

Regular Board Meeting

Thursday, September 8, 2022 7:00 PM

Umatilla School District, 1001 6th St, Umatilla, OR 97882

A. Call Meeting to Order

B. Public Input

C. Presentations

C.1. 2020-21 Oregon English Language Learner Report

D. Approve Agenda

E. Action Items

E.1. Consent Agenda: Minutes for August Board Meeting & Board of Directors Workshop, HR Report, Disbursements and Financial Statements

E.2. Adopt Listed Policies

F. Discussions

F.1. First Reading of Listed Policies

G. Other/Board Discussions

G.1. OSBA Legislative Roadshow

G.2. Policy Desk Rewrite

G.3. Bond Update

H. Staff Recognition

I. Reports

I.1. McNary Heights Elementary School - Nicole Coyle, Tim Young, Taunya Daniel

I.2. Clara Brownell Middle School - Rick Cotterell, Anthony Brown

I.3. Umatilla High School - Bob Lorence, April Dirksen, Scott Bow

I.4. Maintenance - Vinny Stefani

I.5. District - Heidi Sipe, Stephanie Williams-Strege, Kim Gilsdorf, David Lougee, Julie Hunt, Rikkilynn Starliper

I.6. IMESD Talking Points

J. Public Input

K. Adjourn

Board of Directors Workshop
Thursday, August 11, 2022 6:00 PM Pacific

Main Office
1001 6th St
Umatilla, OR 97882

Josiah Barron: Present
Lesly Claustro-Sanguino: Present
Toby Cranston: Present
Travis Eynon: Present
Veronica Gutierrez: Present
Jon Lorence: Present
Jorge Meza: Present
Present: 7.

A. Call Meeting to Order

Jon Lorence called the meeting to order at approximately 5:58pm.

B. Executive Session

B.1. Site Tour

Kevin & Heath - Architects NW Demonstrating the plan for the new elementary school on South Hill.

Board traveled up to South Hill to see the new school site and to UHS.

B.2. Boardbook Introduction

Natalie Aufdermauer introduced and trained the board on the use of BoardBook.

C. Open Session

D. Adjourn

Adjourned at 7:06pm.

Umatilla School District #6R
Financial Update
August 2022

The following Financial Update highlights the significant transactions for the Umatilla School District for the month:

General Fund Highlights:

- The General Fund collected the following:
 - Basic School Support, \$1,030,954 (2022-23 School Year)
 - Property taxes:prior year, \$15,401

- A copy of the check register is attached for your review. Current month obligation checks totaled \$919,481.48. Some of the larger expenditures include:

Amazon – Summer school and beginning of school year supplies

Apptegy – 2022-23 annual renewal website hosting: Thrillshare

COSA – 2022-23 annual dues & fees; conference registrations

InterMountain ESD – 2022-23 Technology services and supplies

Northwest Textbook Depository – ELA Textbook adoption (all grades)

OSBA – 2022-23 annual dues and Boardbook

Selway Machine Tool Co – down payment on new CNC machine

TEQLease – 3rd annual lease payment for Audio Enhancement system

Various professional development travel reimbursements and staff professional development opportunities

Other Notes:

Auditors will be present at District Office the week of September 19.

UMATILLA SCHOOL DISTRICT 6R General Fund
Statement of 2022-2023 Anticipated Revenue

8/31/2022

Account	Budget	YTD Revenue	Anticipated	Total	+/(-) Budget
1111 Current Year's Levy*	\$ 4,300,000	\$ -	4,300,000	\$ 4,300,000	\$ -
1112 Prior Years' Levy*	75,000	15,401	59,600	75,000	-
1113-1190 County Sales Tax-Pytm in Lieu	300	-	300	300	-
1500 Earnings on Investments	40,000	15,677	20,336	36,013	(3,987)
1710 Admissions	2,000	-	-	-	(2,000)
1920 Contributions & Donations	500	10,173	-	10,173	9,673
1941 Svc Oth Dist Within State	25,000	-	-	-	(25,000)
1990 Miscellaneous (Includes Recovery)	35,000	1,823	33,177	35,000	-
2101 County School Fund*	35,000	-	35,000	35,000	-
2199 Other Intermediate Sources	-	-	-	-	-
3101 State School Support Fund*	12,200,000	3,094,100	9,280,900	12,375,000	175,000
3103 Common School Fund*	135,000	76,199	78,801	155,000	20,000
3299 Restricted State Other Grants	-	-	-	-	-
4500 Restricted Fed Govt thru State	-	8,546	-	8,546	8,546
4700 Federal Grants Thru Other Agencies	-	-	-	-	-
4801 Federal Forest Fees*	-	-	-	-	-
5000 Other Sources	-	-	-	-	-
Total Revenue	\$ 16,847,800	\$ 3,221,918	\$ 13,808,114	\$ 17,030,032	\$ 182,232
5400 Beginning Fund Balance	4,734,300	4,621,843	-	4,621,843	(112,457)
TOTAL RESOURCES	\$ 21,582,100	\$ 7,843,761	\$ 13,808,114	\$ 21,651,875	\$ 69,775

* Local Revenue included within state formula.

PROJECTED ENDING FUND BALANCE CALCULATION

Revenues	\$ 17,030,032
Expenditures Estimated	<u>17,906,286</u>
Revenues Over (Under) Expend.	(876,254)
Beginning Fund Balance - Pre AUDIT	<u>4,621,843</u>
Projected Ending Fund Balance	<u>3,745,589</u>
Unappropriated Ending Fund Balance	\$ -

Basic School Support Estimate

2022-2023 BSSF Estimate as of May 19, 2022	
1,362 ADMr	12,376,401

Historical Expenditure Review

Expenditures 2023	17,906,286	<i>Estimated</i>
Expenditures 2022	16,614,308	<i>Actual, not audited</i>

UMATILLA School District 6R
Statement of 2022-2023 Anticipated Expenditures

8/31/2022

Cost Center	Budget	Encumbrances	YTD Expenditures	Free Balance
1111 Elementary (MHES)	\$ 4,242,895	\$ 3,181,114	\$ 213,598	\$ 848,183
1121 CBMS Middle School	1,795,476	1,163,771	71,356	560,350
1122 CBMS Extra Curricular	79,185	-	7,019	72,166
1131 Umatilla High School	2,641,468	2,000,025	103,590	537,854
1132 Umatilla HS Extra Curricular	388,136	92,551	10,499	285,086
1210 TAG Program	9,430	-	-	9,430
1250-1259 Special Education/Spec. Ed. Life Skills	1,894,584	1,360,913	40,904	492,767
1271 Remediation	112,029	54,111	-	57,918
1291 ELL Program	1,365,550	882,106	3,099	480,345
1430 UHS Summer School	9,192	-	-	9,192
1460 Special Programs Summer	21,488	-	-	21,488
2114 Student Accounting	229,118	111,831	-	117,287
2115 Student Safety	6,225	-	-	6,225
2120 Guidance Counseling	556,923	357,239	843	198,842
2130 Health Services	500	8	659	(167)
2140 Psychological Services	30,000	-	-	30,000
2210 Improvement of Instruction	142,470	56,985	10,659	74,825
2220 Educational Media Services	282,066	124,631	5,166	152,269
2230 Assessment & Testing	157,390	105,328	33,515	18,547
2240 Staff Development	393,698	-	8,241	385,457
2310-2321 Board/Superintendent	728,215	364,772	163,929	199,515
2410 Office of Principal	1,327,748	914,634	177,154	235,960
2520 Fiscal Services	254,765	196,020	26,909	31,837
2540 Plant Operations & Maintenance	2,317,042	843,914	388,847	1,084,281
2550-2558 Student/ Spec Ed. Transportation	847,750	729,409	12,950	105,391
2630-2639 Volunteer Programs/Other Info. Services	157,050	79,948	15,990	61,112
2640 HR Staff Services	132,900	100,623	19,832	12,445
2645-2649 Health Services/Other Staff Services	10,000	-	7,367	2,633
2660 Technology Services	533,210	119,736	162,357	251,117
2680 Interpret/Translation Services	900	-	-	900
3300 Community Services	2,697	62	-	2,635
6000 Contingencies	662,000	-	-	662,000
Total Expenditures	21,332,100	12,839,729	1,484,481	7,007,890
Transfer of Funds	250,000	250,000	-	-
Unappropriated Ending Fund Balance	-	-	-	-
TOTAL	\$ 21,582,100	\$ 13,089,729	\$ 1,484,481	\$ 7,007,890

FUNCTION	Budget	Encumbrances	YTD Expenditures	Free Balance
1000 Instructional Services	\$ 12,559,433	8,734,591	\$ 450,063	\$ 3,374,779
2000 Support Services	8,107,970	4,105,076	1,034,418	2,968,476
3000 Community Services	2,697	62	-	2,635
5000 Transfer of Funds	250,000	250,000	-	-
6000 Contingency	662,000	-	-	662,000
Total Expenditures	21,582,100	13,089,729	1,484,481	7,007,890
7000 Fund Balance	-	-	-	-
TOTAL	\$ 21,582,100	\$ 13,089,729	\$ 1,484,481	\$ 7,007,890

OBJECTS	Budget	Encumbrances	YTD Expenditures	Free Balance
100 Salaries	\$ 9,629,342	\$ 7,270,385	\$ 326,315	\$ 2,032,641
200 Payroll Taxes & Benefits	6,842,055	4,337,941	209,336	2,294,778
300 Purchased Services	2,392,595	940,994	280,073	1,171,528
400 Supplies and Materials	1,390,993	274,706	464,603	651,684
500 Capital Outlay	136,500	13,935	7,019	115,546
600 Other Objects	278,615	1,768	197,135	79,712
700 Interfund Transfers	250,000	250,000	-	-
800 Contingency	662,000	-	-	662,000
Total Expenditures	21,582,100	13,089,729	1,484,481	7,007,890
Unappropriated Ending Fund Balance	-	-	-	-
TOTAL	\$ 21,582,100	\$ 13,089,729	\$ 1,484,481	\$ 7,007,890

Umatilla SD Other Funds - 2022-2023

EXPENDITURES

Fund	Description	Budget	Encumbrances	YTD Expenditures	Free Balance
203	CTE Career Pathways	22,000	-	1,062	20,938
204	Umatilla Sports Complex	32,610	-	-	32,610
206	Medicaid Claiming	93,440	-	-	93,440
207	SB 1149	40,500	-	-	40,500
210	ECIA Title I	574,950	472,427	19,387	83,136
211	Title IA ESSA	117,000	56,960	21,900	38,140
212	ECIA Title IIA	71,065	66,422	-	4,643
214	ECIA Title III	63,954	51,664	-	12,290
216	Title IVA Safe & Drug Free Schools	37,500	-	-	37,500
217	21st CCLC	559,276	171,566	118,208	269,502
218	Outdoor School	55,000	-	-	55,000
219	Title VIB REAP	35,000	-	-	35,000
221	Title 1C Migrant Ed	46,315	40,494	-	5,821
223	Children's Reading Foundation	3,201	-	-	3,201
224	IDEA	102,375	81,223	-	21,152
225	IDEA Enhancement Grant	3,125	-	-	3,125
230	CARES Act (ESSER I/CDL)	5,000	-	-	5,000
235	ESSER II Funds	830,200	553,181	28,470	248,550
236	ESSER III Funds	1,176,500	327,143	74,174	775,183
239	HS Success Grant	421,071	302,216	5,828	113,027
243	OR First Robotics Grant	20,000	-	-	20,000
250	Child Nutrition Fund	1,494,520	1,090,646	71,547	332,326
251	Farm to School Grant	40,000	15,000	-	25,000
255	Student Investment Acct (SIA)	1,298,700	525,582	135,274	637,843
258	Youth Transition Program Grant	126,995	50,247	24,000	52,748
259	Summer Academic Support Grant	295,675	-	234,840	60,835
261	Education Project Grant	18,500	-	-	18,500
267	OR Healthy Schools Grant	35,000	-	-	35,000
284	Daycare Center	83,650	48,956	-	34,694
285	MHES ASB	50,000	-	-	50,000
290	CBMS ASB	50,000	-	-	50,000
295	UHS ASB	235,000	-	-	235,000
299	Miscellaneous Grants	105,000	57,065	10,070	37,865
302	Debt Service	1,195,000	(0)	-	1,195,000
303	PERS UAL Debt Service	1,122,000	-	-	1,122,000
451	Capital Projects Fund	250,050	-	-	250,050
452	2016 GO Bond Capital Projects Fund	155,500	11,100	12,759	131,641
453	Construction Excise Tax	300,000	-	-	300,000
	Total Expenditures	\$ 11,165,672	\$ 3,921,893	\$ 757,520	\$ 6,486,259

RECAP

Fund	Description	Beginning Balance	YTD Receipts	Expenditures	Ending Balance
203	CTE Career Pathways	-	-	1,062	(1,062)
204	Umatilla Sports Complex	3,308	-	-	3,308
206	Medicaid Claiming	3,420	-	-	3,420
207	SB 1149	6,204	2,685	-	8,889
210	ECIA Title I	-	-	19,387	(19,387)
211	Title IA ESSA	-	-	21,900	(21,900)
212	ECIA Title IIA	-	-	-	-
214	ECIA Title III	-	-	-	-
216	Title IVA Safe & Drug Free Schools	-	-	-	-
217	21st CCLC	(153,158)	158,689	118,208	(112,677)
218	Outdoor School	(24,199)	25,099	-	900
219	Title VIB REAP	-	-	-	-
221	Title 1C Migrant Ed	-	-	-	-
223	Children's Reading Foundation	3,200	-	-	3,200
224	IDEA	-	-	-	-
225	IDEA Enhancement Grant	-	-	-	-
230	CARES Act (ESSER/CDL)	-	-	-	-
235	ESSER II Funds	(9,794)	9,794	28,470	(28,470)
236	ESSER III Funds	(248,824)	248,824	74,174	(74,174)
239	HS Success Grant	6	1,998	5,828	(3,823)
243	OR First Robotics Grant	-	-	-	-
250	Child Nutrition Fund	614,666	1,820	71,547	544,939
251	Farm to School Grant	(8,800)	8,800	-	-
255	Student Investment Acct (SIA)	190,073	-	135,274	54,799
258	Youth Transition Program Grant	9,383	23,700	24,000	9,083
259	Summer Academic Support Grant	-	-	234,840	(234,840)
261	Education Project Grant	18,040	26	-	18,066
267	OR Healthy Schools Grant	(3,139)	3,139	-	-
284	Daycare Center	59,591	-	-	59,591
285	MHES ASB	29,881	-	-	29,881
290	CBMS ASB	13,642	-	-	13,642
295	UHS ASB	124,097	-	-	124,097
299	Miscellaneous Grants	3,684	-	10,070	(6,387)
302	Debt Service	143,195	4,416	-	147,611
303	PERS UAL Debt Service	147,405	274,873	-	422,278
451	Capital Projects Fund	(21,624)	-	-	(21,624)
452	2016 GO Bond Capital Projects Fund	67,542	2	12,759	54,784
453	Construction Excise Tax	97,973	-	-	97,973
	Total Resources	\$ 1,065,773	\$ 763,863	\$ 757,520	\$ 1,072,116

* Balances are PRE-Audit.

