designated personnel will request that the parent or guardian provide backup medication for emergency use by that student. Backup medication, if provided, will be kept at the student’s school in a location to which the student has immediate access in the event the student has an asthma and/or severe allergy emergency;
- e. Upon written request from a parent or guardian, and with a prescriber’s written statement that the lack of immediate access to a backup autoinjectable epinephrine may be life threatening to a student, and the location the school stores backup medication is not located in the student’s classroom, a process shall be established to allow the backup autoinjectable epinephrine to be kept in a reasonably secure location in the student’s classroom;
- f. A student shall not administer medication to ~~themselves~~ until the necessary permission form and written instructions have been submitted as required by the district;
- g. Permission for a student to administer medication to ~~themselves~~ may be revoked if the student violates the Board policy and/or this administrative regulation;
- h. A student may be subject to discipline, up to and including expulsion, as appropriate;
- i. A student permitted to administer medication to ~~themselves~~ may be monitored by designated personnel to monitor the student’s response to the medication.

8. Handling, Monitoring and Safe Storage of Medication Supplies for Administering Medication to Students

- a. Medication administered by designated personnel to a student or self-administered by a student, must be delivered to the school in its original container, accompanied by the permission form and written instructions, as required above.
- b. Medication in capsule or tablet form and categorized as a sedative, stimulant, anticonvulsant, narcotic analgesic or psychotropic medication will be counted by designated personnel in the

presence of another district employee upon receipt, documented in the student's medication log and routinely monitored during storage and administration. Discrepancies will be reported to the principal immediately and documented in the student's medication log. For such medication not in capsule or tablet form, standard measuring and monitoring procedures will apply.

- c. Designated personnel will follow the written instructions of the prescriber and the student or the student's parent or guardian, and training guidelines as may be recommended by the ODE for administering all forms of prescription and/or nonprescription medications.
- d. Medication will be secured as follows:
 - (1) Nonrefrigerated medications will be stored in a locked cabinet, drawer or box [used solely for the storage of medication];
 - (2) Medications requiring refrigeration will be stored in a separate refrigerator used solely for the storage of medication;
 - (3) Access to medication storage keys will be limited to the principal and designated personnel.
- e. Designated personnel will be responsible for monitoring all medication supplies and for ensuring medication is secure at all times, not left unattended after administering and that the medication container is properly sealed and returned to storage.
- f. In the event medication is running low or an inadequate dosage is on hand to administer the medication, the designated personnel will notify the student's parent or guardian or the student (in situations involving ORS 109.610, 109.640 and 109.675) immediately.

9. Emergency Response

- a. Designated personnel will notify 911 or other appropriate emergency medical response systems and administer first aid, as necessary, in the event of life-threatening side effects that result from district-administered medication or from student self-medication or allergic reactions. The parent or guardian, school nurse and principal will be notified immediately.
- b. Minor adverse reactions that result from district-administered medication or from student self-medication will be reported to the parent or guardian immediately, except when the student is allowed to seek medical care without parental consent pursuant to ORS 109.610, 109.640 or 109.675.
- c. Any available district staff will immediately call 911 and the student's parent or guardian if the designated personnel believes the student is experiencing symptoms of adrenal crisis and plans to administer medication.

10. Disposal of Medications

- a. Medication not picked up by the student's parent or guardian, or the student when allowed pursuant to ORS 109.610, 109.640 and 109.675, at the end of the school year or within five school days of the end of the medication period, whichever is earlier, will be disposed of by designated personnel in a nonrecoverable fashion as follows:
 - (1) Medication will be removed from its original container and personal information will be destroyed;
 - (2) Solid medications will be crushed, mixed or dissolved in water, liquid medications will be mixed or dissolved in water; and
 - (3) Mixed with an undesirable substance, e.g., coffee grounds, kitty litter, flour; and

- (4) Placed in impermeable non-descriptive containers, e.g., empty cans or sealable bags, and placed in the trash.

Prescriptions will be flushed down the toilet only if the accompanying patient information specifically instructs it is safe to do so.

Other medication will be disposed of in accordance with established training procedures including sharps and glass.

- b. All medication will be disposed of by designated personnel in the presence of another school employee and documented as described in Section 10, below.

11. Transcribing, Recording and Record Keeping

- a. A medication log will be maintained for each student administered medication by the district. The medication log will include, but not be limited to:
 - (1) The name of the student, name of medication, dosage, method of administration, date and time of administration, frequency of administration and the name of the person administering the medication;
 - (2) Student refusals of medication;
 - (3) Errors in administration of medication;
 - (4) Incidents of emergency and minor adverse reaction by a student to medication;
 - (5) Discrepancies in medication supply;
 - (6) Disposal of medication including date, quantity, manner in which the medication was destroyed and the signature of the staff involved.
- b. All records relating to administration of medications, including permissions and written instructions, will be maintained in a separate medical file apart from the student's education record file unless otherwise related to the student's educational placement and/or individualized education program. Records will be retained in accordance with applicable provisions of OAR 166-400-0010(17) and OAR 166-400-0060(29).
- c. Student health information will be kept confidential. Access shall be limited to those designated personnel authorized to administer medication to students, the student and their parent or guardian. Information may be shared with other staff with a legitimate educational interest in the student or others as may be authorized by the parent or guardian in writing or others as allowed under state and federal law.

Phoenix-Talent Schools District 4

Code: JHF
Adopted: 2/01/18
Orig. Code: JHF

Student Safety

The Board directs the development and approval of a comprehensive safety program. The plan is designed to assure every student a safe, healthy environment in which to learn. The plan will comply with federal, state and local laws and regulations and with Board policy.

Local building safety and health committees will ensure that general safety regulations are reviewed with staff and students, as appropriate, to assure student safety.

Instruction in professional technical courses and other offerings such as science, family and consumer studies, art and physical education will include and emphasize accident prevention.

Safety instruction will assist students to:

1. Learn how to work, play and exercise safely, and to prevent accidents;
2. Learn proper procedures to reduce the possibility of accidents;
3. Develop habits of good cleanliness, proper storage and proper handling of materials;
4. Become familiar with personal protective equipment and the proper clothing to be worn for safety purposes;
5. Develop skills in the safe use of tools and equipment;
6. Learn how to cooperate with others in the promotion and operation of a safety program in the school;
7. Respond to emergency situations in all settings.

Safety instruction will precede the use of materials and equipment by students in applicable units of work in the courses listed above. Instructors will teach and enforce all safety rules set up for these particular courses. Rules will include, but not be limited to, wearing personal protective equipment in appropriate activities.

Students will be asked to sign off upon completion of reading safety policies and materials and upon the completion of safety instruction.

A student will report any accident sustained by him/herself while on district property to a district staff member. ALL accidents will be promptly investigated. As a result of the investigation any corrective measures needed will be acted upon.

END OF POLICY

Legal Reference(s):

[ORS 329.095](#)

[OAR 581-022-2225](#)

Phoenix-Talent Schools District 4

Code: JHFA
Adopted: 1/06/83
Orig. Code: JHFA

Supervision of Students

All students ~~are to~~ shall be under assigned adult supervision ~~at all times~~ when they are in school, ~~on school grounds,~~ traveling under school auspices, or engaging in school-sponsored activities. ~~Personnel~~ School personnel assigned this supervision are expected to act as ~~reasonably~~ prudent adults in providing for the safety of ~~the~~ students in their charge.

~~In keeping with this expected prudence, n~~ No teacher or other staff member will leave ~~his/her~~ their assigned group unsupervised except if an ~~arrangement has~~ emergency when other arrangements have been made ~~to take care of an emergency.~~

Building principals are responsible for assuring adequate student supervision at all times.

During school hours, or while engaging in school-sponsored activities, students will be released only into the custody of parents or other persons designated by the parents.

END OF POLICY

Legal Reference(s):

[ORS 332.072](#)

[ORS 332.107](#)

Phoenix-Talent Schools District 4

Code: JHFB
Adopted: 1/06/83
Orig. Code: JHFB



Student Safety Patrols

Safety patrols may be organized on an individual building basis as appropriate. Building principals shall be responsible for the organization, supervision, control, and operation of safety patrol programs.

END OF POLICY



Legal Reference(s):

[ORS 339.650 - 339.665](#)

[OAR 581-021-0100](#)



Phoenix-Talent Schools District 4

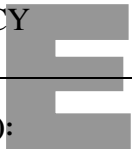
Code: JHFBC
Adopted: 1/06/83
Orig. Code: JHFBC



Student Bicycle and Automobile Use

See student handbooks.

END OF POLICY



Legal Reference(s):

[ORS 332.107](#)
[ORS 332.445](#)
[ORS 339.260](#)

[ORS 806.060 - 806.080](#)
[ORS Chapter 814](#)

[OAR 581-021-0050](#)



Phoenix-Talent Schools District 4

Code: JHFE/GBNAB
Adopted: 11/03/11
Revised/Readopted: 4/23/20
Orig. Code(s): JHFE

Reporting of 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 orally report or cause an oral report immediately by telephone or otherwise to the local office of the Oregon Department of Human Services (DHS) or its designee or to the law enforcement agency within the county where the person making the report is located at the time of the contact pursuant to Oregon Revised Statute (ORS) 419B.010. Any district employee who has reasonable cause to believe that **any person² adult or student** with whom the employee is in contact has abused a child shall immediately report or cause a report to be made in the same manner to DHS or its designee or to the law enforcement agency within the county where the person making the report is located at the time of the contact pursuant to ORS 419B.010. If known, the report shall contain 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, contractors³, agents⁴, volunteers⁵, 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 regulation.

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 the Oregon Department of Human Services (DHS) or its designee or the local law enforcement agency pursuant to ORS 419B.015, and to the designated licensed administrator.

The district will designate a **{⁶}** 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 "Person" could include adult, student or other child.

³ "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.

⁴ "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.

⁵ "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.

⁶ {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
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If the superintendent is the alleged perpetrator the report shall be submitted to the assistant superintendent 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 local law enforcement and the local DHS office or its designee, 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, or its designee, 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

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. }

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).
Senate Bill 51 (2021).

Phoenix-Talent Schools District 4

Code: JHFE/GBNAB-AR(1)
Adopted: 10/04/18
Revised/Readopted: 4/23/20
Orig. Code(s): JHFE-AR(1)

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 orally report or cause an oral report immediately by telephone or otherwise to the local office of the Oregon Department of Human Services (DHS) or **its designee 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 person² adult or student** with whom the employee is in contact has abused a child shall immediately report or cause a report to be made in the same manner to DHS or its designee or to the law enforcement agency within the county where the person making the report is located at the time of the contact pursuant to ORS 419B.010.

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 the DHS or its designee or the local law enforcement agency pursuant to ORS 419B.015, and to the designated licensed administrator or alternate licensed administrator for their school building.

If known, the report shall contain 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 assistant superintendent 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~~child~~** 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~~person~~** who received a copy of the written report.

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

² "Person" could include adult, student or other child.

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.

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 leave³ 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 be violated and no action is required by the district against the employee.

When the designee receives a report of suspected abuse by a contractor, agent or volunteer, the district shall 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 investigated⁴ 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.

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 recognizes these **and other** types of abuse:
 - a. Physical;
 - b. Neglect;

³ The district employee cannot be required to use any accrued leave during the imposed paid administrative leave.

⁴ The district will investigate all reports of suspected abuse, unless otherwise requested by DHS or its designee or law enforcement pursuant to law.

- c. Mental injury;
 - d. Threat of harm;
 - e. Sexual abuse and sexual exploitation.
2. “Child” means an unmarried person who is under 18 years of age or is under 21 years of age and residing in or receiving care or services at a child-caring agency.
 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 this policy, 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 cases 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 officers wishing to remove a student from the premises shall present themselves at the office and contact the administrator or designee. The law enforcement officer shall sign the student out in accordance with district procedures on a form to be provided by the school;

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 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.

Phoenix-Talent Schools District 4

Code: JHFE/~~GBNAB~~-AR(2)
Adopted: 10/04/18
Orig. Code: JHFE-AR(2)

Abuse of a Child Investigation Conducted on District Premises

The Department of Human Services (DHS) or a law enforcement agency has the authority to conduct an investigation of a report of child abuse on school premises according to Oregon Revised Statute (ORS) 419B.045. The school administrator must be notified that the investigation is to take place, unless the administrator is a subject of the investigation. The investigator is not required to reveal information about the investigation to the school as a condition of conducting the investigation.

After the investigator provides adequate identification, school staff shall allow access to the child and provide a private space for conducting the interview. The investigator shall be advised by a school administrator or a school staff member of a child's relevant disabling conditions, if any, prior to any interview with the child. The school administrator or designee may, at the investigator's discretion, be present to facilitate the investigation.

School staff may only notify DHS, the School staff may only notify DHS, the law enforcement agency or school employees that are necessary to enable the investigation. School staff may not notify any other persons, including the child's parent(s) or guardian(s).

Investigator Name (Printed)

Name of Agency

Name of Worker's/Investigator's Supervisor

Supervisor Contact Information

Investigator Position and Badge or ID Number

Student Name

School

Investigator Signature

Date

Investigator refused to sign. District staff should not deny entry based on refusal to sign.

FOR COMPLETION BY DISTRICT STAFF

- Student not available for interview
- Student refused to be interviewed
- Administrator participated in interview

Name of Administrator Notified

Name of Office Staff Involved

Name of Participating Administrator

This form should be placed in a separate secure file and not in the student's file.

Phoenix-Talent Schools District 4

Code: JHFF/GBNAA
Adopted: 10/14/18
Revised/Readopted: 4/23/20
Orig. Code(s): JHFF

Reporting Requirements for Suspected Sexual Conduct with Students and Reporting Requirements *

Sexual conduct by district employees, contractors¹, agents², and volunteers³ is prohibited and will not be tolerated. All district employees, contractors, agents, and volunteers are subject to this policy. Students are also subject to this policy if they are acting as an employee, contractor, agent or volunteer.

“Sexual conduct,” means verbal or physical conduct or verbal, written or electronic communications by a school employee, a contractor, an agent or a volunteer that involve a student and that are sexual advances or requests for sexual favors directed toward the student, or of a sexual nature that are directed toward the student or that have the effect of unreasonably interfering with a student’s educational performance, or of creating an intimidating, or hostile or offensive educational environment. “Sexual conduct” does not include touching that is necessitated by the nature of the school employee’s job duties or by the services required to be provided by the contractor, agent or volunteer, and for which there is no sexual intent; verbal, written or electronic communications that are provided as part of an education program that meets state educational standards or a policy approved by the Board; or conduct or communications described in the definition of sexual conduct herein if the school employee, contractor, agent or volunteer is also a student and the conduct or communications arise out of a consensual relationship between students, do not create an intimidating or hostile educational environment and are not prohibited by law, any policies of the district or any applicable employment agreements.

“Student” means any person who is in any grade from prekindergarten through grade 12 or 21 years of age or younger and receiving educational or related services from the district that is not a post-secondary institution of education, or who was previously known as a student by the person engaging in sexual conduct and who left school or graduated from high school within 90 days prior to the sexual conduct.

The district will post in each school building the names and contact information of the employees designated for the respective school buildings to receive reports of suspected sexual conduct and the procedures the designee will follow upon receipt of the report.

Any district employee, contractor, agent or volunteer who has reasonable cause to believe that a student has been subjected to sexual conduct by another district employee, contractor, agent or volunteer, or that

¹ “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.

² “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.

³ “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.

another district employee, contractor, agent or volunteer has engaged in sexual conduct with a student shall immediately report such suspected sexual conduct to the designated licensed administrator, or the alternate designated licensed administrator in the event the designated licensed administrator is the suspected perpetrator, for their school building. If the conduct also constitutes child abuse, the employee must make mandatory reports in accordance with Board policy GBNAB/JHFE – Suspected Abuse of a Child Reporting Requirements.

If the superintendent is the alleged perpetrator the report shall be submitted to the Assistant Superintendent who shall report the suspected sexual conduct to the Board chair.

If an employee fails to report suspected sexual conduct or fails to maintain confidentiality of records, the employee will be disciplined up to and including dismissal.

When the designated licensed administrator receives a report of suspected sexual conduct by a district employee, contractor, agent or volunteer, the administrator will follow procedures established by the district and set forth in the district's administrative regulation GBNAA/JHFF-AR - Suspected Sexual Conduct Report Procedures and Form. All such reports will be reported to the Oregon Department of Education (ODE) or Teacher Standards and Practices Commission (TSPC) as appropriate, for investigation in accordance with such administrative regulation. The agency receiving a report will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged perpetrator.

When there is reasonable cause to support the report, a district employee suspected of sexual conduct 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 the report, a district contractor, agent or volunteer suspected of sexual conduct 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 post in each school building the names and contact information of the employees designated for the school building to receive reports of suspected sexual conduct and the procedures the designee will follow upon receipt of the report.~~

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

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 cause to believe the district employee, contractor or agent engaged in sexual conduct. 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 initiation of a report in good faith about suspected sexual conduct may not adversely affect any terms or conditions of employment or the work environment of the person who initiated the report or who may have been subject to sexual conduct. If a student initiates a report of suspected sexual conduct by a district employee, contractor, agent or volunteer in good faith, the student will not be disciplined by the district or any district employee, contractor, agent or volunteer.

The district will provide to employees 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 sexual conduct;
2. A description of the investigatory process and possible consequences if a report of suspected sexual conduct is substantiated; and
3. A description of the prohibitions imposed on district employees, contractors and agents when they attempt to obtain a new job, pursuant to ORS 339.378(2).

All district employees are subject to Board policy GCAB - Personal Electronic Devices and Social Media - Staff regarding 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 to implement this policy and to comply with state law.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 339.370 - 339.400](#)

[ORS 419B.005 - 419B.045](#)

Every Student Succeeds Act, 20 U.S.C. § 7926 (2018).

House Bill 2136 (2021).

Senate Bill 51 (2021).

Phoenix-Talent Schools District 4

Code: JHFF/GBNAA-AR
Revised/Reviewed: Unknown; 3/05/20
Orig. Code(s): JHFF-AR

Suspected Sexual Conduct Report Procedures and Forms *

The district posts in each school building the names and contact information of the district employees designated for the respective school building to receive reports of suspected sexual conduct and the procedures the designee(s) will follow upon receipt of the report.

When the a designee designated licensed administrator¹ receives a report of suspected sexual conduct that may have been committed by a person licensed commission licensee^{2,3}, through the designee shall notify Teacher Standards and Practices Commission (TSPC), the designee shall notify TSPC as soon as possible. When the designee shall notify the Oregon Department of Education (ODE) if the administrator receives a report of suspected sexual conduct that may have been committed by a person whose school employee, contractor, agent or volunteer that is not licensed through TSPC, the designee shall notify the Oregon Department of Education (ODE) as soon as possible a commission licensee.

The district posts in each school building the names and contact information of the employees in each school building designated to receive reports of suspected sexual conduct and the procedures the designee will follow upon receipt of the report.

If the superintendent is the alleged perpetrator, the report shall be submitted to the Assistant Superintendent who shall refer the report to the Board chair.

The district will investigate all reports of suspected sexual conduct, unless otherwise requested by TSPC or ODE as appropriate.

When the designee receives a report of suspected sexual conduct by a district employee, and there is reasonable cause to support the report, the district shall may 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 TSPC⁵ or ODE⁶ determines that the report is substantiated and the district takes appropriate employment action against the employee, or cannot be substantiated or is not a report of sexual conduct

¹ 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.

² "License" includes a license, registration or certificate issued by the Teacher Standards and Practices Commission.

³ "Commission licensee," as is defined in ORS 342.120 (as amended by HB 2136 (2021)), means a person whom the TSPC has authority to investigate or discipline because the person is enrolled in an approved educator preparation program, is an applicant for a TSPC license or registration, holds a license or registration issued by TSPC, or has held a license or registration issued by the TSPC at any time during the previous five years.

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

⁵ TSPC investigates reports on commission licensees.

⁶ ODE investigates reports on persons who are not commission licensees.

and the district determines 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 an employment action against the employee is not required. ~~The district will investigate all reports of suspected sexual conduct by persons who are licensed by the TSPC, unless otherwise requested by TSPC, and all reports of suspected sexual conduct by persons who are not licensed by TSPC, unless otherwise requested by ODE.~~

When the designee receives a report of suspected sexual conduct by a contractor, an agent or a 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 a report of suspected sexual conduct, 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 sexual conduct has been investigated and a determination has been made by TSPC or ODE, as appropriate that the report is unsubstantiated.

Upon request from ODE or TSPC the district will provide requested documents or materials to the extent allowed by state and federal law.

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

An “investigation” means a detailed inquiry into the factual allegations of a report of suspected sexual conduct that is based on interviews with the person who initiated the report, the person who may have been subjected to sexual conduct, witnesses and the person who is the subject of the report, and results in a finding that the report is a substantiated report, cannot be substantiated, or is not a report of sexual conduct. If the subject of the report is a district employee represented by a contract or a collective bargaining agreement, the investigation must meet any negotiated standards of such employment contract or agreement.

Nothing prevents the district from conducting its own investigation, unless another agency requests to lead the investigation or requests the district to suspend their 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.

A “substantiated report” means a report of sexual conduct that TSPC or ODE determines is founded.

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.

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, the district shall create 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.

Training

The district shall provide information and training each school year to district employees on the following:

1. Prevention and identification of sexual conduct;
2. Obligations of district employees under ORS 339.388 and 419B.005 - 419B.050 and under adopted board policies to report suspected sexual conduct; and
3. Appropriate electronic communications with students.

The district shall make available each school year the training described above to contractors, agents, volunteers and to 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 to contractors, agents and volunteers each school year information on the following:

1. Prevention and identification of sexual conduct;
2. Obligations of district employees under adopted board policies to report suspected sexual conduct; and
3. Appropriate electronic communications with students.

The district shall make available each school year training that is designed to prevent sexual conduct to students attending district-operated schools.

Phoenix-Talent School District #4
SUSPECTED SEXUAL CONDUCT REPORT FORM

Name of person making report: _____

Position of person making report: _____

Name of person suspected of sexual conduct: _____

Date and place of incident or incidents: _____

Description of suspected sexual conduct: _____

Name of witnesses (if any): _____

Evidence of suspected sexual conduct, e.g., letters, photos, etc. (attach evidence if possible): _____

Any other information: _____

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

Signature: _____ Date: _____

Phoenix-Talent School District #4

WITNESS DISCLOSURE FORM

Name of witness: _____

Position of witness: _____

Date of testimony/interview: _____

Description of instance witnessed: _____

Any other information: _____

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

Signature: _____ Date: _____

Corrected 10/07/21

Phoenix-Talent Schools District 4

Code: JHH
Adopted: 7/09/20
Orig. Code(s): JHH

Student Suicide Prevention**

The district shall develop a comprehensive student suicide prevention plan for students in kindergarten through grade 12.

The district may consult with state or national suicide prevention organizations, the Oregon Department of Education (ODE), school-based mental health professionals, parents, guardians, employees, students, administrators and school boards associations when developing the required plan.

The plan shall include, at a minimum:

1. Procedures relating to suicide prevention, intervention and activities that reduce risk and promote healing after a suicide;
2. Identification of the school officials responsible for responding to reports of suicidal risk;
3. A procedure by which a person may request the district to review the actions of a school in responding to suicidal risk;
4. Methods to address the needs of high-risk groups, including:
 - a. Youth bereaved by suicide;
 - b. Youth with disabilities, mental illness or substance abuse disorders;
 - c. Youth experiencing homelessness or out of home settings, such as foster care; and
 - d. Lesbian, gay, bisexual, transgender, queer and other minority gender identity and sexual orientation, Native American, Black, Latinx, and Asian students.
5. A description of, and materials for, any training to be provided to employees as part of the plan, which must include:
 - a. When and how to refer youth and their families to appropriate mental health services; and
 - b. Programs that can be completed through self-review of suitable suicide prevention materials.
6. Supports that are culturally and linguistically responsive;
7. Procedures for reentry into a school environment following a hospitalization or behavioral health crisis¹; and

¹ “Behavioral health crisis” as defined by Oregon Administrative Rule (OAR) 581-022-2510, means a disruption in an individual’s mental or emotional stability or functioning resulting in an urgent need for immediate treatment to prevent a serious deterioration in the individual’s mental or physical health.

8. A process for designating staff to be trained in an evidence-based suicide prevention program.²

The plan must be written to ensure that a district employee acts only within the authorization and scope of the employee's credentials or licenses.

The plan must be available annually to the community of the district, including district students, their parents and guardians, and employees and volunteers of the district, and readily available at the district office and on the district website.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 339.343](#)

[OAR 581-022-2510](#)

² ODE will provide a list of available programs.

Phoenix-Talent Schools District 4

Code:
Adopted:

JHHB

Trauma Informed Schools

(Optional policy)

A trauma informed approach to education is intended to improve attendance, graduation rates and reduce incidents of behaviors that can inhibit learning.

The district recognizes that the developmental impact of childhood and historical trauma increases student risk for, but not limited to, academic failure, severe attendance problems, severe school behavior concerns and possible chronic health concerns; which negatively impacts student engagement and learning.

The district is committed to providing trauma informed schools and culturally responsive programs where all students feel included, welcomed, valued and supported; and where addressing trauma's impact on learning schoolwide is integral to the district's educational mission.

The district will strive to create physically and emotionally safe, and culturally responsive environments for all staff, students and families through effective professional development in school procedures and school practices and instruction in the following areas: 1) understanding the widespread impact of trauma and the role of schools in promoting resiliency; 2) recognizing the signs and symptoms of trauma in students, families and staff; and 3) integrating knowledge about trauma and social emotional learning in children.

The superintendent or designee is directed to implement a trauma informed approach to education through the application of culturally responsive trauma informed practices in the district's schools and programs.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Phoenix-Talent Schools District 4

Code: JI
Adopted: 1/06/83
Orig. Code: JI

Student Awards and Scholarships

Honors and awards presented to students should enhance the educational program and should encourage students to excel in their chosen activity.

The building principal shall maintain criteria and procedures for presenting suitable awards for scholarships or distinguished service in any school activity.

The Superintendent shall approve and the Board shall be made aware of awards proposed by non-school donors.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 332.385](#)

Phoenix-Talent Schools District 4

Code: JIA
Adopted: 10/05/00
Orig. Code: JIA

Valedictorian and Salutatorian

(See policy IKFB or student handbook?)

The Board intends to give each high school student the opportunity to earn academic recognition as a result of attending Phoenix High School; therefore, students must attend Phoenix High School from the beginning of their junior year and be in continuous enrollment thereafter to be eligible for the awards of valedictorian or salutatorian. The entry date must be prior to November 1 of their junior year.

Students who enter after November 1 of their junior year will be eligible for co-valedictorian and co-salutatorian awards.

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 building principal or designee. All speeches and presentations must be reviewed and approved in advance by the building principal or designee. Titles and privileges granted to students designated as valedictorian or salutatorian may be revoked for violation of Board policy, Administrative Regulation or school rule.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Leslie Shorb v. Donald L. Grotting and Powers School District No. 31, Case No. 00CV-0255 (Coos County Circuit Court) (June 1, 2000).

Phoenix-Talent Schools District 4

Code: JIB
Adopted: 12/09/93
Orig. Code: JIB



Student Recognition Program

A student recognition program for excellence in academics and excellence in citizenship shall be established at each school.

Each school shall identify the activities necessary to qualify for special recognition.

The student recognition program shall be published and distributed in the student/parent handbook.

END OF POLICY

Legal Reference(s):

[ORS 336.179](#)



Phoenix-Talent Schools District 4

Code: JJ
Adopted: 1/06/83
Orig. Code: JJ

D

Student Volunteers

The Board of Education encourages the use of student volunteers in the educational programs of the District; however, student volunteers must be able to carry out these additional duties without endangering their academic achievement.

Building principals shall develop regulations pertaining to the appropriate use of student volunteers within their building.

E

END OF POLICY

Legal Reference(s):

[ORS 326.607](#)

L

[ORS 332.107](#)

E

T

E

Phoenix-Talent Schools District 4

Code: JK
Adopted: 1/06/83
Orig. Code: JK



Employment of Students

Students who need or desire to work should be cautioned against assuming work commitments that will interfere with school responsibilities.

School District part-time and summer jobs may be made available to students in keeping with their abilities and the needs of the District.

The Superintendent shall develop regulations required to implement work experience programs as needed or appropriate.

END OF POLICY

Legal Reference(s):

[ORS 653.305 - 653.370](#)



Phoenix-Talent Schools District 4

Code: JL
Adopted: 1/06/83
Orig. Code: JL

D

Solicitation of Funds by Students

(See policy IGDF)

The Board encourages all student fund-raising activities be such as to render some service or product to the donor, as distinguished from outright contributions.

Students may not solicit staff during their on-duty hours, except as approved by the principal.

END OF POLICY

E

Legal Reference(s):

[ORS 339.880](#)

[OAR 137-025-0020 to -0530](#)
[OAR 581-022-1660 \(2\)](#)

L

E

T

E

Phoenix-Talent Schools District 4

Code: JLA
Adopted: 1/06/83
Orig. Code: JLA

D

Solicitation of Funds from Students

(see policy IGDF)

No person or organization may sell items to students on school property without the prior approval of the Superintendent or the Board.

END OF POLICY

E

Legal Reference(s):

[ORS 332.107](#)

[ORS 339.880](#)

L

E

T

E

Phoenix-Talent Schools District 4

Code: JM
Adopted: 1/06/83
Orig. Code: JM

Staff-Student Relations

Staff members shall be expected to regard each student as an individual and to accord each the rights and respect due any individual. The role of staff shall be seen not as dictators or controllers but as resource persons, aides, and guides in the learning processes. Students shall be treated with courtesy and consideration. Neither insults nor sarcasm shall be used as a way of forcing compliance with a staff member's requirements or expectations.

Each student is urged to regard staff members as people with specific knowledge and capabilities that can be used to advance the student's own knowledge and development.

Students shall be expected to regard staff members as individuals who are employed to provide direct or indirect contributions to learning. While students are to have considerable latitude in making choices for themselves, they shall respect the rights of staff members and other students; and interference with these rights shall not be condoned. No student shall have the right to interfere with the efforts of instructional staff to coordinate or assist in learning, to disseminate information for purposes of learning, or to otherwise implement a learning program. Nor shall a student have the right to interfere with the motivation to learn or the learning activities and efforts of other students.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 339.880](#)

Phoenix-Talent Schools District 4

Code: JN
Adopted: 9/02/04
Orig. Code: JN

Student Fees, Fines and Charges

The Board recognizes the need for student fees to fund certain school activities ~~which that~~ are not sufficiently funded by the district.

No student will be denied an education because of his/her inability to pay supplementary fees.

No student, however, is exempt from charges for lost or damaged books, locks, materials, supplies and equipment.

All student fees and charges, both optional and required, will be listed and described annually in the student/parent handbook, or in some other written form, and distributed to each student. Students will be advised of the due dates for such fees and charges as well as of possible penalties for failure to pay them.

In accordance with the law and Board policy, restrictions and/or penalties may be imposed until such fees, fines or charges are paid. Students or parents will receive written notice at least 10 days in advance of any restrictions and/or penalties to be imposed until the debt is paid. The notice will include the reason the student owes money to the district, an itemization of the fees, fines or damages owed and the right of parents to request a hearing. The district may pursue fees, fines or damages through a private collection agency or other method available to the district. The district may waive fees, fines and charges if the student or parents cannot pay, the payment of the debt could impact the health and safety of the student or if the cost of collection would be more than the total collected or there are mitigating circumstances, as determined by the superintendent.

Education records shall not be withheld for student fees, fines and charges if requested in circumstances described in Oregon Revised Statute (ORS) 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

~~In accordance with the law and with Board policy, the district shall withhold the grade reports, diploma and records of any student or former student who owes \$50 or more. Such records may also be withheld for any student or former student who owes less than \$50. Documents withheld will be released upon payment of the debt.~~

Prior to collection of debts, the superintendent will ensure that notice has been provided as required by ~~ORS 339.260 and 339.270.~~

END OF POLICY

Legal Reference(s):

[ORS 326.565](#)
[ORS 326.575](#)

[ORS 339.115](#)
[ORS 339.155](#)

[ORS 339.270](#)

Phoenix-Talent Schools District 4

Code: JO/IGBAB
Adopted: 10/03/13
Orig. Code(s): JO/IGBAB

Education Records/Records of Students with Disabilities**

“Education records” are those records maintained by the district that are directly related to a student.

The primary reason for the keeping and maintaining of education records for students is to help the individual student in his/her educational development by providing pertinent information for the student, his/her teachers and his/her the students’ parents. These records also serve as an important source of information to assist students in seeking productive employment and/or post-high school education.

The district shall maintain confidential education records of students in a manner that conforms with state and federal laws and regulations.

Information recorded on official education records should be carefully selected, accurate, verifiable and should have a direct and significant bearing upon the student’s educational development.

The district annually notifies parents or adult students that it forwards educational records requested by an educational agency or institution in which the student seeks to enroll or receive services, including special education evaluation services.

~~The district may impose certain restrictions and/or penalties until fees, fines or damages are paid. Records requested by another district to determine a student’s appropriate placement may not be withheld. Students or parents will receive written notice at least 10 days in advance of any restrictions and/or penalties to be imposed until the debt is paid. The notice will include the reason the student owes money to the district, an itemization of the fees, fines or damages owed and the right of parents to request a hearing. The district may pursue fees, fines or damages through a private collection agency or other method available to the district. The district may waive fees, fines and charges if the student or parents cannot pay, the payment of the debt could impact the health and safety of the student or if the cost of collection would be more than the total collected or there are mitigating circumstances, as determined by the superintendent.~~

The district shall comply with a request from parents or an adult student to inspect and review records without unnecessary delay. The district provides to parents of a student with a disability or to an adult student with a disability the opportunity at any reasonable time to examine all of the records of the district pertaining to the student’s identification, evaluation, educational placement and free appropriate public education. The district provides parents or an adult student, on request, a list of the types and locations of education records collected, maintained and used by the district.

The district annually notifies parents of all students, including adult students, currently in attendance that they have to right to:

1. Inspect and review the student’s records;

2. Request the amendment of the student’s educational records to ensure that they are not inaccurate, misleading or otherwise in violation of the student’s privacy or other rights;
3. Consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that the student educational record rules authorize disclosure without consent. (See Board policy JOB – Personally Identifiable Information);
4. File with the U.S. Department of Education a complaint concerning alleged failures by the district to comply with the requirements of the Family Educational Rights and Privacy Act; and
5. Obtain a copy of the district’s education records policy.

~~The~~ Regarding records to be released to district officials within the agency, the district’s notice includes criteria for determining legitimate educational interest and the criteria for determining which school officials within the agency have legitimate educational interests. School officials may also include a volunteer or contractor who performs an institutional service on behalf of the school.

The district annually notifies parents and adult students of what it considers to be directory information and the disclosure of such. (See Board policy JOA – Directory Information):

The district shall give full rights to education records to either parent, unless the district has been provided legal evidence that specifically revokes these rights. Once the student reaches age 18 those rights transfer to the student.

A copy of this policy and administrative regulation shall be made available upon request to parents and students 18 years of age or older or an emancipated student and the general public.

Records requested by another district to determine a student’s appropriate placement may not be withheld.

END OF POLICY

Legal Reference(s):

[ORS 30.864](#)
[ORS 107.154](#)
[ORS 326.565](#)
[ORS 326.575](#)

[ORS 326.580](#)
[ORS 339.270](#)
[ORS 343.177\(3\)](#)

[OAR 166-400-0010 to -166-400-0065](#)
[OAR 581-021-0220 to -0430](#)
[OAR 581-022-2260](#)
[OAR 581-022-2270](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2012).
 Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).
 Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.501 (2017).

Phoenix-Talent Schools District 4

Code: JO/IGBAB-AR
Adopted: 10/03/13
Orig. Code: JO/IGBAB-AR

Education Records/Records of Students with Disabilities Management

1. Student Education Record

Student education records are those records that are directly related to a student and maintained by the district, or by a party acting for the district; however, this does not include the following:

- a. Records of instructional, supervisory and administrative personnel and educational personnel ancillary to those persons that are kept in the sole possession of the maker of the record, used only as a personal memory aid, and are not accessible or revealed to any other person except a temporary substitute for the maker of the record;
- b. Records of the law enforcement unit of the district subject to the provisions of Oregon Administrative Rule (OAR) 581-021-0225;
- c. Records relating to an individual who is employed by the district; that are made and maintained in the normal course of business, ~~which~~ that relate exclusively to the individual in that individual's capacity as an employee and that are not available for use for any other purpose. Records relating to an individual in attendance at the district who is employed as a result of ~~their~~his/her status as a student, are education records and are not excepted under this section;
- d. Records on a student who is 18 years of age or older, or is attending an institution of postsecondary education, that are:
 - (1) Made or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in ~~their~~his/her professional capacity or assisting in a paraprofessional capacity;
 - (2) Made, maintained or used only in connection with treatment of the student; and
 - (3) Disclosed only to individuals providing the treatment. For purposes of this definition, "treatment" does not include remedial educational activities or activities that are part of the program of instruction at the district.
- e. Records that only contain information relating to activities in which an individual engaged after ~~they~~he/she ~~are~~ is no longer a student at the district;
- f. Medical or nursing records which are made or maintained separately and solely by a licensed health-care professional who is not employed by the district, and which are not used for education purposes or planning.

The district shall keep and maintain a permanent record on each student which includes the:

- a. Name and address of educational agency or institution;
- b. Full legal name of the student;
- c. Student birth date and place of birth;
- d. Names of parents;

- e. Date of entry in school;
- f. Name of school previously attended;
- g. Courses of study and marks received;
- h. Data documenting a student's progress toward achievement of state standards and must include a student's Oregon State Assessment results;
- i. Credits earned;
- j. Attendance;
- k. Date of withdrawal from school; and
- l. Such additional information as the district may prescribe.

The district may also request the social security number of the student and will include the social security number on the permanent record only if the eligible student or parent complies with the request. The request shall include notification to the eligible student or the student's parent(s) that the provision of the social security number is voluntary and notification of the purpose for which the social security number will be used.

The district shall retain permanent records in a minimum one-hour fire-safe place in the district, or keep a duplicate copy of the permanent records in a safe depository in another district location.

2. Confidentiality of Student Records

- a. The district shall keep confidential any record maintained on a student in accordance with OAR 581-021-0220 through 581-021-0430.
- b. Each district shall protect the confidentiality of personally identifiable information at collection, storage, disclosure and destruction stages.
- c. Each district shall identify one official to assume responsibility for ensuring the confidentiality of any personally identifiable information.
- d. All persons collecting or using personally identifiable information shall receive training or instruction on state policies and procedures.

3. Rights of Parents and Eligible Students

The district shall annually notify parents and eligible students through the district student/parent handbook or any other means that are reasonably likely to inform the parents or eligible students of their rights. This notification shall state that the parent(s) or an eligible student has a right to:

- a. Inspect and review the student's education records;
- b. Request the amendment of the student's education records to ensure that they are not inaccurate, misleading or otherwise in violation of the student's privacy or other rights;
- c. Consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that the applicable state or federal law authorizes disclosure without consent;
- d. Pursuant to OAR 581-021-0410, file with the Family Policy Compliance Office, United States Department of Education a complaint under 34 C.F.R. § 99.64 concerning alleged failures by the district to comply with the requirements of federal law; and
- e. Obtain a copy of the district policy with regard to student education records.

The notification shall also inform parents or eligible students that the district forwards education records requested under OAR 581-021-0255. The notification shall also indicate where copies of the district policy are located and how copies may be obtained.

If the eligible student or the student's parent(s) has a primary or home language other than English, or has a disability, the district shall provide effective notice.

These rights shall be given to either parent unless the district has been provided with specific written evidence ~~that~~ there is a court order, state statute or legally binding document relating to such matters as divorce, separation or custody that specifically revokes these rights.

When a student becomes an eligible student, which is defined as a student who has reached 18 years of age or is attending only an institution of postsecondary education and is not enrolled in a secondary school, the rights accorded to, and the consent required of, the parents transfer from the parents to the student. Nothing prevents the district from giving students rights in addition to those given to parents.

4. Parent's or Eligible Student's Right to Inspect and Review

The district shall permit an eligible student or student's parent(s) or a representative of a parent or eligible student, if authorized in writing by the eligible student or student's parent(s), to inspect and review the education records of the student, unless the education records of a student contain information on more than one student. In that case the eligible student or student's parent(s) may inspect, review or be informed of only the specific information about the student.

The district shall comply with a request for access to records:

- a. Within a reasonable period of time and without unnecessary delay;
- b. For children with disabilities before any meeting regarding an individualized education program (IEP), or any due process hearing, or any resolution session related to a due process hearing;
- c. In no case more than 45 days after it has received the request.

The district shall respond to reasonable requests for explanations and interpretations of the student's education record.

The parent(s) or **an** eligible student shall comply with the following procedure to inspect and review a student's education record:

- a. Provide a written, dated request to inspect a student's education record; and
- b. State the specific reason for requesting the inspection.

The written request will be permanently added to the student's education record.

The district shall not destroy any education record if there is an outstanding request to inspect and review the education record.

While the district is not required to give an eligible student or student's parent(s) access to treatment records under the definition of "education records" in OAR 581-021-0220(6)(b)(D), the eligible student or student's parent(s) may, at his/her expense, have those records reviewed by a physician or other appropriate professional of his/her choice.

If an eligible student or student's parent(s) so requests, the district shall give the eligible student or student's parent(s) a copy of the student's education record. The district may recover a fee for providing a copy of the record, but only for the actual costs of reproducing the record unless the imposition of a fee effectively prevents a parent or eligible student from exercising the right to inspect and review the student's educational records. The district may not charge a fee to search for or to retrieve the education records of a student.

The district shall not provide the eligible student or student's parent(s) with a copy of test protocols, test questions and answers and other documents described in Oregon Revised Statutes (ORS) 192.345501(4) unless authorized by federal law.

The district will maintain a list of the types and locations of education records maintained by the district and the titles and addresses of officials responsible for the records.

Student education records will be maintained at the school building at which the student is in attendance except for special education records which may be located at another designated location within the district. The [administrator/principal or his/her designee] shall be the person responsible for maintaining and releasing the education records.

5. Release of Personally Identifiable Information

Personally identifiable information shall not be released without prior written consent of the eligible student or student's parent(s) except in the following cases:

- a. The disclosure is to other school officials, including teachers, within the district who have a legitimate educational interest.

As used in this section, "legitimate educational interest" means a district official employed by the district as an administrator, supervisor, instructor or staff support member; a person serving on a school board who needs to review an educational record in order to fulfill his or her professional responsibilities, as delineated by their job description, contract or conditions of employment. Contractors, consultants, volunteers or other parties to whom an agency or institution has outsourced institutional services or functions may be considered a school official provided that party performs an institutional service or function for which the district would otherwise use employees, is under the direct control of the district with respect to the use and maintenance of education records, and is subject to district policies concerning the redisclosure of personally identifiable information.

The district shall maintain, for public inspection, a listing of the names and positions of individuals within the district who have access to personally identifiable information with respect to students with disabilities.

- b. The disclosure is to officials of another school within the district;

- c. The disclosure is to authorized representatives of:

[The U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division] in connection with an audit or evaluation of federal or state-supported education programs, or the enforcement of or compliance with federal or state-supported education programs, or the enforcement of or compliance with federal or state regulations.

- d. The disclosure is in connection with financial aid for which the student has applied or which the student has received, if the information is necessary for such purposes as to:

- (1) Determine eligibility for the aid;
- (2) Determine the amount of the aid;
- (3) Determine the conditions for the aid; or
- (4) Enforce the terms and condition of the aid.

As used in this section “financial aid” means any payment of funds provided to an individual that is conditioned on the individual’s attendance at an educational agency or institution.

- e. The disclosure is to organizations conducting studies for, or on behalf of, the district to:

- (1) Develop, validate or administer predictive tests;
- (2) Administer student aid programs; or
- (3) Improve instruction.

The district may disclose information under this section only if disclosure is to an official listed in paragraph (c) above and who enters into a written agreement with the district that:

- (1) Specifies the purpose, scope and duration of the study and the information to be disclosed;
- (2) Limits the organization to using the personally identifiable information only for the purpose of the study;
- (3) The study is conducted in a manner that does not permit personal identification of parents or students by individuals other than representatives of the organization; and
- (4) The information is destroyed when no longer needed for the purposes for which the study was conducted.

For purposes of this section, the term “organization” includes, but is not limited to, federal, state and local agencies, and independent organizations.

- f. The district may disclose information under this section only if the disclosure is to an official listed in paragraph (c) above who is conducting an audit related to the enforcement of or compliance with federal or state legal requirements and who enters into a written agreement with the district that:

- (1) Designates the individual or entity as an authorized representative;
- (2) Specifies the personally identifiable information being disclosed;

- (3) Specifies the personally identifiable information being disclosed in the furtherance of an audit, evaluation or enforcement or compliance activity of the federal or state-supported education programs;
 - (4) Describes the activity with sufficient specificity to make clear it falls within the audit or evaluation exception; this must include a description of how the personally identifiable information will be used;
 - (5) Requires information to be destroyed when no longer needed for the purpose for which the study was conducted;
 - (6) Identifies the time period in which the personally identifiable information must be destroyed; and
 - (7) Establishes policies and procedures which are consistent with Family Education Rights and Privacy Act (FERPA) and other federal and state confidentiality and privacy provisions to insure the protection of the personally identifiable information from further disclosure and unauthorized use.
- g. The disclosure is to accrediting organizations to carry out their accrediting functions;
 - h. The disclosure is to comply with a judicial order or lawfully issued subpoena. The district may disclose information under this section only if the district makes a reasonable effort to notify the eligible student or student's parent(s) of the order or subpoena in advance of compliance, unless an order or subpoena of a federal court or agency prohibits notification to the parent(s) or student;
 - i. The disclosure is to comply with a judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependency matters;
 - j. The disclosure is to the parent(s) of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986;
 - k. The disclosure is in connection with a health or safety emergency. The district shall disclose personally identifiable information from an education record to law enforcement, child protective services and health care professionals, and other appropriate parties in connection with a health and safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. If the district determines that there is an articulable and significant threat, the district will document the information available at that time of determination and the rationale basis for the determination for the disclosure of the information from the educational records.

In making a determination whether a disclosure may be made under the health or safety emergency, the district may take into account the totality of the circumstances pertaining to a threat to the health or safety of a student or other individuals. As used in this section a "health or safety emergency" includes, but is not limited to, law enforcement efforts to locate a child who may be a victim of kidnap, abduction or custodial interference and law enforcement or child protective services efforts to respond to a report of child abuse or neglect pursuant to applicable state law, or other such reasons that the district may in good faith determine a health or safety emergency;

- l. The disclosure is information the district has designated as "directory information" (See Board policy JOA – Directory Information);
- m. The disclosure is to the parent(s) of a student who is not an eligible student or to an eligible student;
- n. The disclosure is to officials of another school, school system, institution of postsecondary education, an education service district (ESD), state regional program or other educational

agency that has requested the records and in which the student seeks or intends to enroll or is enrolled or in which the student receives services. The term “receives services” includes, but is not limited to, an evaluation or reevaluation for purposes of determining whether a student has a disability;

- o. The disclosure is to the Board during an executive session pursuant to ORS 332.061;

~~The district will use reasonable methods to identify and authenticate the identity of the parents, students, school officials, and any other parties to whom the district discloses personally identifiable information from educational records;~~

- p. The disclosure is to a caseworker or other representative, who has the right to access the student’s case plan, of a state or local child welfare agency or tribal organization that are legally responsible for the care and protection of the student, provided the personally identifiable information will not be disclosed unless allowed by law.

The district will use reasonable methods to identify and authenticate the identity of the parents, students, school officials, and any other parties to whom the district discloses personally identifiable information from educational records.

6. Record-Keeping Requirements

The district shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student. Exceptions to the record-keeping requirements shall include the parent, eligible student, school official or ~~their his/her~~ assistant responsible for custody of the records and parties authorized by state and federal law for auditing purposes. The district shall maintain the record with the education records of the student as long as the records are maintained. For each request or disclosure the record must include:

- a. The party or parties who have requested or received personally identifiable information from the education records; and
- b. The legitimate interests the parties had in requesting or obtaining the information.

The following parties may inspect the record of request for access and disclosure to a student’s personally identifiable information:

- a. The parent(s) or ~~an~~ eligible student;
- b. The school official or ~~their his/her~~ assistants who are responsible for the custody of the records;
- c. Those parties authorized by state or federal law for purposes of auditing the record-keeping procedures of the district.

7. Request for Amendment of Student’s Education Record

If an eligible student or student’s parent(s) believes the education records relating to the student contain information that is inaccurate, misleading or in violation of the student’s rights of privacy or other rights, ~~they he/she~~ may ask the building level principal where the record is maintained to amend the record.

The principal shall decide, after consulting with the necessary staff, whether to amend the record as requested within a reasonable time after the request to amend has been made.

The request to amend the student's education record shall become a permanent part of the student's education record.

If the principal decides not to amend the record as requested, the eligible student or the student's parent(s) shall be informed of the decision and of his/her right to appeal the decision by requesting a hearing.

8. Hearing Rights of Parents or Eligible Students

If the building level principal decides not to amend the education record of a student as requested by the eligible student or the student's parent(s), the eligible student or student's parent(s) may request a formal hearing for the purpose of challenging information in the education record as inaccurate, misleading or in violation of the privacy or other rights of the student. The district shall appoint a hearings officer to conduct the formal hearing requested by the eligible student or student's parent. The hearing may be conducted by any individual, including an official of the district, who does not have a direct interest in the outcome of the hearing. The hearings officer will establish a date, time and location for the hearing, and give the student's parent or eligible student notice of date, time and location reasonably in advance of the hearing. The hearing will be held within [10] working days of receiving the written or verbal request for the hearing.

The hearings officer will convene and preside over a hearing panel consisting of:

- a. The principal or his/her designee;
- b. A member chosen by the eligible student or student's parent(s); and
- c. A disinterested, qualified third party appointed by the superintendent.

The parent or eligible student may, at their/his/her own expense, be assisted or represented by one or more individuals of their/his/her own choice, including an attorney. The hearing shall be private. Persons other than the student, parent, witnesses and counsel shall not be admitted. The hearings officer shall preside over the panel. The panel will hear evidence from the school staff and the eligible student or student's parent(s) to determine the point(s) of disagreement concerning the records. Confidential conversations between a licensed employee or district counselor and a student shall not be part of the records hearing procedure. The eligible student or student's parent(s) has the right to insert written comments or explanations into the record regarding the disputed material. Such inserts shall remain in the education record as long as the education record or a contested portion is maintained and exists. The panel shall make a determination after hearing the evidence and make its recommendation in writing within [10] working days following the close of the hearing. The panel will make a determination based solely on the evidence presented at the hearing and will include a summary of the evidence and the reason for the decision. The findings of the panel shall be rendered in writing not more than [10] working days following the close of the hearing and submitted to all parties.

If, as a result of the hearing, the panel decides that the information in the education record is not inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall inform the eligible student or the student's parent(s) of the right to place a statement in the record commenting on the contested information in the record or stating why they/he/she disagrees with the decision of the panel. If a statement is placed in an education record, the district will ensure that the statement:

- d. Is maintained as part of the student's records as long as the record or a contested portion is maintained by the district; and
- e. Is disclosed by the district to any party to whom the student's records or the contested portion are disclosed.

If, as a result of the hearing, the panel decides that the information is inaccurate, misleading or otherwise in violation of the privacy or other rights of the student, it shall:

- a. Amend the record accordingly; and
- b. Inform the eligible student or the student's parent(s) of the amendment in writing.

9. Duties and Responsibilities When Requesting Education Records

The district shall, within 10 days of a student seeking initial enrollment in or services from the district, notify the public or private school, ESD, institution, agency or detention facility or youth care center in which the student was formerly enrolled, and shall request the student's education records.

10. Duties and Responsibilities When Transferring Education Records

The district shall transfer originals of all requested student education records, including any ESD records, relating to the particular student to the new educational agency when a request to transfer the education records is made to the district. The transfer shall be made no later than 10 days after receipt of the request. For students in substitute care programs, the transfer must take place within five days of a request. Readable copies of the following documents shall be retained:

- a. The student's permanent records, for one year;
- b. Such special education records as are necessary to document compliance with state and federal audits, for five years after the end of the school year in which the original was created. In the case of records documenting speech pathology and physical therapy services, until the student reaches age 21 or 5 years after last seen, whichever is longer.

Note: Education records shall not be withheld for student fees, fines and charges if requested in circumstances described in ORS 326.575 and applicable rules of the State Board of Education or such records are requested for use in the appropriate placement of a student.

Disclosure Statement

Required for use in collecting personally identifiable information related to social security numbers.

On any form that requests the social security number (SSN), the following statement shall appear just above the space for the SSN:

“Providing your social security number (SSN) is voluntary. If you provide it, the district will use your SSN for record-keeping, research, and reporting purposes only. The district will not use your SSN to make any decision directly affecting you or any other person. Your SSN will not be given to the general public. If you choose not to provide your SSN, you will not be denied any rights as a student. Please read the statement on the back of this form that describes how your SSN will be used. Providing your SSN means that you consent to the use of your SSN in the manner described.”

On the back of the same form, or attached to it, the following statement shall appear:

“OAR 581-021-0250 (1)(j) authorizes districts to ask you to provide your social security number (SSN). The SSN will be used by the district for reporting, research and record keeping. Your SSN will also be provided to the Oregon Department of Education. The Oregon Department of Education gathers information about students and programs to meet state and federal statistical reporting requirements. It also helps districts and the state research, plan and develop educational programs. This information supports the evaluation of educational programs and student success in the workplace.”

The district and Oregon Department of Education may also match your SSN with records from other agencies as follows:

The Oregon Department of Education uses information gathered from the Oregon Employment Division to learn about education, training and job market trends. The information is also used for planning, research and program improvement.

State and private universities, colleges, community colleges and vocational schools use the information to find out how many students go on with their education and their level of success.

Other state agencies use the information to help state and local agencies plan educational and training services to help Oregon citizens get the best jobs available.

Your SSN will be used only for statistical purposes as listed above. State and federal law protects the privacy of your records.

Phoenix-Talent Schools District 4

Code: JOA
Adopted: 2/01/18
Orig. Code: JOA

Directory Information

“Directory information” means those items of personally identifiable information contained in a student education record which is not generally considered harmful or an invasion of privacy if released. The following categories are designated as directory information. The following directory information may be released to the public through appropriate procedures:

1. Student’s name;
2. Student’s photograph;
3. Major field of study;
4. Participation in officially recognized sports and activities;
5. Weight and height of athletic team members;
6. Dates of attendance;
7. Grade level;
8. DiplomaDegrees, honors or awards received;
9. Most recent previous school or program attended.

Public Notice

The district will give annual public notice to parents of students in attendance and students 18 years of age or emancipated. The notice shall identify the types of information considered to be directory information, the district’s option to release such information and the requirement that the district must, by law upon request, release secondary students’ names, addresses and telephone numbers to military recruiters and/or institutions of higher education, unless parents or eligible students request the district withhold this information. Such notice will be given prior to release of directory information.

Exclusions

Exclusions from any or all directory categories named as directory information or release of information to military recruiters and/or institutions of higher education must be submitted in writing to the principal by the parent, student 18 years of age or emancipated student within 15 days of annual public notice. A parent or student 18 years of age or an emancipated student may not opt out of directory information to prevent the district from disclosing or requiring a student to disclose their names, identifier, institutional email address in a class in which the student is enrolled or from requiring a student to disclose a student ID card or badge that exhibits information that has been properly designated directory information by the district in this policy.

Directory information shall be released only with administrative direction.

Directory information considered by the district to be detrimental will not be released.

Information will not be given over the telephone except in health and safety emergencies.

At no point will a student's Social Security Number or student identification number be considered directory information. The district shall not, in accordance with state law, disclose personal information for the purpose of enforcement of federal immigration laws.

END OF POLICY

Legal Reference(s):

[ORS 30.864](#)

[ORS 107.154](#)

[ORS 180.805](#)

[ORS 326.565](#)

[ORS 326.575](#)

[ORS 336.187](#)

[OAR 581-021-0220 - 021-0430](#)

[OAR 581-022-2060](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2012).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).

Every Student Succeeds Act, 20 U.S.C. § 7908 (2012).

Phoenix-Talent Schools District 4

Code: JOB
Adopted: 8/01/13
Orig. Code: JOB

Personally Identifiable Information**

Personally identifiable information includes, but is not limited to:

1. Student's name, if excluded from directory information, as requested by the student/parent in writing;
2. Name of the student's parent(s) or other family member;
3. Address of the student or student's family, if excluded from directory information, as requested by the student/parent in writing;
4. Personal identifier such as the student's social security number or student ID number or biometric record;
5. A list of personal characteristics that would make the student's identity easily traceable such as student's date of birth, place of birth and mother's maiden name;
6. Other information alone or in combination that would make the student's identity easily traceable;
7. Other information requested by a person who the district reasonably believes knows the identity of the student to whom the educational record relates.

Prior Consent to Release

Personally identifiable information will not be released without prior signed and dated consent of the parent ~~or the~~, student 18 years of age or older or ~~an~~ emancipated ~~student~~.

Notice of and/or request for release of personally identifiable information shall specify the records to be disclosed, the purpose of disclosure and the identification of person(s) to whom the disclosure is to be made. Upon request of the parent or eligible student, the district will provide a copy of the disclosed record.

Exceptions to Prior Consent

The district may disclose personally identifiable information without prior consent under the following conditions:

1. To personnel within the district who have legitimate educational interests;
2. To personnel of an education service district or state regional program where the student is enrolled or is receiving services;

3. To personnel of another school, another district, state regional program or institution of postsecondary education where the student seeks or intends to enroll;
4. To authorized representatives of the U.S. Comptroller General, U.S. Attorney General, U.S. Secretary of Education or state and local education authorities or the Oregon Secretary of State Audits Division in connection with an audit or evaluation of federal or state-supported education programs or the enforcement of, or compliance with federal or state-supported education programs or the enforcement of or compliance with federal or state regulations;
5. To personnel determining a financial aid request for the student;
6. To personnel conducting studies for or on behalf of the district;
7. To personnel in accrediting organizations fulfilling accrediting functions;
8. To comply with a judicial order or lawfully issued subpoena;
9. For health or safety emergency;
10. By request of a parent of a student who is not 18 years of age;
11. By request of a student who is 18 years of age or older or emancipated;
12. Because information has been identified as “directory information”;
13. To the courts when legal action is initiated;
14. To a court and state and local juvenile justice agencies;
15. A judicial order or lawfully issued subpoena when the parent is a party to a court proceeding involving child abuse and neglect or dependent/dependency matters;
16. To a caseworker or other representative of a state or local child welfare agency or tribal organization that are legally responsible for the care and protection of the student including educational stability of children in foster care.

END OF POLICY

Legal Reference(s):

[ORS 30.864](#)
[ORS 107.154](#)
[ORS 326.565](#)

[ORS 326.575](#)
[ORS 336.187](#)

[OAR 581-015-2000](#)
[OAR 581-021-0220 to -0430](#)
[OAR 581-022-2260](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2012).
 Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012).
 Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).
 Uninterrupted Scholars Act (USA), 2013 (P.L. 112-278, Jan. 14, 2013), 20 U.S.C. § 1221 (2012).

Phoenix-Talent Schools District 4

Code: JOC
Adopted: 4/06/17
Orig. Code: JOC

Legal Names of Students

The district will consider requests to use names other than the student’s legal name. Such requests, if honored, may be entered into the computer system so long as a cross-referencing system is established to locate the student’s records with the student’s legal name.

Legal last names will be changed by the district only upon receipt of a copy of a court order.

END OF POLICY

Legal Reference(s):

[OAR 581-022-2270](#)

Phoenix-Talent Schools District 4

Code: JOD
Adopted: 8/24/95
Orig. Code: JOD

Media Access to Students

The Board recognizes the important role the media serves in reporting information about the district's District's programs, services and activities. Therefore, the district District will make every reasonable effort to provide media access to students.

School administrators shall be authorized to grant permission and set parameters for media access to students in their respective schools. The media may interview and photograph students involved in instructional programs and school activities including athletic events. Such media access shall not be unduly disruptive and shall comply with Board policies and district goals.

Media representatives shall be required to report to the administration for prior approval before accessing students involved in instructional programs and activities not attended by the general public.

Information obtained by media representatives directly from students does not require parental approval prior to publication by the media. Parents who do not want their student interviewed or photographed by the media may direct their student accordingly.

District employees may release student information to the media only in accordance with applicable provisions of the education records law and Board policies governing directory information and personally identifiable information.

Parents will be advised of this the District's media access to students policy at the time of the student's registration and each fall in the student/parent handbook.

END OF POLICY

Legal Reference(s):

[ORS 30.864](#)
[ORS 107.154](#)
[ORS 326.565](#)

[ORS 326.575](#)

[OAR 581-022-2060](#)

[OAR 581-021-0220 to -0440](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2012).
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).



PHOENIX-TALENT SCHOOLS

EXCELLENCE *for* EVERYONE

To: Board Members

From: Denise Skinner

Date: August 30, 2022

Re: **REVISED** Declaration of Surplus Items****

Facilities Director Jon McCalip would like the following items declared as surplus.

- 2006 Ford F350 service truck. VIN# 1FDWF31526ED85332
Approximate value is \$3,500
- Six, four drawer filing cabinets
- Elliptical machine

In addition to the above items, the district is requesting that a strip of unused land, approximately 10 feet wide by 132 feet long, adjacent to the bus loop entrance at Talent Middle School be declared as surplus land. This strip of land is behind a concrete wall and is not being used by the district.