UMATILLA SCHOOL DISTRICT 6R
 Monthly Revenue and Expenditure Summary

GENERAL FUND

2022-2023

ACCT #	SOURCE	BUDGET	JULY	AUG	Projected SEP	Projected OCT	Projected NOV	Projected DEC	Projected JAN	Projected FEB	Projected MAR	Projected APR	Projected MAY	Projected JUNE	TOTAL	Over/(Under)
RESOURCES																
1111	Current Year Taxes	4,300,000	-	-	-	17,460	3,818,124	136,100	23,279	85,181	19,632	13,500	58,327	75,000	4,246,603	(53,397)
1112	Prior Year Taxes	75,000	-	15,401	5,963	4,579	13,906	12,264	3,491	6,021	2,406	2,759	5,788	-	72,577	(2,423)
113-119	County Sales Tax-Pymt in Lieu	300	-	-	-	-	-	-	-	135	-	-	-	12,000	12,135	11,835
1500	Interest on Investments	40,000	6,392	9,284	2,280	1,818	2,124	2,857	2,886	2,613	3,408	4,046	4,883	4,500	47,092	7,092
1710	Admissions	2,000	-	-	-	-	-	-	-	-	-	-	-	-	-	(2,000)
1920	Contributions	500	465	9,708	3,381	-	-	-	-	-	2,200	-	600	-	16,354	15,854
1941	Svc Oth Dist Within State	25,000	-	-	-	-	-	-	-	-	-	-	-	-	-	(25,000)
1990	Miscellaneous	35,000	1,823	-	15,747	6,201	2,414	2,870	24,554	1,877	10,267	-	1,517	-	67,269	32,269
2101	County School Funds	35,000	-	-	-	-	-	-	-	44,849	-	-	-	-	44,849	9,849
2199	Other Intermediate Sources	-	-	-	-	-	3,189	-	-	2,312	-	-	2,427	-	7,928	7,928
3101	State School Support	12,200,000	2,063,146	1,030,954	1,031,573	1,031,573	1,031,573	1,031,573	1,031,573	1,031,573	1,031,573	1,031,573	1,031,573	(8,749)	12,369,508	169,508
3103	Common School Fund	135,000	76,199	-	-	-	-	-	76,199	-	-	-	-	-	152,398	17,398
3299	Other Restricted Grants-in-Aid	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
4500	Restricted Fed thru State	-	8,546	-	-	-	-	-	-	-	-	-	-	-	8,546	8,546
4700	Federal Grants thru Other Agencies	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
4801	Federal Forest Fees	-	-	-	-	-	-	-	-	2,830	-	-	-	-	2,830	2,830
5000	Other Sources	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
	Total Revenue	16,847,800	2,156,571	1,065,347	1,058,944	1,061,630	4,871,329	1,185,664	1,161,982	1,177,391	1,069,486	1,051,879	1,105,115	82,751	17,048,088	200,288
5400	Beginning Fund Balance	4,734,300	4,621,843	-	-	-	-	-	-	-	-	-	-	-	4,621,843	(112,457)
	Total Resources	21,582,100	6,778,414	1,065,347	1,058,944	1,061,630	4,871,329	1,185,664	1,161,982	1,177,391	1,069,486	1,051,879	1,105,115	82,751	21,669,931	87,831
REQUIREMENTS																
100	Salaries	9,629,342	146,709	179,607	700,000	700,000	700,000	700,000	700,000	700,000	700,000	700,000	700,000	1,805,000	8,431,315	1,198,027
200	Benefits	6,842,055	88,307	121,029	420,000	420,000	420,000	420,000	420,000	420,000	420,000	420,000	420,000	1,425,000	5,414,336	1,427,719
300	Purchased Services	2,392,595	67,758	212,315	170,000	170,000	170,000	170,000	170,000	170,000	170,000	170,000	170,000	285,000	2,095,073	297,522
400	Supplies & Materials	1,390,993	64,057	400,546	140,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	75,000	87,000	1,291,603	99,390
500	Capital Outlay	136,500	-	7,019	55,000	20,000	-	15,000	13,500	13,000	-	-	-	-	123,519	12,981
600	Other Objects	278,615	192,124	4,011	5,000	2,500	5,000	1,200	1,000	1,200	1,000	1,000	1,000	671	215,706	62,909
720	Transfers	250,000	-	-	-	-	-	-	-	-	-	-	-	250,000	250,000	-
800	Contingency	662,000	-	-	-	-	-	-	-	-	-	-	-	-	-	662,000
	Total Expenditures	21,582,100	558,955	924,526	1,490,000	1,387,500	1,370,000	1,381,200	1,379,500	1,379,200	1,366,000	1,366,000	1,366,000	3,852,671	17,821,552	3,760,548
Monthly Fund Balance		0	6,219,459	140,821	(431,056)	(325,870)	3,501,329	(195,536)	(217,518)	(201,809)	(296,514)	(314,121)	(260,885)	(3,769,920)	3,848,379	
Accumulated Fund Balance		0	6,219,459	6,360,280	5,929,224	5,603,354	9,104,683	8,909,147	8,691,629	8,489,820	8,193,306	7,879,185	7,618,300	3,848,379	3,848,379	
% of Budgeted Resources			31.41%	4.94%	4.91%	4.92%	22.57%	5.49%	5.38%	5.46%	4.96%	4.87%	5.12%	0.38%	100.41%	
% of Budgeted Requirements			2.59%	4.28%	6.90%	6.43%	6.35%	6.40%	6.39%	6.39%	6.33%	6.33%	6.33%	17.85%	82.58%	

Umatilla School District 6R
BOARD REPORT
AUGUST 2022

VENDOR	DETAIL	AMOUNT	FUND
1 A Burke & Company	New glass at MHES	\$ 415.00	
2 ABC Fire Control	Extinguisher Inspections	\$ 275.00	
3 Academic Innovations	Workbooks & Portfolios; My 10 Year Plan	\$ 2,503.19	
4 AED Superstore	Zoll Replacement CPR-Padz	\$ 384.00	
5 AJ's Printed Apparel	Staff T-Shirts	\$ 1,607.00	
6 Alcantar, Miriam	Craft Supplies Reimbursement	\$ 39.82	236
7 Allstream	Long Distance	\$ 112.54	
	Misc Supplies; Leapfrogs; Organizers; Pencil Sharpeners; Books; Games; Postage Supplies; Storage Boxes; Chairs; Timers; String Lights; Power Strips; Dash Cam; Easel Pads; Blender Supplies; Lap Blankets; Snack Containers; Balance Balls; Storage Cabinets; Bean Bag Chairs; Rugs; Traffic Cones; Math DVD's; Towel Bars; Book Bin; Kids Drones; Arts & Crafts Supplies; Calculators; Measuring Cups/Spoons; Beach Balls; Essential Elements for Bands Books; Disk Golf; Computer Desk; Wireless Presenters; Doorbells; Safety Harness; Daycare Toys; Carts; Dry Erase Boards;	\$ 22,849.47	258
8 Amazon.com			
9 Amplified It	IT Chromebook Management	\$ 1,100.00	
10 Apptegy, Inc.	Annual renewal for website hosting: Thrillshare	\$ 8,559.00	
11 Aufdermauer, Natalie	Travel Reimbursement	\$ 83.75	
	Flights AASA; Adobe; Netflix; Fingerprinting; Boli Handbook; Board Meals; UPS Shipping; COSA Lodging; Lodging Eugene; Meals; STEAM Pool Party; Movie Night; STEAM Supplies; Flowers; Fuel for Van; Vacuum Belt; Big Bus Tour Wash. DC; In-Flight WiFi; Conscious Discipline Lodging; Breakthrough Coach; Baggage Fees; AASA Memberships	\$ 22,824.07	100; 217; 235; 236;
12 Banner Bank	District Office; Food Service	\$ 500.00	100; 250
13 Banner Bank for Petty Cash	Art Supplies	\$ 1,292.11	
14 Blick Art Materials	Early College Credits	\$ 18,460.00	
15 Blue Mountain Comm. College	Officials Fees	\$ 4,000.00	
16 Blue Mtn Volleyball Officials	Bagger/Side Cover (Maintenance)	\$ 343.00	
17 Bonney's Ag & Auto	Travel reimbursement: Per Diem; Mileage - COSA	\$ 458.50	
18 Brown, Anthony	Heating & Air Maintenance	\$ 1,252.27	
19 Bruce Heating & Air	Movie Snacks Reimbursement	\$ 23.06	
20 Carrillo, Samantha	Dairy/Milk Purchases	\$ 6,335.44	250
21 Cart and Can LLC	Fuel	\$ 434.33	100; 250
22 Cascade Natural Gas	Time To Teach Conference	\$ 4,511.00	210; 211
23 Center for Teacher Effectiveness	Telephone	\$ 1,227.43	
24 Century Link	Travel Reimbursement: OSPA Conference	\$ 1,008.32	
25 Chavez, Josy	UHS Water Treatment	\$ 277.15	
26 Chem-Aqua, Inc.	Riso Copier Lease	\$ 260.51	
27 CIT Technology Financing	Water; Sewer; Garbage	\$ 6,700.79	100; 250
28 City of Umatilla	Mealtime	\$ 1,093.31	250
29 CLM Group	Music Rights Subscription	\$ 1,800.00	
30 CMC Neptune, LLC	Gas/Diesel	\$ 1,205.25	100; 258
31 Coleman Oil	Dues; Conference	\$ 7,131.00	
32 COSA	School Security Summit Mileage; Tuition Reimbursement	\$ 3,631.25	
33 Cotterell, Richard	Coach Training/Tigard	\$ 240.00	
34 Coyle, Ian	Janitorial Supplies	\$ 6,862.96	
35 Crown Paper & Janitorial	STEAM Storage Rental	\$ 54.00	217
36 CRS Mini Storage	Phonics for Reading	\$ 301.39	210
37 Curriculum Associates	Travel reimbursement: Time to Teach Conference Airfare for 3	\$ 2,983.27	211
38 Daniel, Taunya	Fire Extinguisher Service	\$ 1,561.00	
39 Davis Eastern Supply	Staff Snacks for Training	\$ 66.05	
40 DeLaCruz Heredia, Juana	Cooler Rental	\$ 21.90	
41 Desert Springs Bottled Water	Vehicle Repairs	\$ 375.00	
42 Duke's Auto Plus	Cheer Uniforms	\$ 581.03	
43 Eastbay	Early College Credits	\$ 300.00	
44 Easton Oregon University	Edpuzzle	\$ 4,235.00	236
45 Edpuzzle	Student Licenses for Reflex Math	\$ 1,400.00	
46 Explore Learning, LLC	Novelties	\$ 180.00	239
47 Family, Career & Community	Travel Reimbursement - Conscious Discipline	\$ 308.75	210
48 Fletcher, Meghan	Foillett Destiny Software; Library Books	\$ 2,619.66	
49 Follett School Solutions	Student DMV ID Cards; Mileage June/July SWELL	\$ 298.67	258
50 Galvez Huizar, Mya	Snacks/Supplies STEAM	\$ 206.29	217
51 Garcia-Sanchez, Yessenia	Legal Fees	\$ 821.00	
52 Garrett Hemann Roberts	Mileage; Meals; Tourney Entry	\$ 902.23	100; 235
53 Gertsch, Catherine	Asist Lodging Mindy Mele	\$ 438.08	
54 Hampton Inn & Suites	Menu Planning	\$ 315.00	250
55 Heartland School Solutions	Textbooks; Registrations	\$ 3,054.40	210; 211
56 Heggerty Phonemic Awareness	Battery	\$ 146.29	
57 Hermiston Auto Parts	Maintenance Consulting services	\$ 2,025.00	
58 Hogstad, Thomas	Maintenance/Grounds Supplies; Freezer	\$ 494.11	100; 239
59 Home Depot			

VENDOR	DETAIL	AMOUNT	FUND
60 Intermountain ESD	Technology Support; Adobe Creative Cloud; Veeam Backup Software; Classroom, Playground, PE, Library, Office, Health Room, Resource Room, ESL, General Supplies; Paper Order; Index Card Stock; Name Badges; Staplers; Baskets; Laminating Film	\$ 136,196.16	100; 217
61 Jaimes, Nancy	Ready Set Engineer Supplies	\$ 74.71	235
62 Jewett, Amethyst	Classroom Supplies	\$ 325.65	
63 Jim Purswell's Pump	Fire Suppression Fix	\$ 721.25	
64 Jimmy's Johns Portable Potty	Porta Potty Rentals	\$ 192.72	
65 Johnston, Melanie	Travel Reimbursement: Orlando	\$ 2,611.92	211
66 Karan, Salesh	Supplies	\$ 12.32	235
67 Kelly Connect	Copies	\$ 614.64	
68 KIE Supply	Irrigation Supplies	\$ 4.39	
69 Klucas, James	Mileage Reimbursement - SWELL	\$ 310.70	258
70 Kopacz Nursery	Dirt/Sand/Compost	\$ 90.00	
71 Leaf Capital Funding	Kyocera Copier Lease	\$ 146.80	
72 Ledbetter's Refrigeration	Cooler & Freezer Repair	\$ 7,319.20	250
73 Levy, Janice	Counseling services	\$ 700.00	255
74 Lorence, Jon	Travel Reimbursement OSBA Bend	\$ 266.25	
75 Lorence, Robert	Travel Reimbursement Topcop/Security/Retre	\$ 350.00	
76 Lorence, Megan	Water/Field Trip	\$ 9.99	235
77 Lorence, Tricia	Travel Reimbursement: Conscious Discipline	\$ 1,526.84	236
78 Lougee, Eric	Fuel for Bus; Camp Expenses	\$ 2,248.67	235
79 Meyer, Stacy	Supplies	\$ 49.96	235
80 Morfin-Mendoza, Ramon	Mileage Reimbursement	\$ 9.25	
81 National Student Clearinghouse	Student Tracker	\$ 595.00	
82 No Red Ink	Subscription	\$ 4,252.50	
83 North Coast Electric	Maintenance Supplies	\$ 693.00	
84 Northwest Farm Supply	Maintenance Supplies	\$ 18.97	
85 Northwest Textbook Depository	Textbook Adoption (ELA)	\$ 334,120.86	
86 NWEA	Virtual Workshop	\$ 1,200.00	211
87 Old Republic Surety Group	Fidelity Bond	\$ 287.00	
88 Oregon School Personnel Assoc	Membership Dues	\$ 220.00	
89 OSBA	Boardbook; Membership Dues; PR in Action; District Dues	\$ 5,889.67	
90 Pacific Power	Electricity	\$ 39,212.71	
91 Porta Phone Company	Headsets	\$ 2,803.61	
92 Pottorff, Coni	Travel Reimbursement: Conscious Discipline Orlando	\$ 581.19	210; 211
93 Prewitt Hardwood Floors	Gym Refinishing	\$ 10,321.35	
94 R & R Sports Trophies	Retirement Gift - Dever	\$ 49.50	
95 RDO Equipment	Equipment Service/Parts	\$ 139.69	
96 Read Naturally	Read Live Licenses	\$ 5,700.00	
97 Really Good Stuff	Resource Folders	\$ 68.01	
98 Remind101, Inc	Remind Hub; Essentials	\$ 5,600.00	255
99 Scenario Learning, LLC	Safe Schools	\$ 306.00	
100 SAIF	2021-22 Workers' Compensation Audit	\$ 3,337.54	
101 Sanitary Disposal	Waste Disposal	\$ 487.32	
102 Scholastic Library Publishing	License for Scholastic Go	\$ 1,334.00	
103 School Specialty	Zipper Bags; Whiteboard Erasers; Wristbands; Games; Art Supplies	\$ 2,124.67	
104 Selway Machine Tool Co	CNC Machine, Parts and Warranty - Down Payment	\$ 10,070.29	299
105 Shelco Electric	Electrical Services	\$ 9,855.80	
106 Sherwin Williams	Painting Supplies	\$ 35.99	
107 Shultz Johnson, Noelle	Science Activity Reimbursement	\$ 48.64	235
108 Sipe, Heidi	Travel Reimbursement: Eugene & Seaside Conferences	\$ 4,725.98	
109 Sipe, Caden	Travel Reimbursement: FTC Training - Flight, Per Diem, Mileage	\$ 2,223.53	210
110 Smitty's Ace Hardwre	Maintenance Supplies	\$ 863.44	
111 Sound Discipline	Professional Development: Reimagining Resilience	\$ 15,430.00	236
112 Starliper, Rikkilynn	Summer School Supplies for Cira's Class	\$ 114.75	217
113 State of Oregon/Employment	Unemployment claims 2nd QTR	\$ 4,495.28	
114 Stefani, Vincent	Travel Reimbursement - Bend	\$ 792.65	
115 Stoel Rives	Water Rights Advice; Professional Services	\$ 547.40	
116 Teacher Direct	Two Pocket Portfolio; Pencil Pouch	\$ 76.50	
117 Teqlease	Audio Equipment Lease payment (3rd annual installment)	\$ 127,195.97	255
118 US Bank Equipment Finance	Kyocerra Copier Lease	\$ 2,452.74	
119 Umatilla Child Nutrition	Snacks	\$ 335.29	235
120 Umatilla High School	EOL Fees and OADA/NIAAA	\$ 430.00	
121 US. Foods	Food & Supply Purchases	\$ 11,657.98	250
122 Verizon Wireless	Cell Phones	\$ 214.34	
123 Wilbur-Ellis	Pesticides/Herbicides	\$ 537.07	
124 Young, Timothy	Travel Reimbursement - Nasro; COSA	\$ 765.19	100; 255
TOTAL		\$ 919,481.48	