August 11, 2022

To: Phoenix-Talent School Board
From: Amy Honts and Yazmin Karabinas
RE: 22-23SY Meal Prices

ADULT MEAL PRICES -

ODE directions state that the minimum adult meal charge for breakfast should be greater than the Free Reimbursement Rate for Severe Need Breakfast (2.67) + Entitlement Commodity Rate (.43) = \$3.10. The charge for adult lunch should also be greater than the Free Reimbursement Rate for Severe Need Lunch (4.35) + Menu Certification (.08), + Entitlement Commodity Rate (.43) = \$4.86.

Adult breakfast meals are currently being charged \$2.80 per meal and \$4.15 for a lunch meal. To follow ODE regulations, we are suggesting the following price increases for the 22-23SY. \$3.15 per Breakfast meal, and \$4.90 per Lunch meal; this includes Adult Salad Bar.

STUDENT MEAL PRICES –

The District has been approved for CEP, (free breakfast and lunch), for the 22-23 school year, therefore meal prices will not affect students first meal.

For the 2022-23SY we advise a 20% increase from the 2019-20SY pricing for a la cart and student second meals. In 2019-2020 second breakfast pricing was \$1.30 for K-8 & \$1.35 for 9-12; second lunch pricing was \$2.25 for K-5, \$2.45 for 6-8 and \$2.60 for 9-12.

We are suggesting the following price increases for the 22-23SY. Second Breakfast at K-8 \$1.60 and 9-12 \$1.65. Second Lunches at K-5 \$2.70, 6-8 \$2.95, and 9-12 \$3.15.

In 2021-22SY Milk was being charged at \$0.75; since the cost of milk has not increased significantly, we are suggesting to keep this rate the same for the 22-23SY.



PHOENIX-TALENT SCHOOLS

EXCELLENCE *for* EVERYONE

SCHOOL BOARD OPERATING AGREEMENT

PURPOSE:

For the purpose of enhancing teamwork among members of the board and between the board and the administration. The board will represent the needs and interests of all the students in the district by committing to the following:

BOARD ROLES & RESPONSIBILITIES

1. Focus on governance: policy-making, strategic planning and evaluation (curriculum, district performance and superintendent).
2. Uphold the legal, compliance and confidentiality requirements on all matters arising from board meetings and executive session.
3. Recognize the role of the chair to speak for and about the board to the press and public groups. Recognize the role of the chair to convene meetings, execute documents as appropriate, and develop the agenda with the vice chair and superintendent.
4. The board and superintendent will participate annually in establishing goals and objectives for themselves and the district.
5. The board will act as ambassadors to the schools, the community and the district.

HOW WE OPERATE & MAKE DECISIONS

1. Make decisions as a whole board only at properly called meetings.
2. Support decisions of the majority. Once a decision is made, members will support the decision of the majority.
3. Board members can make a request for an item to be placed on a meeting agenda by contacting the Chair.
4. Start and end meetings on time.
5. Notify the school administration before visiting a school in the role of school board member.

HOW WE COMMUNICATE

1. Communicate directly with the superintendent when information is needed or a question arises. Specific questions concerning information contained in the board packet may be addressed to the person providing the information.
2. If a constituent emails the board as a group, the chair will respond.
3. Be mindful that you represent the board in public and that no individual board member has the authority to speak for the board.
4. Board members will communicate with one another should an issue or problem develop between them.



PHOENIX-TALENT SCHOOLS

EXCELLENCE *for* EVERYONE

Board Self-Evaluation Form

Use the following scale: 4 - strongly agree 3 - agree 2 - disagree 1 - strongly disagree

	ITEM	4	3	2	1	EXPLAIN YOUR RESPONSE
1.	The decisions made by the board meets the mission of serving all students.					
2.	Board members communicate effectively with each other.					
3.	The board communicates effectively with the public.					
4.	The board makes appropriate decisions to support the districts strategic plan.					
5.	The board is maintaining its legal role, i.e., a policy-making body.					
6.	As individuals, board members understand their role and act accordingly.					
7.	Board members conduct themselves in a manner conducive to board productivity (i.e., attendance, preparation, and participation).					
8.	Board members treat each other with respect and dignity.					
9.	The board maintains open and positive relationships with all employee groups.					
10.	The board's decisions and actions reflects the adopted Guiding Principles.					

LIST OUR STRENGTHS AND OUR GROWTH AREAS BELOW:



Phoenix-Talent Schools

Excellence For Everyone

Healthy and Safe Schools Plan Annual Statement

Phoenix-Talent School district #4 certifies the following:

Responsible Persons

The person responsible for implementing and administering the Healthy and Safe Schools (HASS) Plan is:

Name: Jonathan A. McCalip
Position Title: Director of Facilities and Special Projects
Phone Number: 541-535-3009
Email Address: jon.mccalip@phoenix.k12.or.us
Mailing Address: PO box 698 Phoenix, OR 97535

The person who is the designated Integrated Pest Management (IPM) Coordinator is:

Name: Jonathan A. McCalip
Position Title: Director of Facilities and Special Projects
Phone Number: 541-535-3009
Email Address: jon.mccalip@phoenix.k12.or.us
Mailing Address: PO Box 698 Phoenix, OR 97535

The person responsible for Asbestos Hazard Emergency Response Act (AHERA) information is:

Name: Jonathan A. McCalip
Position Title: Director of Facilities and Special Projects
Phone Number: 541-535-3009
Email Address: jon.mccalip@phoenix.k12.or.us
Mailing Address: PO Box 698 Phoenix, OR 97535

Copies of the Healthy and Safe Schools Plan

Copies of the plan are available at each of the following locations:

- District Office 401 West 4th St. Phoenix, OR 97535
- Facilities building 873 north Rose St. Phoenix, OR 97535
- On the District website at <https://www.phoenix.k12.or.us> > Facilities.

Testing Certification

Phoenix-Talent School District #4 certifies that it complies with all plan components, including all testing required by any part of the plan.

Testing Results

Phoenix-Talent School District #4 is current with all required testing as of the date of this document. Test results can be found on the districts website by clicking [here](#). Phoenix-Talent School District #4 will also use current district email lists or communications programs to provide final test results to staff, students, parents of minor students, and other members of their community. This includes providing actual final test results or providing direct access to final test results through links in the communications. Please contact Jon McCalip by Phone 541-535-3009 or email jon.mccalip@phoenix.k12.or.us to be added to current district email lists and programs. Specific test results can be found as follows:

- Lead in Water:
<https://www.phoenix.k12.or.us/site/handlers/filedownload.ashx?moduleinstanceid=3339&dataid=1891&FileName=Water%20Testing%20Results%20-%202022.xlsx>

- Radon:
<https://www.phoenix.k12.or.us/site/handlers/filedownload.ashx?moduleinstanceid=3339&dataid=7152&FileName=Radon.pdf>
 - Phoenix elementary
<https://www.phoenix.k12.or.us/site/handlers/filedownload.ashx?moduleinstanceid=3339&dataid=7153&FileName=RadonPESspreadsheet.pdf>
 - Orchard Hill Elementary
<https://www.phoenix.k12.or.us/site/handlers/filedownload.ashx?moduleinstanceid=3339&dataid=8274&FileName=OHESRadonSpreadsheet.pdf>
 - Talent Elementary
<https://www.phoenix.k12.or.us/site/handlers/filedownload.ashx?moduleinstanceid=3339&dataid=8273&FileName=TESRadonSpreadsheet.pdf>
 - Talent Middle school
<https://www.phoenix.k12.or.us/site/handlers/filedownload.ashx?moduleinstanceid=3339&dataid=8275&FileName=TMSRadonSpreadsheet.pdf>
 - Phoenix High School
<https://www.phoenix.k12.or.us/site/handlers/filedownload.ashx?moduleinstanceid=3339&dataid=8272&FileName=PHSRadonResults.pdf>

Website Link Maintenance

Phoenix-Talent School district #4 certifies that all website links for plan information and test results are current and functional.

Major Exposure Reduction Activities

Phoenix-Talent School district #4 has completed the following major activities, which resulted in reduced risk of exposure to hazardous materials:

Facility Name	Building Identification Number (BIN)	Activity resulting in reduced risk of exposure to hazardous materials	Type of hazard addressed	Date of activity	Estimated cost of remediation
Phoenix Elementary Primary	20390201	Remove Asbestos	Asbestos	Jul 2021	\$105,000
Phoenix High school	20390500	Major Remodel	Asbestos	Dec 2021	\$118,000
Talent Elementary	20390301	Remove Asbestos	Asbestos	Dec 2021	\$14,000

Radon Testing Summary (Optional)

Phoenix-Talent School district #4 has completed radon testing at the following buildings this year and is providing the following summary:

Facility Name	Building Identification Number (BIN)	Number of radon tests conducted	Number of tests that exceed limits	Number of tests that exceed limits after remediation	Number of sites where remediation is still in process
Phoenix Elementary	20390200	46	0	0	0
Talent Elementary	20390300	46	0	0	0
Orchard Hills Elementary	20390100	55	0	0	0
Talent Middle School	20390400	69	0	0	0
Phoenix High School	20390500	109	0	0	0

I certify that the above information is true and accurate to the best of my knowledge.

Jonathan A McCalip	Director of Facilities	8/23/2022
<i>Electronic signature of authorized representative</i>	Title	Date of Annual Certification



Phoenix-Talent Schools

Excellence For Everyone

Phoenix-Talent School District #4 Healthy and Safe Schools Plan

Introduction

In 2017, the Oregon State Legislature passed SB 1062, which requires that, every school district, education service district, and public charter school develop a Healthy and Safe Schools Plan (HASS Plan). Each organization's HASS Plan has specific requirements that must be included for the HASS Plan to comply with state law. All HASS Plans are due to the Oregon Department of Education by July 1, 2019. Additionally, each school district, education service district, and public charter school is required to certify annually that the organization continues to comply with the requirements of the HASS Plan by filing an Annual Statement. The following plan was developed by Phoenix-Talent School District to meet these requirements.

▪ **Responsible Person**

The person responsible for administering and implementing the Healthy and Safe Schools Plan:

Name: Jon McCalip
Position Title: Director of Facilities and Special Projects
Phone Number: (541) 535-3009
Email Address: jon.mccalip@phoenix.k12.or.us
Mailing Address: PO Box 698, Phoenix, OR 97535

The person who is the designated IPM Coordinator:

Name: Jon McCalip
Position Title: Director of Facilities and Special Projects
Phone Number: (541) 535-3009
Email Address: jon.mccalip@phoenix.k12.or.us
Mailing Address: PO Box 698, Phoenix, OR 97535

The person responsible for AHERA information:

Name: Jon McCalip
Position Title: Director of Facilities and Special Projects
Phone Number: (541) 535-3009
Email Address: jon.mccalip@phoenix.k12.or.us
Mailing Address: PO Box 698, Phoenix, OR 97535

▪ **List Facilities**

All facilities owned and leased by Phoenix-Talent School District #4 where students or staff are present on a regular basis are covered by this HASS Plan. The list of those buildings and facilities is below:

Facility Name	Facility Address
<i>Phoenix High School</i>	<i>745 North Rose Street, Phoenix, OR 97535</i>
<i>Phoenix Elementary</i>	<i>215 North Rose Street, Phoenix, OR 97535</i>
<i>Orchard Hill Elementary</i>	<i>1011 La Loma Drive, Medford, OR 97504</i>
<i>Talent Middle School</i>	<i>102 Christian Avenue Talent, OR 97540</i>
<i>Talent Elementary</i>	<i>307 Wagner Creek Road, Talent, OR 97540</i>
<i>District Office</i>	<i>401 West 4th Street, Phoenix, OR 97535</i>
<i>First Student Bus Barn</i>	<i>6100 Colver Road, Talent, OR 97540</i>
<i>Colver Sports Park</i>	<i>6150 Colver Road, Talent, OR 97540</i>
<i>District Maintenance Building</i>	<i>6450 Colver Road, Talent, OR 97540</i>
<i>Transition House</i>	<i>2841 Juanipero Way, Medford, OR 97504</i>

▪ **Elevated Levels of Lead in Water Used for Drinking or Food Preparation**

All school districts, education service districts, and public charter schools are required to test for and eliminate exposure to elevated levels of lead in water used for Drinking and Food Preparation through either remediation or eliminating access, according to OAR 333-061-0400 and OAR 581-022-2223. In conformance with those administrative rules, Phoenix-Talent School District #4 certifies the following:

- All testing was done according to the testing requirements in OAR 333-061-0400;
- All samples were analyzed by a lab accredited by Oregon Health Authority to test for those materials;
- All water fixtures required to be tested under OAR 333-061-0400 were tested for elevated levels of lead in accordance with the testing schedule developed by the Oregon Health Authority; and
- The testing schedule for each building covered by this plan is set forth below:

Facility Name	Year of Last Test	Next scheduled test (per 6 year schedule)	Schedule or Exemption Reason
<i>Phoenix High school</i>	<i>2022</i>	<i>2028 fiscal year</i>	<i>6 year schedule</i>
<i>Phoenix Elementary</i>	<i>2022</i>	<i>2028 fiscal year</i>	<i>6 year schedule</i>
<i>Talent Elementary</i>	<i>2022</i>	<i>2028 fiscal year</i>	<i>6 year schedule</i>
<i>Orchard Hill Elementary</i>	<i>2022</i>	<i>2028 fiscal year</i>	<i>6 year schedule</i>
<i>Talent Middle School</i>	<i>2022</i>	<i>2028 fiscal year</i>	<i>6 year schedule</i>

<i>District Office</i>	<i>2022</i>	<i>2028 fiscal year</i>	<i>6 year schedule</i>
<i>First Student Bus Barn</i>	<i>2022</i>	<i>2028 fiscal year</i>	<i>6 year schedule</i>
<i>Colver Sports Park</i>	<i>2022</i>	<i>2028 fiscal year</i>	<i>6 year schedule</i>
<i>District Maintenance Building</i>	<i>2022</i>	<i>2028 fiscal year</i>	<i>6 year schedule</i>
<i>Transition House</i>	<i>2022</i>	<i>2028 fiscal year</i>	<i>6 year schedule</i>

- **Lead Paint**

In order to comply with the United States Environmental Protection Agency’s Renovation, Repair and Painting Program Rule, District Staff are certified by the Oregon Health Authority to perform the work.

- **Asbestos**

Phoenix-Talent School District #4 complies with the federal Asbestos Hazard Emergency Response Act (AHERA). All required asbestos management plans are available for viewing by submitting a request to the Director of Facilities and Special Projects.

- **Radon**

Phoenix-Talent School District #4 has developed a radon plan as required by ORS 332.345. Community members can access a copy of the radon plan here:

<https://www.phoenix.k12.or.us/site/handlers/filedownload.ashx?moduleinstanceid=3339&dataid=7152&FileName=Radon.pdf>

Test results will be made public and are available here:

<https://www.phoenix.k12.or.us/Page/2308>

- **Integrated Pest Management**

Phoenix-Talent School District #4 has adopted an Integrated Pest Management (IPM) plan as required by ORS 634.700 through 634.750. Community members can access a copy of the IPM plan here:

https://www.phoenix.k12.or.us/site/handlers/filedownload.ashx?moduleinstanceid=3339&dataid=7151&FileName=Pest_Management_Plan_New.pdf

- **Carbon Monoxide Detectors**

Phoenix-Talent School District #4 certifies that all buildings subject to the Healthy and Safe Schools Plan comply with the carbon monoxide detection standards in the state building code that was in effect when the building was originally constructed or as required by building code due to addition, upgrade, or remodel.

▪ **Test Results Publication**

Phoenix-Talent School District #4 is complying with the requirement to provide access to test results, as defined by OAR 581-022-2223 within 10 business days as defined by ORS 332.334.

Test results can be found on District’s, website at <https://www.phoenix.k12.or.us> > Facilities.

Specific test results can be found as follows:

- Lead in Water:
<https://www.phoenix.k12.or.us/site/handlers/filedownload.ashx?moduleinstanceid=3339&dataid=11891&FileName=Water%20Testing%20Results%20-%202022.xlsx>
- Radon:
<https://www.phoenix.k12.or.us/site/handlers/filedownload.ashx?moduleinstanceid=3339&dataid=7152&FileName=Radon.pdf>
- Phoenix elementary
<https://www.phoenix.k12.or.us/site/handlers/filedownload.ashx?moduleinstanceid=3339&dataid=7153&FileName=RadonPESspreadsheet.pdf>
- Orchard Hill Elementary
<https://www.phoenix.k12.or.us/site/handlers/filedownload.ashx?moduleinstanceid=3339&dataid=8274&FileName=OHESRadonSpreadsheet.pdf>
- Talent Elementary
<https://www.phoenix.k12.or.us/site/handlers/filedownload.ashx?moduleinstanceid=3339&dataid=8273&FileName=TESRadonSpreadsheet.pdf>
- Talent Middle school
<https://www.phoenix.k12.or.us/site/handlers/filedownload.ashx?moduleinstanceid=3339&dataid=8275&FileName=TMSRadonSpreadsheet.pdf>
- Phoenix High School
<https://www.phoenix.k12.or.us/site/handlers/filedownload.ashx?moduleinstanceid=3339&dataid=8272&FileName=PHSRadonResults.pdf>

Additionally, copies of all test results are available at the District Office at 401 West 4th Street, Phoenix, OR 97535. Phoenix-Talent School District #4 school will also use current district email lists or communications programs to provide final test results to staff, students, parents of minor students, and other members of the community. This includes providing actual final test results or providing direct access to final test results through links in the communications. Please contact Jon McCalip by Phone 541-535-3009 or email jon.mccalip@phoenix.k12.or.us to be added to current district email lists and programs.

I certify that the above information is true and accurate to the best of my knowledge.

Jonathan A McCalip	Director of Facilities	8/23/2022
Electronic signature of authorized representative	Title	Date

BUDGET CALENDAR

2023-2024 Budget Year

APRIL 4, 2023	Administrative Team	Complete Formulating 2023–24 Budget Guidelines and Priorities
APRIL 13, 2023	Administrative Team	Budgets Due to Business Office
APRIL 13, 2023	Business Office	Notice of Budget Committee Meeting to Newspaper.
APRIL 20, 2023	Business Office	Publish First Notice of Budget Committee Meeting
APRIL 27, 2023	Business Office	Publish Second Notice of Budget Committee Meeting
MAY 5, 2023	Business Office	Complete Budget Document Printing
MAY 9, 2023 6:00 p.m. at PHS	Budget Committee Meeting	Budget Message
MAY 16, 2023 6:00 p.m. - PHS	Budget Committee	Optional 2 nd Meeting, If Needed
MAY 16, 2023	Business Office	Notice of Budget Hearing to Newspapers
MAY 18, 2023	Business Office	Budget Document Completed
MAY 24, 2023	Business Office	Publish Notice of Budget Hearing
JUNE 1, 2023	School Board	Hearing—Board Adopts Budget, Levies Taxes, Makes Appropriations
JUL 12, 2023	Business Office	Submit Budget to Assessor



PHOENIX-TALENT SCHOOLS

EXCELLENCE *for* EVERYONE

Employee Handbook



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WELCOME

Dear Staff Member,

Welcome to PTS Rising! I often share with prospective candidates why they need to give Phoenix-Talent serious consideration when choosing a place to serve kids and the community. I truly believe we have something special in this district and our mission to serve, with relationships being the foundation of all we do, this is what keeps me coming to work everyday. We are all part of this amazing PTS Family!

This is my 18th year with the district and starting my 5th year as your superintendent. I am excited about the team we have built and the people who have been so dedicated to our students and families. The team that interviewed you when you were hired recognized something special in you. Thank you for choosing us!

As you know, in the last two years we have experienced a number of challenges responding to the pandemic and then the devastating Alameda fire on September 8th, 2020. I commend and admire you for wanting to be a part of the recovery and rebuilding process. You will find that our staff is committed to ensuring the success of all students with a special focus on supporting our fire survivors and helping them continue to access our schools and programs.

Finally, we recognize that this career we all chose is not an easy path. Educators face a variety of challenges, but the rewards are great. I want to share with you that we are committed to supporting you as you endeavor to have a positive impact on PTS students. Please do not hesitate to reach out to your supervisor or myself if there is anything you should need as you begin this journey with us.

Again, we are grateful for each and every member of our PTS Rising Family...you are in the right place!

Talk with you soon,

Brent Barry, Superintendent
Phoenix-Talent Schools

VISION STATEMENT

*TOGETHER WE SHALL MEET THE CHALLENGES
OF PREPARING RESPONSIBLE, CREATIVE,
LIFE LONG LEARNERS*

GUIDING PRINCIPLES

WE BELIEVE....

- Education is the joint responsibility of the community, school, family and students.
- Our schools must provide a safe, secure environment where healthy values, minds and bodies can grow.
- Everyone can learn.
- The needs, interests, feelings, and developmental stages of each individual deserve recognition.
- It is our responsibility to encourage the development of self-worth and the full potential of each individual.
- Our educational program shall provide a core of knowledge that cultivates personal excellence for success in a global environment.

HISTORICAL OVERVIEW

The Phoenix-Talent Schools is located in what the Rogue Indians called the Valley of the Rogue. With the discovery of gold in 1852, miners thronged to the valley in search of a fortune. Farmers soon followed, lured by fertile soil and favorable growing conditions. Small towns sprang up almost overnight. As the California-Oregon Stage Road grew with increasing loads of goods and supplies, the communities of Phoenix, Talent and Medford grew as trading centers.

Today, Medford stands as the business, commercial and professional center of Jackson County. Livability is the prime reason people reside in the Phoenix-Talent. The climate is mild, being protected by the surrounding mountains. The District is situated largely in a rural environment with agriculture as the major industry. While being located in a rural environment, the Phoenix-Talent District has many of the advantages of urbanization.

September 25, 1959, the Talent School District #22 was merged with the Phoenix School District #4. This was based on a resolution adopted by the Jackson County Reorganization Committee in 1958. At the suggestion of this same committee, Barnett Road was made the northern boundary of District #4. On September 16, 1959, by a vote of the people, Phoenix and Talent

consolidated. This made a district of 1,238 students, comprising two grade schools (one in Talent and one in Phoenix), grades one through eight, and a high school in Phoenix (which had to be remodeled to accommodate 330 students).

Today, Phoenix-Talent Schools has a K-12 student population of approximately 2,800. The District has three elementary schools (grades K-5), one middle school (grades 6-8) and one high school.

Phoenix-Talent Schools have a reputation for providing a quality education through dedicated staff and innovative programs. Over the years, the District has enjoyed a good relationship with the community.

We welcome you to the Phoenix-Talent Schools and look forward to the positive contributions you will make. Together we shall meet the challenges of preparing responsible, creative, lifelong learners.

GOVERNANCE AND ORGANIZATION

BOARD OF EDUCATION

There is a seven member Board of Directors that supervises the District's operations. Board elections are held in the spring of odd numbered years. The terms of office are for four years commencing on July 1 following the election. Board members for positions 1, 2, 6 and 7 must qualify by residing in Zone 2. Board members for positions 3, 4 and 5 must qualify by residing in Zone 1. All Board Members must qualify by zone, but are elected at large.

SALARIES AND BENEFITS

Employees in the Phoenix-Talent Schools bargaining unit are represented in collective bargaining with the School District by the Oregon School Employees Association (OSEA) and the Oregon Employees Association (OEA). Please take time to read the collective bargaining agreement negotiated between OSEA, OEA and the School Board that sets salaries and benefits. Copies should be available online at www.phoenix.k12.or.us, in school and department offices, from the Human Resources Office, or from your building representative.

PUBLIC SERVICE LOAN FORGIVENESS PROGRAM

The PSLF Program forgives the remaining balance on your Direct Loans after you have made 120 qualifying monthly payments under a qualifying repayment plan while working full-time for a qualifying employer.



<https://studentaid.gov/manage-loans/forgiveness-cancellation/public-service>

Alert! If you are ineligible for PSLF only because some or all of your payments were not made under a qualifying repayment plan for PSLF, you might still be eligible for forgiveness through Temporary Expanded Public Service Loan Forgiveness. [Learn more.](#)

VACATIONS AND LEAVES

See the collective bargaining agreement for specific information. Vacation and leave requests must be requested via the District web page, be approved by your supervisor and the Business Office.

PAYCHECKS

District employees are paid on the 20th of every month. Pay checks that are not electronically deposited will be delivered to the school buildings the morning of the 20th. Employees who work on a timesheet basis must submit their timesheets to the Office Manager on the 1st of each month. If you need to have someone else pick up your paycheck, please notify the Business Office in writing. This written request will be retained in the personnel file.



PAYROLL DEDUCTIONS

All employees shall be required to have deductions from their monthly salary as required by law. Voluntary deductions from paychecks may be made with the employee's written authorization, which will be retained in the personnel file. These deductions may include Rogue Federal Credit Union or other bank accounts, select voluntary contributions, Tax Deferred Annuities, HSA deposits, and Section 125.

CHANGE OF ADDRESS

So that we can keep personnel and payroll records current, please submit in writing to the Human Resources Office any changes in your name, address, phone number or number of dependents.

PUBLIC EMPLOYEES RETIREMENT SYSTEM (PERS)

Eligibility

You are automatically a member after you have completed six (6) months of employment. If you are a prior member and have not withdrawn your funds from PERS, you are eligible immediately.

Costs/Payment

Both the employee and employer portions are paid by the District.

Withdrawal upon Termination

When an employee leaves the District, a “notice of separation” is sent to PERS. When the “notice” is received by PERS, the employee’s share may be withdrawn under some conditions.

POSITION OPENINGS/TRANSFERS

Position openings are emailed to staff and posted in each building five (5) days for Classified and seven (7) days for Licensed. If you are interested in a posted position, please go to the Employment Page of our District Website and submit an application by the listed deadline date. Summer job posting requests are sent to each building for classified employees in June.

RESIGNATIONS

Please submit resignations in writing to the Human Resources Office.

SAFETY

In order to provide and maintain the safest working conditions possible, the District has formed a safety committee. This committee meets once a month and also conducts safety inspections. The minutes of the meetings are posted at each building. Please report any unsafe conditions to your supervisor immediately.

ACCIDENT REPORTS

If you are injured on the job, please report the incident immediately to your supervisor. If you are seeking medical attention for the injury, please fill out Form 801 which is available at the District Office. You will also need to take a Physical Status Update form to your doctor and return it to your supervisor. Keep your supervisor informed at all times about your medical condition and your return to work status.

TRAVEL

Upon approval from a supervisor, employees driving their vehicles for District use need to complete Form A-505 for mileage and submit it to the Business Office for reimbursement. Employees who incur travel expenses need to submit Form A-504 with receipts attached to the Business Office for reimbursement.

WORKSHOPS AND CONFERENCES

Employees attending workshops, conferences or inservice training need to submit a “Request for Leave to Attend” two weeks prior to the event. Please use Form B-502 for classified or Form C-506 for Licensed and have your supervisor sign it and send it to the Business Office.



PURCHASE ORDERS

Purchase orders must be authorized by your supervisor and submitted to your office manager or business office for processing. Our requisition and purchase order system must be used to place orders.

After receiving the merchandise, please submit the packing list to your office manager, business office for payment.

EXPENSE REIMBURSEMENTS

Requests for reimbursement of approved purchases must be authorized by your supervisor, and appropriate receipts must be submitted to your office manager or business office within 30 days of purchase to process payment.

EQUIPMENT

Prior to removing District equipment or materials from District buildings, employees will need to submit Form 404 and obtain authorization from the building supervisor.

MAIL

The District provides courier service to all buildings on a daily basis. Please check your building office for the delivery schedule.

The ESD also provides courier service to all buildings in Jackson and Josephine Counties during the school year. A schedule of delivery times is printed and distributed each fall.

All U. S. mail is processed in the warehouse. The deadline for outgoing mail is 2:30 p.m.

EMERGENCY SCHOOL CLOSURE

If a school or the whole District must be closed because of inclement weather or another emergency, the Superintendent's office will work with the media to announce information about the closure. In cases of snow or icy roads, radio stations normally will be notified by 6:00 a.m. Complete emergency closure plans have been outlined and are available in each building.

DISTRICT REGULATIONS

- All personal telephone calls should be made during break or lunch periods unless they involve an emergency.
- No information regarding District employees or students shall be released without proper authorization.
- Procedures for calling in sick will be established by building principals.
- Solicitations for donations shall not be allowed without permission of the Superintendent.

- School District keys are issued to specific personnel and must not be duplicated or loaned to other people.
- District vehicles are to be used for District business only and must be checked out according to District policies and procedures.
- All District property, including trucks, lockers, desks, etc., is subject to unannounced inspection by District officials. Please do not expect privacy, or store personal articles, on District premises.

POLICIES

School Board Policies are on-line and may be accessed through the District web-site; Administrative Memos are available at each building office and at the District Office. All employees should be familiar with these policies.

We have placed the following policies in this handbook because they are particularly important for staff to know. A few have been condensed to main points; you can access the complete policy by clicking on the hyperlink attached to the title of each. Additionally, **please familiarize yourself with every board policy in full located on our District website at www.phoenix.k12.or.us.**

NONDISCRIMINATION

POLICY CODE: AC

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

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



STAFF CONDUCT

POLICY CODE: GBCB

The Board expects staff members to conduct themselves in a manner that reflects credit on the school system, bearing in mind that staff, by virtue of their position as Phoenix Talent School employees, become models for students. Staff members shall comply with the terms and conditions of employment and directives of the supervisory staff.

Essential to the success of ongoing school operations and the instructional program are the following responsibilities, which shall be required of all personnel:

- Compliance with the terms and conditions of employment and directions of supervisory staff.
- Concern and attention for their own and the school system's legal responsibility for the safety and welfare of students, including the need to assure that students are under supervision at all times.
- Support and enforcement of policies of the Board and regulations of the school administration
- Promptness in attendance at work.
- Care and protection of school property.
- Regular attendance on the job, free from influence by alcohol and/or controlled substances.

EMPLOYEE ACCEPTABLE USE OF NETWORK

POLICY CODE: GBCC

District Network Use Guidelines:

All district employees must sign and return this form to their building Office Manager before accessing e-mail or the Internet.

District Network Use Guidelines

- A. Acceptable uses of the network are activities that primarily support teaching, learning, school and district business.
- B. State ethics policies forbid public employees from using access or equipment for personal gain. The network should not be used for any commercial or illegal activity.
- C. Users are responsible for abiding by copyright law pertaining to computer software. Computer software protected by copyright is not to be copied from, into, or by using district computing facilities, except as permitted by law or by the contract with the owner of the copyright. This means that such computer and microcomputer software may only be copied in order to make back-up copies, if permitted by the copyright owner.
- D. Faculty members are expected to review and evaluate sites before assigning activities involving the Internet. Faculty members assigning activities that include Internet use are

expected to make sure students have returned signed parent permission forms to the school.