Fund 203-Career Pathways Grant Fund 236-ESSER III Funds
Fund 204-Umatilla Sports Fund 239 - Measure 98
Fund 205-ORTOP Fund 243-Oregon FIRST Robotics Program
Fund 206-Medicaid Administration Fund 250-Food Service

VENDOR	DETAIL	AMOUNT	FUND
Fund 207-SB-1149	Fund 251-Farm to School		
Fund 210-Title IA Improving Basic	Fund 255-Student Investment Account		
Fund 211-Title IA - ESSA	Fund 258-Youth Transition (YTP)		
Fund 212-Title IIA-PTR	Fund 259-Summer Academic Support Grant		
Fund 214-Limited English Prof.	Fund 261-State Education Project (Lottery)		
Fund 216-Title IVA - Safe & Drug	Fund 267-OR Healthy Schools Grant		
Fund 217-21st CCLC	Fund 284-Daycare Center		
Fund 218 - Outdoor School	Fund 285-Elementary A S B (MHES)		
Fund 219-Title VIB - Rural Low	Fund 290-Middle A S B (CBMS)		
Fund 221-Title 1C Migrant	Fund 295-High A S B (UHS)		
Fund 223-Children's Reading	Fund 299-Miscellaneous		
Fund 224-I.D.E.A.	Fund 302-Debt Service - High School		
Fund 225-Special Ed. I.D.E.A.	Fund 303-Debt Service - PERS UAL		
Fund 227-Gear Up!	Fund 451-Capital Projects		
Fund 230-Cares (ESSER I/CDL)	Fund 452-2016 GO Bond Capital Projects		
Fund 235-ESSER II Funds	Fund 453-Construction Excise Tax		

UMATILLA SCHOOL DISTRICT #6R

September 08, 2022

Superintendent's Recommendation

Hires:

Grace Martinez - Temporary Contract - 1st Grade

Hires: Classified

Michael Garza - Educational Assistant

Sarina Herrera - Elementary Educational Assistant

Stephanie Payne - UHS Educational Assistant

Alisha Knight - Special Education Assistant

Kaitlyn Toomey (Leer) - Elementary Educational Assistant

Summeray Cortez - Elementary Educational Assistant

Rodolfo Trey Trevino - UHS Educational Assistant

Jissell Lopez - - Elementary Educational Assistant

Erick Olson - YTP

Hires: Coaches

Miriam Alcantar - JV2 Volleyball

Miriam's letter of interest:

I did three years of volleyball in high school. Played center blocker as well as swinger. The team I played for were league champs within the Central Valley and I was voted best in the league.

I don't have much experience coaching volleyball but it's been something I've wanted to do for quite some time. Our coach at the time did not come to practice often but we kind of taught ourselves through a routine of what we would do most days.

You had mentioned that this was a coaching position for JV. In most occasions, jv volleyball has a lot of new people. Interests are peaked for a lot of beginners and I feel like many need to be taught the foundations on how to play. I feel like learning how to pass, move across one place to another, serve, block, position oneself on the court, as well as learn the approach to become a swinger are key things that need to be learned as a jv/beginner. Overall I enjoy it, it's a fun sport and I feel like I can definitely help introduce the fundamentals of volleyball to students as well as refine the skills needed to play it.

Miriam Alcantar

Umatilla School District 6

Code: EEA

Adopted:

Student Transportation Services *

(Even if the district contracts for student transportation services, this is a required policy.)

School transportation services will be provided for students to and from school and for transporting students to and from curricular and extracurricular activities sponsored by the district transporting from one school or facility to another school-sponsored field trips that are extensions of classroom learning experiences. Transportation will be provided for homeless students to and from the student's school of origin¹ as required by the Every Student Succeeds Act (ESSA). Services shall be provided throughout the regularly scheduled year and during the regular school day as determined by the Board.

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

OR

Miles from school will be determined by the transportation supervisor in accordance with Oregon Administrative Rule (OAR) 581-023-0040(1)(e).

The district may use Type 10 School Activity Vehicles to transport students from home to school, school to home and from district-sponsored activities.

The district may also provide transportation using federal funds² or through cooperative agreements with local victims assistance units for a student to attend a safe district school³ out of the student's attendance area for any student who is a victim of a violent criminal offense occurring in or on the grounds of the school the student attends or the student attends a school identified as persistently dangerous. If there are no other schools within the district a student may transfer to, the district may establish a cooperative agreement with other districts in the area for a transfer. Transportation for students who transfer for such purposes will be provided in accordance with the agreement.

Students attending any private, parochial or public charter school under the compulsory school attendance laws will, where the private, parochial or public charter school is along or near the bus route, be provided equally the riding privileges given to public school students.

¹ "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.

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

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

Transportation will be provided for 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.

Preschool students with disabilities who have transportation as a related service and children from birth to age three who are enrolled in an eligible program shall be provided home to school transportation.

A seat that fully supports each person and meets the minimum standards and specifications of law will be provided at all times. A person who weighs 40 pounds or less must be properly secured with a child safety system that meets the minimum standards and specifications established by the Oregon Department of Transportation under ORS 815.055. A person over 40 pounds or who has reached the upper weight limit for the forward-facing car seat must use a booster seat until he/she is four feet nine inches tall or age eight and the adult belt properly fits.⁴ A person who is taller than four feet nine inches or eight years of age or older must be properly secured with a safety belt or harness that meets the requirements under ORS 815.055. In accordance with ORS 811.210 and 811.215 vehicles in excess of 10,000 pounds used for student transportation are exempt from statutory requirements unless they have been equipped with lap belts. Vehicles in excess of 10,000 pounds that have been equipped with lap belts must meet child car seat requirements as set forth in law.

School buses carrying students will be considered extensions of the school experience. All students using school transportation will abide by the code of conduct posted in each school bus or school activity vehicle. Violations of such code, as well as other conduct which is improper or which jeopardizes the safety of self or others, will be reported by the school bus or vehicle driver to the supervisor. The transportation supervisor will, as soon as possible, inform the appropriate principal of such occurrence. Violators may be denied use of transportation for a period of time as deemed proper by the principal and/or transportation supervisor.

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

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

Aides or assistants that ride a school bus shall receive training on emergency procedures and their role in the safe transportation of all students on the bus.

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

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

END OF POLICY

⁴ "Proper fit" means the lap belt of the safety belt or safety harness is positioned low across the thighs and the shoulder belt is positioned over the collarbone and away from the neck.

Legal Reference(s):

ORS 327.006	ORS 815.080	OAR 581-053-0040
ORS 327.033	ORS 820.100 - 820.190	OAR 581-053-0053
ORS 327.043		OAR 581-053-0060
ORS 332.405	OAR 581-021-0050 - 0075	OAR 581-053-0070
ORS 332.415	OAR 581-022-2345	OAR 581-053-0210
ORS 339.240 - 339.250	OAR 581-023-0040	OAR 581-053-0220
ORS 343.155 - 343.246	OAR 581-053-0002	OAR 581-053-0230
ORS 343.533	OAR 581-053-0003	OAR 581-053-0240
ORS 811.210	OAR 581-053-0004	OAR 735-102-0010
ORS 811.215	OAR 581-053-0010	
ORS 815.055	OAR 581-053-0031	Senate Bill 905 (2019)

Every Student Succeeds Act of 2015, 20 U.S.C. §§ 6315, 7912 (2018).
McKinney-Vento Homeless Assistance Act, 42 U.S.C. §§ 11431-11435 (2012).

Umatilla School District 6

Code: JGE
Adopted:

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)

Umatilla School District 6

Code: JHCD/JHCDA

Adopted:

Medications**/*

The district recognizes that administering a medication to a student and/or permitting a student to administer a medication to them self, 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 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 district to administer or allow a student to self-administer prescription medication shall include a signed prescription and treatment plan from a prescriber².

¹ Under proper notice given to the district by a student or student's parent or guardian.

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

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.

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.

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.

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.

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 475.005 - 475.285	OAR 581-022-2220
ORS 109.640		OAR 851-047-0030
ORS 109.675	OAR 166-400-0010(17)	OAR 851-047-0040
ORS 332.107	OAR 166-400-0060(29)	
ORS 339.866 - 339.871	OAR 333-055-0000 -055-0115	Senate Bill 665 (2019)
ORS 433.800 - 433.830	OAR 581-021-0037	

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*.

Umatilla School District 6

Code: JHCD/JHCDA-AR

Adopted:

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.

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.
- 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 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.

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.

- 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.

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 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.

5. 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.

6. Administration of Medication by a Student to 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 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.

7. 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.
8. 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.
9. 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.

10. 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.

Umatilla School District 6

Code: IGBAH-AR

Adopted:

Special Education - Evaluation and Eligibility Procedures**

1. Request for Initial Evaluation
 - a. Consistent with its child find and parent consent obligations, the district responds promptly to requests initiated by a parent or public agency for an initial evaluation to determine if a child is a child with a disability.
 - b. Upon receiving a request from a parent or public agency for an initial evaluation, the district designates a team to determine whether an initial evaluation will be conducted.
 - (1) The district team includes the parent and at least two professionals, at least one of whom is a specialist knowledgeable and experienced in the evaluation and education of children with disabilities.
 - (a) The team may make the decision to evaluate with or without a meeting.
 - (b) The district documents team members' input, including parents, whether or not the district convenes a meeting.
 - c. If a meeting is held, the district invites parents to participate.
 - d. If the district agency refuses an evaluation requested by the parent, the district provides the parent with prior written notice of its refusal to conduct an evaluation.
 - e. The district acknowledges the parent's rights to challenge its refusal to conduct an evaluation.
2. The initial evaluation consists of procedures:
 - a. To determine if the child has a disability; and
 - b. To identify the child's educational needs.
3. The district conducts the initial evaluation within 60 school days of receiving parental consent for evaluation unless:
 - a. The district and the parents agree in writing to extend the timeline for an evaluation to determine eligibility for specific learning disabilities;
 - b. The child moves from another district during the evaluation, the district is making sufficient progress to ensure a prompt completion of the evaluation, and the parent and the district agree in writing to a specific time when the evaluation will be completed; or
 - c. The parent repeatedly fails or refuses to produce the child for evaluation.
4. Re-evaluation
 - a. The district conducts re-evaluations:
 - (1) When the educational or related services needs, including improved academic achievement and functional performance of the child, warrant an evaluation;
 - (2) When the child's parents or teacher request a re-evaluation; and
 - (3) At least every three years, unless that parent and the district agree that a re-evaluation is unnecessary.
 - b. The district does not conduct re-evaluation more than once a year unless the parent and district agree otherwise.

5. Evaluation Planning

- a. As part of an initial evaluation (if appropriate) and as part of any re-evaluation, the child's individualized education program (IEP) or individualized family service plan (IFSP) team, including the parents and other qualified professionals as appropriate, must review existing information on the child, including:
 - (1) Evaluations and information provided by the child's parents;
 - (2) Current classroom-based, local or state assessments and classroom-based observations;
 - (3) Observations by teachers and related service providers; and
 - (4) Medical, sensory, and health information.
- b. On the basis of that review and input from the child's parents, identify what additional data if any is needed to determine:
 - (1) Whether the child has a disability;
 - (2) The child's present levels of academic achievement and related development needs;
 - (3) Whether the child needs, or continues to need, early intervention/early childhood special education (EI/ECSE) or special education and related services; and
 - (4) For re-evaluation, whether the child needs any additions or modifications to the special education and related services or, for a preschool child, any additions or modification to ECSE services:
 - (a) To enable the child to meet the measurable annual goals in the child's IEP or IFSP; and
 - (b) To participate, as appropriate, in the general education curriculum or, for preschool children, appropriate activities.

6. Evaluation Procedures

- a. The district assesses the child in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status and motor abilities.
- b. The evaluation is sufficiently comprehensive to identify all of the child's special education and related needs, whether or not commonly linked to the disability category in which the child has been classified.
- c. The evaluation includes information provided by the parent and a variety of assessment tools and strategies to gather relevant functional, developmental and academic information about the child that assist in determining:
 - (1) Whether the child has a disability; and
 - (2) The content of the child's IEP, including information related to enabling the child to be involved in and progress in the general education curriculum (or for a preschool child, to participate in appropriate activities).
- d. The district ensures that assessments and other evaluation materials, including those tailored to assess specific areas of educational need, used to assess a child:
 - (1) Are selected and administered so as not to be discriminatory on a racial or cultural basis;
 - (2) Are provided and administered in the child's native language or other mode of communication and in the form most likely to yield accurate information on what the child knows and can do academically, developmentally and functionally, unless it is clearly not feasible to do so;
 - (3) Are used for the purposes for which the assessments or measures are valid and reliable;
 - (4) Are administered by trained and knowledgeable personnel; and

- (5) Are administered in accordance with any instructions provided by the producer of the assessments.
- e. The district selects and administers assessments to ensure that if an assessment is administered to a child with impaired sensory, manual or speaking skills, the assessment results accurately reflect the child's aptitude or achievement level or whatever other factors the test purports to measure, rather than reflecting the child's impaired sensory, manual or speaking skills (unless those skills are the factors that the test purports to measure).
- f. The district uses technically sound instruments that may assess the relative contribution of cognitive factors and behavioral factors in addition to physical or developmental factors.
- g. The district does not use any single measure of assessment as the sole criterion for determining whether a child is a child with a disability and for determining an appropriate educational program for the child.

7. Requirements if Additional Evaluation Data is not Needed to Determine Eligibility

- a. If the child's IEP or IFSP team determines that no additional data is needed to determine whether or not the child is or continues to be a child with a disability, and to determine the child's educational and developmental needs, the district provides prior written notice of that decision, the reasons for it, and the right of parents to request an assessment.
- b. When the IEP or IFSP team determines that no additional data is needed to determine eligibility, the district does not conduct an assessment of the child unless requested to do so by the parents.

8. Evaluation Procedures for Transfer Students

When a child with disabilities transfers from one district to another district in the same school year, the district coordinates with the previous district to complete any pending assessment as quickly as possible.