- E. Users agree never to use a system to perform an illegal or malicious act. Faculty shall not intentionally access (or attempt to access) pornography, lewd, or obscene material, nor display offensive messages or pictures, use obscene language, harass, insult or attack others.
- F. Assume that any information that travels through the network is like a postcard in the mail and is NOT private. Network sites accessed may be recreated/monitored. The school district reserves the right to access, review and remove communications and files.
- G. District employees are responsible for the use of their passwords. Sharing of a password will be considered a violation of confidentiality and this policy. Note: Sharing a password with a member of the TIS (Technology and Information Services) staff for the purpose of troubleshooting or repairing a computer would not constitute a violation of this policy.
- H. Since everyone shares network resources, employees are expected to use network resources efficiently. Avoid sending or receiving unnecessary large files or mass mailings. Downloading large files (music, games, etc.) or email attachments that are not related to your professional position is inappropriate.
- I. Any attempt to increase the level of access to which a user is authorized shall be regarded as malicious and may be treated as an illegal act; this includes accessing the files of others.
- J. Unauthorized or personal computers or computer devices are not to be connected to the district computers, computer systems, or networks without specific authorization.

User Agreement

Unacceptable use is prohibited and may be grounds for limiting computing privileges. Violations of this policy will be dealt with in the same manner as violations of other district policies and may result in disciplinary action and/or legal sanctions under federal, state, and local laws. As a user of the Phoenix-Talent School District #4 network, I agree to comply with the above stated guidelines.

DISTRICT EQUITY

POLICY CODE: JBB

Phoenix-Talent Schools believes in, and is committed to, honoring the inherent worth and dignity of every human being. We believe in, and are committed to, creating an inclusive culture where every student, staff member, and family feels seen, heard, and validated in their existence as a human being. We believe in, and are committed to, fostering a culture of belonging where people can show up as their full and authentic selves. In short, we believe, and are committed to, creating and maintaining an antiracist and equitable school environment.

In order to best accomplish this vision, as well as hold ourselves and one another accountable to it, we affirm the following:

1. A student's success should not be predicated upon, or influenced by, their race, gender, socioeconomic status, sexual orientation, gender identity, language, ability, age or any other demographic factor beyond their control. We therefore commit to using disaggregated data - - as much as possible - - to inform district decision-making.
2. Equity should ensure that all students have an opportunity to reach their fullest potential. We therefore desire to see that no student demographic group is disproportionately overrepresented in our disciplinary systems nor is underrepresented in our academic success rates. Because we believe in addressing systemic inequities rather than blaming those who suffer from such inequities, we therefore commit to measuring equity in our district according to outcomes, not intentions.
3. Diversity is an asset that broadens not only our understanding of the world and others, but ourselves as well. We believe in the value of diverse perspectives and diverse experiences not only because of the enriching educational value they offer, but because they also make us and our students more well rounded, better, and more empathetic human beings. We therefore commit to recruiting, hiring, and retaining a workforce that reflects the diversity and demographics of our student body.
4. Professional development should be designed to help staff grow professionally as well as personally. We therefore commit to providing professional development that is culturally competent, culturally responsive, and curriculum that is culturally relevant in order to affirm the identity of both students and staff.
5. Schools should seek to narrow the opportunity (i.e. achievement) gap. In order to help accomplish this, resources should be distributed equitably, not equally. We therefore commit to directing resources based on need in order to address issues of equity first and foremost.

With this in mind, and to ensure that everyone's voice is heard in the decision-making process, the board will adopt an equity lens using the following questions to guide decisions that come before the board:

- a. What data has been used to inform the initiative, and what does the data tell us about our subgroups?
- b. What subgroups does the decision or initiative affect, both positively and negatively?
- c. How has the community (students, staff, families, and community partners) been intentionally involved in the decision-making process?

EVERY STUDENT BELONGS

POLICY CODE: ACB

Phoenix-Talent Schools believes in, and is committed to, honoring the inherent worth and dignity of every human being. We believe in, and are committed to, creating an inclusive culture where every student, staff member, and family feels seen, heard, and validated in their existence as a human being. We believe in, and are committed to, fostering a culture of belonging where people can show up as their full and authentic selves. In short, we believe, and are committed to, creating and maintaining an antiracist and equitable school environment.

All students are entitled to a high quality educational experience, free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability or national origin.

All employees are entitled to work in an environment that is free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability or national origin.

All visitors are entitled to participate in a school or educational environment that is free from discrimination or harassment based on perceived race, color, religion, gender identity, sexual orientation, disability or national origin.

“Bias incident” means a person’s hostile expression of animus toward another person, relating to the other person’s perceived race, color, religion, gender identity, sexual orientation, disability or national origin, of which criminal investigation or prosecution is impossible or inappropriate. Bias incidents may include derogatory language or behavior.

“Symbol of hate” means nooses¹, symbols of neo-Nazi ideology or the battle flag of the Confederacy.

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

PERSONAL ELECTRONIC DEVICES AND SOCIAL MEDIA

POLICY CODE: GCAB

Staff possession or use of personal electronic devices on district property, in district facilities during the work day and while the staff is on duty in attendance at district-sponsored activities may be permitted subject to the limitations set forth in this policy and consistent with any additional school rules as may be established by the superintendent. At no time, whether on duty or off duty, will a personal electronic device be used in a manner that interferes with staff duty and responsibility for the supervision of students.

A “personal electronic device” is a device not issued by the district and is capable of electronically communicating, sending, receiving, storing, recording, reproducing, and/or displaying information and data.

Personal electronic devices shall be silenced during instructional or class time, while on duty or at any other time where such use of the device would cause a disruption of school activities or interfere with a work assignment. Devices, which have the capability to take photographs or record video or audio, shall not be used for such purposes while on district property or while a staff member is on duty at district sponsored activities, unless as expressly authorized by the principal or designee for a use directly related to and consistent with the employee’s assigned duties. Computers, tablets, iPads or similar devices brought to school will be restricted to academic activities during on duty time.

The district will not be liable for loss or damage to personal electronic devices brought to district property and district-sponsored activities.

Staff members, while on duty and off duty, will utilize social media websites, public websites and blogs, judiciously by not posting confidential information about students, staff or district business.¹ Staff may not post images of district facilities, staff, students, volunteers or parents without written authorization from persons with authority to grant such a release. Staff

¹ Nothing in this policy is intended in any form to limit the right of employees to engage in protected labor activities via the use of social media.

members, while on duty and off duty, will treat fellow employees, students and the public with respect while posting on social media websites, etc., in order to prevent substantial disruption in school.

Communication with students using personal electronic devices will be appropriate and professional. Communication with students using personal electronic devices regarding nonschool-related matters is prohibited during work hours and strongly discouraged at all other times. If communicating with students electronically regarding school-related matters, staff should use district email using mailing lists and/or other internet messaging to a group of students rather than individual students. Texting a student during work hours is discouraged.

Texting a student while off duty is strongly discouraged.

Exceptions to the prohibitions set forth in this policy may be made for health, safety or emergency reasons with superintendent or designee approval.

Staff are subject to disciplinary action up to and including dismissal for using a personal electronic device in any manner that is illegal or violates the terms of this policy. Staff actions on social media websites, public websites and blogs, while on or off duty, which disrupt the school environment, are subject to disciplinary action up to and including dismissal. A "disruption" for purposes of this policy includes, but is not limited to, one or more parent threatens to remove their children from a particular class or particular school, actual withdrawal of a student or students from a particular class or particular school and/or a threatened or actual negative impact on the learning environment.

The taking, disseminating, transferring or sharing of obscene, pornographic or otherwise illegal images or photographs, whether by electronic data transfer or otherwise (commonly called texting, sexting, emailing, etc.) may constitute a crime under state and/or federal law. Any person taking, disseminating, transferring or sharing obscene, pornographic or otherwise illegal images or photographs, will be reported to law enforcement and/or other appropriate state or federal agencies.

Licensed staff are subject at all times to the Standards for Competent and Ethical Performance of Oregon Educators. (See Board policy GCAA)

The superintendent shall ensure that this policy is available to all employees.

STUDYING CONTROVERSIAL ISSUES

Policy Code: INB

The Board supports the inclusion of controversial issues as part of students' education. The presentation and discussion of controversial issues will be informative. The development of ability to meet issues without prejudice and to withhold judgments while facts are being collected, assembled and weighed and to see relationships before drawing inferences or conclusions are among the most valuable outcomes of a free educational system.

Staff members will become knowledgeable concerning major theories and views (and evidence upon which they are based) in their area of instruction, particularly those espoused by their students.

Teachers will present an overall view of controversial issues and will guard against giving personal opinions until students have had an opportunity to:

1. Find, collect and assemble factual material on the subject;
2. Interpret the data without prejudice;
3. Reconsider assumptions and claims and to reach their own conclusions.

By refraining from expressing personal views before and during the period of research and study, the teacher will encourage students to search for truth and to think for themselves. Any personal opinions voiced by the teacher must be stated as such.

Before beginning a class in the study of an obviously controversial topic, a teacher will discuss with the principal: (1) its appropriateness to the course; (2) its appropriateness for the students' maturity level; (3) the approach to instruction; (4) the instructional materials to be used.

ALCOHOL/CONTROLLED SUBSTANCE USE

POLICY CODE: GBCBA

The following conduct is strictly prohibited and will subject an employee to immediate discipline, including possible termination:

- The buying, selling, transportation, possession, providing or use of intoxicants or any controlled substances as defined by law (excluding any substance lawfully prescribed for the employee's use) while on District property, during work hours, including meal periods, and while assigned to extra duty or special projects, including those held after or in addition to regular school hours.
- Reporting for work under the influence of intoxicants or any controlled substance (excluding any substance lawfully prescribed for the employee's use). An individual is considered to be "under the influence of a controlled substance" when, in the District's determination, the controlled substance impairs the individual's ability to safely and/or efficiently perform assigned work, prevent the employee from presenting a positive role model to students, or cause discredit to the District.

The district reserves the right, with prior notice and reasonable suspicion, to conduct searches of district property, vehicles or equipment at any time. A refusal to submit to a search may result in disciplinary action, up to and including dismissal.

USE OF TOBACCO AND INHALANTS ON DISTRICT PREMISES

POLICY CODE: GBK/KGC

In recognition of the dangers associated with the use of tobacco and inhalant delivery systems and the importance of providing positive and appropriate role models for District students; the use, distribution or sale of tobacco products or inhalant delivery systems by staff and all others is prohibited on District premises, in any building or facility, on District grounds, including parking lots, in any vehicle owned, leased, rented or chartered by the District, school or public charter school and at all school-sponsored activities.

CHILD ABUSE REPORTING

POLICY CODE: JHFE/GBNAB

Any district employee who has reasonable cause to believe that any child with whom the employee has come in contact has suffered abuse shall orally report or cause an oral report immediately by telephone or otherwise to the local office of the Oregon Department of Human Services (DHS) or its designee or to the law enforcement agency within the county where the person making the report is located at the time of the contact pursuant to Oregon Revised Statute (ORS) 419B.010. Any district employee who has reasonable cause to believe that any person with whom the employee is in contact has abused a child shall immediately report or cause a report to be made in the same manner to DHS or its designee or to the law enforcement agency within the county where the person making the report is located at the time of the contact pursuant to ORS 419B.010. If known, the report shall contain 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, contractors, agents, volunteers, 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 regulation.

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 the Oregon Department of Human Services (DHS) or its designee or the local law enforcement agency pursuant to ORS 419B.015, and to the 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.

If the superintendent is the alleged perpetrator the report shall be submitted to the assistant superintendent 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 the designee will follow upon receipt of a report, the contact information for local law enforcement and the local DHS office or its designee, 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, or its designee, 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 email, 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.

SUSPECTED SEXUAL CONDUCT WITH STUDENTS AND REPORTING REQUIREMENTS

POLICY CODE: JHFF/GBNAA

Sexual conduct by district employees, contractors¹, agents², and volunteers³ is prohibited and will not be tolerated. All district employees, contractors, agents, and volunteers are subject to this policy. Students are also subject to this policy if they are acting as an employee, contractor, agent or volunteer.

Any district employee, contractor, agent or volunteer who has reasonable cause to believe that a student has been subjected to sexual conduct by another district employee, contractor, agent or volunteer, or that another district employee, contractor, agent or volunteer has engaged in sexual conduct with a student shall immediately report such suspected sexual conduct to the designated licensed administrator, or the alternate designated licensed administrator in the event the designated licensed administrator is the suspected perpetrator, for their school building. If the conduct also constitutes child abuse, the employee must make mandatory reports in accordance with Board policy GBNAB/JHFE – Suspected Abuse of a Child Reporting Requirements.

If an employee fails to report suspected sexual conduct or fails to maintain confidentiality of records, the employee will be disciplined up to and including dismissal.

When a designated licensed administrator receives a report of suspected sexual conduct by a district employee, contractor, agent or volunteer, the administrator will follow procedures established by the district and set forth in the district's administrative regulation GBNAA/JHFF-AR - Suspected Sexual Conduct Report Procedures and Form. All such reports will be reported to the Oregon Department of Education (ODE) or Teacher Standards and Practices Commission (TSPC) in accordance with such administrative regulation. The agency receiving a report will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged perpetrator.

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 cause to believe the district employee, contractor or agent engaged in sexual conduct. 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 initiation of a report in good faith about suspected sexual conduct may not adversely affect any terms or conditions of employment or the work environment of the person who initiated the

report or who may have been subject to sexual conduct. If a student initiates a report of suspected sexual conduct by a district employee, contractor, agent or volunteer in good faith, the student will not be disciplined by the district or any district employee, contractor, agent or volunteer.

The district will provide to employees 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 sexual conduct;
2. A description of the investigatory process and possible consequences if a report of suspected sexual conduct is substantiated; and
3. A description of the prohibitions imposed on district employees, contractors and agents when they attempt to obtain a new job, pursuant to ORS 339.378(2).

All district employees are subject to Board policy GCAB - Personal Electronic Devices and Social Media - Staff regarding appropriate electronic communications with students.

COMMUNICABLE DISEASES - STAFF

POLICY CODE: GBEB

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 rule and include but are not limited to COVID-191 , 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 if, in the opinion of the local health officer, the person poses an unusually high risk to others (e.g., a child that 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. A disease is considered to be a restrictable disease if it is listed in Oregon Administrative Rule (OAR) 333-019-0010, or it has been designated to be a restrictable disease by the local public health administrator after determining that it poses a danger to the public's health.
2. "Susceptible" for an employee means lacking evidence of immunity to the disease.
3. "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. An employee of the district will not attend or work at a district school or facility while in a communicable stage of a restrictable disease, including a communicable stage of COVID-192 , unless authorized to do so under Oregon law. When an administrator has reason to suspect that an employee has a restrictable disease, the administrator shall send the employee home.
2. An administrator shall exclude an employee if the administrator has reason to suspect that an employee has 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 will report the occurrence to the local health department.

3. An administrator shall exclude an employee if the administrator has been notified by a local public health administrator or local public health officer that the employee has had a substantial exposure to an individual with COVID-19 and exclusion is deemed necessary by same.
4. An employee will be excluded in such instances until such time as the employee 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 employee does not have or is not a carrier of any restrictable disease.
5. An administrator may allow attendance of an employee restricted for chickenpox, scabies, staphylococcal skin infections, streptococcal infections, diarrhea or vomiting if the restriction has been removed by a school nurse or health care provider.
6. More stringent exclusion standards for employees from school or work may be adopted by the local health department.
7. The district's emergency plan shall address the district's plan with respect to a declared public health emergency at the local or state level.

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 that 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 guidance.
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, on a case-by-case basis, 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). (See policy EBBA).

EXPRESSION OF MILK OR BREAST-FEED IN THE WORKPLACE

POLICY CODE: GBDA



When possible an employee must give reasonable notice of the intent to express milk or breast-feed to the employee's supervisor. The district shall provide the employee a reasonable rest period to express milk or breast-feed each time the employee has a need to express milk or breast-feed. If feasible, the employee will take the rest period at the same time as the rest periods or meal periods provided by the district.

The district will make a reasonable effort to provide a location, other than a public restroom or toilet stall, in close proximity to the employee's work area, where an employee can express milk or breast-feed in private, concealed from view and without intrusion by other employees or the public. "Close proximity" means within walking distance from the employee's work area that does not appreciably shorten the rest or meal period. If a private location is not within close proximity to the employee's work area, the district may not include the time taken to travel to and from the location as part of the break period.

The following locations have been identified in each facility for milk expression or breast-feeding:

1. **District office:** 401 West 4th Street, Phoenix, OR; kitchen/lunch room;
2. **Orchard Hill Elementary School:** 1011 La Loma, Medford, OR; room 25 in the back hallway around the corner from the office.
3. **Phoenix Elementary School:** 215 North Rose, Phoenix, OR; office down the stairs between the main office and the Media Center.
4. **Talent Elementary School:** 307 Wagner Creek Rd, Talent, OR; office in the music room.
5. **Talent Middle School:** 102 Christian Ave, Talent OR; family resource room.
6. **Phoenix High School:** 745 North Rose St, Phoenix, OR; itinerant office room D125.
7. **Maintenance Shop:** 873 N Rose Street, Phoenix, OR; 2nd floor, west storage room.
8. **Phoenix-Talent Transition Program,** 2841 Juanipero, Medford, OR; staff office.

An employee who expresses milk during work hours may use the available refrigeration to store the expressed milk. The district must allow the employee to bring a cooler or other insulated food container to work for storing the expressed milk and ensure there is adequate space in the workplace to accommodate the employee's cooler or insulated food container.

This policy and the list of designated locations is published in the employee handbook. The list of designated locations is available upon request in the central office of each school facility and in the district's central office.

This policy only applies to employees who are expressing milk or breast-feeding for children 18 months of age or younger.

HAZING/HARASSMENT/INTIMIDATION/BULLYING/MENACING/ CYBERBULLYING-STAFF

POLICY CODE: GBNA

The Board is committed to providing a positive and productive learning and working environment.

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

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

Staff whose behavior is found to be in violation of this policy will be subject to discipline, up to and including dismissal. Third parties whose behavior is found to be in violation of this policy shall be subject to appropriate sanctions as determined and imposed by the superintendent or Board.

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

The superintendent is directed to develop administrative regulations to implement this policy. Regulations shall include descriptions of prohibited conduct, reporting and investigative procedures and provisions to ensure annual notice of this policy is provided to students, staff and third parties.

WELLNESS, HOPE, AND ENGAGEMENT



These beliefs guide the work that we do and the daily experiences that make our connections with every individual we interact with meaningful and validating. Our unwavering commitment to these beliefs creates a strong community and a positive culture.

- Everyone can learn. Learning is the result of a team effort between community, school, family and student.
- Our schools provide a safe environment where healthy values, minds and bodies can grow and learn.
- It is our responsibility to provide multiple opportunities to succeed.
- Our educational program shall provide a core set of knowledge and skills that cultivates personal excellence for success.
- Diversity enriches the community; each person has a right to be treated with respect and dignity.
- In ensuring all graduates are life-long learners who are respectful, confident and prepared for college, career and citizenship.

BOARD AND SUPERINTENDENT OPERATING AGREEMENTS

A. Purpose of Agreement

The School Board of Directors is the Policy making body for Springfield Public Schools. To effectively meet the system's challenges the School Board of Directors must function with the Superintendent as a cohesive leadership team. To ensure unity in purpose and clarity in process; effective group agreements must be in place. The following are the group agreements for the Springfield School Board of Directors and Superintendent.

B. Board Member Job Description

1. Work as a team to set the long-term direction of Springfield Public Schools with a clear vision, mission statement, measurable goals, and priorities.
2. Focus on policymaking, policy-review, planning, and evaluation.
3. Manage Board processes including Board-Superintendent Operating agreements and participating in an annual self-assessment of the Board's performance.
4. Set priorities for Board professional development annually, pursuing continuous improvement through regular board work sessions and OSBA professional development activities.
5. Supervise the hiring, performance evaluation, and other personnel management processes related to the Superintendent.
6. Work with the Superintendent as a team, recognizing that the Superintendent is the Board's advisor.
7. Respect the Superintendent's responsibility to manage the day-to-day operations of the District and to direct employees in District and school matters.
8. Maintain effective two-way communication with students, staff, and the public. This will include Board highlights and key items from Board meetings in district communication avenues such as the District website.
9. Be accountable for the financial stewardship of the District, including but not limited to the following responsibilities: serving on the Budget Committee, aligning resources with goals and priorities, setting expectations, monitoring progress, officially adopting the Budget, and accepting the annual Budget report.
10. Deliberate and make decisions in accordance with public meeting law. Foster a positive Board environment; encouraging debate, different points of view, and listening, doing so with care and respect.
11. Understand that as an individual, a Board member has no authority. It is when acting as a body that a majority of the Board has influence
12. Board members will adhere to standards of ethical conduct and professionalism. They will also maintain confidentiality according to the Oregon Revised Statute standards, particularly in executive session and administrative function sessions, including when interacting with staff, elected officials, and the community.

C. Role of Board Leadership: Board Chair/Vice Chair

1. Manage the Board's process; convene meetings; develop the Board agenda with the Superintendent, seeking Board member input; and execute documents, as appropriate.
2. Serve as the authorized spokesperson for the Board with regard to Board policy, process, and decisions. The Chair may delegate this responsibility to other Board members and/or the Superintendent.
3. Communicate with individual Board Members concerns shared with the Chair by other Board members regarding issues agreed to in the Operating Agreement.
4. Facilitate the orientation of new Board Members.
5. Assist the Superintendent in communicating important information to the full Board. Keep Board members apprised of information exchanged with the Superintendent.
6. The Vice Chair will perform these duties when the Chair is not available.

D. Role of the Superintendent

1. Manage the day-to-day operations of the District.
2. Work as a team with Board Members.
3. Work with the Board to establish a clear vision for the District and affirm it annually.
4. Collaborate with the Board to set annual District goals.
5. Work with the Chair and Vice Chair to effectively bring information and issues to the Board to facilitate proactive, data-driven decisions on policy and budget/revenue issues.
6. Facilitate and direct communication between the central office staff and the Board that will require more than 20 minutes of staff time or when confidential by nature.
7. Provide regular communications to the Board. This may include: scheduling information for activities and events, as well as notice, follow-up or resolution of issues.

E. Meeting Operations and Decision Making

1. Respect the scheduled starting and ending times for meetings. Executive sessions and work sessions will end no later than 10 minutes before Board meetings. The Vice Chair will assist the Board Chair with keeping on schedule.
2. Attend and be fully engaged with a minimal distraction from cell phones, etc. at regularly scheduled Board meetings unless prevented by sickness or an unavoidable cause.
3. Cooperate in scheduling special meetings and/or work sessions for planning and training purposes.
4. Prepare for Board meetings by completing the following:
 - a. Read the complete Board packet prior to the meeting. Board Packets will be provided via email or posted online no later than the Friday prior to a Board meeting. A hard copy may also be picked up at the District Office on the Friday afternoon prior to a meeting.
 - b. Ask questions you may have regarding the information in the Board Packet of the Superintendent or members of the Executive Team prior to the day of the meeting if possible.
 - c. If after you have asked questions you intend to pull an item from the consent agenda, please notify the Board Chair and/or Superintendent before the meeting.
 - d. Be clear in communication with the Superintendent and Board Chair prior to the meeting to avoid surprises at Board meetings.

- e. Make it a goal to make no new proposals on the night that the Board is scheduled to make a decision or take action.
 - f. Items for discussion should be brought first to the Board Chair or Superintendent to be placed on the agenda by Monday the week prior to a scheduled Board meeting.
5. Board meeting discussions should be thorough yet concise and pertinent to the issues on the agenda.
 6. Cast a vote on all matters except when a conflict of interest arises.
 7. Uphold decisions that have been made by the Board.

F. Communication

1. Communicate openly and honestly.
2. Respect differences and listen well and for positive intent.
3. Operate as representatives and make decisions in the best interest of the whole District. Consider research, best practices, evaluative data and public input in making mindful and purposeful decisions. Being mindful of the needs of ALL the children in our District and the interests of our collective community.
4. Focus on the situation, issue, or behavior- not the person.
5. When a Board Member receives an informal complaint, listen carefully and empathetically. Direct the person to solve the problem at the lowest level.
 - a. Please talk with the teacher.
 - b. Please talk with the principal.
 - c. Please talk with the Superintendent.
6. Formal complaints must be forwarded to the Superintendent; the Superintendent or designee hears these. Complainants may appeal the Superintendent's decision to the School Board.
7. If a complainant is unwilling to speak to the Superintendent, a Board member may share the issue and the source of the complaint/concern/criticism of the District with the Superintendent. The Superintendent will keep the Board informant "source" confidential at the request of a Board member but every effort should be made to encourage trust and open communication. This is the best hope for full understanding and resolution.
8. Community Communication with the entire Board via Email: When the entire Board receives communication from a community member, the Board Chair will respond. A "footnote" statement will be added to the bottom of the response so that patrons understand that it is the practice of the Board that the Board Chair will respond on behalf of the Board. The footnote will read as follows:

"To assure that Board conversations and deliberations do not occur through email, the Board Chair will respond on behalf of the Board. School Board Members only deliberate when gathered as a quorum as outlined in the Public Meeting Law. All Board members will receive the response given by the Board Chair."

9. When a single Board member receives a communication from a member of the public he/she may respond to that patron as an individual Board member. The Board member may elect to forward the email and his/her response to the Board Chair or full Board if he/she wishes.

10. When a concern or problem arises with an individual Board Member, communicate first with the Board Member. If the issue is not resolved, communicate with the Board Chair and finally with the Superintendent if necessary.
11. To increase transparency in district operations and Board oversight, the Superintendent should be included in meetings between a Board Member and key stakeholders.
12. When possible and appropriate, responses to public questions should be included in Superintendent-Board updates.

G. Board or Superintendent Committees

Board Committees: The committee chair is responsible for implementing the charge of the Board. The committee chair will provide regular updates of committee progress to the Board. External communication of committee progress is the responsibility of the committee chair – the committee chair will provide advanced copies to the Board and the Superintendent of any external communication 36 hours before release.

Superintendent Committees: Board members may be asked to serve on a Superintendent or District committee. The Board member is a representative of the Board to staff, student, parent and community members. Board members serving on a committee should temper their participation, mindful of their position as an elected official. Board members serving on a committee are to respect the role of the committee chair and refrain from initiating a new direction for the committee or initiating formal community input except when requested by the committee chair. The Board representative on a Superintendent or District committee will assist the Superintendent in reporting committee progress to the Board. Voting rights will be determined on a case-by-case basis.

SPRINGFIELD SCHOOL DISTRICT 19
SECTION A/B: BOARD GOVERNANCE AND OPERATIONS
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BOARD AND SUPERINTENDENT WORKING AGREEMENTS

Purpose:

The Board of Directors is the educational policy making body for Phoenix-Talent School District. To effectively meet the District's challenges the School Board and Superintendent must function together as a leadership team. To ensure unity among team members, effective group agreements must be in place. The following are the group agreements for the Board and Superintendent.

The Board Job Description:

1. Work with the Superintendent as a team, recognizing that the Superintendent is the Board's advisor.
2. Set the long-term direction of the District through the mission, vision, and goals.
3. Be accountable for the financial stewardship of the District, including aligning financial resources with goals, setting expectations, and monitoring progress.
4. Focus on policy making, planning and evaluation, rather than day-to-day operations.
5. Make decisions as a whole Board only at properly called meetings. Board members recognize that individual members have no authority to take individual action in policy or district and school administrative matters.
6. Support decisions of the majority after honoring the right of individual members to express opposing viewpoints and vote their convictions.
7. Recognize and respect the Superintendent's responsibility to manage the school district and to direct employees in district and school matters.
8. Give careful consideration to all issues brought to you by individuals and special interests. Actively solicit input and listen to all perspectives. We will operate as representatives and make decisions in the best interest of the whole district.
9. Deliberate and make decisions in accordance with public meeting law.
10. Supervise the hiring, performance evaluation and other personnel management processes related to the Superintendent.
11. Value the role we play in the community and represent the district, when possible, by attending school and community functions.
12. Be an advocate for public education in the district, region and state level by speaking up for, and on behalf of public education whenever required.

Role of the Board Leadership (Chair):

1. Recognize the role of the Chair to speak for, and about, the Board, and to describe the Board's process and positions. Recognize the role of the Chair to convene meetings, develop the agenda with the Superintendent and execute documents as appropriate.
2. Communicate with individual Board members' concerns shared with the chair by other board members regarding issues agreed to in the working agreements or group operating norms.
3. Assist the Superintendent in communicating important information to the full board. Keep Board members apprised of information exchanged with the Superintendent.
4. The Vice-Chair will perform these duties when the Chair is not available.

Role of the Superintendent:

1. The Superintendent will serve as the Chief Executive Officer of the District and manage the day-to-day operations of the District.
2. Attend all meetings of the Board except those concerned with his own contract status and take part in deliberations, but does not vote.
3. Assist the Board in reaching sound judgments, establishing policies and approving those matters which the law requires the Board to approve. Provide the Board necessary and helpful facts, comparisons, investigations, information and reports. The Superintendent may utilize other personnel/consultants to provide input on special or technical matters to assist the Board in their decision making process.

Board's Expectations of the Superintendent

1. Work toward becoming a team with Board members.
2. Respect and acknowledge the Board's role in setting policy and overseeing the performance of the Superintendent.
3. Work with the Board to establish a clear vision and set goals for the school district.
4. Prepare preliminary goals annually for the Board's considerations.
5. Provide data to the Board members so that data driven decisions can be made.
6. Possess a working knowledge of all legal and local policies.
7. Inform the Board of all critical information including relevant trends, anticipated adverse media coverage or critical external or internal change.
8. Distribute appropriate information to all Board members.
9. Communicate with Board members promptly and effectively.
10. Respect the confidentiality requirement of Executive Session Board meetings.
11. Treat all Board members professionally.
12. Communicate to individual Board members if a problem or issue is observed developing with an individual Board member.
13. Conduct a self-assessment prior to the Board's evaluation of the Superintendent's job performance.
14. Represent the school district by being visible in the community.
15. Provide follow-up information to Board members on concerns and issues they have referred to the Superintendent - close the communication loop.
16. Practice of avoiding surprise items at board meetings.
17. Integrity of the highest order.

Superintendent's Expectations of the Board

1. Recognition of the Superintendent as the educational leader of the school district.
2. Willingness to share the success and failures of the school system with the Superintendent.
3. Assistance in gaining acceptance and support in the community.
4. Willingness to abide by its own rules, policies and code of ethical conduct.
5. Willingness, within budget constraints, to provide the Superintendent with adequate staff and clerical assistance.
6. Willingness to acknowledge and follow the chain of command of the school district.
7. Respect the confidentiality requirement of board meeting executive sessions.
8. Avoidance of seeking personal privilege.

9. A willingness to participate in professional development activities at the local, state and national level.
10. An effort to foster unity, harmony and open communications within the Board.
11. An understanding of the relative or complimentary role of the Superintendent and Board in policy making.
12. Careful consideration of each recommendation made by the Superintendent.
13. Insistence on all available facts and data before making a decision.
14. Willingness to study and evaluate educational issues affecting the school district.
15. Practice of avoiding surprise items at board meetings.
16. Integrity of the highest order.

Meeting Operational Agreements:

1. Respect the scheduled starting and ending times for meetings.
2. Attend regularly scheduled Board meetings unless prevented by sickness or an unavoidable cause.
3. The board packet will normally be delivered to Board Members five days in advance of regularly scheduled Board meetings. The Board will be notified if there is a delay.
4. Prepare for Board meetings by reading materials ahead of the meeting and asking questions that you have of the Superintendent or members of the Executive Team prior to the day of the meeting if possible. If, after you have asked questions, you intend to pull something from consolidated action, please notify the Board Chair and/or Superintendent before the meeting.
5. Actively solicit input, listen to all perspectives and give careful consideration to all issues. It is important to include multiple perspectives on agenda items of key concern for the community or staff in order to provide a balanced conversation. Make decisions in the best interest of the whole district always keeping students in mind.
6. Board members will show respect at Board meetings and refrain from surprising or embarrassing other Board Members, administrators, staff members or the audience.
7. The Superintendent will act as parliamentarian at Board meetings to help ensure each motion is clear and there is no missing or misunderstood information.
8. Support decisions that have been made by the Board after honoring the right of the individual members to express opposing viewpoints and vote their convictions.
9. Any Board member may request that an item be placed on the agenda for Board consideration by contacting the Superintendent/Designee or the Board Chair.
10. Whenever possible, Board members and the Superintendent should not introduce new items for discussion unless other Board members and the Superintendent have had prior notice and understand the issue in question. Last minute items which fall within the budget but are necessary for the ongoing, timely operation of the district will be allowable (approving hires, meeting grant deadlines, etc.)
11. The Board and Superintendent will strive to not have any surprises by keeping each other and the Superintendent fully informed before the meeting of issues or controversial situations which they are aware of and may come up at the meeting.
12. Demonstrate confidentiality of matters discussed in Executive Session Board meetings, as required by law.
13. Cooperate in scheduling special meetings and/or work sessions for planning and training purposes.
14. Cast a vote on all matters except when a conflict of interest arises as described in policy.
15. Board members will be cognizant of how they state things and how they may be interpreted by the public at meetings and while interacting with the public in general.

16. The Superintendent may step in during Board discussions at meetings to provide clarification or raise awareness of situations.
17. During meetings, Board members will direct questions for staff/administrators through the Chair and Superintendent.
18. At the designated time on board agendas, the community may offer objective criticism of district operations and programs, but the Board will not hear complaints concerning individual district personnel. The Chair will direct the visitor to the appropriate means for Board consideration and disposition of legitimate complaints involving individuals.

Communication Agreements:

1. Communicate openly and honestly.
2. Respect differences and listen well, and for, positive intent.
3. Focus on the situation, issue, or behavior, not the person.
4. When a Board member receives an informal complaint, refer the complainant back to the individual staff member to solve the problem at the lowest level, but also inform the appropriate administrator.
5. Formal complaints must be put in writing and signed by the complainant. These are submitted in accordance with Board Policy. Complainants may appeal the decision to the next higher level including the Superintendent's decision to the School Board.
6. All requests for information by Board members will be sent to the Superintendent for action.
7. Communicate directly with the Superintendent when a question arises, or a concern is voiced by a staff member, student, and parent or community member.
8. Communicate directly with the Superintendent or Board Chair prior to meetings of the board to address questions and/or concerns about agenda items.
9. Communicate one-on-one, when an individual concern arises, with the Superintendent or other Board members as appropriate.
10. From time-to-time the Board may be required to make findings of fact that are appealable to another agency. In these situations, no Board member will have personal contact with parties who have a personal interest in the findings and in the Board's decision prior to the time the decision is made. The purpose of this agreement is to help ensure that any individual Board member will receive information regarding a pending matter that is not available to all Board members prior to the time the decision is made. (Examples of such decisions include personnel matters, official land use decisions and charter school applications.)
11. The Board will use email only for one way dissemination of information among themselves. Two way email conversation will be limited to those between a Board member and the Superintendent.
12. The Board encourages input; however, anonymous calls or letters will not receive superintendent or board action, discussion or response and will not result in directives. All other community concerns brought to a Board member should be channeled through the superintendent's office.

Media Communications

1. The Board Chair shall be the official spokesperson for the Board to the media/press on issues of media concern.
2. The Superintendent will be the spokesperson for the district.

3. All Board members who received calls from the media shall direct the media to the appropriate person and notify the Superintendent and Board Chair of the call.
4. Individual board members can submit media publications but are encouraged to identify it as a personal opinion rather than representing the board.

Annual Planning and Evaluation:

1. Annually affirm the Board of Director’s vision, mission statement and goals.
2. Annually set priorities for Board professional development.
3. Participate in annual self-assessment of the Board's performance.
4. Participate in establishing annual expectations and goals for the Superintendent.
5. Objectively evaluate the Superintendent's performance and provide appropriate feedback.

This document will be reviewed annually. This document can be revisited at any time by request of a Board member or Superintendent.

Signatures below indicated each Board Member’s commitment to a transparent, collegial, and democratic process.

Board Member

Board Member

Board Member

Board Member

Board Member

Vice Chairperson

Chairperson

Superintendent

BOARD – SUPERINTENDENT OPERATING AGREEMENT SAMPLE

PURPOSE:

The Board of Directors is the educational policymaking body for (organization). To effectively meet the system's challenges the School Board and Superintendent must function together as a leadership team. To ensure unity among team members, effective group agreements must be in place. The following are the group agreements for the Board and Superintendent.

COLLABORATIVE GOVERNANCE:

1. Members of the Board and the Superintendent shall work together as a team; modeling lifelong learning and collaboration.
2. Board members shall recognize and respect the Superintendent's responsibility to manage the school district and to direct employees in district and school matters.
3. Board members shall give careful consideration, listening to all perspectives, to all issues brought to the board by individuals and district leadership.
4. The Board shall make decisions only at properly called meetings. Board members recognize that individual members have no authority to take individual action in policy or district and school administrative matters, unless so authorized by board vote.

COMMUNICATION AGREEMENTS:

1. Board members shall follow the chain-of-command and communicate directly with the Superintendent when a question arises, or a concern or complaint is voiced by a staff member, student, parent or community member.
2. Board Members shall communicate directly with the Superintendent or Board Chair prior to meetings of the board to address questions and/or concerns about agenda items.
3. Board members and the Superintendent shall communicate one-on-one, when an individual concern arises, with any member of the board-superintendent team as appropriate.

BOARD EXPECTATIONS OF THE SUPT:

1. Identify one and place here.
2. Identify one and place here.
3. Identify one and place here.
4. Identify one and place here.
5. Identify one and place here.

SUPERINTENDENT'S EXPECTATIONS OF THE BOARD:

1. Identify one and place here.
2. Identify one and place here.
3. Identify one and place here.
4. Identify one and place here.
5. Identify one and place here.

SIGNATURES OF AGREEMENT:

Date _____



OREGON SCHOOL BOARDS ASSOCIATION

1201 Court St NE, Ste 400 | Salem, OR 97301 | 503-588-2800 or 800-578-6722

www.osba.org | info@osba.org | rev 6/2019

BOARD-SUPERINTENDENT WORKING AGREEMENT

BOARD'S EXPECTATIONS OF THE SUPERINTENDENT

1. Work toward becoming a team with board members.
2. Respect and acknowledge the board's role in setting policy and overseeing the performance of the superintendent.
3. Work with the board to establish a clear vision for the school district.
4. Prepare preliminary goals annually for the board's considerations.
5. Provide data to the board members so that data-driven decisions can be made.
6. Possess a working knowledge of all legal and local policies.
7. Inform the board of all critical information including relevant trends, anticipated adverse media coverage or critical external or internal change.
8. Distribute appropriate information to all board members.
9. Communicate with board members promptly and effectively.
10. Distribute the board agenda by _____ (time, day) prior to the regularly scheduled board meetings on _____ (day) of the following week, except when major holidays fall on Friday.
11. Respect the confidentiality requirement of board meeting executive sessions.
12. Treat all board members professionally.
13. Communicate to individual board members if a problem or issue is observed developing with an individual board member.
14. Conduct a self-assessment prior to the board's evaluation of the superintendent's job performance.
15. Represent the school district by being visible in the community.
16. Provide follow-up information to board members on concerns and issues they have referred to the superintendent—close the communication loop.

SUPERINTENDENT'S EXPECTATIONS OF THE BOARD

1. Recognition of the superintendent as the educational leader of the school district.
2. Willingness to share the success and failures of the school system with the superintendent.
3. Assistance in gaining acceptance and support in the community.
4. Willingness to abide by its own rules, policies and code of ethical conduct.
5. Willingness, within budget constraints, to provide the superintendent with adequate staff and clerical assistance.
6. Willingness to acknowledge and follow the chain of command of the school district.
7. Respect for the confidentiality requirement of board meeting executive sessions.
8. Avoidance of seeking personal privilege.
9. Willingness to participate in professional development activities at the local, state and national level.
10. Effort to foster unity, harmony and open communications within the board.
11. Understanding of the relative or complementary role of the superintendent and board in policy making.
12. Careful consideration of each recommendation made by the superintendent.
13. Insistence on all available facts and data before making a decision.
14. Willingness to study and evaluate educational issues affecting the school district.
15. Practice of avoiding surprise items at board meetings.
16. Integrity of the highest order.



Phoenix-Talent Schools District 4

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The following symbols are used on some sample policies:

- * May be subject to collective bargaining.
- ** As used in this policy, the term parent includes legal guardian or person in a parental relationship. The status and duties of a legal guardian are defined in ORS 125.005(4) and 125.300-125.325. The determination of whether an individual is acting in a parental relationship, for purposes of determining residency, depends on the evaluation of the factors listed in ORS 419B.373. The determination for other purposes depends on evaluation of those factors and a power of attorney executed pursuant to ORS 109.056. For special education students, parent also includes a surrogate parent, an adult student to whom rights have transferred and foster parent as defined in OAR 581-015-2000.
- [] Brackets occur in sample policies to indicate the need for districts to select or tailor information specific to their particular situations.

Phoenix-Talent Schools District 4

Code: KAB
Adopted: 10/05/17
Orig. Code(s): KAB

Parental Rights**

The Board recognizes the importance of promoting parental input in decision making related to their student’s health and general well-being; in determining district and student needs for educational services; and in program development and district operations. To assist the district in this effort, and in accordance with law, ~~the Every Student Succeeds Act of 2015 (ESSA)~~, the district affirms the right of parents, upon request, to inspect:

1. A survey created by a third party before the survey is administered or distributed by the district to a student, including any district survey containing “covered survey items”¹ ~~as defined by ESSA~~;
2. Any instructional material used by the district as part of the educational curriculum for the student;
3. Any instrument used in the collection of personal information from students for the purpose of marketing or for selling that information or otherwise providing that information to others for that purpose.

As provided by law, parents of district students will also, upon request, be permitted to excuse their student from “covered activities”² ~~as defined by ESSA~~. The rights provided to parents under this policy, transfer to the student when the student turns 18 years of age, or is an emancipated minor under applicable state law.

The superintendent will ensure that activities requiring parental notification are provided as required by law and that reasonable notice of the adoption or continued use of this policy is provided to parents of students enrolled in district schools. The input of parents will be encouraged in the development, adoption and any subsequent revision of this policy.

The superintendent shall develop administrative regulations to implement this policy, including provisions as may be necessary to ensure appropriate notification to parents of their rights under federal law and district procedures to request review of covered materials, excuse a student from participating in covered activities and protect student privacy in the event of administration or distribution of a survey to a student.

¹ “Covered survey items” ~~under ESSA~~ include one or more of the following items: political affiliations or beliefs of the student or the student’s family; mental and psychological problems of the student or the student’s family; sex behavior or attitudes; illegal, antisocial, self-incriminating or demeaning behavior; critical appraisals of other individuals with whom respondents have close family relationships; legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers; religious practices, affiliations or beliefs of the student or the student’s parent; and income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program.

² “Covered activities,” requiring notification, ~~under ESSA~~ include activities involving the collection, disclosure or use of personal information collected from students for the purpose of marketing or for selling that information or otherwise providing that information to others for that purpose; the administration of any survey containing one or more of covered survey items; and any nonemergency, invasive physical examination or screening that is required as a condition of attendance and administered and scheduled by the school in advance. See the administrative regulation for additional definitions.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Every Student Succeeds Act of 2015, 20 U.S.C. § 7928 (2012).

Protection of Pupil Rights, 20 U.S.C. § 1232h (2012); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2017).

Family Education Rights and Privacy Act, 20 U.S.C. § 1232g (2012).

Phoenix-Talent Schools District 4

Code: KAB-AR
Adopted: 10/05/17
Orig. Code(s): KAB-AR

Parental Rights**

The following definitions and procedures will be used to implement the parental rights: requirements of the Every Student Succeeds Act of 2015 (ESSA):

Definitions

1. “Survey,” as defined by federal law and as used in Board policy and this regulation, includes an evaluation. It does not apply to a survey administered to a student in accordance with the Individuals with Disabilities Education Act (IDEA);
2. “Covered survey items” means one or more of the following items: political affiliations or beliefs of the student or the student’s family; mental and psychological problems of the student or the student’s family; sex behavior or attitudes; illegal, antisocial, self-incriminating or demeaning behavior; critical appraisals of other individuals with whom respondents have close family relationships; legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers; religious practices, affiliations or beliefs of the student or the student’s parent; and income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program;
3. “Covered activities,” requiring notification, ~~under ESSA~~ means those activities involving the collection, disclosure or use of personal information collected from students for the purpose of marketing or for selling that information or otherwise providing that information to others for that purpose; the administration of any survey containing one or more covered survey items; and any nonemergency, invasive physical examination or screening that is required as a condition of attendance, administered and scheduled by the school in advance and not necessary to protect the immediate health and safety of the student, or of other students. This provision does not apply to physical examinations or screenings that are permitted or required by law, including physical examinations or screenings permitted without parental notification;
4. “Third parties” include, but are not limited to, school volunteers, parents, school visitors, service contractors or others engaged in district business, such as employees of businesses or organizations participating in cooperative work programs with the district and others not directly subject to district control;
5. “Instructional material” means instructional content that is provided to a student, regardless of its format, including printed or representational materials, audiovisual materials and materials in electronic or digital formats (such as materials accessible through the Internet). The term does not include academic tests or academic assessments;
6. “Personal information” means individually identifiable information including a student or parent’s first and last name; a home or other physical address (including a street name and the name of the city or town); telephone number; or a social security identification number;

7. “Invasive physical examination” means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion or injection into the body. It does not include a hearing, vision or scoliosis screening and does not apply to any physical examination or screening that is permitted or required by an applicable state law, including physical examinations or screenings that are permitted without parental notification.

Requests to Inspect Materials

Parents may inspect surveys, instructional materials or instruments used to collect personal student information for marketing purposes before such items are administered or distributed by a school to a student as follows:

1. Requests may be directed to the school office by phone or in person;
2. Requests must be received by the district no later than five working days following receipt of notification by the district of its intent to administer or distribute such items;
3. Materials may be reviewed at the school office or mailed by the district;
4. Requests to mail materials must be accompanied by a self-addressed, stamped envelope.

Requests to Excuse Student from Covered Activities

A parent may request that his/her student be excused from participation in any of the following covered activities:

1. The collection, disclosure or use of personal information collected from students for the purpose of marketing or selling that information to others;
2. Any district or third party survey;
3. The administration of nonemergency, invasive physical examinations or screenings.

All such requests must be:

1. Directed to the principal in writing;
2. Received by the district no later than five working days following receipt of notification by the district of its intent to administer or distribute such items.

Student Privacy

The district recognizes its responsibility to protect student privacy in the event of administration or distribution of a survey to a student containing one or more covered survey items.

A student’s personal information that may be collected as a result of such surveys will be released only with prior, written parental permission. The district will use reasonable methods to identify and authenticate the identity of the parents, students, school officials, and any other parties to whom the district discloses personally identifiable information from educational records.

Notification

Each principal shall be responsible for ensuring appropriate notification to parents of their rights under federal law, Board policy and this regulation. Accordingly, notification will:

1. Be made at least annually at the beginning of the school year or at other times during the school year when enrolling students for the first time in school;
2. Include the specific or approximate dates during the school year when covered activities are scheduled or expected to be scheduled.

Phoenix-Talent Schools District 4

Code: KBA
Adopted: 4/19/18
Orig. Code(s): KBA

Public Records

“Public record” means any information that:

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

Public record does not include messages on voice mail or on other telephone message storage and retrieval systems, or spoken communication that is not recorded.

A request to inspect or receive a copy of a public record shall be in writing and will be presented to the district administrator’s office.

Board meetings and records will be matters of public information subject to such restrictions as are set by federal law or regulation, by state statute or by permanent court rulings.

The Board’s official minutes, its written policies and its financial records will be available at the superintendent’s office for inspection by any citizen desiring to examine them during hours when the superintendent’s office is open. All such information will be made available to individuals with disabilities in any appropriate format, upon request and with appropriate advanced notice. Auxiliary aids and services available to ensure equally effective communications to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.

The Board supports the right of the people to know about programs and services of their schools and will make every effort to disseminate information. Each principal is authorized to use all means available to keep parents and others of his/her particular school’s community informed about the school’s program and activities.

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

The Board reserves the right to establish a fee schedule which will reasonably reimburse the district for the actual cost of making public records available pursuant to law. The district will not be obligated to complete a request for which the requester has not paid the fee as permitted by state law. There will be no additional charge for auxiliary aids and services provided for qualified persons with disabilities.

Employee and volunteer addresses, electronic mail addresses (other than district electronic mail addresses assigned by the district to district employees), social security numbers, dates of birth and telephone numbers contained in personnel records maintained by the district are exempt from public disclosure pursuant to Oregon Revised Statute (ORS) 192.368445 and ORS 192.355502(3). Such information may be released only upon the written request of the employee or volunteer or as otherwise provided by law. This exemption does not apply to a substitute teacher, as defined in ORS 342.815, when requested by a professional education association of which the substitute teacher may be a member. District electronic mail addresses assigned by the district to district employees are not exempt.

The district will not disclose the identification badge or card of an employee without the employee's written consent if the badge or card contains the employee's photograph and the badge or card was prepared solely for internal use by the district to identify district employees. A duplicate of the photograph used on the badge or card shall not be disclosed.

The district shall not, in accordance with state law, disclose personal information for the purpose of enforcement of federal immigration laws.

The district shall retain and maintain its public records in accordance with Oregon Administrative Rule (OAR) 166, Division 400.

END OF POLICY

Legal Reference(s):

[ORS 180.805](#)

[ORS Chapter 192](#)

[OAR 137-004-0800\(1\)](#)

[OAR 166-400](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2012); 29 C.F.R. Part 1630 (2017); 28 C.F.R. Part 35 (2017).

OREGON DEP'T OF JUSTICE, OREGON ATTORNEY GENERAL, *Public Records and Meetings Manual* (2014).

Americans with Disabilities Act Amendments Act of 2008.

REPLACED

Phoenix-Talent Schools District 4

Code: KBA (**from August Policy Update**)
Adopted: 4/19/18
Orig. Code(s): KBA

Public Records **Request****

~~“Public record” means any information that:~~

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

A request to inspect or receive a copy of a public record shall be in writing and will be presented to the district office.

A “public record” includes any writing that contains information relating to the conduct of the public’s business, **prepared, owned, used or retained by the district regardless of physical form or characteristics, unless otherwise exempted by law.**¹ ~~“Writing” includes~~ **means** handwriting, typewriting, printing, photographing and every means of recording, including letters, words, pictures, sounds, or symbols or combination thereof and all papers, maps, files, facsimiles or electronic recordings. Public record does not include **any writing that does not relate to the conduct of the public’s business and that is contained on a privately owned computer** ~~messages on voice mail or on other telephone message storage and retrieval systems, or spoken communication that is not recorded.~~²

~~A request to inspect or receive a copy of a public record shall be in writing and will be presented to the [superintendent’s] office.~~

~~Board meetings and records will be matters of public information subject to such restrictions as are set by federal law or regulation, by state statute or by pertinent court rulings.~~

~~The Board’s official minutes, its written policies and its financial records will be available at the superintendent’s office for inspection by any citizen desiring to examine them during hours when the superintendent’s office is open. All such information will be made available to individuals with disabilities in any appropriate~~ **an accessible** format, upon request and with appropriate advanced notice. Auxiliary aids and services available to ensure equally effective communications to qualified persons with disabilities may include large print, Braille, audio recordings, readers, assistance in locating materials or other equally effective accommodations.

¹ **There are multiple definitions for “public record” in ORS 192. This definition comes from ORS 192.311 and applies to the inspection of records.**

² **In accordance with Bialostosky v. Cummings, 319 Or. App. 352 (2022), an individual board member may be considered a public body for public record purposes. Consequently, records created and retained solely by individual board members may be considered public records.**

The Board supports the right of the people to know about programs and services of their schools and will make **reasonable** every efforts to disseminate information. Each principal is authorized to use **all available** means available to keep parents and others of his/her **in the** particular school's community informed about the school's program and activities.

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

The Board reserves the right to establish a fee schedule which will reasonably reimburse the district for the actual cost of making public records available pursuant to law. The district will not be obligated to complete a request for which the requester has not paid the fee as permitted by state law. There will be no additional charge for auxiliary aids and services provided for ~~qualified~~ persons with disabilities.

Employee and volunteer **personal residential** addresses, **personal** electronic mail addresses (~~other than district electronic mail addresses assigned by the district to district employees~~), social security numbers, dates of birth and **personal telephone or cellular numbers, and other information listed in Oregon Revised Statute (ORS) 192.355 as exempt**, contained in personnel records maintained by the district are exempt from public disclosure pursuant to ~~Oregon Revised Statute (ORS) 192.363 - 368 and ORS 192.355(3)~~. **District electronic mail addresses assigned by the district to district employees are not exempt.** ~~Such information may be released only upon the written request of the employee or volunteer or as otherwise provided by law. This exemption does not apply to a substitute teacher, as defined in ORS 342.815, when requested by a professional education association of which the substitute teacher may be a member. District electronic mail addresses assigned by the district to district employees are not exempt.~~

The district will not disclose the identification badge or card of an employee without the employee's written consent if the badge or card contains the employee's photograph and the badge or card was prepared solely for internal use by the district to identify district employees. A duplicate of the photograph used on the badge or card shall not be disclosed.

The district shall not, in accordance with state law, disclose personal information for the purpose of enforcement of federal immigration laws.

The district shall retain and maintain its public records in accordance with Oregon Administrative Rule (OAR) **166-005-0010 and Chapter 166**, Division 400 **and ORS Chapter 192**.

END OF POLICY

Legal Reference(s):

[ORS 180.805](#)

[ORS Chapter 192](#)

[OAR 137-004-0800\(1\)](#)

[OAR 166-005-0010](#)

[OAR 166-400](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2012~~8~~); 29 C.F.R. Part 1630 (2017~~2021~~); 28 C.F.R. Part 35 (2017~~2021~~).

OREGON DEP'T OF JUSTICE, OREGON ATTORNEY GENERAL, *Public Records and Meetings Manual* (2014).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).

[Bialostosky v. Cummings, 319 Or. App. 352 \(2022\)](#).

Phoenix-Talent Schools District 4

Code: KBA-AR
Adopted: 4/19/18
Orig. Code(s): KBA-AR

Public Records

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 superintendent's office at 401 West Fourth Street, Phoenix, Oregon.
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. 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.

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.
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 provided in the form the record is maintained. 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.
7. Information will be made available to individuals with disabilities in an appropriate 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.
8. Where the labor effort exceeds 30 minutes, labor, material and out-of-pocket charges will be reimbursed to the district. Labor will be calculated at the hourly rate of the employee affected. Materials and out-of-pocket charges will be reimbursed at the established rate of \$.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 he/she was 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.
9. The district reserves the right to restrict the inspection of some public records to the district's facilities.

Phoenix-Talent Schools District 4

Code: KBA-AR (from August Policy Update)

Revised/Reviewed: 4/19/18

Public Records Request

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 superintendent's office at 401 West Fourth Street, Phoenix, Oregon.
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.

~~The~~ **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 ~~provided~~ **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 ~~appropriate~~ **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 reimbursed to the district. Labor will be calculated at the hourly rate of the employee affected. Materials and out-of-pocket charges will be reimbursed at the established rate of \$.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 ~~he/she was~~ **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.

~~The district reserves the right to restrict the inspection of some public records to the district's facilities.~~

Phoenix-Talent Schools District 4

Code: KBB
Adopted: 12/01/83
Orig. Code(s): KBB



School Sponsored Information Programs

As an ongoing effort to keep the public informed, regular publications may be prepared by the School District and by the individual schools.

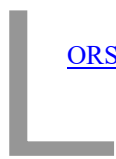
District budget publications shall include information about the financial condition of the School District and shall explain the District's need for financial support from the community.



END OF POLICY

Legal Reference(s):

[ORS 192.640](#)



[ORS 332.107](#)



Phoenix-Talent Schools District 4

Code: KBCA
Adopted: 12/01/83
Orig. Code(s): KBCA

News Releases

~~The Board and the Administration may provide the community with timely information through the use of news releases.~~

~~Each school administrator shall provide the Superintendent with news and information of a positive nature concerning events, personnel, students, and programs within the school.~~

Information about district activities and issues will be provided to the community in a way which will create and maintain a dignified and professionally responsible image for the district.

The procedures listed below will be followed in giving official information to the news media:

1. The Board chair will be the official spokesperson for the Board, unless this duty is delegated;
2. News releases that are of districtwide interest or that pertain to established district policy will be the responsibility of the superintendent;
3. The superintendent will establish procedures for the dissemination of news releases pertaining to the district.

END OF POLICY

Legal Reference(s):

[ORS 192.640](#)

[ORS 332.107](#)

Phoenix-Talent Schools District 4

Code: KBCAA/GBEBE/JHCCE
Adopted: 8/24/95
Orig. Code(s): KBCAA/GBEBE/JHCCE

D

News/Media - HIV, AIDS or HBV

The District shall appoint a District spokesperson who shall respond to media inquiries regarding rumored or identified HIV, AIDS or HBV¹ cases.

The spokesperson shall stress:

1. School districts are not informed of a person infected with HIV, AIDS or HBV unless the infected person or his/her parent releases the information;
2. School districts, if informed, may not release the information unless the infected person or parent gives permission for such release;
3. School districts may not prevent a staff member from working if he/she is able to perform his/her job responsibilities. Students have a right to continue to attend school.

The District shall ask the local health department or other health authorities to assist the District spokesperson in responding to media inquiries.

END OF POLICY

Legal Reference(s):

[ORS 326.565](#)
[ORS 326.575](#)
[ORS 332.061](#)
[ORS 336.187](#)
[ORS 342.850 \(7\)](#)
[ORS 433.008](#)
[ORS 433.045](#)

[OAR 333-012-0270](#)
[OAR 333-018-0000](#)
[OAR 333-018-0005](#)
[OAR 333-018-0030](#)
[OAR 581-015-0005](#)
[OAR 581-022-1440](#)

T

F

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

Phoenix-Talent Schools District 4

Code: KBCB
Adopted: 12/01/83
Orig. Code(s): KBCB

News Conferences and Interviews

(This aligns with policy BCB)

When individual Board members receive requests from press media representatives for information about Board meetings or actions, members will refer these representatives to the Board chair, who is the spokesperson for the Board. The chair may designate others to speak on behalf of the Board at their discretion.

Press conferences will be authorized by the Board chair.

Nothing in this policy is intended to limit the rights of individual Board members to speak their personal opinions.

~~School District employees who are requested to speak for the District should respond within the scope of their personal responsibility or knowledge and should not attempt to speak for other offices or discuss topics for which they have no personal responsibility.~~

~~The School Board may designate a Board member or the Superintendent to be their spokesperson when appropriate.~~

END OF POLICY

Legal Reference(s):

[ORS 192.640](#)

[ORS 332.107](#)

Phoenix-Talent Schools District 4

Code: KBCE
Adopted: 12/01/83
Orig. Code(s): KBCE

D

Sports Event News Coverage

News coverage of sporting events in the District shall be scheduled and coordinated by the Athletic Director or Athletic Coordinator.

News coverage of competitive sporting events at the elementary level will be discouraged.

END OF POLICY

E

Legal Reference(s):

[ORS 332.107](#)

L

E

T

F

Phoenix-Talent Schools District 4

Code: KBF
Adopted: 12/01/83
Orig. Code(s): KBF

D

Use of Students in Public Information Program

Printed material prepared by the District and related to activities of the District may be distributed by the students of the District.

Materials, other than regular schoolwork, that will be sent home with students must be approved by the Superintendent or building principal.

Out-of-school information, such as Y.M.C.A. or Parks and Recreation offerings, will be approved by the Superintendent's office.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

L

E

T

F

Phoenix-Talent Schools District 4

Code: KC
Adopted: 12/08/16
Orig. Code(s): KC

Community Involvement in Decision Making

(Community involvement elements have been incorporated into several policies, including BDDH, public comment at board meetings.)

The Board believes that community participation in the affairs of schools is essential if the district and the community are to maintain mutual confidence, and respect and work together to improve the quality of education for all students.

All citizens will be encouraged to express ideas, concerns and judgments about the school's administration, the staff and the Board.

The Board also encourages the involvement of citizens, both as individuals and as groups, to act as advisers and resource people to the district and to their own local schools.

The advice of the public will be given careful consideration in the decision making process of the Board.

END OF POLICY

Legal Reference(s):

[ORS 329.125](#)

[ORS 332.107](#)

Phoenix-Talent Schools District 4

Code: KE
Adopted: 9/20/84
Orig. Code(s): KE

Employee Participation in Community Activities

The Board encourages the employees of District #4 to participate constructively in activities of the community which have as their objectives the improvement of the general welfare of the community, state, and nation. (For purposes of determining employer liability, employee participation in community activities other than those directly involving the buildings, students, programs, or parent organizations of the School District shall not be construed as part of the duties of their employment.)

In their relationships with community groups, a conscientious effort should be made by employees to make school life a part of community life and to bring the community close to the schools. Employees should endeavor to know the community and its opportunities for students.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Oregon Constitution, Article XV, Section 8.

Phoenix-Talent Schools District 4

Code: KF
Adopted: 12/01/83
Orig. Code(s): KF

Community Instructional Resources

Citizens who voluntarily contribute their time and talents to the improvement and enrichment of the school program are valuable assets. The Board encourages individuals or groups to become involved in the school program by volunteering to perform appropriate tasks during and after school hours under the direction and supervision of professional personnel.

Volunteers will be encouraged from all backgrounds and all age groups. Volunteers may be involved working with students or performing tasks not involving children. School personnel will identify appropriate tasks for volunteers and will plan in-service activities for them so they may become skilled in performing those tasks. Volunteers will assist and reinforce skills taught by the professional staff.