9. Eligibility Determination

- a. Once evaluation is completed, the district designates an eligibility team to determine whether the child is eligible for special education services.
- b. This team includes:
 - (1) Two or more professionals, one of whom will be knowledgeable and experienced in evaluating and teaching students with the suspected disability; and
 - (2) The student's parent(s).
- c. For consideration of eligibility in the area of specific learning disabilities, the district eligibility team includes:
 - (1) A group of qualified professionals and the parent;
 - (2) The child's regular classroom teacher or, if the child does not have a regular classroom teacher, a regular classroom teacher qualified to teach a child of his or her age, or for a child of less than school age, a preschool teacher; and
 - (3) A person qualified to conduct individual diagnostic examinations of children, such as a school psychologist, speech-language pathologist or other qualified professional.
- d. In interpreting evaluation data, each district team carefully considers and documents information from a variety of sources, including but not limited to, aptitude and achievement tests, teacher recommendations, physical condition, social or cultural background and adaptive behavior and all required elements of the evaluation.
- e. Each eligibility team prepares a written eligibility statement that includes:

- (1) Identification of the evaluation data considered in determining the child’s eligibility, including the required evaluation components for the disability under consideration;
 - (2) A determination of whether the child meets the minimum evaluation criteria for one or more of the disability categories in Oregon Administrative Rule;
 - (3) A determination of whether the primary basis for the suspected disability is:
 - (a) A lack of appropriate instruction in reading (including the essential components of reading) or math; or
 - (b) Limited English proficiency.
 - (4) A determination of whether the child’s disability has an adverse impact on the child’s educational performance;
 - (5) A determination of whether, as a result of the disability, the child needs special education services;
 - (6) The signature of every team member and an indication of whether each agrees with the eligibility determination;
 - (7) For a child suspected of having a specific learning disability, the team’s written report includes additional specific documentation as required by Oregon Administrative Rule.
- f. The team does not find a child eligible as a child with a disability if the determinant factor for that eligibility decision is:
- (1) Lack of appropriate instruction in reading, including the essential components of reading instruction or lack of appropriate instruction in math; or
 - (2) Limited English proficiency; and
 - (3) The child does not otherwise meet the eligibility criteria found in Oregon Administrative Rule for the category(ies) of disability under consideration.
- g. The team finds a child eligible if the child has a disability and needs special education and related services, even though the child is advancing from grade to grade.
- h. A child may have disabilities in more than one disability category, but the team needs to find the child eligible in only one category. However, the district evaluates the child in all areas related to the suspected disability or disabilities, and the child’s IEP addresses all of the child’s special education needs.

Umatilla School District 6

Code: JHH
Adopted:

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.

Umatilla School District 6

Code: JHCC

Adopted:

Communicable Diseases - Students

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

A student will not attend school while in a communicable stage of a restrictable disease or when an administrator has reason to suspect that any susceptible student has 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 333-019-1000](#)

[OAR 437-002-0360](#)

[OAR 437-002-0377](#)

[OAR 581-022-2220](#)

OREGON DEPARTMENT OF EDUCATION and OREGON HEALTH AUTHORITY, *Communicable Disease Guidance* (2020).
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).

Umatilla School District 6

Code: JHCC-AR

Adopted:

Communicable Diseases – Student

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).

Umatilla School District 6

Code: IIBGA
Adopted:

Electronic Communications System

The district's electronic communication system will be used to provide statewide, national and global communications opportunities for staff and students and for the advancement and promotion of teaching and learning.

The superintendent will establish administrative regulations for the use of the district's electronic communication system including compliance with the following provisions of the Children's Internet Protection Act:

1. Technology protection measures, installed and in continuous operation, that protect against Internet access by both adults and minors to visual depictions that are obscene, child pornography or, with respect to the use of the computers by minors, harmful to minors;
2. Educating minors about appropriate online behavior, including cyberbullying awareness and response, and how to interact with other individuals on social networking sites and in chat rooms;
3. Monitoring the online activities of minors;
4. Denying access by minors to inappropriate matter on the Internet and World Wide Web;
5. Ensuring the safety and security of minors when using e-mail, chat rooms and other forms of direct electronic communication;
6. Prohibiting unauthorized access, including so-called "hacking" and other unlawful activities by minors online;
7. Prohibiting unauthorized disclosure, use and dissemination of personal information regarding minors;
8. Installing measures designed to restrict minors' access to materials harmful to minors.

¹Administrative regulations developed shall ensure compliance with privacy rights under applicable federal and state laws and regulations, including but not limited to the Age Discrimination in Employment Act of 1967 (ADEA), the Americans with Disabilities Act (ADA), the Genetic Information Nondiscrimination Act of 2008 (GINA) and the Health Insurance Portability and Accountability Act of 1996 (HIPPA).

¹ If the district allows staff to download and store district proprietary information, including personally recognizable information about district students or staff, OSBA recommends including this content and an indicated related item in the model administrative regulation. See #3 on page 2 of model sample administrative regulation IIBGA-AR.

Administrative regulations will be consistent with sound guidelines as may be provided by the education service district, the Oregon Department of Education and/or the Oregon Government Ethics Commission, copyright law, and will include a complaint procedure for reporting violations.

Failure to abide by district policy and administrative regulations governing use of the district’s electronic communications system may result in the suspension and/or revocation of system access. Additionally, student violations may result in discipline up to and including expulsion. Staff violations may result in discipline up to and including dismissal. Violations of law may be reported to law enforcement officials and may result in criminal or civil sanctions. Fees, fines or other charges may also be imposed.

END OF POLICY

Legal Reference(s):

ORS 167.060 - 167.100	ORS 332.107	OAR 581-021-0055
ORS Chapter 192	ORS 339.250	OAR 584-020-0040
ORS 260.432	ORS 339.270	OAR 584-020-0041
	OAR 581-021-0050	

Children’s Internet Protection Act, 47 U.S.C.§§ 254(h) and (l) (2018); 47 C.F.R. Section 54.520 (2019).

Copyrights, 17, U.S.C. §§ 101-1332 (2018); 19 C.F.R. Part 133 (2020).

Safe and Drug-Free Schools and Communities Act, 20 U.S.C.§§ 7101-7117 (2018).

Drug-Free Workplace Act of 1988, 41 U.S.C.§§ 8101-8107 (2018); 34 C.F.R. Part 84, Subpart F (2020).

Controlled Substances Act, 21 U.S.C.§ 812, Schedules I through V (2018); 21 C.F.R. §§ 1308.11-1308.15 (2020).

Americans with Disabilities Act of 1990, 42 U.S.C.§§ 12101-12213 (2018); 29 C.F.R. Part 1630 (2020); 28 C.F.R. Part 35 (2020).

Family Educational Rights and Privacy Act, 20 U.S.C.§ 1232g (2018); 34 C.F.R. Part 99 (2020).

Every Student Succeeds Act, 20 U.S.C. § 7131 (2018).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018).

Umatilla School District 6

Code: IIBGA-AR

Revised/Reviewed:

Electronic Communications System

Definitions

1. “Technology protection measure,” as defined by the Children’s Internet Protection Act (CIPA), means a specific technology that blocks or filters Internet access to visual depictions that are:
 - a. “Obscene,” has the meaning given such term in Section 1460 of Title 18, United States Code;
 - b. “Child pornography,” has the meaning given such term in Section 2256 of Title 18, United States Code; or
 - c. Harmful to minors.
2. “Harmful to minors,” as defined by CIPA, means any picture, image, graphic image file or other visual depiction that:
 - a. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex or excretion;
 - b. Depicts, describes or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
 - c. Taken as a whole, lacks serious literary, artistic, political or scientific value to minors.
3. “Sexual act and sexual contact,” as defined by CIPA, have the meanings given such terms in Section 2246 of Title 18, United States Code.
4. “Minor,” as defined by CIPA, means an individual who has not attained the age of 17. For the purposes of Board policy and this administrative regulation, minor will include all students enrolled in district schools.
5. ¹“Inappropriate matter,” as defined by the district, means material that is inconsistent with general public education purposes and the district’s vision, mission and goals, as determined by the district.
6. ²“District proprietary information” is defined by the district as any information created, produced or collected by district staff for the business or education purposes of the district including but not limited to student information, staff information, parent or patron information, curriculum, forms and like items used to conduct the district’s business.
7. “District software” is defined by the district as any commercial or staff developed software acquired using district resources.]

¹ As inappropriate matter is not defined in the CIPA or regulations, districts should determine the scope of what it will regard as inappropriate matter. The language provided in #5. is intended as a guide only.

² This item corresponds to #3 on page 2 in this model sample administrative regulation.

General District Responsibilities

The district will:

1. Designate staff as necessary to ensure coordination and maintenance of the district's electronic communications system which includes all district computers, e-mail and Internet access;
2. Provide staff training in the appropriate use of the district's electronic communications system including copies of district policy and administrative regulations. Staff will provide similar training to authorized system users;
3. Provide a system for authorizing staff use of personal electronic devices to download or access district proprietary information that ensures the protections of said information in accordance with board policy. The district will provide a system for obtaining prior written agreement from staff for the recovery of district proprietary information downloaded to staff personal electronic devices as necessary to accomplish district purposes, obligations or duties, and when the use of the personal electronic device is no longer authorized, to ensure verification that information downloaded has been properly removed from the personal electronic device; (See Staff User Agreement)
4. Cooperate fully with local, state or federal officials in any investigation relating to misuse of the district's electronic communications system;
5. Use only properly licensed software, audio or video media purchased by the district or approved for use by the district. The district will comply with the requirements of law regarding the use, reproduction and distribution of copyrighted works and with applicable provisions of use or license agreements;
6. Install and use server virus detection and removal software;
7. Provide technology protection measures that protect against Internet access by both adults and minors to visual depictions that are obscene, child pornography, or with respect to the use of computers by minors, harmful to minors. A supervisor or other individual authorized by the principal may disable the technology protection measures to enable access for bona fide research or other lawful purposes, as deemed appropriate;
8. Prohibit access by minors to inappropriate matter on the Internet and World Wide Web;
9. Provide staff supervision to monitor the online activities of students to prevent unauthorized access, including "hacking" and other unlawful activities online, and ensure the safety and security of minors when authorized to use e-mail, chat rooms, applications and other forms of direct electronic communication;
10. Provide student education about appropriate online behavior, including cyberbullying awareness and response, and how to interact with other individuals on social networking websites, applications and in chat rooms;
11. Determine which users and sites, accessible as part of the district's electronic communications system, are most applicable to the curricular needs of the district, and may restrict user access accordingly;

12. Determine which users will be provided access to the district's electronic communications system;
13. Program its computers to display a message reinforcing key elements of the district's electronic communications system policy and administrative regulation when accessed for use;
14. Notify appropriate system users that:
 - a. The district retains ownership and control of its computers, hardware, software and data at all times. All communications and stored information transmitted, received or contained in the district's information system are the district's property and are to be used for authorized purposes only. Use of district equipment or software for unauthorized purposes is strictly prohibited. To maintain system integrity, monitor network etiquette and ensure that those authorized to use the district's system are in compliance with Board policy, administrative regulations and law, the school administrators may routinely review user files and communications;
 - b. Files and other information, including e-mail, sent or received, generated or stored on district servers are not private and may be subject to monitoring. By using the district's system, individuals consent to have that use monitored by authorized district personnel. The district reserves the right to access and disclose, as appropriate, all information and data contained on district computers and district-owned e-mail system;
 - c. The district may establish a retention schedule for the removal of e-mail;
 - d. E-mail sent or received by a Board member or employee in connection with the transaction of public business may be a public record and subject to state archivist rules for retention and destruction;
 - e. Information and data entered or stored on the district's computers and e-mail system may be subject to disclosure if a public records request is made or a lawsuit is filed against the district. "Deleted" or "purged" data from district computers or e-mail system may be retrieved for later public records disclosure or disciplinary purposes, as deemed necessary by the district;
 - f. Passwords used on the districts electronic communications system will be changed at 90-day intervals;
 - g. Transmission of any communications or materials related to activities prohibited by ORS 260.432 is not allowed.
15. Notify users of known copyright infringing activities and deny access to or remove the material.

Electronic Communications System Access

1. Access to the district's electronic communications system is authorized to:

Board members, district employees, and students in grades K-12, with parent approval and when under the direct supervision of staff, and district volunteers, district contractors or other members of the public as authorized by the system coordinator or district administrators consistent with the district's policy governing use of district equipment and materials.

District staff and Board members may use the district's electronic communications system, district-owned computers or devices including Internet and e-mail access for personal use under the same terms and conditions that access is provided to the general public under the district's policy governing use of district equipment and materials.

Volunteers, and district contractors and other members of the public may be permitted to use the district's electronic communications system for personal use when consistent with Board policy, general use prohibitions and guidelines/etiquette and other applicable provisions of this administrative regulation.

General Use Prohibitions and Guidelines/Etiquette

Operation of the district's electronic communications system relies upon the proper conduct and appropriate use of system users. Students, staff and others granted system access are responsible for adhering to the following prohibitions and guidelines which require legal, ethical and efficient use of the district's system.

1. General Use Prohibitions

The following conduct is strictly prohibited:

- a. Attempts to use the district's electronic communications system for:
 - (1) Unauthorized solicitation of funds;
 - (2) Distribution of chain letters;
 - (3) Unauthorized sale or purchase of merchandise and services;
 - (4) Collection of signatures;
 - (5) Membership drives;
 - (6) Transmission of any materials regarding political campaigns.
- b. Attempts to upload, download, use, reproduce or distribute information, data, software or file share music, videos or other materials on the district's system in violation of copyright law or applicable provisions of use or license agreements;
- c. Attempts to degrade, disrupt or vandalize the district's equipment, software, materials or data or those of any other user of the district's system or any of the agencies or other networks connected to the district's system;
- d. Attempts to evade, change or exceed resource quotas or data usage quotas;
- e. Attempts to send, intentionally access or download any text file or picture or engage in any communication that includes, but not limited to, material which may be interpreted as:
 - (1) Harmful to minors;
 - (2) Obscene or child pornography as defined by law or indecent, vulgar, profane or lewd as determined by the district;
 - (3) A product or service not permitted to minors by law;
 - (4) Harassment, intimidation, bullying, menacing, threatening, or a bias incident;
 - (5) Constitutes insulting or fighting words, the very expression of which injures or harasses others, or which includes a symbol of hate;
 - (6) A likelihood that, either because of its content or the manner of distribution, it will cause a material or substantial disruption of the proper and orderly operation of the school or school activity;
 - (7) Defamatory, libelous, reckless or maliciously false, potentially giving rise to civil liability, constituting or promoting discrimination, a criminal offense or otherwise violates any law, rule, regulation, Board policy and/or administrative regulation.

- f. Attempts to gain unauthorized access to any service via the district's system which has a cost involved or attempts to incur other types of costs without specific approval. The user accessing such services will be responsible for these costs;
- g. Attempts to post or publish personal student contact information unless authorized by the system coordinator teacher and consistent with applicable Board policies pertaining to student directory information and personally identifiable information. Personal student contact information may include photograph, age, home, school, work or e-mail addresses or phone numbers or other unauthorized disclosure, use and dissemination of personal information regarding students;
- h. Attempts to arrange student meetings with anyone on the district's electronic communications system, unless authorized by the system coordinator teacher or when consistent with school or educational related activities;
- i. Attempts to represent self on behalf of the district through use of the district's name in external communication forums, e.g., social media, chat rooms, without prior district authorization;
- j. Attempts to use another individual's account name or password, failure to provide the district with individual passwords or to access restricted information, resources or networks to which the user has not been granted access.

2. Guidelines/Etiquette

Use of appropriate etiquette is expected of all users while using the district's electronic communications system and is explained in district training sessions.

Complaints

The district's established complaint procedure in Board policy KL - Public Complaints and accompanying administrative regulation] may be used to process complaints or concerns about violations of policy and administrative regulations.

Violations/Consequences

1. Students

- a. Students who violate general system user prohibitions shall be subject to discipline up to and including expulsion and/or revocation of access to the district electronic communications system access up to and including permanent loss of privileges.
- b. Violations of law may be reported to law enforcement officials and may result in criminal or civil sanctions.
- c. Disciplinary action may be appealed by parents, students and/or a representative in accordance with established district procedures.

2. Staff

- a. Staff who violate general system user prohibitions shall be subject to discipline up to and including dismissal in accordance with Board policy, collective bargaining agreements and applicable provisions of law.
- b. Violations of law may be reported to law enforcement officials and may result in criminal or civil sanctions.

- c. Violations of applicable Teacher Standards and Practices Commission (TSPC), Standards for Competent and Ethical Performance of Oregon Educators will be reported to TSPC as provided by Oregon Administrative Rules (OAR) 584-020-0041.
 - d. Violations of ORS 244.040 may be reported to Oregon Government Ethics Commission (OGEC).
3. Others
- a. Other guest users who violate general electronic communications system user prohibitions shall be subject to suspension of system access up to and including permanent revocation of privileges.
 - b. Violations of law may be reported to law enforcement officials or other agencies, as appropriate, and may result in criminal or civil sanctions.

Telephone/Membership/Other Charges

- 1. The district assumes no responsibility or liability for any membership, phone or internet service and/or related charges incurred by any home usage of the district’s electronic communications system.
- 2. Any disputes or problems resulting from phone services or internet provider services for home users of the district’s electronic communications system are strictly between the system user and their internet service provider and/or phone service provider.

Information Content/Third Party Supplied Information

- 1. System users and parents of student system users are advised that use of the district’s electronic communications system may provide access to materials that may be considered objectionable and inconsistent with the district’s vision, mission and goals. Parents should be aware of the existence of such materials and monitor their student’s home usage of the district’s electronic communications system accordingly.
- 2. Opinions, advice, services and all other information expressed by system users, information providers, service providers or other third-party individuals are those of the providers and not the district.
- 3. Users of the electronic communications system may, with system coordinator approval, order services or merchandise from other vendors that may be accessed through the district’s electronic communications system. These vendors are not affiliated with the district. All matters concerning merchandise and services ordered including, but not limited to, purchase terms, payment terms, warranties, guarantees and delivery are solely between the vendor and the electronic communications system user. The district makes no warranties or representation whatsoever with regard to any goods or services provided by the vendor. District staff and administration shall not be a party to any such transaction or be liable for any costs or damages arising out of, either directly or indirectly, the actions or inactions of vendors.
- 4. The district does not warrant that the functions or services performed by, or that the information or software contained on, the electronic communications system will meet the system user’s requirements, or that the electronic communications system will be uninterrupted or error-free, or that defects will be corrected. The district’s electronic communications system is provided on an “as

is, as available” basis. The district does not make any warranties, whether express or implied including, without limitation, those of merchantability and fitness for a particular purpose with respect to any services provided by the electronic communications system and any information or software contained therein.

Sample Parent Letter

Dear Parents:

Your student needs your permission to use the district's electronic communications system. Your student will be able to communicate with other schools, colleges, organizations and individuals around the world through the Internet and other electronic information systems/networks.

With this educational opportunity also comes responsibility. Inappropriate system use may result in discipline, up to and including expulsion from school, suspension or revocation of your student's access to the district's electronic communications system, and/or referral to law enforcement officials.

Although the district is committed to practices that ensure the safety and welfare of system users, including the use of technology protection measures such as Internet filtering, please be aware that there may still be material or communications on the Internet that district staff, parents and students may find objectionable. While the district neither encourages nor condones access to such material, it is not possible for us to eliminate that access completely.

Attached to this letter is an agreement for your student and you to read and sign stating agreement to follow the district's electronic communications system policy and administrative regulation. The district's policy IIBGA – Electronic Communications System and administrative regulation are accessible from the district's website or upon request and include provisions on, but are not limited to, student use under General Use Prohibitions and Guidelines/Etiquette and student-related rules under Violations and Consequences.

Please review the district's Electronic Communications policy and administrative regulation, and the provisions therein, carefully with your student and return the attached agreement form to the school office indicating your permission for your student to use the district's electronic communications system.

Sincerely,

System Coordinator/Administrator

Student Agreement for an Electronic Communications System Account

Student agreement must be renewed each academic year.

Student Section

Student Name _____ Grade _____

School _____

I have received notice of, read and agree to abide by the provisions adopted and included in the district's Electronic Communications System policy and administrative regulation. I understand that violation of these provisions may result in discipline, up to and including expulsion from school, and/or suspension or revocation of system access and related privileges, and/or referral to law enforcement officials.

Student Signature _____ Date _____

.....

Parent

I have received notice of and read the district's Electronic Communications System policy and administrative regulation. I give my permission to the district to issue an account for my student and certify that the information contained in this form is correct. I will monitor my student's use of the system and the access to the Internet and will accept responsibility for supervision in that regard if and when my student's use is not in a school setting. In consideration for the privilege of using the district's electronic communications system and in consideration for having access to the public networks, I hereby release the district, its operators and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my, or my student's use, or inability to use, the system including, without limitation, the type of damages identified in the district's policy and administrative regulation.

Signature of Parent _____ Date _____

Email Address _____

Home Phone Number _____ Cell Number _____

Email Address _____]

Agreement for an Electronic Communications System Account
(Nonschool System User)

I have received notice of, read and agree to abide by the provisions adopted and included in the district's Electronic Communications System policy and administrative regulation. I understand that violation of these provisions may result in suspension and/or revocation of system access and related privileges, and/or referral to law enforcement officials.

In consideration for the privilege of using the district's electronic communications system and in consideration for having access to the public networks, I hereby release the district, its operators and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my use or inability to use the system including, without limitation, the type of damages identified in the district's policy and administrative regulation.

Signature _____ Date _____

Home Address _____

Home Phone Number _____ Cell Number _____

Email Address _____ Date of Birth _____

Parent (Required if nonschool-system user is under 18 years of age)

I have received notice of and read the district's Electronic Communications System policy and administrative regulation. I give permission to the district to issue an account for my child and certify that the information contained on this form is correct. I will monitor my child's use of the system and the potential access to the Internet and will accept responsibility for supervision in that regard if and when my child's use is not in a school setting. In consideration for the privilege of using the district's electronic communications system and in consideration for having access to the public networks, I hereby release the district, its operators and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my, or my child's use, or inability to use, the system including, without limitation, the type of damages identified in the district's policy and administrative regulation.

Signature of Parent _____ Date _____

Email Address _____ Home Address _____

Home Phone Number _____ Cell Number _____

Agreement for an Electronic Communications System Account
(Staff System User)

I have received notice of, read and agree to abide by the provisions in the district's Electronic Communications System policy and administrative regulation. I understand that violation of these provisions may result in suspension and/or revocation of system access and related privileges, and may include discipline, up to and including dismissal, and/or referral to law enforcement officials.

OR

I understand that I may use my personal electronic device (PED) for education related purposes and that certain district proprietary information may be downloaded to, or accessed through my PED. I agree that any district proprietary information downloaded on my PED will only be as necessary to accomplish district purposes, obligations or duties, and will be properly removed from my PED when the use on my PED is no longer authorized. I ensure that the PED in use is owned by me, and I am in complete control of the device at all times.

In consideration for the privilege of using the district's electronic communications system and in consideration for having access to the public networks, I hereby release the district, its operators and any institutions with which they are affiliated from any and all claims and damages of any nature arising from my use or inability to use the system including, without limitation, the type of damages identified in the district's policy and administrative regulation.

Signature _____ Date _____

Email Address _____

Home Phone Number _____ Cell Number _____

Umatilla School District 6

Code: **ACB**

Adopted:

Every Student Belongs

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 program² except where used in teaching curriculum that is aligned with state standards of education for public schools.

In responding to the use of any symbols of hate or bias incidents, the district will use non-disciplinary remedial action whenever appropriate.

The district prohibits retaliation against an individual³ because that individual has in good faith reported information that the individual believes is evidence of a violation of a state or federal law, rule or regulation.

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

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

END OF POLICY

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

² “Education program” includes any program, service, school or activity sponsored by the district.

³ {ORS 659.852 prohibits retaliation only against students. Other statutes (and other complaint procedures) prohibit retaliation against staff and others for reporting or providing information regarding a complaint or investigation. }

Legal Reference(s):

[ORS 659.850](#)

[ORS 659.852](#)

[OAR 581-002-0005](#)

[OAR 581-022-2312](#)

[OAR 581-022-2370](#)

House Bill 2697 (2021)

House Bill 3041 (2021)

Tinker v. Des Moines Indep. Cmty. Sch. Dist., 393 U.S. 503 (1969).

Dariano v. Morgan Hill Unified Sch. Dist., 767 F.3d 764 (9th Cir. 2014).

State v. Robertson, 293 Or. 402 (1982).

Umatilla School District 6

Code: **ACB-AR**

Adopted:

Bias Incident Complaint Procedure

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

Step 1 {²}: When a staff member learns of a potential bias incident or display of a symbol of hate, the staff member will prioritize the safety and well-being of all persons impacted and without unreasonable delay report the incident to the building or program administrator.

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

- Address the history and impact of bias and hate;
- Advance the safety and healing of those impacted by bias and hate;
- Promote accountability and transformation for people who cause harm; and
- Promote transformation of the conditions that perpetuated the harm.³

The administrator or designee must consider whether the behavior implicates other district policies or civil rights laws, and if so, respond accordingly⁴.

The administrator or designee will determine responsibility within 10 days of receiving the complaint.

All persons impacted by the act will be provided with information⁵ relating to the investigation and outcome of the investigation, including:

- Notice that an investigation has been initiated;

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

² {These specific steps and procedures are not required. The procedures must include all of the requirements listed in House Bill 2697 § 1(3)(e) (2021) and OAR 581-022-2312(4)(e). If making changes, we recommend working closely with legal counsel.}

³ Additional guidance from ODE can be found [here](#).

⁴ The nature of the behavior or act must determine the process used to respond; what rights and protections are available to the person(s) impacted by the behavior or act; and an individual’s right to appeal to the Oregon Department of Education or the U.S. Department of Education.

⁵ For additional information regarding required notices, see OAR 581-022-2312(4)(e)(E).

- Notice when an investigation has been completed;
- Findings of the investigation and the final determination based on those findings;
- Actions taken to remedy a person’s behavior and prevent reoccurrence; and
- When applicable, the legal citation of any law prohibiting disclosure of any information described above, and an explanation of how that law applies to the current situation.

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

The superintendent or designee shall acknowledge receipt of the appeal and may meet with all parties involved. The superintendent or designee will review the merits of the complaint and the administrator or designee’s decision. The superintendent or designee will respond in writing to the complainant within 10 school days.

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

Step 4: If the complainant or respondent is not satisfied with the decision of the superintendent or designee, a written appeal may be filed with the Board within five school days of receipt of the superintendent or designee’s response to Step 3. The Board may decide to hear or deny the request for appeal at a Board meeting. The Board may use an executive session if the subject matter qualifies under Oregon law. If the Board decides to hear the appeal, the Board may meet with the concerned parties and their representative at a Board meeting. The Board’s decision will be final and will address each allegation in the complaint and contain reasons for the Board’s decision. A copy of the Board’s final decision shall be sent to the complainant in writing within 10 days of this meeting.

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

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

The complainant, if a person who resides in the district, or a parent or guardian of a student who attends school in the district or a student, is not satisfied after exhausting local complaint procedures, the district fails to render a written decision within 30 days of submission of the complaint at any step or fails to resolve the complaint within 90 days of the initial filing of the complaint, may appeal⁶ the district’s final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023.

⁶ An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

Complaints may also be filed directly with the U.S. Department of Education Office for Civil Rights.⁷

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

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

⁷ Complaints must meet criteria as established by law. For more information, visit <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>

OSBA Model Sample Policy

Code: BBBA
Adopted:

Board Member Qualifications

A person is eligible to serve as a Board member if he/she the person is an qualified elector¹ of the district. An "elector" means an individual qualified to vote under Section 2, Article II of the Oregon Constitution. The individual must be 18 years of age or older, registered to vote at least 20 calendar days immediately preceding any election in the manner provided by law and must have and has been a resident within the district for one year immediately preceding the election or appointment. Additionally, if the district and the position sought is one elected or nominated by is-zoned, the individual person must meet the requirements of Oregon Revised Statute (ORS) 332.124 to 332.126 also reside in the zone from which the person is nominated except as authorized by law.

~~No~~ A person who is an employee of the district is is not eligible to serve as a Board member while so employed. A person who is an employee of a public charter school may not serve as a member of the Board of the district in which the public charter school that employs the person is located. ~~[A district or public charter school substitute bus driver in a district with an average daily membership of 50 or less may serve as a Board member.]~~

END OF POLICY

Legal Reference(s):

<u>ORS 247.002</u>	<u>ORS 332.016</u>	<u>ORS 332.124</u>
<u>ORS 247.035</u>	<u>ORS 332.018</u>	<u>ORS 332.126</u>
<u>ORS 249.013</u>	<u>ORS 332.030</u>	

OREGON CONSTITUTION, ARTICLE II, Section 2.

¹ "Elector" means an individual qualified to vote under Article II, section 2, Oregon Constitution.

OSBA Model Sample Policy

Code: BCF
Adopted:

Advisory Committees to the Board

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

Recommendations of such committees will be given careful consideration by the Board, but such recommendations will not relieve the Board of its legal responsibility to make final decisions about such matters.

All meetings of advisory committees shall follow the Public Meetings Law. The press may attend and report proceedings. Visitors shall sit apart from the committee members and shall speak only when invited to do so by the committee chair.

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

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

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

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

The Board may be represented on lay and professional committees that serve the Board in an advisory capacity, with specific Board members appointed by the chair, but normally such Board members will function as ex-officio members of the committees.

{This following section is recommended for immediate adoption for districts with more than 10,000 ADM. For districts with an ADM of 10,000 or less, this is recommended for adoption prior to September 15, 2025.}

~~[Educational Equity Advisory Committee]¹²~~

will add for
2025
headline

The duties of the district's educational equity advisory committee shall include:

1. Advising the Board about the educational equity impacts of policy decisions;
2. Advising the superintendent about the educational equity impacts of policy decisions; and
3. Informing the Board and superintendent when a situation arises in a district school that negatively impacts underrepresented students and advising the Board and superintendent on how best to handle that situation.

The educational equity advisory committee may prepare an annual report that:

1. Contains the following information:
 - a. The successes and challenges the district has experienced in meeting the educational equity needs of students in the district;
 - b. Recommendations the committee made to the Board and superintendent, and the actions that were taken in response to those recommendation; and
 - c. Any other information required by the State Board of Education.
2. Is made available by being:
 - a. Distributed to parents of district students;
 - b. Posted on the district's website;
 - c. Presented to the Board in at a board meeting with adequate opportunity for public comment; and
 - d. Sent to the State Board of Education.

The educational equity advisory committee shall be appointed by the Board and superintendent and must be composed of parents, employees, students and community members from the district. For the purposes of selecting members, the Board and superintendent:

1. Shall solicit name of possible members from the community;
2. Must ensure that membership is primarily representative of underserved student groups;
3. May not exclude members based on immigration status; and
4. Must comply with any other requirements established by the State Board of Education.