The Superintendent shall develop such regulations as are necessary for the coordination of the volunteer program in the District and for the protection and safety of both the volunteer and the District.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Equal Access Act, 20 U.S.C. Sections 4071-4074.

Westside Community Board of Education v. Mergens, 496 U.S. 226 (1990).

Phoenix-Talent Schools District 4

Code: KG
Adopted: 4/05/07
Revised/Readopted: 9/16/21
Orig. Code(s): KG

Community Use of District Facilities

The Board supports the community education concept, which encourages the use of District facilities by community members for recreation, education and service activities. The following categories have been determined in order of priority for building and grounds usage:

1. Activities directly related to the required K-12 school program, including graduation; (Group I)
2. Activities related to the extracurricular K-12 school program such as sports and seasonal programs. (Group I)
3. Community school sponsored programs such as classes and workshops; (Group II)
4. Youth-related non-school activities; (Group III)
5. Adult-related non-school activities. (Group III)

The Board expects the users to treat the facilities with respect. A Facilities Use Request (application for use) form must be submitted by the person or group to the school office in coordination with administrators of the involved facility. The users must agree to all guidelines on the Facilities Use Request form. Upon approval by the site administrator, the request will be forwarded to the District Administrative Offices for the Facilities Director to review for approval. The Facilities Director also will indicate any parameters that may be stipulated for specific facility use. The original copy of the agreement will remain in the District Office, with copies distributed to the appropriate building administrator, building custodial staff and facility user.

Approval for using the facilities will be granted for a period not to exceed three months. Requests must be resubmitted if the user desires to continue usage.

The Superintendent will encourage the involvement of staff, parents and the community in the development of specific building use regulations.

END OF POLICY

Legal Reference(s):

[ORS Chapter 244](#)
[ORS 260.432](#)

[ORS 332.107](#)
[ORS 332.172](#)

Phoenix-Talent Schools District 4

Code: KG-AR
Revised Reviewed: 9/06/18; 9/16/21
Orig. Code(s): KG-AR(1)

Community Use of District Facilities

The Board recognizes the need for the use of school facilities by community organizations or groups when such use of facilities does not interfere with any school program and/or student activities.

The Superintendent shall establish regulations for community use of school facilities. Such regulations shall be made available to the community at the District Office and at each school building.

General Regulations

1. A cook/cafeteria worker may be required to be on duty for at least two hours for any activities involving non-school groups that utilize the kitchen facilities in any cafeteria.
2. A custodian may be required to be on duty for at least two hours for an activity which utilizes a school building during times when custodians are not usually present.
3. Approval for use of school facilities shall not be considered as an endorsement or approval of the activity group or organization nor the purposes they represent.
4. Upkeep fees and other costs will be adjusted each year as deemed warranted.
5. It is the intent of the District to avoid competing with private enterprise. To this end:
 - a. School district equipment and/or furniture will not be rented or loaned out separately except by approval of the Facilities Director.
 - b. School buildings or other facilities may be used for profit making purposes only if private facilities are unavailable. A \$500,000 commercial general liability certificate of insurance must be filed with the school-district naming the school-district as an additional named insured.
 - c. Food shall be prepared and/or served in school cafeterias only by school-related groups who profits will be used to benefit students.
6. All requests and arrangements for use of school facilities shall be returned to the building principal at least seven days in advance. Upon being approved by the building principal or his/her designee, the request will be forwarded to the Facilities Director or designee at District Office. (Requestor will be notified of approval or non-approval by the Facilities Director or designee.)
7. Renter or sponsor of groups shall assume all liability for damage to buildings, contents, and/or groups and agrees to hold harmless Phoenix-Talent School District #4 and its employees and/or agents of any responsibility for said liability. In the event facilities are misused, the Facilities Director or his/her designee will notify the user in writing. Such misuse will result in refusing further use of the facilities to that user.

Proof of liability insurance or an insurance binder naming the school-district as an “additional insured” on the insured’s policy will be required, unless a school sanctioned activity, before requests are approved.

8. User groups assume full responsibility for the supervision of all minors and visitors when using the buildings.
9. The use of alcoholic beverages, narcotics, controlled substances, tobacco or drugs is not permitted on school premises.
10. Scoreboards or timers are not to be used except by authorized personnel.
11. Showers are not to be used except by special permission of the principal or his/her designee.
12. Athletic equipment, the weight room, shops, and/or any classrooms containing special equipment, such as typewriters, computers, science lab, etc., are not available except by approval of the principal.
13. Fees and/or deposits shall be paid in advance at the District office.
14. Keys will not be issued to user groups or individuals except by special circumstances at the discretion of the Facilities Director or his/her designee.

Use of Colver Fields Regulations

Failure to comply with the following may result in monetary penalties and/or restriction from use of the Colver Field area.

1. Removal or addition of soil will not be allowed without prior approval from the Facilities Director or his/her designee.
2. Modifications, including any additions or deletions, related to the electrical system will not be allowed without prior approval from the Facilities Director or his/her designee.
3. Modifications, including additions or deletions, related to the irrigation system will not be allowed without prior approval from the Facilities Director or his/her designee.
4. Adjustments to the irrigation time clocks/programmers will not be allowed without prior approval from the Facilities Director or his/her designee.
5. Gates and cable locks must be secured upon exiting. The person listed as the responsible party on the “Facilities Use Agreement” will be responsible for securing Colver Road Facility after each use.
6. Herbicides/Pesticides shall not be applied without prior approval of the Facilities Director or his/her designee.
7. No pruning or altering of trees/shrubbery will be allowed without prior approval of the Facilities Director or his/her designee.
8. All trash/debris resulting from the stated activity must be placed in the appropriate containers prior to exiting the Colver Road area.

9. No dumping of lawn/vegetation trimmings will be allowed on the Colver Road property. Significant penalties may result from such action.
10. Structural altering of buildings and/or bleachers will not be allowed without prior approval of the Facilities Director or his/her designee.
11. Application of paint/stain to buildings and/or bleachers will not be allowed without prior approval of the Facilities Director or his/her designee.
12. Animals will not be allowed without prior approval of the Facilities Director or his/her designee.
13. No motorized vehicle will be allowed on the playing field areas.

Maintenance Fees

In order to assist in maintaining heavily used District facilities, the District School Board has approved requiring payment of fees by groups, organizations or individuals when considered appropriate. For detailed information, please refer to the current established "Maintenance Fee Schedule" and Appendix A & B (Attached).

PHOENIX-TALENT SCHOOL DISTRICT #4
Maintenance Fees Schedule

Maintenance fees will be charged to any group, organization or individual for use of District facilities and equipment as per the following schedule, Appendix A and Appendix B:

I. Non-Profit Groups

- A. Groups using facilities on a regular basis shall pay a fee of \$55 per day requested, plus Appendix B, Group II for any equipment or custodial fees as needed. This fee shall be paid when application is approved, prior to use.
- B. Groups using facilities on an occasional basis shall pay fees based on Appendix A and Appendix B when applicable:

II. Groups; for Profit

- A. Groups using facilities for profit making purposes will pay according to Appendix A, Group III plus Appendix B, Group III for any equipment or custodial fees as needed or 10% of gross revenues, whichever is greater. The district maintains the right to review an organization's financial records for the event. These fees will be waived only if 100% of proceeds are donated to activities for students of the Phoenix-Talent School District.

III. Groups; Other

- A. Groups using facilities on a regular basis for recreational or meeting purposes that do not fall under the above groups shall pay a flat fee of \$75 per month, per day requested, plus Appendix B, Group II for any equipment or custodial fees as needed. This fee shall be paid when application is approved, prior to use.
- B. Groups using facilities on an occasional basis shall pay fees based on Appendix A.

If usage results in need for cleaning/custodial/maintenance services, a minimum of two hours at the rate listed on Appendix B will be charged in addition to facility rate.

These fees may be waived if the activity, group, or organization directly benefits the students of the District (e.g., Scouts, YMCA programs, PTO, and Booster Club meetings).

**PHOENIX-TALENT SCHOOL DISTRICT #4
APPLICATION FOR USE OF SCHOOL FACILITIES**

All facilities will be closed during Holidays and Vacations

1. Name of Organization _____
 Name of Person Responsible _____
 Address _____ City _____ Zip Code _____
 Home Phone _____ Email _____

2. FACILITIES REQUESTED: OHES ___ PES ___ PHS ___ TES ___ TMS ___ Other _____
 Classroom Restrooms Gym Cafeteria Kitchen Fields
 Lockers/showers _____ Equipment _____
 Number of Persons: Audience _____ Participants _____ Total _____

* Non-participants, especially children, must be closely supervised.

3. TIMES AND DATES:
 Date(s) _____ Day(s) of Week _____
 Time: From _____ to _____ Total hours per day _____ week _____

4. PURPOSE/ACTIVITY: _____

5. ADMISSION (if any) Child \$ _____ Adult \$ _____ Other \$ _____
 Expected net proceeds \$ _____ Purpose of proceeds _____

6. KEYS: KEY(S) ISSUED (Number & I.D.) _____ KEYS NOT ISSUED _____

7. AGREEMENT AND INSURANCE:

- a. The applicant hereby certifies that the information given in the application is correct.
- b. The undersigned agrees to observe all rules and regulations of the Board of Education and the building principal.
- c. The applicant agrees to exercise the utmost care in the use of school facilities and property and to hold the School District harmless and defend it from any and all claims by any person arising from the use of said facilities.
- d. The applicant further agrees to reimburse the School District for any damages arising from the applicant's use of or in any manner relating or incidental to use of said facilities.
- e. The School District does not maintain insurance that will respond to claims against the applicant arising out of use of facilities by the applicant, its members, or those attending the event. If applying organization desires or is required to be covered by bodily injury and property damage liability insurance, they are responsible for obtaining said insurance and must show proof of insurance. If no insurance is obtained, applicant's signature indicates acknowledgement of responsibility.

Date _____ Signature of Person Responsible _____

Approved Not Approved Signature of Principal _____

8. APPROVAL AND FEES (To be completed by Business Manager) Fees or deposits shall be paid in advance.

ESTIMATED CHARGES

_____ Approved - no charge	Custodial Fee (Hrs.) _____ x \$ _____ = _____
_____ Approved - with charge	Upkeep Fee (Hrs.) _____ x \$ _____ = _____
_____ Custodial	Deposit _____ = _____
_____ Utilities	Other (specify) _____ = _____
_____ Certificate of Insurance	
_____ Not Approved	

Signature of Facilities Director _____ Date _____

After completion, distribute copies to: Building, Building Lead Custodian, Requestor

COLVER ROAD FIELD USE

All groups, organizations and individuals who use the Colver Road Fields must be aware of and comply with the following regulations:

1. Removal or addition of soil will not be allowed without prior approval from the ~~S~~Superintendent or ~~his/her~~ designee.
2. Modifications, including any additions or deletions, related to the electrical system will not be allowed without prior approval from the ~~S~~Superintendent or ~~his/her~~ designee.
3. Modifications, including additions or deletions, related to the irrigation system will not be allowed without prior approval from the ~~S~~Superintendent or ~~his/her~~ designee.
4. Adjustments to the irrigation time clocks/programmers will not be allowed without prior approval from the ~~S~~Superintendent or ~~his/her~~ designee.
5. Gates and cable locks must be secured upon exiting. The person listed as the responsible party on the "Facilities Use Agreement" will be responsible for securing the Colver Road Facility after each use.
6. Herbicides/Pesticides shall not be applied without prior approval of the ~~S~~Superintendent or ~~his/her~~ designee.
7. No pruning or altering of trees/shrubbery will be allowed without prior approval of the ~~S~~Superintendent or ~~his/her~~ designee.
8. All trash/debris resulting from the stated activity must be placed in the appropriate containers prior to exiting the Colver Road Field area.
9. No dumping of lawn/vegetation trimmings will be allowed on the Colver Road property. Significant penalties may result from such action.
10. Structural altering of buildings and/or bleachers will not be allowed without prior approval of the ~~S~~Superintendent or ~~his/her~~ designee.
11. Application of paint/stain to buildings and/or bleachers will not be allowed without prior approval of the ~~S~~Superintendent or ~~his/her~~ designee.
12. Animals will not be allowed without prior approval of the ~~F~~Facilities ~~D~~irector or ~~his/her~~ designee.
13. No motorized vehicles will be allowed on the playing field areas.

I, the undersigned, do hereby acknowledge receipt of the Colver Road Field Regulations and do further acknowledge it to be my responsibility for ensuring compliance with same. I further understand that failure to comply with the regulations may result in monetary penalties and/or restriction from use of the Colver Field area.

Signature: _____

Date: _____

APPENDIX A - Phoenix/Talent School District 4 Facilities Rental Fee Schedule

Fee schedules are based on group classification; Group I: District use, no charge. Group II: Non-profit youth programs, Group III: Profit based or adult programs, fees are established to cover PTSD's operating and maintenance costs.

For all Group II and Group III organizations there is a \$100 deposit due at approval of schedule request by site.

High School:	Group II (Per Hour)	Group III (Per Hour)
Stadium (Artificial Turf)	\$ 25.00	\$ 50.00
Multipurpose / practice Field	\$ 20.00	\$ 40.00
Parking lot	\$ 5.00	\$ 10.00
Locker Rooms	\$ 6.00	\$ 12.00
Track/Field Lighting	\$ 10.00	\$ 10.00
Baseball Fields	\$ 15.00	\$ 25.00
Softball Fields	\$ 15.00	\$ 25.00
Soccer Fields	\$ 15.00	\$ 25.00
Main Gymnasium	\$ 25.00	\$ 50.00
Auxiliary Gym	\$ 20.00	\$ 40.00
Auditorium/ theater	\$ 25.00	\$ 50.00
<i>Theater Technician required; see rates below.</i>	\$ -	
Commons	\$ 15.00	\$ 25.00
Media Center	\$ 10.00	\$ 20.00
Classrooms	\$ 6.00	\$ 12.00
Conference Rooms	\$ 4.00	\$ 8.00
Middle School:	Group II (Per Hour)	Group III (Per Hour)
Track/Field (Schedule for use)	\$ -	\$ -
Gymnasium	\$ 20.00	\$ 40.00
Parking lot	\$ 5.00	\$ 10.00
Auxiliary Gym	\$ 15.00	\$ 30.00
Locker Rooms	\$ 6.00	\$ 12.00
Cafeteria	\$ 10.00	\$ 20.00
Media Centers	\$ 10.00	\$ 20.00
Classrooms	\$ 6.00	\$ 12.00
Conference Rooms	\$ 4.00	\$ 8.00
Elementary Schools:	Group II (Per Hour)	Group III (Per Hour)
Fields (schedule for use)	\$ -	\$ -
Gymnasium	\$ 15.00	\$ 25.00
Parking lot	\$ 5.00	\$ 10.00
Cafeteria	\$ 10.00	\$ 20.00
Media Centers	\$ 10.00	\$ 20.00
Classrooms	\$ 6.00	\$ 12.00
Conference Rooms	\$ 4.00	\$ 8.00
Security Deposit (Required; see Terms & Conditions)	\$ 100.00	\$ 100.00

APPENDIX B - Phoenix/Talent School District 4 Services and Equipment Rental Fee Schedule

Fee schedules are based on group classification; **Group I: District use, no charge. Group II: Non-profit youth programs, Group III: Profit based or adult programs, fees are established to cover PTSD's operating and maintenance costs.**

For all Group II and Group III organizations there is a \$100 deposit due at approval of schedule request by site.

District Support Staff/ Equipment Rates:	Group II (Per Hour)	Group III (Per Hour)
Custodial Rate (Two hour minimum)	\$ 40	\$ 45
Maintenance Rate: (Two hour minimum)	\$ 40	\$ 45
Theater Technician Rate: (Two hour minimum)	\$ 25	\$ 25
Tables/Chairs (additional) (1 table or chair @ .20 per hour)	\$ 1/0.20	\$ 1/0.20
Large stage (one set up/breakdown)	\$ 50	\$ 100
Small stage (one set up/ breakdown)	\$ 40	\$ 80
ADA Ramp for large stage (one set up/ breakdown)	\$ 100	\$ 200
Podium	\$ 10	\$ 20
Microphone and sound setup	\$ 25	\$ 50
Audio Visual display (where setup is feasible)	\$ 25	\$ 50
*Custodial, Maintenance, Theater technician rate is minimum of two hours.		
Security Deposit (Required; see Terms & Conditions)	\$ 100	\$ 100

Phoenix Talent Schools
Facility Use Liability Release and Hold Harmless Addendum (Communicable Diseases including COVID-19)

Name of User/Business/Group (User): _____

Phone Number: _____ Email: _____

Address: _____

Facility being requested: _____

Description of Activity (Activity): _____

Communicable Diseases Including COVID-19: The novel coronavirus (“COVID-19”), has been declared a worldwide pandemic by the World Health Organization. COVID-19 is extremely contagious and is believed to spread mainly from person-to-person contact. While rules, guidance, and personal discipline may reduce this risk, the risk of serious illness and death does exist. **Phoenix-Talent Schools (“District”) cannot completely mitigate the transfer of communicable diseases like COVID-19. [Name of group using facility] understands there is some risk associated with using District facilities and assumes said risk. Use of District facilities includes possible exposure to and illness, injury, or death from infectious diseases including COVID-19.** User understands the hazards of COVID-19 and is familiar with the Centers for Disease Control Prevention (“CDC”) guidelines; and federal, state, and local orders regarding COVID-19. User acknowledges that it understands the circumstances regarding COVID-19 and will take all necessary precautions as provided by the CDC and federal, state, and local governments, this includes but is not limited to, following all masking and vaccination requirements.

Proof of Vaccination: As of October 18, 2021, User staff and volunteers, who are age 16 and older, and have direct or indirect contact with children or students, must submit proof of vaccination or documentation of a medical or religious exception 5 days prior to entry on to school property. “Proof of vaccination” means documentation provided by a tribal, federal, state or local government, or a health care provider, that includes an individual’s name, date of birth, type of COVID-19 vaccination given, date or dates given, depending on whether it is a one-dose or two-dose vaccine, and the name/location of the health care provider or site where the vaccine was administered. Documentation may include but is not limited to a COVID-19 vaccination record card or a copy or digital picture of the vaccination record card, or a print-out from the Oregon Health Authority’s immunization registry. Medical and religious exceptions may be denied by the District if: 1) the exception would constitute an undue hardship on the operation of the District; 2) pose a direct threat to health or safety; or 3) the District determines, at its sole discretion, that the request does not meet the criteria for a medical or religious exception.

Indemnification: In consideration for use of the Phoenix Talent School’s (District) property, **User agrees to waive and discharge any and all claims against the District and release it from liability for any loss regardless of cause**, including claims for any negligent actions of the District or its employees or agents and any and all claims, demands, lawsuits, judgments, losses, or expenses of any nature arising out of User’s failure to follow the CDC, federal, state, or local orders or guidance regarding COVID-19 and that leads to, directly or indirectly, the infection of COVID-19 or any other illness or injury related to COVID-19, to the fullest extent allowed by law, for User, its members, employees, agents, contractors, suppliers, or guests. User also agree to release, exonerate, discharge and **Hold Harmless** the District, its Board of Directors, the individual members thereof, and all officers, agents, employees, volunteers, and

representatives from all liability, claims, causes of action, or demands, including attorney fees, arising out of injuries of any kind to User, or to its property, or losses of any kind which may result from or in connection with the use of the District's facility, up to and including injuries stemming from the negligent actions of the District or its employees or agents. **User certifies and represents that it has the legal authority to waive, discharge, release, and hold harmless the released parties on behalf of itself and its members, employees, agents, contractors, suppliers, or guests.**

Insurance: User understands that the District does not carry insurance for communicable diseases including Covid-19 and User is financially responsible for any injuries, demands, damages, lawsuits and defense costs, arising from User's activities and use of District facilities that are sustained by any communicable disease, including but not limited to, COVID-19. The User agrees to carry, maintain, and provide proof of insurance of at least the minimum requirements as stated in its rental/facility use agreement attached.

COVID-19 Termination. Phoenix Talent Schools may terminate this Agreement immediately and without notice if it is found that User has failed to follow any regulations, orders, or guidance as provided by the CDC and federal, state, and local governments. Either District or User may cancel this agreement in the event of a Covid-19 related reason. In the event User terminates this Agreement, User remains responsible for the full amount of the facility use fee and this money will not be refunded to User.

User certifies to have read this document and fully understand its contents.

Signature of User or User's Authorized Representative: _____

Printed Name of Authorized Representative: _____

Date: _____

Phoenix-Talent Schools District 4

Code: KGA
Adopted:

Public Sales on District Property

(An optional policy)

Public sales of goods or services on district property must be approved by the [superintendent] [building principal].

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 332.172](#)

Phoenix-Talent Schools District 4

Code: KGB
Adopted: 1/24/19
Orig. Code(s): KGB

Public Conduct on District Property

No person on district property or any district grounds, including parking lots, shall:

1. Haze, harass, intimidate, bully or menace another, or engage in behavior deemed by the district to endanger the safety of students, employees, self, or others;
2. Use or engage in abusive verbal expression or physical conduct that interferes with the performance of students, event officials or sponsors of approved activities;
3. Damage the property of another or of the district;
4. Initiate or circulate a report, one knows to be false, concerning an alleged hazardous substance, impending fire, explosion, catastrophe, or other emergency that will take place in or upon a school;
5. Construct or transport to district property for temporary or permanent purposes any structure not approved for construction on, or transportation to, district property;
6. Uproot, pick, cut, mutilate, or remove plant life or other natural resources of any kind. Roots, tubers, flowers, and stems may not be collected. Soil or rock may not be dug up or removed;
7. Dump or spill any sewage, wastewater or other fluids from any vehicle;
8. Use district waste containers or other district property for the deposit of waste or refuse generated from household, commercial, industrial, construction or other uses not related to approved use on district property;
9. Block, obstruct or interfere with vehicular or pedestrian traffic on any district road, parking area, walkway, pathway, or common area. Occupying or impeding access to any district facility in a manner that interferes with the approved use of such facility by district employees, students or other authorized users is prohibited;
10. Fly, launch or otherwise operate motorized model airplanes/helicopters/rockets or other similar propulsion devices unless approved in advance by the district;
11. Operate an unmanned aircraft system (UAS) or drone ~~unless granted permission from the superintendent or designee~~, as prohibited by Board policy ECACB - Unmanned Aircraft System (UAS) a.k.a. Drone ~~unless granted permission from the superintendent or designee~~;
12. Distribute or post circulars, notices, leaflets, pamphlets or other written or printed material in violation of Board policy KJA - Materials Distribution;

13. Operate a concession, solicit, sell, or offer for sale any goods, wares, merchandise, food, beverages, or services without prior district approval. Public sales and solicitation on district property will be governed by Board policies KGA - Public Sales on District Property, KI - Public Solicitation in District Facilities and KJ - Advertising in District Facilities;
14. Operate a motor vehicle in an area other than on roads and in parking areas constructed or designated for motor vehicle use. Vehicles shall be driven in a safe manner, at posted speeds and will only be appropriately parked in areas designated by the district. Motorized vehicles such as minibikes, scooters, go-carts, all-terrain-vehicles, snowmobiles, and other similar devices are prohibited on district grounds. Bicyclists must comply with motor vehicle and bike regulatory signs;
15. Use a skateboard, rollerblades, scooter, or similar device. Use of such is at the user's risk;
16. Bring an animal into a district building without prior administrator approval and, where appropriate, only when proof of current rabies vaccination has been provided. Dogs are permitted on district grounds only when confined to a vehicle or on a leash with prior approval and when kept under the physical control of the individual at all times. The owner is responsible for the animal's behavior and containment and for the removal of the animal's wastes while on district property. All other animals on district property are permitted with prior district approval only. Animals serving the disabled are permitted as provided by law;
17. Camp overnight, loiter or otherwise be present on district property after the conclusion of approved activities or as otherwise posted or authorized by the district. Individuals are prohibited from entering any portion of district premises at any other time for purposes other than those which are lawful and authorized by district officials;
18. Use or operate any noise-producing machine, vehicle, device, or instrument in a manner that, in the judgment of district officials, is disturbing to, or interferes with, the orderly conduct of district programs or approved activities;
19. Impede, delay, or otherwise interfere with the orderly conduct of the district's educational program or any other activity taking place on district property which has been authorized by the district;
20. Bring, possess, or use a weapon as prohibited by state and federal law;
21. Possess, consume, sell, give, or deliver unlawful drugs and/or alcoholic beverages. Possess, sell, give, or deliver drug paraphernalia;
22. Use, distribute or sell tobacco products or inhalant delivery systems, in any form
23. Wear, possess, use, distribute, display, or sell any clothing, jewelry, emblem, badge, symbol, sign, or other item that is evidence of membership or affiliation with any gang. Use speech or commit any act or omission in furtherance of the interests of any gang or gang activity. A "gang" is defined as a group that identifies itself through the use of a name, unique appearance or language including hand signs, claiming of geographical territory or the espousing of a distinctive belief system that frequently results in criminal activity;
24. Violate posted regulatory signs;

25. Willfully violate other district policies, administrative regulations or school rules designed to maintain public order on school property.

Persons having no legitimate purpose or business on district property, or those violating or threatening to violate the above rules, may be ejected from the premises, excluded from district-approved activities temporarily or permanently and/or referred to law enforcement officials.

The superintendent will ensure that appropriate notice of these rules is provided.

END OF POLICY

Legal Reference(s):

[ORS 161.015](#)

[ORS 164.245](#)

[ORS 164.255](#)

[ORS 166.025](#)

[ORS 166.155 to -166.165](#)

[ORS 166.210 to -166.370](#)

[ORS 332.172](#)

[ORS 336.109](#)

[ORS 339.883](#)

[ORS 431.840](#)

[ORS 433.835 to -433.990](#)

[ORS 806.060 to -806.080](#)

[OAR 333-015-0025 to -0090](#)

[OAR 581-021-0110](#)

[OAR 584-020-0040\(4\)\(e\),\(g\)](#)

Gun-Free Schools Act, 20 U.S.C. § 7961 (2012).

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2012).

Gun-Free School Zones Act of 1990, 18 U.S.C. §§ 921(a)(25)-(26), 922(q) (2012).

Phoenix-Talent Schools District 4

Code: KGBB
Adopted:
Conditionally required

Firearms Prohibited

{Oregon law has allowed members of the public possessing a concealed carry license to carry firearms on district property in accordance with ORS 166.370(3)(g). Senate Bill (SB) 554 (2021) allows districts to prohibit even those with concealed carry licenses from carrying firearms by adopting a policy and posting notice at entry points.

OSBA considers this policy to be conditionally required because if the district wants to prohibit concealed carry licensees from carrying firearms on district property, the district must adopt a policy. If the district does not want to limit concealed carry licensees, the district does not need to adopt this policy.}

No person on grounds of the schools controlled by the Board (including in school buildings), will possess any firearm¹, except when said firearm is possessed by a person who is not otherwise prohibited from possessing the firearm, and is unloaded and locked in a motor vehicle. The exception provided in Oregon Revised Statute (ORS) 166.370(3)(g) for concealed carry licensees (see ORS 166.291 and 166.292) does not apply to the possession of firearms on grounds of the schools controlled by the Board.² Firearms under the control of law enforcement personnel are permitted. The superintendent may authorize other persons to possess weapons for courses, programs and activities when in compliance with law and board policy.

Any person violating or threatening to violate the above rules, as determined by the district, may be issued a trespass citation, ejected from the premises and referred to law enforcement officials³.

[The district will post clearly visible sign(s) at all normal points of entry to the school grounds subject to this policy indicating that the affirmative defense described in ORS 166.370(3)(g) does not apply. The district will post on the district’s web pages designated for school board operations, identifying designated school grounds that are subject to this policy.]

END OF POLICY

Legal Reference(s):

[ORS 161.015](#)
[ORS 164.245](#)
[ORS 164.255](#)

[ORS 166.210 - 166.370](#)
[ORS 297.405](#)
[ORS 332.107](#)

[ORS 332.172](#)
[ORS 339.315](#)

¹ “Firearm” has the meaning given that term in ORS 166.210, except that it does not include a firearm that has been rendered permanently inoperable.

² See Senate Bill 554 (2021).

³ ORS 339.315 requires any district employee with reasonable cause to believe that a person is in possession of a firearm within a school or has possessed a firearm within a school in violation of Oregon law in the previous 120 days report such information to an administrator or law enforcement. A district employee with reasonable cause to believe that a person is in possession of a firearm within a school or has possessed a firearm within a school in the previous 120 days in violation of Oregon law, may report such information to law enforcement.

Gun-Free Schools Act, 20 U.S.C. § 7961 (2018).
Senate Bill 554 (2021).

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Phoenix-Talent Schools District 4

Code: KGC/GBK
Adopted: 5/17/18
Orig. Code: KGC/GBK

Prohibited Use, Distribution or Sale of Tobacco Products and Inhalant Delivery Systems

To be consistent with Oregon law, the use, distribution or sale of tobacco products or inhalant delivery systems by staff and all others is prohibited on district premises, in any building or facility, on district grounds, including parking lots, in any vehicle owned, leased, rented or chartered by the district, school or public charter school and at all district- or school-sponsored activities.

For the purpose of this policy, “tobacco products” is defined to include, but not limited to, any lighted or unlighted cigarette, cigar, pipe, bidi, clove cigarette, and any other smoking product, spit tobacco, also known as smokeless, dip, chew or snuff in any form. This does not include products that are USFDA-approved for sale as a tobacco cessation product or for any other therapeutic purpose, if marketed and sold solely for the approved purpose.

For the purpose of this policy, “inhalant delivery system” means a device that can be used to deliver nicotine or cannabinoids in the form of a vapor or aerosol to a person inhaling from the device; or a component of a device or a substance in any form sold for the purpose of being vaporized or aerosolized by a device, whether the component or substance is sold or not sold separately. This does not include products that are USFDA-approved for sale as a tobacco cessation product or for any other therapeutic purpose, if marketed and sold solely for the approved purpose.

Violation of this policy by staff may result in discipline to up to and including dismissal.

Violation of this policy by the public may result in the individuals removal from district property. The district reserves the right to restrict access to district property by individuals who are repeat offenders.

This policy shall be enforced at all times.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)
[ORS 336.227](#)
[ORS 339.883](#)
[ORS 431A.175](#)

[ORS 433.835 to -433.990](#)
[OAR 581-021-0110](#)
[OAR 581-053-0230\(9\)\(s\)](#)

[OAR 581-053-0330\(1\)\(m\)](#)
[OAR 581-053-0430\(12\)](#)
[OAR 581-053-0531\(11\)](#)

Pro-Children Act of 1994, 20 U.S.C. §§ 6081-6084 (2012).

Phoenix-Talent Schools District 4

Code: KGD
Adopted: 12/01/83
Orig. Code: KGD

Parking on School Premises

(See policy KGB and ECD)

The Superintendent shall authorize and post areas on District property designated for staff and student parking and such other classifications as may be necessary.