¹ District with ADM over 10,000 must convene an educational equity advisory committee no later than September 15, 2022. Districts with ADM of 10,000 or under are not required to convene an educational equity advisory committee until September 15, 2025.

² Additional information on the formation, membership and responsibility of the committee can be found in OAR 581-022-2307.

A member of the educational equity advisory committee will also serve on the school district budget committee.^{3]}

END OF POLICY

Legal Reference(s):

ORS 192.610
ORS 192.630

ORS 294.414
ORS 329.704

ORS 329.711
ORS 332.107

OR. DEP'T OF JUSTICE, OR. ATT'Y GENERAL'S MODEL PUBLIC CONTRACT RULES MANUAL.

³ The district is not required to add an educational equity advisory committee member to the budget committee until there is a non-school board member vacancy on the budget committee.

OSBA Model Sample Policy

Code: CB
Adopted:

Superintendent

The superintendent¹ is designated as the district’s chief executive officer. Under the Board’s direction, the superintendent exercises general supervision of all district schools, personnel and departments. The superintendent is responsible for managing the schools under the Board’s policies and is accountable to the Board for that management. The Board may not direct the superintendent to take any action that conflicts with a local, state or federal law² that applies to school districts³.

The superintendent may delegate to other district personnel any powers and duties imposed upon the superintendent by Board policies or by vote of the Board. Delegation of power or duty will not relieve the superintendent of responsibility for action taken under such delegation.

END OF POLICY

Legal Reference(s):

ORS 332.505
ORS 332.515

OAR 581-022-2405
OAR 584-005-0005(51)

Senate Bill 1521 (2022)

¹ The term “superintendent” includes an interim superintendent.

² “Local, state or federal law” means a local, state or federal directive having the force of law, including an ordinance, a city or county resolution, a statute, a court decision, an administrative rule or regulation, an order issued in compliance with ORS Chapter 183, an executive order or any other directive, declaration or statement that is issued in compliance with the law as having the force of law and that is issued by a local government as defined in ORS 174.116, the state government as defined in ORS 174.111 or the federal government.

³ Also includes taking any action that conflicts with law that applies to education service districts.

OSBA Model Sample Policy

Code: CBC
Adopted:

Superintendent's Contract

The superintendent, upon appointment by the Board, will receive a written contract which will state the terms of employment such as compensation, benefits and other conditions. The Board may not issue a contract that includes terms which direct the superintendent¹ to take any action that conflicts with a local, state or federal law² that applies to the district³, or which allows the Board to take an adverse employment action against the superintendent for complying with such laws. Contracts shall not be issued for more than three years in duration. The contract shall automatically expire at the end of its term. The Board may elect to issue a subsequent contract at any time for up to three years.

The compensation and benefits for the position of superintendent will be fixed by the Board and based upon the responsibilities required of the superintendent in performing his/her⁴ their duties. The Board may not enter into an employment contract that contains provisions that expressly obligate the district to compensate the superintendent for work that is not performed.

Provisions for termination of the superintendent's employment, either by the Board or the superintendent, will also be set forth in the superintendent's employment contract. The employment contract, if it includes a mutually agreed to termination-without-cause provision by the Board, will include a 12-month notice of termination for such provision.

~~The~~ The district may provide health benefits for a superintendent that is no longer employed by the district until the superintendent:

1. Reaches 65 years of age; or
2. Finds new employment that provides health benefits.~~4~~

For a period of one year after termination of the contract, the superintendent may not:

1. Purchase property or surplus property owned by the district or public charter school; or
2. Use property owned by the district or public charter school in a manner other than the manner permitted for the general public.

END OF POLICY

¹ The term "superintendent" includes an interim superintendent.

² "Local, state or federal law" means a local, state or federal directive having the force of law, including an ordinance, a city or county resolution, a statute, a court decision, an administrative rule or regulation, an order issued in compliance with ORS Chapter 183, an executive order or any other directive, declaration or statement that is issued in compliance with the law as having the force of law and that is issued by a local government as defined in ORS 174.116, the state government as defined in ORS 174.111 or the federal government.

³ Also includes taking any action that conflicts with law that applies to education services districts.

Legal Reference(s):

ORS 332.432
ORS 332.505

ORS 342.549
ORS 342.815

OAR 584-005-0005(51)

Senate Bill 1521 (2022)

OSBA Model Sample Policy

Code: CPA
Adopted:

Layoff and Recall for Administrative Personnel

This policy applies to all licensed administrators below the rank of assistant superintendent who are not considered teachers under ORS 342.934.¹

The Board retains the right to determine when a layoff is necessary. Layoffs shall be by position. A reduction in hours does not constitute a layoff.

The factors considered in the layoff process will be license, seniority, qualifications, merit and/or competence. Competence includes recent experience, additional training and educational attainments. Merit includes the measurement of one administrator's ability and effectiveness against the ability and effectiveness of another administrator.

The Board desires/expects administration to retain, consistent with state law, the most capable and productive of the licensed and qualified employees needed to carry out the approved programs of the district's schools.

Prior to initial development of a recall procedure for administrators, the Board will consult with the employees or a designated representative of the employees covered by this policy.

The district will develop administrative regulations to implement this policy.

END OF POLICY

Legal Reference(s):

ORS 332.107

ORS 342.934

¹ Prior to laying off any administrators, the district will work with legal counsel to determine if the cultural or linguistic expertise criteria apply to any impacted employees.

OSBA Model Sample Policy

Code: CPA-AR

Revised/Reviewed:

Layoff and Recall for Administrative Personnel

General

This administrative regulation applies to all licensed administrators below the rank of assistant superintendent who are not considered teachers under ORS 342.934.¹

The Board retains the right to determine when a layoff is necessary. Layoffs will occur shall be by position. A reduction in hours does not constitute a layoff.

The superintendent or designee shall offer recommendations to the Board regarding transfers, both voluntary and involuntary, and the position(s) which will be eliminated. The factors considered in the layoff process will be license, seniority, qualifications, merit and/or competence. Competence includes recent experience, additional training and educational attainments. Merit includes the measure of one's administrative ability and effectiveness against the ability and effectiveness of another administrator.

The Board desires/expects administration to retain, consistent with state law, the most capable and productive of the licensed and qualified employees needed to carry out the approved programs of the district's schools.

When the district determines that when a layoff of licensed administrators is necessary, the superintendent or designee will use the procedures described in Section II of this regulation. The superintendent or designee will make every reasonable effort to transfer a licensed and qualified administrator who will be laid off to a vacant administrative position for which the administrator is licensed and qualified, in accordance with the procedures described in Section III. The superintendent or designee may combine remaining positions, if it meets district curriculum needs, so that administrators continue to be licensed and qualified to perform available jobs.

Section I - Definitions

1. "Competence" means the ability to perform the essential functions of a job or assignment based on recent experience, additional training or educational attainments, or both, but not based solely on type of license and endorsements of an employee. The superintendent or designee may interpret "recent experience" as having performed the essential functions of the job or assignment within the last five school years. The superintendent or designee, as a guideline, may consider whether a person has held a position "directly above" or a position "directly below" the eliminated position. "Directly above" means a supervisory position. "Directly below" means a direct or indirect reporting relationship to the superintendent.

¹ Prior to laying off any administrators, the district will work with legal counsel to determine if the procedures in ORS 339.934, including cultural or linguistic expertise criteria, apply to any impacted employees.

2. "Merit" means the measurement of one administrator's ability and effectiveness against the ability and effectiveness of another administrator.
3. "Seniority" is calculated from the first day of actual continuous service as an administrator in the district inclusive of approved leaves of absence. If necessary, ties in length of service shall be broken by drawing lots.
4. "License" means a document or documents issued by Teacher Standards and Practices Commission permitting an individual to perform certain duties within a public school district.
5. "Qualifications" mean training, experience, skill and other attributes in addition to the individual's license.

Section II - Layoff Procedures

1. Administrative positions will be grouped by positions or assignments which the superintendent or designee determines are sufficiently comparable to use in the layoff process.
2. The superintendent or designee may use the following job groups as a guideline:
 - a. School Administrators
 - Group 1: ~~High school/Middle school/Elementary principals~~
 - Group 2: Assistant principals
 - b. Central Office Administrators
 - Group 3: Directors (e.g., [transportation, maintenance,] special education, etc.)
 - Group 4: Coordinators (e.g., talented and gifted (TAG), special education, curriculum, etc.)
 - Group 5: Others
3. If a new administrative position is created, it will be placed in one of the existing job groupings or in a new job grouping, as determined by the superintendent or designee.
4. Upon recommendation by the superintendent or designee, the Board may eliminate one or more administrative positions within a job group or groups.
5. The superintendent or designee may recommend layoffs within job groups based on license, seniority, qualifications, merit and/or competence.
6. After identification of the administrator(s) to be laid off from a particular job group, the superintendent or designee will reassign the remaining administrators in that group to the remaining positions as necessary.
7. The superintendent or designee will determine whether the administrators identified for layoff will be transferred to a vacant administrative position under the procedures of Section III below or as provided for in state law given the option of a classroom teaching assignment provided the administrator is licensed and determined by the district to be qualified based on merit and/or competence for the assignment.

Section III - Reassignments and Transfers

1. The superintendent or designee will review an administrator's personnel file, and from consultation with the administrator's supervisors, shall determine if an administrator who will be laid off under Section II can be transferred to a vacant administrative position. Each transfer may be based on license, seniority, qualifications, merit, and/or competence and previous administrative positions held as determined by the superintendent or designee.
2. An administrator may voluntarily accept a classroom teaching assignment in lieu of a layoff.
 - a. The administrator may accept a classroom teaching assignment which is currently vacant.
 - b. If the administrator previously taught and was a contract teacher in the district, the administrator may displace ("bump") a probationary or contract teacher with less seniority.
 - c. If the administrator never taught in the district, the administrator may displace ("bump") a probationary teacher with less seniority.
3. While an administrator retains his/her rights to recall to a vacant administrative position in accordance with Section IV below, an administrator who voluntarily accepts a classroom teacher assignment will also be covered by the layoff/recall and other provisions of the collective bargaining agreement governing regularly employed teachers for purposes of their rights as teachers.

Section IV - Recall

1. An administrator who is laid off under this procedure shall be placed in a recall pool. An administrator who resigns rather than accept layoff or reassignment under this procedure forfeits rights to be placed in the recall pool.
2. An administrator will be maintained in the recall pool for a period of not more than 27 calendar months from the effective date of layoff.
3. A laid-off administrator who rejects recall to a position offered by the district for which the administrator is licensed and qualified to perform and which is similar to the workday or work year of the person's previous position, thereby waives any further recall rights, and the administrator's employment terminates effective the date of rejection of the job offer.
4. Licensed and qualified administrators will be considered for recall based on proper licensure and qualifications to perform the essential functions of the job. The district retains the right to recall a less senior administrator to the position if that individual has more merit and/or competence.
5. Administrators will be recalled based on license, seniority, qualifications, merit, and/or competence and other relevant factors.
6. Notification of recall will be delivered in person or deposited as certified mail, postage prepaid and addressed to the last known address of the laid-off employee. It is the responsibility of the administrator to ensure up-to-date mailing information is provided to the district. The individual shall be allowed [7+0] calendar days from the date of personal delivery or postmark to accept the position in writing. If the individual declines the recall or fails to accept within the [7+0]-day period

or fails to report for duty on the date specified in the recall notice, the individual's name will be removed from the recall pool. The individual will be considered to have resigned employment with the district and waived any further right of recall.

7. An administrator who wishes to remain eligible for recall to a position requiring a license must maintain a valid license.
8. Individuals who wish to waive recall rights prior to 27 months subsequent to the effective date of a layoff may do so by written notification to the district. Such notice will be considered a voluntary resignation and the individuals shall forfeit all employment rights with the district.
9. Employees returning from layoff shall be credited with all seniority and sick leave the employee earned prior to the effective date of the layoff, but the employee shall not accrue leave, benefits or seniority during the period of the layoff. If applicable, the district will apply any sick leave accrued from another school district employment during the recall time as allowed by state law.
10. An employee who has been laid off has the option of continuing the employee's health insurance program at the employee's expense for up to 18 months, subject to the approval and rules of the insurance carrier(s).
11. ~~§~~An employee must have completed at least 135 contract days during ~~one~~+ school year in order to be eligible for ~~one~~+ vertical step advancement for the succeeding school year. If, because of layoff, an employee does not complete at least 135 contract days that school year, the employee will be placed on the same salary schedule step as the employee was on prior to layoff. ~~§~~
12. Nothing in this regulation shall be construed so as to interfere with the district's right to dismiss an administrator, not extend the contract of an administrator or dismiss or nonrenew the contract of a probationary administrator pursuant to state law.
13. ~~§~~An individual who is no longer employed as an administrator in the district due to resignation, assignment to a nonadministrative position, expiration of the recall period or rejection of a position offered by the district shall receive salary for all unused vacation time following the termination of employment as an administrator. ~~§~~

Section V - Announcements of Decisions

Public announcements of layoff decisions should occur only after prior notice to affected administrators. Certain circumstances may, in some cases, prevent prior notice and employees will be notified as soon as is practical.

Section VI - Appeal Procedure

An appeal from a layoff decision shall be by arbitration pursuant to the employee's individual employment contract, administrator group contract ("employment agreements or meet and confer agreements") or rules of the Employment Relations Board.

Section VII - Future Changes in Procedure

The district reserves the right to amend, revise or repeal all or any part of this procedure at any future time and no employee shall have any vested right in the continuation of this procedure or any amendment

thereof, provided, however, that no amendment or repeal of this procedure shall prejudice the reinstatement rights of any individual who is in the “recall pool” at the time these procedures are amended, revised or repealed. The district will also consult with employees covered by this administrative regulation prior to making any decisions regarding changes to this procedure.

OSBA Model Sample Policy

Code: DBEA
Adopted:

Budget Committee (Version 2)

Organization, Membership and Terms of Office

The district budget committee will consist of the ~~five~~ ~~seven~~ ~~seven~~ members of the Board and ~~five~~ ~~seven~~ electors appointed by the Board as required by law. ~~The term of the appointed members of a budget committee in a district that prepares an annual budget, will each be three years, with appointments made so that, as nearly as practicable, the terms of one-third of the members end each year.~~ ~~The appointive members of a budget committee in a district that prepares a biennial budget shall be appointed to four-year terms. The terms shall be staggered so that as near as practicable, one-fourth of the terms of the appointive members end each year.~~ At least one member of the budget committee must be a member of the district's educational equity advisory committee.¹ The Board will establish appropriate timelines and procedures for the appointment of budget committee members.

A majority of the constituted committee is required for passing an action item. Majority for a ~~14-member budget committee is 8~~ ~~10-member budget committee is 6~~. Therefore, if only ~~8~~ ~~6~~ members are present, a unanimous vote is needed for passing an action item.

Presiding Officer and Orientation of Budget Committee

1. Organization: The budget committee will hold its first regular organizational meeting on a day set by the Board. A presiding officer shall be elected from among its members at this meeting. Such meeting may be prior to or on the date the budget message and document are presented.
2. Background Information: Budget committee members will be provided with data for the ensuing year(s), such as the Board's educational plan, and other pertinent material bearing on the preparation of the district budget.

Meetings of the Budget Committee

The district's budget committee shall hold one or more meetings to receive the budget message, the budget document and to provide members of the public with an opportunity to ask questions about and comment on the budget document. The budget officer shall announce the time and place for all meetings, as provided by law. All meetings of the budget committee are open to the public.

Function of the Budget Committee

It is the function of the budget committee to approve budget estimates for an educational plan previously determined by the Board. No new program should be considered for the budget estimate that has not

¹ Districts with ADM over 10,000 must convene an educational equity advisory committee no later than September 15, 2022. Districts with ADM of 10,000 or under are not required to convene an educational equity advisory committee until September 15, 2025.

previously been submitted to the Board and approved as a part of the educational plan. The budget committee will determine levels of spending, but will not determine programs.

Final Action

The budget committee will approve an estimated district budget document for submission to the Board.

END OF POLICY

Legal Reference(s):

ORS 174.130
ORS 192.610 to -192.695

ORS 294.305 to -294.565
ORS 329.711

ORS 433.835 to -433.875

OSBA Model Sample Policy

Code: IGBBC
Adopted:

Talented and Gifted – Programs and Services**

Commented [LF1]: *Consider deleting this with application of new rules and law and changes to IGBB and IGBBA*

A district written plan will be developed for programs and services beyond those normally offered by the regular school program. All required written course statements shall identify the academic instructional programs and services to be provided which accommodate the assessed levels and accelerated rates of learning in identified talented and gifted students. The superintendent will remove any administrative barriers that may exist which restrict a student's access to appropriate services and will develop program and service options. [These options may include, but are not limited to, the following:

1. [Early Entrance;]
2. [Grade Skipping;]
3. [Ungraded/Multi-age Classes;]
4. [Cluster Grouping in Regular Classes;]
5. [Continuous Progress;]
6. [Cross Grade Grouping;]
7. [Compacted/Fast-Paced Curriculum;]
8. [Special Full- or Part-Time Classes;]
9. [Advanced Placement Classes;]
10. [Honors Classes;]
11. [Block Classes;]
12. [Independent Study;]
13. [Credit by Examination;]
14. [Concurrent Enrollment;]
15. [Mentorship/Internship;]
16. [Academic Competitions;]
17. [Magnet Programs/Schools.]

The Board has established an appeal process for a parent or guardian to utilize if they are dissatisfied with the programs and services recommended for their student that has been identified as talented and gifted, and wish to request reconsideration. The appeal process is identified in [Board policy KL – Public HR7/18/19 | PH

Talented and Gifted – Programs and Services** – IGBBC

Complaints**] [administrative regulation IGBBA-AR - Appeal Procedure for Talented and Gifted Student Identification and Placement].

The Board has established a complaint procedure to utilize if a person who resides in the district or a parent or guardian of a student attending school in the district has a complaint regarding the appropriateness of programs and services provided for a student identified as talented and gifted. This complaint procedure, IGBBC-AR - Complaints Regarding the Talented and Gifted Program, is available at the district's administrative office and on the home page of the district's website. The complainant may file an appeal to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023. The district shall provide a copy of these OARs upon request.

END OF POLICY

Legal Reference(s):

[OAR 581-022-2325](#)
[OAR 581-022-2330](#)

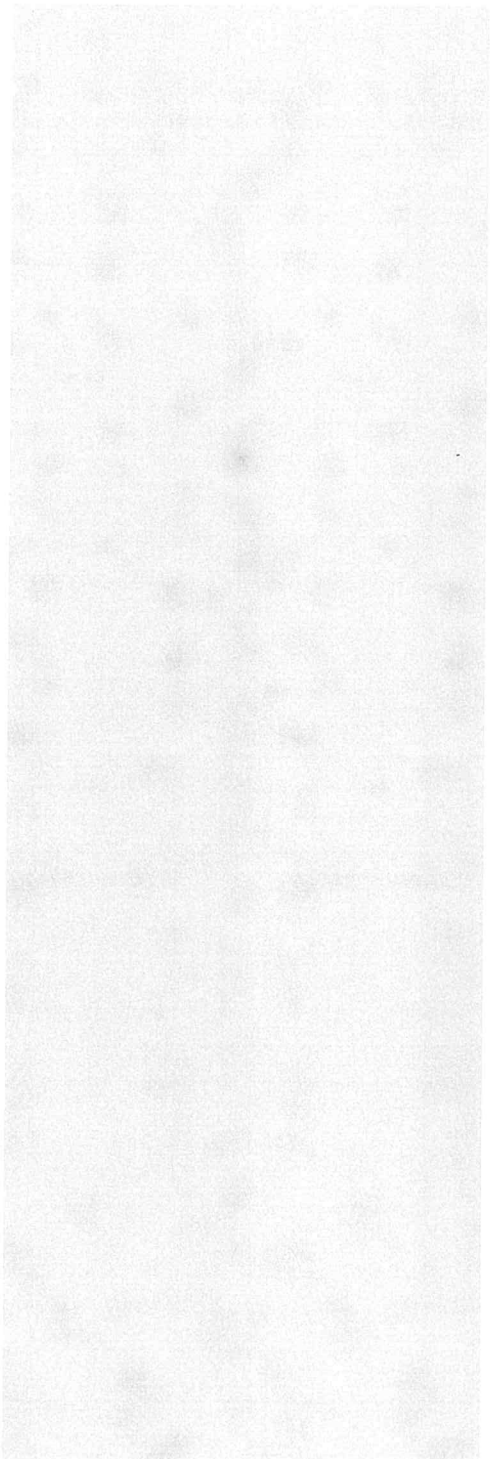
[OAR 581-022-2370](#)
[OAR 581-022-2500](#)

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OSBA Model Sample Policy

Code: IGBBC-AR
Revised/Reviewed:

Complaints Regarding the Talented and Gifted Program

(This AR has been recoded to IGBB-AR. Please see the newer version with file name IGBB R G1.)

The following procedure will be utilized when complaints arise regarding the district's talented and gifted programs and services ("TAG").

All complaints regarding TAG will be reported to the superintendent. The complainant will be given the Talented and Gifted Standards Complaint Form which must be filled out and submitted to the superintendent's office before further consideration can be given to the complaint.

1. Upon receipt of a TAG complaint, the superintendent shall arrange for a review committee consisting of the [TAG coordinator/teacher, the program supervisor, a counselor and a school psychologist].
2. The review committee shall meet within [two] working days of when the superintendent received the written complaint and review all pertinent information. A recommendation from the review committee will be submitted to the superintendent within [10] working days of receiving the original complaint.

The review committee may recommend that:

- a. The programs or services are appropriate; or
- b. The programs or services are not appropriate.

The superintendent shall report the recommendations of the review committee to the Board[at the next regularly scheduled Board meeting].

3. After consideration of the recommendations, if any, issued by the review committee the Board will issue a decision within [20] days of the Board meeting. The Board's decision will be final and will address each allegation in the complaint and contain reasons for the Board's decision. The Board's final decision will be issued in writing or electronic form.

If the complainant, who is [a student,] a parent or guardian of a student who attends school in the district[,] [or] a person who resides in the district, remains dissatisfied and has exhausted local procedures, may appeal¹ the district's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023. The district shall provide a copy of the OARs upon request.

[²] Timelines may be extended upon written agreement between the district and the complainant.

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

² [For district information. The district's timeline established by each step of the district's complaint procedure must be 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. However, the district's complaint procedure should not exceed a total of 90 days from the initial filing of the complaint, regardless of the number of steps involved, unless the district and the complainant have agreed in writing to a longer time period. (OAR 581-002-0005)]

[Name of District]
[Address]

TALENTED AND GIFTED STANDARDS COMPLAINT FORM

D
Name _____

Address _____

Phone (Daytime) _____ (Evenings) _____

E
Date of Complaint _____

1. What is the nature of your complaint? _____

2. What is the district currently doing? _____

3. In your opinion, in what way is this situation a violation of state standards?

E
4. What do you feel the district should be doing? _____

5. Other pertinent comments _____

T
Signature: _____

E

OSBA Model Sample Policy

Code: EFA
Adopted:

Local Wellness

{Title 7 C.F.R. 210.31(a) requires local education agencies to “establish a local school wellness policy for all schools participating in the National School Lunch Program and/or School Breakfast Program...”. The law describes the policy as “a written plan that includes” various components intended to improve student wellness. This policy is designed to meet the requirements for a wellness policy and provide the framework for the district’s plan. Previously these requirements were split between the policy and an administrative regulation (AR). All required and/or related content is now included in the model policy, therefore OSBA recommends deleting the AR if the district previously included it in the board’s policy manual. Districts should consult with stakeholders in the process of adoption and incorporate language that meets the unique needs of the district.}

The district is committed to the optimal development of every student and believes that a positive, safe and health-promoting learning environment is necessary for students to have the opportunity to achieve personal, academic, developmental and social success.

To help ensure students possess the knowledge and skills necessary to make healthy choices for a lifetime, the superintendent shall prepare and implement a comprehensive district nutrition program consistent with state and federal requirements for districts sponsoring the National School Lunch Program (NSLP) and/or the School Breakfast Program (SBP). The program shall reflect the Board’s commitment to providing adequate time for instruction that fosters healthy eating through nutrition education and promotion, serving healthy and appealing foods at district schools, developing food-use guidelines for staff and establishing liaisons with nutrition service providers, as appropriate.

~~The district superintendent or designee shall establish a Wellness Advisory Committee to advise the district in the development, review and update of the local wellness policy.~~

POLICY IMPLEMENTATION, MONITORING, ACCOUNTABILITY AND COMMUNITY ENGAGEMENT

Implementation

The district shall manage and coordinate the implementation of this local wellness policy.

Implementation will consist of, but not be limited to, the following:

1. Delineating roles, responsibilities, actions and timelines specific to each school;
2. Generating and disseminating information about who will be responsible to make what change, by how much, where and when;
3. Establishing standards for all foods and beverages provided (but not sold) to students during the school day on participating school campuses;

4. Establishing standards and nutrition guidelines for all foods and beverages sold to students during the school day on participating school campuses that meet state and federal nutrition standards for NSLP and SBP, competitive foods, permit marketing of same that meets the competitive food nutrition standards, and promotes student health and reduces child obesity; and
5. Establishing specific goals for nutrition promotion and education, physical activity[, physical education] and other school-based activities that promote student wellness.

The Board designates the ~~superintendent~~ principal(s) to be responsible for ensuring each school meets the goals outlined and complies with this policy.

Record Keeping

The district will retain the following records to document compliance with the local wellness policy requirements at the district's administrative offices:

1. The written local wellness policy;
2. Documentation to demonstrate the policy has been made available to the public;
3. Documentation of efforts to review and update the local wellness policy, including an indication of who participates in the update and the methods the district uses to make stakeholders aware of their ability to participate;
4. Documentation to demonstrate compliance with the annual public notification requirements;
5. Documentation of the district's most recent assessment on the implementation of the local wellness policy;
6. Documentation to demonstrate the most recent assessment on the implementation of the local wellness policy has been made available to the public.

Notification of Policy

The district will inform the public about the content and implementation of the local wellness policy, and post the policy and any updates to the policy on the district website annually. Included will be, if available, the most recent assessment of the implementation, and a description of the progress being made in attaining the goals of the policy.

The district will publicize the name and contact information of the district or school official(s) leading and coordinating the policy and information on how the public can get involved with the local wellness policy. This information will be published on the district's website and in district communications.

Triennial Progress Assessments

At least once every three years, the district will evaluate the implementation of this policy and its progress with a triennial assessment and produce a progress report that will include:

1. The extent to which schools under the jurisdiction of the district are in compliance with the policy;

2. The extent to which the district’s policy compares to model local school wellness policy^{1}; and
3. A description of the progress made in attaining the goals of the district’s policy.

The district will publish the triennial progress report on the district website when available. The district will update or modify the policy based on results of the triennial assessment.

Community Involvement, Outreach and Communications (Review of, and Updating Policy)^{2}

The district will actively communicate ways in which the community can participate in the development, implementation and periodic review and update of the local wellness policy. The district will communicate information about opportunities [in community news, on the district’s website, on school websites, and/or in district or school communications]. The district will ensure that communications are culturally and linguistically appropriate to the community.

Parents, students, representatives of the school food authority, teachers of physical education, school health professionals, the Board, school administrators, and the general public will be solicited to participate in the periodic review and update of the local school wellness policy.

~~Wellness Advisory Committee^{3}~~

~~The district supports a wellness advisory committee to assist the development, implementation, and periodic review and update of the local wellness policy. The superintendent or designee will be a member of this committee.~~

~~The district will publicize information about the wellness advisory committee [in community news, in communications to parents, and/or on websites operated by the district] to communicate to parents, students and the community at large to explain the committee’s purpose, process and an invitation to volunteer.~~

1. ~~The wellness advisory committee membership will include, to the extent possible, but not be limited to:~~
 - a. ~~Parents, caregivers and students;~~
 - b. ~~Representatives of the school nutrition program (e.g., school nutrition director);~~
 - c. ~~Physical education and/or health education teachers;~~
 - d. ~~School health professionals (e.g., school nurses, physicians, dentists, health educators and other allied health personnel who provide school health services);~~
 - e. ~~Mental health and social services staff (e.g., school counselors, psychologists, social workers, or psychiatrists);~~
 - f. ~~School administrators (e.g., superintendent, assistant superintendent, principal, vice principal);~~

¹ {Model Wellness Policy resource published by the [Alliance for a Healthier Generation](#). OSBA makes no representation of its compliance by providing this resource.}

² {USDA Local school wellness policy [resource](#); CDC [resource](#); CDC Healthy Schools [resource](#); USDA Local school wellness policy [outreach toolkit](#) and communication resource from [Alliance for a Healthier Generation](#).}

³ {A Wellness Advisory Committee is not required. If the district chooses to have a committee, the district should amend the language here to establish the membership and responsibilities of the committee. [School Wellness Committee Toolkit](#) published by the Alliance for a Healthier Generation}

- g. Board members;
 - h. Supplemental Nutrition Assistance Program (SNAP) education coordinators;
 - i. Healthcare professionals and/or other health related professionals (e.g., dietitians, doctors, nurses, dentists); and
 - j. Members of the general public.
2. The committee, appointed by the superintendent or designee, will meet to organize and vote on a committee chair and a secretary prior to or at the beginning of the school year. The chair and secretary will serve for one year minimum and may be reappointed.
 3. The wellness advisory committee will meet ~~(four)~~ times per year to review of the local wellness policy.
 4. The committee will facilitate the development, review and update of the wellness policy, and evaluate each participating school's compliance with the policy.

The district will create building-level committees to establish school-specific goals and activities that implement this policy. A school coordinator will be designated to support compliance with this policy.

NUTRITION PROMOTION AND NUTRITION EDUCATION

Nutrition promotion and nutrition education positively influence lifelong eating behaviors by using evidence-based strategies and techniques and nutrition messages and by creating food environments that support healthy nutrition choices.

Nutrition promotion and nutrition education shall be a sequential and integrated focus on improving students' eating behaviors, reflect evidence-based strategies and be consistent with state and local district health education standards.

To promote nutrition education in the schools, the principal is responsible for ensuring the following goals are implemented:

1. ~~{⁴}~~ Students and staff will receive consistent nutrition messages throughout the school environment;
2. Nutrition education is provided throughout the student's school years as part of the district's age-appropriate, comprehensive nutrition program~~{~~ (which includes the benefits of healthy eating, essential nutrients, nutritional deficiencies, principles of healthy weight management, the use and misuse of dietary supplements, safe food preparation, and handling and storage related to food and eating)~~}~~, and is aligned and coordinated with the Oregon Health Education Standards and school health education programs;
3. Nutrition education will include culturally relevant, participatory activities that include social learning strategies and activities that are aligned and coordinated with the Oregon Health Education Standards and school health education programs;

⁴ {The goals listed are not required, but districts are required to include goals in the policy. Districts are encouraged to evaluate needs and resources and to develop specific goals. Districts are required to "review and consider evidence-based strategies and techniques" (7 CFR 210.31(c)(1)). Model Wellness Policy resource published by the [Alliance for a Healthier Generation](#). OSBA makes no representation of its compliance by providing this resource.}

4. Teachers will receive curriculum-specific training;
5. Parents and families are encouraged through school communications to send healthy snacks/meals and reusable water bottles with their student to school;
6. Families and community organizations are involved, to the extent practicable, in nutrition education;
7. Nutrition education homework that students can do with their families is assigned (e.g., reading and interpreting food labels, reading nutrition-related newsletters, preparing healthy recipes);
8. Materials on how to assess one's personal eating habits, set goals for improvement and achieve those goals.