Any vehicle not parked in authorized areas may be towed away and stored, and all charges for such towing and storing shall be the responsibility of the owner or operator of the vehicle.

Any person failing to abide by the parking regulations of the District may be further prohibited from bringing any vehicle on school property.

Building principals shall establish such regulations as are necessary for the use and control of student parking areas. Such regulations shall be made available to students and parents.

END OF POLICY

Legal Reference(s):

[ORS 332.172](#)
[ORS 332.445](#)

[ORS 339.260](#)
[ORS 447.233](#)

[OAR 581-022-1610](#)

Americans with Disabilities Act of 1990, 42 U.S.C. Sections 12101-12213; 29 CFR Part 1630 (2000); 28 CFR Part 35 (2000).

Phoenix-Talent Schools District 4

Code: KGF/EDC
Adopted:

Authorized Use of District Equipment and Materials *

District materials and equipment will be used only for school purposes by district personnel on district properties.

Other uses must be approved by the superintendent [and/or Board] and authorized use shall be consistent with ORS Chapter 244.

In all cases of public use, equipment shall not be used for private financial gain. An equipment use form must be submitted and approved, and all conditions [outlined] [on the attached district equipment list] must be adhered to. [There are no equipment use fees.] In the event of “excessive damage,” a fee will be determined according to the repair or replacement costs. [Transportation of borrowed equipment will be the user’s responsibility.] [No equipment authorized for use will be removed from district property]

END OF POLICY

Legal Reference(s):

[ORS Chapter 244](#)

[ORS 332.107](#)

[OAR 584-020-0040](#)

OREGON GOVERNMENT ETHICS COMMISSION, OREGON GOVERNMENT ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS (2010).

Phoenix-Talent Schools District 4

Code: KH
Adopted: 12/01/83
Orig. Code: KH

Public Gifts to the Schools

~~The Board may accept gifts to the School District that are appropriate to the educational program and meet the standards of selection established by the District. The Superintendent is authorized to accept gifts on behalf of the Board. In instances where the Superintendent doubts the appropriateness of the gift, the gift may be declined or referred to the Board.~~

Gifts which may serve to enhance and extend the work of the schools may be accepted by the district. It will be the district's general policy to direct those who desire to make contributions to consider equipment or services that are not likely to be acquired from public fund expenditures.

1. Tangible property contributed to the schools becomes the property of the district and is subject to the same controls and regulations that govern the use of other district-owned property.
2. Contributions of property or services that may involve major costs for installation or maintenance, or initial or continuing financial commitments from district funds, will be presented by the superintendent for Board consideration and approval.
3. Any groups planning to raise money for a gift to a school or the educational system will first consult with the principal and superintendent regarding what kind of gift should be made. The superintendent will develop guidelines for accepting gifts. Such guidelines will include a concern for fairness and equity among schools.
4. [Priority lists of needed and desirable equipment, supplies or services will be kept in each school.]
5. [Conditions for contributions for a scholarship or scholarship fund [shall] be developed by a [scholarship committee] appointed by the Board.]
6. All gifts will be subject to the provisions of Board policy.

Gifts accepted shall be used for the purpose for which they were donated.

In accepting gifts, the Board will be aware of the requirement that there should not be significant differences among the various school facilities.

~~In all cases, gifts given to the District shall become the property of the District and may not be accepted on any other basis.~~

END OF POLICY

Legal Reference(s):

[ORS 294.338](#)
[ORS 332.075](#)

[ORS 332.107](#)
[ORS 332.385](#)

Phoenix-Talent Schools District 4

Code: KI
Adopted: 10/04/18
Orig. Code: KI

Public Solicitations in District Facilities

Fundraising and solicitation by non-school agencies or for non-school activities during school hours will not be permitted without prior approval of the superintendent and/or principal.

Demonstrations of services or materials and canvassing of students or employees for the purpose of selling products or services shall not be permitted in either the district's schools or grounds, unless authorized by the superintendent and/or principal.

No non-school-sponsored organization or individual may solicit funds or sell tickets within the district without first securing permission through the superintendent and/or principal.

Whenever possible, solicitation should occur during non-classroom time.

The administration of surveys, questionnaires and requests for information by non-school-connected organizations are prohibited. Exceptions may be approved by the superintendent. In the event an exception is granted for the administration or distribution of a survey created by a third party, the district will provide an opportunity for the student's parent to inspect such survey upon request, before the survey is administered or distributed by a school to a student. Any district survey containing any "covered survey items"¹ may also be inspected by parents.

Parents may also request that their student be excused from participation in such surveys. Requests may be submitted in accordance with the provisions of Board policy KAB - Parental Rights and accompanying administrative regulation.

As required by law, the superintendent shall ensure that notification is provided to parents of students at least annually at the beginning of the school year or when enrolling students for the first time in school, of the specific or approximate dates during the school year when such surveys are scheduled or expected to be scheduled. The rights provided to parents under this policy transfer to the student when the student turns 18 years of age or is an emancipated minor under applicable state law.

The district recognizes its responsibility to protect student privacy. Personal information that may be collected as a result of such surveys will be released only with prior, written parental permission, unless as otherwise provided by law and/or the provisions of Board policy JOB - Personally Identifiable Information.

¹ "Covered survey items" include one or more of the following items: political affiliations or beliefs of the student or the student's family; mental and psychological problems of the student or the student's family; sex behavior or attitudes; illegal, anti-social, self-incriminating or demeaning behavior; critical appraisals of other individuals with whom respondents have close family relationships; legally recognized privileged or analogous relationships, such as those of lawyers, physicians and ministers; religious practices, affiliations or beliefs of the student or the student's parent; and income, other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such a program.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 339.880](#)

32 OR. ATTY. GEN. OP. 209 (1965)

46 OR. ATTY. GEN. OP 239 (1989)

Protection of Pupil Rights, 20 U.S.C. § 1232h (2012); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2017).

Every Student Succeeds Act, 20 U.S.C. § 7928 (2012).

Family Education Rights and Privacy Act, 20 U.S.C. § 1232g (2012).

Phoenix-Talent Schools District 4

Code: KJ
Adopted: 10/04/18
Orig. Code: KJ

Commercial Advertising

The Board recognizes that district-sponsored commercial advertising may provide an important source of revenue for its programs and activities. Such sales may be permitted as approved by the superintendent or designee and by this policy.

“Commercial advertising” as used in this policy means, use by any person, company, business or corporation, for personal or private gain, of any district media, including, but not limited to, school newspaper, yearbook or other printed material, flyer or circular, [radio, television,] video or any other electronic technology or indoor or outdoor signage designed to:

1. Transmit a message offering any goods or services;
2. Cause or induce any other person to purchase any goods or services;
3. Increase demand for any goods or services.

Commercial advertising approved by the district must be consistent with district mission, goals, Board policies and administrative regulations; promote positive values for district students through proactive educational messages that encourage student achievement and high standards of personal conduct.

The superintendent may consider for approval revenue-enhancing activities that include, but are not limited to, contracts or agreements for:

1. Exclusive advertising of any product or service throughout the district or at specified locations or times to a person, business or corporation in exchange for goods or services (e.g., scoreboards, electronic message boards, athletic gear, exclusive right to sell beverages, bottled water, snacks, meals, etc.);
2. Products or services that require the dissemination of advertising to staff, students, parents or others or allow any person, business or corporation to obtain information from staff, students, parents or others for the purposes of market research;
3. The use of district facilities or grounds in exchange for products, services or financial considerations (e.g., cell phone towers, etc.);
4. Technology hardware, software, satellite hook-up and/or access in exchange for free or reduced prices and/or fees and/or advertising rights, or agreement to use equipment a certain number of hours of the day, month, etc.;
5. Naming rights to district property in exchange for goods, services or monetary considerations.

Contracts shall include a provision allowing the district to terminate the contract if it is determined by the district to have an adverse impact on district programs, services or activities. Revenue derived shall be

used for programs, services and/or activities designed to enhance student achievement, assist in the maintenance of existing district programs, services or activities and/or to provide scholarships for students who demonstrate financial need and merit as determined by the district.

All contracts considered for approval are subject to the competitive procurement requirements of Board policies DJ - District Purchasing, DJC - Bidding Requirements and the local contract review board's public contracting rules. Competitive procurement as used in this policy includes monetary as well as in-kind contributions (i.e., scoreboards, computers, other equipment or materials).

The superintendent will develop administrative regulations as needed for implementation of this policy.

END OF POLICY

Legal Reference(s):

[ORS 279B.055](#)
[ORS 279C.335](#)

[ORS 332.107](#)
[ORS 339.880](#)

Phoenix-Talent Schools District 4

Code: KJ-AR
Adopted: 10/04/18
Orig. Code: KJ-AR

Commercial Advertising

Commercial advertising in district schools may be permitted by the superintendent or designee subject to the following. Schools, with prior approval, may:

1. Publish advertising in any school newspaper, other school periodical, school or district publication, web page or yearbook;
2. Distribute advertising or market research as part of a district-approved curriculum on advertising, marketing or media literacy, etc.;
3. Post signs of school, district or public appreciation for financial or other support from any person, business or corporation for the educational program in any school in the district;
4. Use free educational materials with incidental advertisements;
5. Permit demonstrations of educational materials and equipment;
6. Cooperate with nonprofit community organizations in making or posting announcements or distributing program materials that supplement the school program provided that such cooperation does not interfere with the school program and is consistent with the mission, goals and policies of the district;
7. Utilize films or other educational materials and instructional aids, including newspapers and magazines in either print or electronic form furnished by private sources, when the advertising content is reasonable in the judgment of the superintendent or designee;
8. Permit participation, on a student-option basis, in essay, art, science and similar contests sponsored by outside interests when such activities parallel the curriculum and contribute to the educational program;
9. Release promotional material for nonschool athletic and cultural events through appropriate school departments;
10. Accept limited advertising on extracurricular activity schedules and programs.

Other exceptions may be approved when, in the judgment of the superintendent or designee, students of the district will benefit.

There may be no obligation on the part of students or staff to sell products, make purchases or distribute information.

The use of any advertising for alcohol or tobacco products in district publications or for any other purpose inconsistent with Board policies and administrative regulations is prohibited.

No activity which requires staff or students to assist in promoting campaigns (financial, charitable, educational or otherwise) will be permitted without the express permission of the superintendent.

Phoenix-Talent Schools District 4

Code: KJA
Adopted: 12/09/93
Orig. Code: KJA

Materials Distribution

Requests by individuals or groups to distribute pamphlets, booklets, flyers, brochures and other similar materials to students for classroom use or to take home shall be submitted to the school administration. ~~Superintendent.~~ Materials ~~and themselves as well as~~ the proposed method of distribution shall be subject to review.

Materials shall be reviewed based on legitimate educational concerns. Such concerns include: the material is or may be defamatory; the material is inappropriate based on the age, grade level and/or maturity of the reading audience; the material is poorly written, inadequately researched, biased or prejudiced; the material contains information that is not factual; the material is not free of racial, ethnic, religious or sexual bias; or the material contains advertising that violates public school laws, rules and/or policy, is deemed inappropriate for students or that the public might reasonably ~~reasonable~~ perceive to bear the sanction or approval of the district.

The administration shall determine distribution procedures. Such procedures may include:

1. Distribution to each student before or after class if materials are not directly related to the instructional goals;
2. Notification to students or parents of the availability of the materials in a specified location if this procedure is deemed less disruptive to the educational process; ~~or~~
- ~~3. Inclusion of materials in a direct mailing; or~~
- 4.3. Solicitation of school-related groups such as parent organizations to ~~distributed~~ disseminate materials.

The practice of distributing pamphlets, booklets, flyers, brochures and other similar materials shall be periodically reviewed to ensure that the mere volume of requests ~~has~~ have not become an interruption to the educational process.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

46 OR. ATTY. GEN. OP. 239 (1989).

Phoenix-Talent Schools District 4

Code: KJB
Adopted: 12/09/93
Orig. Code: KJB

Signs and Banners

Signs and banners in and on all district facilities, owned or leased, shall be subject to the district's provisions which shall consider the health, safety and welfare of staff and students.

Signs and banners will be allowed in or upon buildings and other district facilities only with the prior written approval of the principal [superintendent] [or designee].

The following guidelines shall be applied in considering requests to display signs or banners:

1. Signs and banners on sticks require special authorization of the superintendent [or designee];
2. Signs and banners fastened to any structure of a building or structures immediately adjacent to an open space shall not be allowed without specific prior written permission;
3. Signs and banner presenting recognizable health or safety hazards are prohibited;
4. Signs and banners presenting blatantly false information shall be prohibited.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Phoenix-Talent Schools District 4

Code: KK
Adopted: 12/01/83
Orig. Code: KK

Visitors to Schools District Facilities**

~~Safety of students and staff shall be the highest priority of the District as it implements regulations designed to control access to the schools by visitors.~~

~~Parents and other members of the community are encouraged to visit the schools and become aware of the educational program. However, they must first obtain permission to be in the schools by registering at the principal's office before going to any classroom or other area of any school building. No staff member may allow a visitor to contact a student without approval of the principal or his/her designee.~~

The Board believes that a better understanding of its educational program and improved relationship between the schools and community can be developed through school and classroom visitations of parents and patrons. Such visitations should be encouraged, arranged and permitted within considerations of the requirements of the educational program, the orderly administration of the school, school grounds and classrooms and the safety and welfare of students and staff.

The district is responsible for the schools' supervision and administration. To ensure that school work is not disrupted and that visitors are properly directed to the areas in which they are interested, all visitors to district facilities must report to the school office upon entering school property.

1. Teachers' work must not be impeded by interruption of visitors or by unreasonable demands on their time.
2. Visitors must not contact individual students except as authorized by the principal and/or teachers.
3. When in the interest of orderly educational programs and the safety of students it is determined by the principal that some specific visitor or visitors shall not be permitted to enter the school facilities, the principal shall do the following:
 - a. Advise the person that he/she is refused admission and give that person an explanation for the refusal;
 - b. If possible and appropriate, attempt to arrange alternative visitation of school facilities.
4. A visitor with permission to visit may be directed to leave when any teacher or administrator reasonably believes the visitor has engaged in physical violence, loud or disruptive speech or behavior, violation of a posted school rule or illegal conduct.

A visitor may also be directed to leave by the staff member administratively in charge of the building if the visit would be disruptive to the educational program or school order; would impede the work of teachers through visitor's interruptions or unreasonable demands on teacher time; or if the visitors' course of conduct would conflict with Board policies, district or building regulations or would violate the law.

5. A direction to leave revokes any permission to visit or license to enter. Whenever possible, the direction should be given in writing or followed by written notice which identifies the issuer and gives a brief statement of the reason for the direction to leave. The principal's office should be notified of any direction to leave and given a copy of any written notice.
6. Those who insist on remaining despite a principal's request to leave and who thereby create a disruption of the carrying on of school business are subject to citizen's arrest and a report made to law enforcement. Failure to leave will render a visitor liable for criminal trespass pursuant to Oregon law.
7. Any visitor who believes that he/she has had a visit unfairly limited, may request a meeting with the superintendent. The superintendent shall meet with the visitor, investigate the dispute and render a written decision. The superintendent's decision may be appealed to the Board.
8. Any visitor who commits a violent act or threatens to commit a violent act toward a student or staff member while on school grounds, at a school-sponsored event or on the way to and from school, shall be reported immediately to the principal and the superintendent. The superintendent shall immediately contact any student or staff member involved.

END OF POLICY

Legal Reference(s):

[ORS 164.245](#)
[ORS 164.255](#)

[ORS 166.025](#)
[ORS 166.155 to -166.165](#)

[ORS 332.107](#)
[ORS 339.327](#)

Phoenix-Talent Schools District 4

Code: KL
Adopted: 8/05/21
Orig. Code(s): KL

Public Complaints**

The district will develop and implement effective means of resolving complaints voiced by employees, students, parents of a student who attends school in the district or persons who reside in the district and will use recognized channels of communication.

The Board advises that the process for resolving a complaint as follows:

1. Teacher/Employee;
2. Principal/Supervisor;
3. Superintendent/Designee;
4. Board.

The complaint procedure is available at the district's administrative office and on the home page of the district's website.

If a complaint addresses one or more of the issues identified below, a complainant should use the complaint process available in any of the following policies and administrative regulations (AR):

1. Discrimination or harassment on a basis protected by law: Board policy AC, AC-AR;
2. Bias incidents or display of symbols of hate: Board policy ACB, ACB-AR;
3. Sexual harassment (staff): Board policy GBN/JBA, GBN/JBA-AR(1), GBN/JBA-AR(2);
4. Sexual harassment (student): Board policy JBA/GBN, JBA/GBN-AR(1), JBA/GBN-AR(2);
5. Workplace harassment: Board policy GBEA, GBEA-AR;
6. Hazing, harassment, intimidation, bullying, menacing or cyberbullying (staff): Board policy GBNA, GBNA-AR;
7. Hazing, harassment, intimidation, bullying, menacing, cyberbullying, or teen dating violence (student): Board policy JFCF, JFCF-AR;
8. Sexual conduct with a student (staff): Board policy GBNA/JHFF, GBNA/JHFF-AR;
9. Sexual conduct with a student (student): Board policy JHFF/GBNA, JHFF/GBNA-AR;
10. Instructional resources or instructional materials: Board policy IIA, IIA-AR;

11. Complaints regarding the Talented and Gifted Program (TAG): Board policy IGBBC, IGBBC-AR.

Any complaint about school personnel other than the superintendent will be investigated by the administration before consideration and action by the Board. The Board will not hear complaints against employees in a session open to the public unless an employee requests an open session.

A complaint of retaliation against a student who in good faith reported information that the student believes is evidence of a violation of state or federal law, rule or regulation, should be reported to the superintendent.

Complaints against the principal should be filed with the superintendent. (See KL-AR(1) – Public Complaint Procedure)

Complaints against the superintendent should be referred to the Board chair on behalf of the Board. (See KL-AR(1) – Public Complaint Procedure)

Complaints against the Board as a whole or against an individual Board member should be referred to the Board chair on behalf of the Board. (See KL-AR(1) – Public Complaint Procedure)

Complaints against the Board chair should be referred directly to the district counsel and/or Board vice chair on behalf of the Board. (See KL-AR(1) – Public Complaint Procedure)

The district may offer mediation or another alternative dispute resolution process as an option if all parties to the complaint agree in writing to participate in such mediation or resolution.

A complainant must file a complaint within the later of either time limit set below, in accordance with state law:

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

The superintendent will administer the complaint process, as appropriate, established by administrative regulation KL-AR(1) – Public Complaint Procedure.

If a complainant, who is a parent or guardian of a student who attends school in the district, a student, or a person who resides in the district, alleges a violation of Oregon Administrative Rule (OAR), Chapter 581, Division 22 (Division 22 Standards), ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint and Seclusion), or ORS. 659.852 (Retaliation) and the complaint is not resolved through the complaint process, the complainant may appeal¹ the district's final decision to the Deputy Superintendent of Public Instruction under OAR 581-002-0001 – 581-002-0023 (See KL-AR(2) - Appeal to the Deputy Superintendent of Public Instruction).

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

Charter Schools of which the District Board is a Sponsor

The district Board, will review an appeal of a decision reached by the Board of Armadillo Technical Institute on a complaint alleging a violation of ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint or Seclusion), ORS 659.852 (Retaliation), or applicable OAR Chapter 581, Division 22 (Division 22 Standards). A complainant may appeal and will submit such appeal to the superintendent on behalf of the district Board within 30 days of receipt of the decision from the public charter school board. A final decision reached by the district Board may be appealed to the Oregon Department of Education under OAR 581-002-0001 - 581-002-0023.

END OF POLICY

Legal Reference(s):

[ORS 192.660](#)
[ORS 332.107](#)

[ORS 659.852](#)
[OAR 581-002-0001 – 002-0005](#)

[OAR 581-022-2370](#)

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

Phoenix-Talent Schools District 4

Code: KL-AR(1)
Revised/Reviewed: 5/18/20
Orig. Code: KL-AR(1)

Public Complaint Procedure

A parent or guardian of a student attending a school in the district, or a person who resides in the district, a staff member, or a student who wishes to express a concern should discuss the matter with the school employee involved.

The Administrator: Step One

If the individual is unable to resolve a problem or concern with the employee, the individual may file a written, signed complaint with the supervisor within five working days of the employee's response. The supervisor shall evaluate the complaint and render a decision within five working days after receiving the complaint. (A form is available, but is not required.)

The Superintendent: Step Two

If Step One does not resolve the complaint, within 10 working days of the written response from the supervisor, the complainant may file a written, signed complaint with the superintendent or designee clearly stating the nature of the complaint and a suggested remedy.

The superintendent or designee shall investigate the complaint, confer with the complainant and the parties involved, prepare a report of their findings and conclusion, and provide the report¹ in writing or in an electronic form to the complainant within 10 working days after receiving the written complaint.

The Board: Step Three

If the complainant is dissatisfied with the superintendent's or designee's findings and conclusion, the complainant may appeal the decision to the Board within five working days of receiving the superintendent's decision. The Board will review the findings and conclusion of the superintendent in a public meeting to determine what action is appropriate. The Board may use executive session if the subject matter qualifies under Oregon law. Appropriate action may include, but is not limited to, holding a hearing, requesting additional information, and adopting the superintendent's decision as the district's final decision. All parties involved, including the school administration, may be asked to attend such hearing for the purposes of making further explanations and clarifying the issues.

If the Board chooses not to hear the complaint, the superintendent's decision in Step Two is final.

The Board may hold the hearing in executive session if the subject matter qualifies under Oregon law.

¹ If the Board chooses to accept the superintendent's decision as the district's final decision on the complaint, the superintendent's written decision must meet the requirements of OAR 581-022-2370(4)(b).

The complainant shall be informed in writing or in electronic form of the Board's decision within 20 days from the hearing of the appeal by the Board. The Board's decision will address each allegation in the complaint and contain reasons for the district's decision. The Board's decision will be final.

The timelines may be extended upon written agreement between the district and the complainant.

The district's final decision for a complaint processed under this administrative regulation that alleges a violation of Oregon Administrative rule (OAR) Chapter 581, Division 22 (Division 22 Standards), ORS 339.285 - 339.303 or OAR 581-021-0550 - 581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation), will be issued in writing or electronic form. The final decision will address each allegation in the complaint and contain reasons for the district's decision. If the complainant, who is a student, parent or guardian of a student attending school in the district or a person that resides in the district, and this complaint is not resolved through the complaint process, the complainant may appeal² the district's final decision to the Deputy Superintendent of Public Instruction under Oregon OARs 581-002-0001 – 581-002-0023.

Complaints against the principal should be filed with the superintendent. The superintendent will attempt to resolve the complaint. If the complaint remains unresolved within 10 working days of receipt by the superintendent, the complainant may request to place the complaint on the Board agenda at the next regularly scheduled or special Board meeting. The Board may use executive session if the subject matter qualifies under Oregon law. The Board shall decide, within 20 days, in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 10 days. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the superintendent should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide, within 20 days, in open session what action, if any, is warranted. The Board may use executive session if the subject matter qualifies under Oregon law. A final written decision regarding the complaint shall be issued by the Board within 10 days. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the Board as a whole or against an individual Board member should be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide, within 20 days, in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued by the Board within 10 days. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Complaints against the Board chair may be referred directly to the Board vice chair on behalf of the Board. The Board vice chair shall present the complaint to the Board in a Board meeting. If the Board decides an investigation is warranted, the Board may refer the investigation to a third party. When the investigation is complete, the results will be presented to the Board. The Board shall decide, within 20 days, in open session what action, if any, is warranted. A final written decision regarding the complaint shall be issued

² An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

by the Board within 10 days. The written decision of the Board will address each allegation in the complaint and reasons for the district's decision.

Charter Schools of which the District Board is a Sponsor

The appeal of a complaint from a public charter school to be reviewed by the district Board will be presented by the Board chair and reviewed by the Board at a Board meeting. The Board may use executive session if the subject matter qualifies under Oregon law. The Board will review the appeal and make a decision about appropriate action, which may include, but is not limited to, holding a hearing, requesting information, and recognizing the decision reached by the public charter school board. A decision will be reached, within 20 days, in open session, unless allowed in executive session. A final written decision regarding the appeal shall be issued by the district Board within 10 days. The written decision of the district Board will address each allegation in the complaint and include reasons for the district Board's decision.

PHOENIX-TALENT SCHOOL DISTRICT #4

401 W. 4th Street | Phoenix, Oregon 97535

Phone: (541) 535-1511

COMPLAINT FORM

To: Employee* Administrator/Supervisor* Superintendent Board chair Board vice chair

* Form available but is not required.

Person Making Complaint _____

Phone Number _____ Email _____

Nature of Complaint _____

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

Suggested solution/resolution/outcome: _____

Signature of Complainant: _____ Date: _____

.....

Office Use

Disposition of Complaint: _____

Signature: _____ Date: _____

cc: District Office

Phoenix-Talent Schools District 4

Code: KL-AR(2)
Revised/Reviewed: 11/20/19
Orig. Code(s): KL-AR(2)

Appeal to the Deputy Superintendent of Public Instruction

An appeal process has been established by the Oregon Department of Education (ODE) by Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023¹ for complaints that allege violation of OAR Chapter 581, Division 22 (Division 22 Standards), Oregon Revised Statute (ORS) 339.285 – 339.303 or OAR 581-021-0550 – 581-021-0570 (Restraint and Seclusion), or ORS 659.852 (Retaliation).

The complainant may appeal the district’s final decision for a complaint to the Deputy Superintendent of Public Instruction if:

1. The complainant has exhausted the district’s complaint procedures except as otherwise allowed by statute;
2. The district failed to render a written decision within 30 days of the submission of the complaint at any step unless the district and complainant have agreed in writing to a longer time period for that step; or
3. The district failed to resolve the complaint within 90 days of the initial filing of the complaint, regardless of the number of steps in the district complaint process, unless the district and the complainant have agreed in writing to a longer time period.

The appeal may include a complaint alleging a violation of ORS 659.852 if the complainant alleges that retaliation occurred in response to a complaint for which the complainant received the district’s final decision for a complaint.

The appeal must be received by ODE no later than:

1. One year after the date of the final decision by the district; or
2. If the district fails to resolve the complaint, no later than two years after the date on which the complainant first filed the complaint with the district.

The complaint upon which the appeal is based must have been initially filed with the district by the later of the following two dates:

1. The date occurring two years after the date on which the alleged violation or unlawful incident occurred or on which the complainant discovered the alleged violation or unlawful incident²; or

¹ The following is not a representation of the complete rules. See complete rules available on the Oregon Administrative Rules.

² If the alleged violation or unlawful incident is of a continuing nature, the date on which the alleged violation or unlawful incident occurred is the most recent date on which the alleged violation or unlawful incident occurred.

2. The date occurring one year after the date on which the affected student graduated from, moved away from or otherwise left the district.

The appeal shall:

1. Be in writing;
2. Be submitted in person, by mail, or electronically.

The appeal must contain:

1. The name of the person filing the appeal;
2. The phone number, address, or email address, if available, of the person filing the appeal;
3. The name of the student if the person filing the appeal is filing on behalf of the student;
4. A statement of the facts on which the appeal is based; and
5. Other information requested by ODE.

Upon receipt of an appeal, ODE will determine whether the appeal satisfies the requirements of OAR 581-002-0003 and OAR 581-002-0005.

After these determinations, ODE will give written notice to the complainant and the district whether the appeal has been accepted.

If ODE has accepted an appeal and gave notice to the complainant and the district involved, the district shall submit a written response and all correspondence, documents, and other information ODE requested within 30 days of receipt of the notice.

The district's written response shall include:

1. A statement of facts;
2. A description of district action taken in response to the complaint; or if none was taken, an explanation of the reason(s) why no action was taken;
3. Any stipulation reached concerning settlement of the complaint; and
4. A list of any complaints filed with another agency by the complainant concerning the subject of the appeal to the extent that the district is aware of such complaints.

The Director of ODE may for good cause extend the time by which a district must make a submission described above.

Upon receipt of the district's written response, ODE will conduct an investigation to determine whether the district violated a rule or law described in OAR 581-002-0003.

ODE shall issue a final order pursuant to OAR 581-002-0017.

Phoenix-Talent Schools District 4

Code: KL-AR(3)
Revised/Reviewed: 1/08/15
Orig. Code: KL-AR(3)

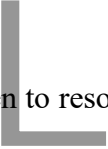
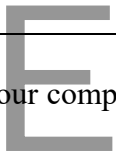


Public Complaints – Athletic Complaint Procedure

Complainant's Name _____ Date _____

Sport _____

1. Describe your complaint.
2. Describe the problem that led to the complaint.
3. What steps have been taken to resolve the problem?
4. What adjustment is sought?



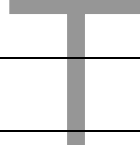
Signature of person initiating the complaint

Date

Signature of athletic director or coach

Date

Submitted to the principal for review on _____ (Date)



Principal's Recommendation: _____

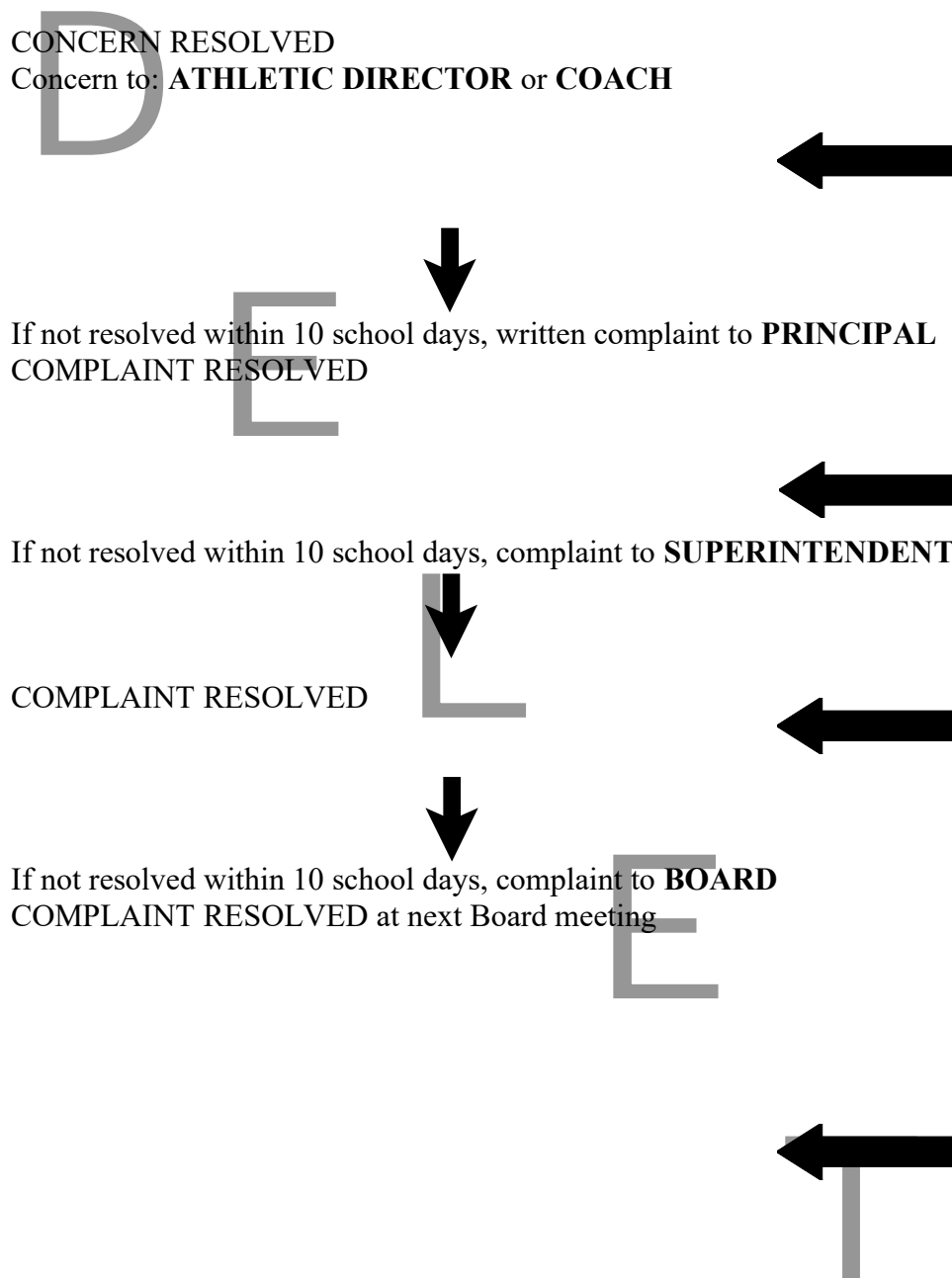
Signature of principal

Date

Submitted to superintendent if not resolved at site _____ (Date)



ATHLETIC COMPLAINT PROCEDURE FLOW CHART



The flow chart above provides procedure for handling a patron athletic concern in an orderly, timely and effective manner. As indicated, any patron who has a concern or complaint should: (1) take the concern directly to either the coach or the athletic director where the concern may be resolved; (2) if the concern is not resolved with either the coach or the athletic director, the athletic director will assist the patron in completing the formal complaint. From this point on, the procedure is outlined in Board policy KL - Public Complaints.

Phoenix-Talent Schools District 4

Code: KM
Adopted: 12/01/83
Orig. Code: KM

D

Relationships with Community Organizations

The Board recognizes that while the schools have the primary responsibility for the formal education of the children of the District, many community organizations enhance and contribute to the education of youngsters.

The Superintendent and staff are encouraged to establish positive working relationships with public and private organizations that contribute to the educational process and the general welfare of students.

E

END OF POLICY

Legal Reference(s):

[ORS 329.150](#)
[ORS 332.107](#)

L

[ORS 336.505 - 336.525](#)
[ORS 339.880](#)

32 Op Atty Gen 209 (1965).

E

T

F

Phoenix-Talent Schools District 4

Code: KMA
Adopted: 12/01/83
Orig. Code: KMA

D

Relationships with Parent Organizations

The Board supports the organization of parent associations at each school building to enhance communications between parents and school officials. Parent associations should:

1. Help parents to understand the education process and their role in supporting it.
2. Provide for parent understanding of particular school operations and programs.
3. Provide a forum for parents and staff to discuss their concerns about school programs or operations.

Parent associations shall coordinate their activities with the building principal.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

L

E

T

F

Phoenix-Talent Schools District 4

Code: KN
Adopted: 12/16/98
Orig. Code: KN

Relations with Law Enforcement Agencies

The Board recognizes that ~~districtwide~~~~District-wide~~ cooperation with law enforcement agencies is essential for the protection of staff and students, for maintaining a safe environment in ~~district~~~~District~~ schools and for safeguarding ~~district~~~~District~~ property.

Programs and activities designed to enrich ~~district~~~~District~~ curriculum and to develop and promote good citizenship and a healthy attitude toward law enforcement agencies and officials will be encouraged by the ~~district~~~~District~~. Law enforcement participation in such programs and activities is encouraged.

Law enforcement officials may enter school facilities if a crime has been committed on ~~district~~~~District~~ property or to investigate matters concerning staff and students upon request initiated by either agency officials or by ~~district~~~~District~~ administrators.

The ~~superintendent~~~~Superintendent~~ will develop ~~administrative regulations~~~~Administrative Regulations~~ to implement this policy, including procedures for handling investigations, administrator requests for assistance and required referrals to law enforcement agencies.

END OF POLICY

Legal Reference(s):

[ORS 329.150](#)

[ORS 419B.015](#)

[ORS 419B.045](#)

Letter Opinion, Office of the Attorney General (August 18, 1986).

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).

Phoenix-Talent Schools District 4

Code: KN-AR(1)
Adopted: 10/04/18
Orig. Code: KN-AR

Relations with Law Enforcement Agencies

Request to Interview a Student or to Conduct an Investigation by Law Enforcement (Other Investigations)

1. Interviews or investigations by law enforcement officials not based on allegations of abuse of a child, a warrant for an arrest or search or probable cause that an illegal act or crime is occurring or has been committed on district property, may be permitted upon request and with principal or designee approval.
2. The law enforcement official shall contact the administrator, provide adequate identification, inform the administrator of the nature of the investigation and provide the name of the student to be interviewed.
3. The administrator shall verify and record the identity of the law enforcement official or other authority.
4. Requests to interview a student during school hours should be, in the opinion of the administrator, important and urgent to justify interrupting school activities.
5. The administrator will attempt to notify the student's parent(s) prior to granting the interview. [If the parent(s) does not give consent to have their child interviewed, then the interview should not take place.]
6. If the parent(s) cannot be contacted, the administrator may grant permission for the questioning to proceed if the student agrees to be interviewed or in the event of compelling emergency circumstances.
7. If the administrator has been unable to contact the parent(s) then the administrator shall make a reasonable attempt to notify the parent(s) as soon as possible after the interview.
8. All such interviews shall be conducted in privacy, out of the view of staff, students and others.
9. An administrator shall be present at all times during the interview unless the student's parent(s) is present and asks the administrator not to participate or the district official is otherwise prohibited from being present by law.
10. The administrator or designee shall maintain a written record of all such interviews conducted.

Questioning of a Student Suspected of a Crime, Arrest of a Student or Taking a Student into Custody

1. When a student is a suspect in a criminal act and is to be questioned by a law enforcement official for the purpose of establishing involvement in the act, questioning will be allowed on district property only with parental consent. Normally, such questioning should occur outside school hours, off district property.
2. At no time will a student be released to a law enforcement officer without one of the following:
 - a. A warrant;
 - b. A court order;
 - c. Arrest;
 - d. Protective custody resulting from abuse of a child investigation;
 - e. Permission of the parent.
3. In all cases, other than abuse of a child cases, where a student is to be taken from the building by a law enforcement official, the administrator will verify the official's identity and make a reasonable effort to notify the student's parent(s). Law enforcement officials have the primary responsibility for notifying the parent(s) in such instances. Administrators must request law enforcement officials to complete the appropriate form provided by the district. (See KN-AR(2) - Investigations Conducted on District Premises)

Abuse of a Child Investigations

Any investigation of abuse of a child will be directed by the Oregon Department of Human Services (DHS) or law enforcement officials as required by law. The DHS or law enforcement agency will first notify the administrator of the investigation, unless the administrator is a subject of the investigation. The administrator or designee must request the investigating official fill out the appropriate form (See JHFE-AR(2) - Abuse of a Child Investigations Conducted on District Premises). If the investigating official refuses to fill out the form or sign the form, the administrator may complete the form but should not deny the official's request to interview the student on school property. If the investigating official does not have adequate identification the administrator shall refuse access to the student. The administrator or designee may be present at the interview of the student at the discretion of the investigating official. When the subject matter of the interview or investigation involves abuse of a child, administrators and school employees shall not notify the parents.

Administrator-Initiated Requests

On occasion, principals may need, or be required to seek law enforcement assistance. Any student violation of the district's weapons policy shall be reported to the appropriate law enforcement agency. Abuse of a child also requires immediate referral to the DHS or law enforcement officials. Additionally, principals and/or designee(s) may report to law enforcement officials, other violations of law occurring on district property or at school-sponsored activities, as deemed appropriate.

Phoenix-Talent Schools District 4

Code: KN-AR(2)
Revised/Reviewed:

Investigations Conducted on District Premises

When an administrator is notified that law enforcement would like to interview a student at school for the purpose of an investigation that is not related to abuse of a child, the administrator must request that the investigating official provide the information below. Failure to meet one of the five criteria may result in the administrator's refusal to allow the student interview on district property.

I, _____ (Name) of _____ (Agency) declare that I have the authority to conduct this student interview based on the following:

1. Warrant (attach copy)
2. Court order (attach copy)
3. Exigent circumstances (briefly describe): _____

4. Parental consent

Parent or guardian's name: _____
Date consent granted: _____

5. This interview is not considered a "seizure" pursuant to state and federal law.

Signature of interviewer

Date

Name of student to be interviewed

Date of interview

- Student not available for interview
- Student refused to be interviewed

Name of school official (administrator/
designee) receiving this form

This form should be placed in a separate file and not in student's educational record file.

Phoenix-Talent Schools District 4

Code: LBE
Adopted: 2/04/21
Orig. Code(s): LBE

Public Charter Schools**

Public charter schools may be established as a new public school or a virtual public school, from one or more existing public schools in the district or a portion of the school, or from an existing alternative education program. A public charter school may not convert an existing tuition-based private school into a charter school, affiliate itself with a nonpublic sectarian school or religious institution, or encompass all the schools in the district unless the district is composed of only one school.

Public charter schools shall demonstrate a commitment to the mission and diversity of public education while adhering to the following goals:

1. Increase student learning and achievement;
2. Increase choices of learning opportunities for students;
3. Better meet individual student academic needs and interests;
4. Build stronger working relationships among educators, parents and other community members;
5. Encourage the use of different and innovative learning methods;
6. Provide opportunities in small learning environments for flexibility and innovation;
7. Create new professional opportunities for teachers;
8. Establish additional forms of accountability for schools; and
9. Create innovative measurement tools.

An applicant must submit a complete public charter school proposal that meets the requirements of Oregon law, and includes other information required by the district in the application process.

The public charter school employer will be determined with each proposal. If the district is the employer, the terms of the current collective bargaining agreement will be examined to determine which parts of the agreement apply. If the district is not the sponsor of the public charter school, the district shall not be the employer and will not collectively bargain with public charter school employees.

The district will determine if it has any vacant or unused buildings and make a list of such buildings; buildings may be made available for public charter school use, subject to Board approval and Board policy.

Public charter school students may, upon request, be allowed to participate in district programs such as physical education, instrumental and vocal music offerings, or other selected options if space and materials

are available.¹ Students must adhere to state law, Board policies, regulations, and rules concerning student conduct and discipline.

Public charter school students in grades K-8 may participate in their resident district’s activities that are offered before or after regular school hours. Public charter school students in grades 9-12 may participate in their resident district’s available activities that are sanctioned by the Oregon School Activities Association (OSAA) when the requirements found in Oregon law are met.

The district will not provide instructional materials, lesson plans, or curriculum guides for use in a public charter school.

The superintendent will develop administrative regulations to include, but not limited to, the proposal process, review, and appeal procedures, and program evaluation, renewal, and termination.

END OF POLICY

Legal Reference(s):

[ORS 327.077](#)
[ORS 327.109](#)
[ORS 332.107](#)

[ORS 338](#)
[ORS 339.141](#)
[ORS 339.147](#)

[ORS 339.450](#)
[ORS 339.460](#)
[OAR 581-026-0005 - 0710](#)

Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2018).

¹ This does not apply to the Oregon law related to OSAA-sanctioned activity participation.

Phoenix-Talent Schools District 4

Code: LBE-AR
Revised/Reviewed: 2/04/21
Orig. Code(s): LBE-AR

Public Charter Schools

1. Definitions

- a. “Applicant” means any person or group that develops and submits a written proposal for a public charter school to the district.
- b. “Public charter school” means an elementary or secondary school offering a comprehensive instructional program operating under a written agreement entered into between the district and an applicant.
- c. “Virtual public charter school” means a public charter school that provides online courses, but does not primarily serve students in a physical location as described in Oregon Administrative Rule (OAR) 581-026-0300.
- d. “Remote and necessary school district” means a school district that offers kindergarten through grade 12 and has: (a) an average daily membership (ADM), as defined in Oregon Revised Statute (ORS) 327.006, in the prior fiscal year of less than 110; and (b) a school that is located, by the nearest traveled road, more than 20 miles from the nearest school or from a city with a population of more than 5,000.
- e. “Sponsor” means the district or Board.

2. Proposal Process

- a. An applicant shall submit a complete proposal for sponsorship of a public charter school by the Board, including items outlined in ORS 338.045, and any additional requirements as are required in the Board’s application for sponsorship, to the district office no later than January 31 for a September starting date. The applicant shall also submit a copy of the same proposal to the State Board of Education.
- b. The district will complete the review process as outlined in Section 3 below.
- c. As part of the proposal, each member of the proposed public charter school’s governing body must provide an acknowledgment of understanding of the standards of conduct and the liabilities of a director of a nonprofit organization, as described in ORS Chapter 65, if the public charter school is organized as required by ORS 338.035(2)(a)(B) and (C).

3. Proposal Review Process

- a. Within 30 business days of receipt of a proposal, the district will notify the applicant as to the completeness of the proposal.
 - (1) If the Board determines the proposal is incomplete, the district will identify the specific elements of the proposal that are not complete and provide the applicant with a reasonable opportunity, as determined by the Board, to complete the proposal.

- (2) If after given a reasonable opportunity the applicant does not complete the required elements, the Board may disapprove¹ the proposal.
 - (3) An applicant that has had a proposal disapproved pursuant to section (2) may appeal the Board’s decision to the State Board of Education within 30 days of the disapproval.
 - (4) A good faith disapproval is not a denial for purposes of requesting a review by the State Board of Education under ORS 338.075.
- b. Within 60 days after the receipt of a completed proposal, or a final order issued by the Superintendent of Public Instruction remanding the proposal to the Board for consideration following a decision on an appeal, the Board shall hold a public hearing on the provisions of the public charter school proposal.
- c. The Board must evaluate a proposal in good faith using the following criteria:
- (1) The demonstrated sustainable support for the proposed charter school by teachers, parents, students and other community members, including comments received at the public hearing;
 - (2) The demonstrated financial stability of the proposed public charter school including the demonstrated ability of the school to have a sound financial management system that
 - (3) is in place at the time the school begins operating and meets requirements of ORS 338.095(1);
 - (4) The capability of the applicant, in terms of support and planning, to provide comprehensive instructional programs;
 - (5) The capability of the applicant, in terms of support and planning, to provide comprehensive instructional programs to students identified as academically low achieving;
 - (6) The adequacy of the information provided as required in the proposal criteria;
 - (7) Whether the value of the public charter school is outweighed by any directly identifiable, significant and adverse impact² on the quality of the public education of students residing in the district in which the public charter school will be located.
 - (8) Whether there are arrangements for any necessary special education and related services for students with disabilities;
 - (9) Whether there are alternative arrangements for students, teachers and other school employees who choose not to attend or who choose not to be employed by the public charter school; and
 - (10) The prior history, if any, of the applicant in operating a public charter school or in providing educational services.
- d. The Board must either approve or deny the proposal within 30 days of the public hearing. Written notice of the Board’s action shall be sent to the applicant by the district.
- (1) If approved, the applicant shall also submit a copy of the approval to the State Board of Education.
 - (2) If denied, the notice must include the reasons for the denial with suggested remedial measures. The Board shall provide a reasonable opportunity for the applicant to amend

¹ The term “disapprove” is used for a proposal that is rejected due to being incomplete. See ORS 338.055(1)(c).

² A determination of whether an impact is directly identifiable, significant and adverse may include, but is not limited to student enrollment, student-teacher ratios, staff with requisite licensure or endorsement, student learning and performance, specialty programs, financial considerations, and maintenance capabilities.

and resubmit the proposal. The Board must either approve or deny the resubmitted proposal within 30 days of receipt. The Board may, with good cause, request an extension in the approval process timelines from the State Board of Education.

- e. If the Board denies the resubmitted proposal, the process ends. An applicant whose resubmitted proposal is not approved by the Board may request a review of that decision to the State Board of Education within 30 days of the disapproval.

4. Terms of the Charter Agreement

- a. Upon the approval of a proposal by the Board, the applicant, in cooperation with the district, must prepare and execute a written charter agreement, subject to Board approval, which shall act as the legal authorization for the establishment of the public charter school.
- b. The charter agreement shall be legally binding and must be in effect for a period of not more than five years but may be renewed by the Board.
- c. The Board and the public charter school may amend a charter agreement through joint agreement.
- d. The agreement shall incorporate the elements of the approved proposal, will address the requirements outlined in OAR 581-026-0100(2) and any additional requirements that may apply to the public charter school including, but not limited to, the following:
 - (1) Pregnant and parenting students (ORS 336.640);
 - (2) English language learners (ORS 336.079);
 - (3) Student conduct (ORS 339.250);
 - (4) Alcohol and drug abuse policy and plan (ORS 336.222);
 - (5) Oregon Report Card (ORS 329.115);
 - (6) Employment status of public charter school employees pursuant to ORS 338.135;
 - (7) Student enrollment, application procedures and whether the public charter school will admit nonresident students and on what basis pursuant to ORS 338.125.³
 - (8) Transportation of students shall comply with ORS 338.145;
 - (9) The plan for performance bonding or insuring the public charter school sufficient to protect the public charter school and the district from loss and liability and comply with Oregon law. Documentation shall be submitted prior to agreement approval.
- e. If the district and the public charter school enter a cooperative agreement with other school districts for the purpose of forming a partnership to provide educational services, then the agreement must be incorporated into the charter of the public charter school.

5. Public Charter School Operation

- a. The public charter school shall operate at all times in accordance with the laws and rules governing public charter school operation in the state of Oregon, including but not limited to ORS Chapter 338 and applicable OAR Chapter 581 Division 22, and the charter agreement.

³ Student enrollment shall be voluntary. A public charter school may not limit student enrollment based on ethnicity, national origin, race, religion, disability, sex, sexual orientation³, income level, the terms of an individualized education program, proficiency in the English language or athletic ability but may limit admission within a given age group or grade level, and may implement an equitable lottery if applications for enrollment exceed the capacity of a program, class, grade level or building pursuant to ORS 338.125.

- b. Upon application by the public charter school, the State Board of Education may grant a waiver of certain public charter school law provisions if the waiver promotes the development of programs by providers, enhances the equitable access by underserved families to the public education of their choice, extends the equitable access to public support by all students or permits high quality programs of unusual cost. This waiver request must specify the reasons the public charter school is seeking the waiver and further requires the public charter school to notify the sponsor if a waiver is being considered.

6. Virtual Public Charter School Operation

In addition to the other requirements for a public charter school, a virtual public charter school must comply with additional requirements pursuant to ORS 338.120.

7. Charter Agreement Review

- a. The public charter school shall report at least annually on the performance of the school and its students to ODE and the district.
- b. The public charter school shall be audited annually in accordance with the Municipal Audit Law. After the audit, the public charter school shall forward a copy of the annual audit to ODE and the following to the sponsoring district:
 - (1) A copy of the annual audit;
 - (2) Any statements from the public charter school that show the results of operations and transactions affecting the financial status of the public charter school during the preceding annual audit period for the school; and
 - (3) A balance sheet containing a summary of the assets and liabilities of the public charter school as of the closing date of the preceding annual audit period for the school.
- c. The district may request at any time an acknowledgment from each member of the public charter school board that the member understands the standards of conduct and liabilities of a director of a nonprofit organization, as those standards and liabilities are described in ORS Chapter 65.
- d. The public charter school shall submit to the district quarterly financial statements that reflect the school's financial operations. The report shall include, but not be limited to, revenues, expenditures, loans and investments.

8. Authorizing Duties

- a. The district shall designate a liaison to the public charter school for ease of communication between the district and the public charter school.
- b. The district shall ensure at all times that both the public charter school and the district are in compliance with the charter agreement, as per ORS 338.065(2).
- c. The district shall conduct:
 - (1) A comprehensive annual visit to the public charter school and written evaluation of the charter school's program, which should include an audit of the public charter school's academic, financial, and operational performance.
 - (2) A review of public charter school staff credentials to ensure that public charter school staff are properly licensed and/or registered with TSPC.
 - (3) A collection and review of all deliverables specified in the agreement.

- (4) A review of data to ensure the public charter school is making progress on reasonable, measurable written goals for academic, financial, and operational performance.
- (5) A review to ensure the public charter school is providing appropriate services to students who qualify, e.g., English learner supports.

9. Complaints Heard by the Charter School Board

A final decision reached by the public charter school board for a complaint that alleges a violation of ORS 339.285 - 339.303 or OAR 581-021-0550 - OAR 581-021-0570 (Restraint or Seclusion), ORS 659.850 (Discrimination), ORS 659.852 (Retaliation), or applicable OAR Chapter 581, Division 22 (Division 22 Standards), may be appealed to the Board of the Phoenix-Talent School District⁴. The complainant may file such appeal with the Board chair of the Phoenix-Talent School District. A final decision reached by the Board of the Phoenix-Talent School District will be the district's final decision and may be appealed to the Oregon Department of Education under OAR 581-002-0003 - 581-002-0005.

10. Charter School Renewal

- a. The first renewal of a charter agreement shall be for the same time period as the initial charter. Subsequent renewals of a charter agreement shall be for a minimum of five years but may not exceed 10 years.
- b. The Board and the public charter school shall follow the timeline listed below, unless a different timeline has been agreed upon by the Board and the public charter school:
 - (1) The public charter school board shall submit a written renewal request to the Board for consideration at least 180 days prior to the expiration of the charter agreement;
 - (2) Within 45 days after receiving a written renewal request from a public charter school, the Board shall hold a public hearing regarding the renewal request;
 - (3) Within 30 days after the public hearing, the Board shall approve the charter renewal or state in writing the reasons for denying charter renewal;
 - (4) If the Board approves the charter renewal, the district and the public charter school shall negotiate a new charter agreement within 90 days unless the district and the public charter school agree to an extension of the time period. Notwithstanding the time period specified in the charter agreement, an expiring charter agreement shall remain in effect until a new charter agreement is negotiated;
 - (5) If the Board does not renew the charter agreement, the public charter school board may address the reasons stated for denial of the renewal and any remedial measures suggested by the district and submit a revised request for renewal to the Board;
 - (6) If the Board does not renew the charter agreement based on the revised request for renewal the public charter school may appeal the Board's decision to the State Board of Education for a review of whether the Board used the process required by Oregon law in denying the charter agreement renewal pursuant to ORS 338.065(6).
 - (7) The Board shall base the charter agreement renewal decision on a good faith evaluation pursuant to ORS 338.065(8) and shall base the renewal evaluation described primarily on a review of the public charter school's annual performance reports, annual audit of

⁴ The district Board will hear this appeal as established through Board policy.

accounts and annual site visit and review as required by ORS 338.095 and any other information mutually agreed upon by the public charter school board and the Board.

For purposes of this section, the phrase “good faith evaluation” means an evaluation of all criteria required by ORS 338.065 resulting in a conclusion that a reasonable person would come to who is informed of the law and the facts before that person.

11. Charter School Termination

- a. The public charter school may be terminated by the Board for any of the following reasons:
 - (1) Failure to meet the terms of an approved charter agreement or any requirement of ORS Chapter 338 unless waived by the State Board of Education.
 - (2) Failure to meet the requirements for student performance as outlined in the charter agreement.
 - (3) Failure to correct a violation of federal or state law that is described in ORS 338.115.
 - (4) Failure to maintain insurance as described in the charter.
 - (5) Failure to maintain financial stability.
 - (6) Failure to maintain, for one or more consecutive years, a sound financial management system described in the proposal submitted under ORS 338.045 and incorporated into the written charter under ORS 338.065.
 - (7) Failure to maintain the health and safety of the students.
- b. If a public charter school is terminated by the Board for any reason listed in sections a.(1) through a.(6) above, the following shall occur:
 - (1) The Board shall give the public charter school board, at least 60 days prior to the proposed effective date of termination, written notification of its decision which shall state the grounds for termination.
 - (2) If the grounds for termination include failure to maintain financial stability or failure to maintain a sound financial management system, the Board and the public charter school may agree to develop a plan to correct deficiencies. The plan to correct deficiencies will follow a process outlined in ORS 338.105.
 - (3) The public charter school may request a hearing with the Board in relation to a termination or a plan to correct deficiencies. The request must be made in writing and delivered to the business address of the district.
 - (4) Following a hearing, a decision reached by the Board to terminate may be appealed by the public charter school to the State Board of Education.
- c. The Board may terminate a charter immediately and close the public charter school for endangering the health or safety of the students enrolled in the public charter school under ORS 338.105(4):
 - (1) A public charter school board may request, in writing and delivered to the business address of the district, a hearing with the Board.
 - (2) Within 10 days of receiving the request for a hearing, the Board must hold a hearing on the termination.
 - (3) If the Board acts to terminate the charter following the hearing, the public charter school may appeal the decision reached by the Board to the State Board of Education.

- (4) The public charter school will remain closed during the appeal process at the discretion of the Board unless the State Board of Education orders the Board not to terminate and to re-open the public charter school.
- d. If the charter agreement is terminated or a public charter school is closed or dissolved by the governing body of the public charter school, it shall be done only at the end of a semester and the public charter school board shall notify the district at least 180 days' prior to the proposed effective date of the termination, closure or dissolution. Such notice must be made in writing and be delivered to the business address of the district.
- e. If a charter agreement is terminated or a public charter school is dissolved, assets that were obtained with grant funds will be dispersed according to the terms of the grant. If the grant is absent any reference to ownership or distribution of assets of a terminated, closed or dissolved public charter school, all assets will be given to the State Board of Education for disposal.

Phoenix-Talent Schools District 4

Code: LBEA
Adopted: 2/04/21
Orig. Code(s): LBEA

Resident Student Denial for Virtual Public Charter School Attendance**

The district will semiannually, by October 1 and April 1, calculate the percentage of the number of students residing in the district, who are enrolled in a virtual public charter school not sponsored by the district. When the established percentage is more than three percent, the district will not approve additional students enrollment to a virtual public charter school, subject to the requirements in Oregon Administrative Rule (OAR) 581-026-0305(2).

The district may send a notice of approval or disapproval to a parent¹ of a student who has sent a notice to the district of intent to enroll the student in a virtual public charter school not sponsored by the district (*See* OAR 581-026-0305(3)). The district may respond with an approval or disapproval to a parent within eight business days of receipt of the notice from the parent.

The district is only required to use data that is reasonably available to the district, including but not limited to the following for such calculation:

1. The number of students residing in the district enrolled in the schools within the district;
2. The number of students residing in the district enrolled in public charter schools located in the district;
3. The number of students residing in the district enrolled in virtual public charter schools;
4. The number of home-schooled students who reside in the district and who have registered with the educational service district; and
5. The number of students who reside in the district enrolled in private schools located within the school district.

A parent may appeal a decision of a district to not approve a student enrollment to a virtual public charter school to the State Board of Education under OAR 581-026-0310.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)
[ORS 338.125](#)

[OAR 581-026-0305](#)
[OAR 581-026-0310](#)

¹ “Parent” means parent, legal guardian or person in “parental relationship” as defined in Oregon Revised Statute (ORS) 339.133.

Phoenix-Talent Schools District 4

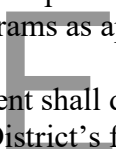
Code: LEA
Adopted: 12/01/83
Orig. Code: LEA



Student Teaching and Internships

The Board encourages the District's participation in teacher education programs that include student teaching or internships. The Superintendent shall investigate programs that may be advantageous to the educational programs as appropriate.

The Superintendent shall develop regulations for the placement of student teachers or interns that reflect that the School District's first responsibility is to the students of the District and to their educational needs.



END OF POLICY

Legal Reference(s):

[ORS 332.505](#)



Phoenix-Talent Schools District 4

Code: LEA-AR
Adopted: 1/19/84
Orig. Code: LEA-AR



Student Teaching and Internships

A contract will be in force with the assigning institution prior to the acceptance of student teachers.

All applications from colleges will be forwarded to the Superintendent for review and assignment to District schools. Applicants will be interviewed by the school principal and prospective supervising teacher prior to final approval of the application. Principals will notify the Superintendent of finalized assignments. Principals will observe the following restrictions in making such assignments:

1. Student teachers will not be assigned to a supervising teacher unless the supervising teacher has three or more years of experience.
2. All supervising teachers must have taught at least one full year in the Phoenix-Talent School District.
3. The supervising teacher will not be assigned more than one full-time student teacher during the course of the school year.
4. All assignments will be voluntary on the part of the supervising teacher.
5. Before accepting a student teacher, the supervising teacher should be made aware of his/her obligations as well as remunerations and benefits accrued for providing such services.





PHOENIX-TALENT SCHOOLS

EXCELLENCE *for* EVERYONE

Board Meeting - 6:00 PM

Thursday, September 15, 2022

In-Person at Phoenix Elementary School

<https://us02web.zoom.us/j/82975884108?pwd=OFZOTjNXZEk5T2pGYXErbzBSNzVPQT09865340>

AGENDA

- A. Call to Order
- B. Accentuate the Positive
- C. Citizen Comments
*Those who wish to offer public comments to the school board may do so by addressing the board directly during the board meeting or by **completing the public comment form** located on the School Board tab of our website. Written comments should be submitted no later than 5 p.m. on the day before the meeting.*
- D. Superintendent Report
- E. Consent Agenda
 - 1. Approval of Agenda
 - 2. Approval of Minutes from 9/01/2022
 - 3. Personnel Report
 - 4. Board Policy Sections K & L
- F. Action Items
 - 1. Appoint Budget Committee Members
 - 2. Approve Budget Committee Calendar for 23-24 Budget
 - 3. OSBA Board Nomination
 - 4. Interview/Appoint Student Representatives
- G. Information and Discussion
 - 1. Facilities/Bond Update
 - 2. Financial Update
 - 3. Legislative/OSBA Update
 - 4. Alameda Fire Update
 - 5. Enrollment Report
- H. Review of the Next Meeting Agenda
- I. Adjournment

Phoenix-Talent School District #4 is an Equal Opportunity Employer and, in accordance with Federal and State Legislation, does not discriminate on the basis of race, sex, religion, age, national origin, or marital status, physical or mental disability in employment practices or education programs. **If you need special accommodations for language interpretation or because of a disability**, please contact the District Office Executive Assistant two days prior to meeting at 541-535-1511 Voice/TD.