Nutrition promotion, including marketing and advertising nutritious foods and beverages to students, will be implemented consistently through a comprehensive and multi-channel approach, (e.g., in the classroom, cafeteria and at home) by staff, teachers, parents, students and the community.

To ensure adequate nutrition promotion, the following goals will be implemented:

1. Information about available meal programs is distributed prior to or at the beginning of the school year and at other times throughout the school year;
2. Information about availability and location of a Summer Food Service Program (SFSP) is distributed;
3. Nutrition promotion materials are sent home with students, published on the district website, and distributed at parent-teacher conferences;
4. Families are invited to attend exhibitions of student nutrition projects or health fairs;
5. Physical activity is a planned part of all school-community events.

School Meals

Schools within the district participate in U.S. Department of Agriculture (USDA) child nutrition program(s), administered through the Oregon Department of Education (ODE) which may include the NSLP, and the SBP, Fresh Fruit & Vegetable Program (FFVP), After School Snack Program (ASSP), Special Milk Program (SMP), Summer Food Service Program (SFSP), Supper programs, for others. The district also operates additional nutrition-related programs and activities including Farm-to-School programs, school gardens, Breakfast in the Classroom, Mobile Breakfast carts or Grab 'n' Go Breakfast.

The district's available meal program(s) will operate to meet meal pattern requirements and dietary specifications in accordance with the Healthy, Hunger-Free Kids Act and applicable federal laws and regulations.

⁵ {The goals listed are not required, but districts are required to include goals in the policy. Districts are encouraged to evaluate needs and resources and to develop specific goals. Districts are required to "review and consider evidence-based strategies and techniques" (7 CFR 210.31(c)(1)). Model Wellness Policy resource published by the [Alliance for a Healthier Generation](#). OSBA makes no representation of its compliance by providing this resource.}

The {principal(s)} will support nutrition and food services operation as addressed in Board policy EFAA – District Nutrition and Food Services and its accompanying administrative regulation EFAA-AR – Reimbursable Meals and Milk Programs.

{Water

Free, safe, unflavored, drinking water will be available to all students throughout the school day and throughout every school campus. The district will make drinking water available where school meals are served during mealtimes.‡

Competitive Foods and Beverages

The district controls the sale of all competitive foods. All foods and beverages outside the reimbursable school meal programs that are **sold** to students on the school campus during the school day will meet or exceed Smart Snacks Standards⁶. These standards will apply in all locations and through all services where foods and beverages are sold, which may include, but are not limited to, à la carte options in cafeterias, vending machines, school stores, snack or food carts and fund raising.

Celebrations and Rewards/Incentives

All foods and beverages offered on the school campus‡ will meet or exceed‡ ~~are encouraged to meet~~ the nutrition standards set by the USDA and the Oregon Smart Snacks Standards. This includes, but is not limited to, celebrations, parties, and classroom snacks brought by parents. ~~Food will not be used as a reward or incentive.~~‡ This information will be conveyed to staff and parents.‡

‡Fund Raising

Foods and beverages that meet or exceed the nutrition standards set by the USDA and the Oregon Smart Snacks Standards may be sold through fund raisers on the school campus during the school day. Such requests to conduct a fund raiser will be submitted to the‡principal‡ for approval before starting.‡

Food and Beverage Marketing in Schools

Any foods and beverages marketed or promoted to students on the school campus during the school day will meet or exceed the nutrition standards for competitive foods set by the USDA.

‡The district (i.e., school nutrition services, athletics department, PTA, PTO) will review existing contracts, new contracts and equipment, and product purchase or replacement to reflect the applicable food and beverage marketing guidelines.‡

PHYSICAL ACTIVITY AND PHYSICAL EDUCATION

A quality physical education program is an essential component for all students to learn about and participate in physical activity. The district will develop and assess student performance standards and program minute requirements in order to meet ODE's physical education content standards and state law.

⁶ Oregon Department of Education, Oregon Smart Snacks Standards

Physical activity should be included in the school's daily education program for grades [pre-]K through 12 and include regular, instructional physical education, as well as co-curricular activities and recess.

In order to ensure students are afforded the opportunity to engage in physical education and physical activity in the school setting, the following goals are established:

1. {⁷} Physical education will be a course of study that focuses on students' physical literacy and development of motor skills;
2. Staff encourages and provides support for parental involvement in their children's physical education;
3. Physical education courses will be the environment where students learn, practice and are assessed on developmentally appropriate knowledge, skills and confidence to become physically literate;
4. Instruction, provided by adequately prepared teachers, i.e., licensed or endorsed to teach physical education, will meet the state adopted academic content standards for physical education (Oregon Revised Statute (ORS) 329.045). Teachers of physical education shall regularly participate in professional development activities annually;
5. {⁸} Every public school student in ~~[pre-]~~ kindergarten through grade 8 shall participate in physical education for the entire school year. Students in kindergarten through grade ~~[5]~~ ~~[6]~~ shall participate for a least 150 minutes during each school week, and students in grades ~~[6]~~ ~~[7]~~ through 8 for at least 225 minutes per school week;
6. Physical activity will be integrated across curricula and throughout the school day. Movement will be made a part of all classes or courses as part of a well-rounded education;
7. Physical activity during the school day (including, but not limited to, recess, classroom physical activity breaks or physical education) will not be used as a punishment or a reward;
8. {⁹} At least 50 percent of the weekly physical education class time in grades K through 8 shall be devoted to actual physical activity;
9. Physical activity is a planned part of all school-community events;
10. Materials promoting physical activity are sent home with students and published on the district website.

⁷ {The goals listed are not required, but districts are required to include goals in the policy. Districts are encouraged to evaluate needs and resources and to develop specific goals. Districts are required to "review and consider evidence-based strategies and techniques" (7 CFR 210.31(c)(1)). Model Wellness Policy resource published by the [Alliance for a Healthier Generation](#). OSBA makes no representation of its compliance by providing this resource.}

⁸ {Districts are required to provide the specified number of physical education minutes, but are not required to include them as goals or in this policy. If the district operates K-5 elementary schools, select "5" in the first bracket and "6" in the second bracket. If the district operates K-6 elementary schools, select "6" in the first bracket and "7" in the second bracket.}

⁹ {This language is not required to be in policy, but this is a required action pursuant to ORS 329.496.}

[¹⁰] A student with a disability shall have suitably adapted physical education incorporated as part of their individualized education program (IEP) developed under ORS 343.151. A student who does not have an IEP but has chronic health problems, other disabling conditions or other special needs that preclude them from participating in regular physical education instruction, shall have suitably adapted physical education incorporated as part of their individualized health plan, developed by the district.]

Other Activities that Promote Student Wellness

The district will integrate wellness activities throughout the entire school environment (districtwide). The district will coordinate and integrate other initiatives related to physical activity, physical education, nutrition and other wellness components so all efforts are complementary, not duplicated and work toward the same set of goals promoting student well-being, optimal development and strong educational outcomes.

The district will provide the following activities and encourage the following practices which promote local wellness:

1. ~~1.~~ Scoliosis screenings;
2. Safe Routes to Schools Program;
3. Physically active family and community engagement activities for families to learn about healthy eating or to practice being active together (e.g., skate night, fun run, dance night);
4. Nonfood-related fund raisers;
5. Physical activity energizers during transitions from one subject to another;
6. Intramural sports;
7. Monthly/Weekly school walks;
8. Assemblies which focus on wellness issues such as the importance of breakfast, healthy beverages, and how students and staff can incorporate 60 minutes of physical activity into their day;
9. Use of alternates to food as rewards in the classroom;
10. Creation of connections between out-of-school time (OST) programs that involve staff members from OST programs, both school- and community-based, in school initiatives that address healthy eating, such as school wellness teams or wellness committees;
11. Integration of social, emotional and mental health supports into school programs (e.g., promote a positive school climate where respect is encouraged and students can seek help from trusted adults);
12. Communication between classroom teachers and nutrition staff, so that menus and nutrition promotion can be tied into classroom learning and coursework;

¹⁰ {This language is not required to be in policy, but this is a required action pursuant to ORS 329.496.}

13. Include wellness as a standing agenda item for school-based meetings (e.g., staff meetings, site council meetings, PTO).

¹¹ Employee Wellness¹²

The district encourages staff to pursue a healthy lifestyle that contributes to their improved health status, improved morale and a greater personal commitment to the school's overall wellness program. Many actions and conditions that affect the health of staff may also influence the health and learning of students. The physical and mental health of staff is integral to promoting and protecting the health of students and helps foster their academic success. The district's Employee Wellness Program will promote health, reduce risky behaviors of employees and identify and correct conditions in the workplace that can compromise the health of staff, reduce their levels of productivity, impede student success and contribute to escalating health-related costs such as absenteeism.

The district will collaborate with community partners to identify programs, services and/or resources to compliment and enrich employee wellness endeavors.

The district's Employee Wellness Program may include the following:

1. Health education and health promoting activities that focus on skill development and lifestyle behavior that change along with awareness building, information dissemination, access to facilities, and are preferably tailored to employees' needs and interests;
2. Safe, supportive social and physical environments including organizational expectations about healthy behavior, and implementation of policy that promotes health and safety and reduces the risk of disease;
3. Linkage to related programs such as employee assistance programs, emergency care and programs that help employees balance work life and family life;
4. Education and resources to help employees make decisions about health care; and
5. Nutrition and fitness educational opportunities that may include but are not limited to, the distribution of educational and informational materials, and the arrangement of presentations and workshops that focus on healthy lifestyles, health assessments, fitness activities and other appropriate nutrition and physical activity related topics.

The district encourages participation from all employees. "Employees" are not limited to instructional staff (i.e., teachers and instructional assistants), but includes all administrators and support staff.

The following groups are seen as essential for establishing, implementing and sustaining an effective employee wellness program:

1. School personnel who implement existing wellness programs in the district (i.e., employee wellness committee);

¹¹ {This language is optional and is not required by state or federal law.}

¹² {CDC resources for [school employee wellness](#) and [workplace health promotion](#)}

2. District personnel who implement health programs for students (e.g., school health coordinator, school nurses, psychologist, health and physical educators, nutrition professionals, counselors and other staff); and
3. Decision makers who have the authority to approve policy and provide administrative support essential for a school wellness program (e.g., Board members, superintendents, human resource administrators, fiscal services administrators and principals).]

DEFINITIONS

1. “Competitive food” means all food and beverages other than meals reimbursed under programs authorized by the Richard B. Russell National School Lunch Act and the Child Nutrition Act available for sale to students on the school campus during the school day.
2. “Food and beverage marketing¹³” is defined as advertising and other promotion in schools. Food and beverage marketing often includes an oral, written or graphic statement made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product.
3. “Oregon Smart Snacks Standards”¹⁴ means the State’s minimum nutrition standards for competitive foods and beverages (ORS 336.423).
4. “School day” means, for the purpose of competitive food standards implementation, the period from the midnight before, to 30 minutes after the end of the official school day, i.e., at the conclusion of afternoon student activities, such as athletic, music or drama practices, clubs, academic support and enrichment activities.
5. “School campus” means, for the purpose of competitive food standards implementation, all areas of property under the jurisdiction of the school that are accessible to students during the school day.

END OF POLICY

Legal Reference(s):

[ORS 327.531](#)
[ORS 327.537](#)
[ORS 329.496](#)
[ORS 332.107](#)

[ORS 336.423](#)
[OAR 581-051-0100](#)
[OAR 581-051-0305](#)

[OAR 581-051-0306](#)
[OAR 581-051-0310](#)
[OAR 581-051-0400](#)

¹³ [This term includes, but is not limited to, the following: brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container; displays, such as on vending machine exteriors; corporate brand, logo, name or trademark on school equipment, such as marquees, message boards, scoreboards or backboards (Note: Immediate replacement of these items is not required; however, districts will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is financially possible over time so that items are in compliance.); corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, student assignment books or school supplies displayed, distributed, offered or sold by the district; advertisements in school publications or school mailings; free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.]

¹⁴ Oregon Department of Education, [Oregon Smart Snacks Standards](#)

Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. §1758b (2018).
National School Lunch Program, 7 C.F.R. Part 210 (2022).
School Breakfast Program, 7 C.F.R. Part 220 (2022).

OSBA Model Sample Policy

Code: EFA-AR
Revised/Reviewed:

Local Wellness Program

The district's comprehensive age-appropriate nutrition program will be implemented in district schools in accordance with the following requirements:

Definitions

1. "Accompaniment foods" means food items served along with another food to enhance palatability such as butter, jelly, cream cheese, salad dressing, croutons and condiments.
2. "Combination foods" means products that contain two or more components, representing two or more of the recommended food groups: fruit; vegetable; dairy; protein; or grains.
3. "Competitive foods" means any food or drink sold in competition with the National School Lunch Program (NSLP) and/or School Breakfast Program (SBP) during the school day.
4. "Entree item" means an item that is either:
 - a. A combination food of meat or meat alternate and whole grain rich food; or
 - b. A combination food of vegetable or fruit and meat or meat alternate; or
 - c. A meat or meat alternate alone with the exception of yogurt, low-fat or reduced fat cheese, nuts, seeds and nut or seed butters and meat snacks (such as dried beef jerky); or
 - d. Grains only when served in the SBP.
5. "Food service area" means any area on school premises where NSLP or SBP meals are both served and eaten, as well as any areas in which NSLP or SBP meals are either served or eaten.
6. "Meal period" means the period(s) during which breakfast or lunch meals are served and eaten, and as identified on the school schedule.
7. "Nutrition education" means a planned sequential instructional program that provides knowledge and teaches skills to help students adopt and maintain lifelong healthy eating habits.
8. "Oregon Smart Snacks Standards"¹ means the minimum nutrition standards for competitive foods and beverages.
 - a. Food items, including accompaniment foods, must:
 - (1) Be a grain product that contains 50 percent or more whole grains by weight or have as the first ingredient a whole grain (e.g., flour, flake or meal); or
 - (2) Have as the first ingredient, one of the non-grain major food groups: fruits; vegetables; dairy or protein foods (e.g., meat, beans, poultry, seafood, eggs, nuts, seeds); or

¹ Oregon Department of Education, [Oregon Smart Snacks Standards](#)

- (3) Be a combination food that contains one-quarter cup of fruit and/or vegetable; or
- (4) Have one of the food items above as a second ingredient if water is the first ingredient; and
- (5) Meet all the competitive food nutrient standards:

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(a) Calories:

(i) Snacks contain no more than:

- 1) 150 calories as packaged or served for elementary level;
- 2) 180 calories as packaged or served for middle school level; and
- 3) 200 calories as packaged or served for high school level.

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(ii) Entrees contain no more than 350 calories as packaged or served.

(b) Total fat: contains 35 percent or less of total calories from fat per item as packaged or served.

Exemptions to the total fat standard are granted for reduced fat cheese and part-skim mozzarella cheese, nuts, seeds, nut or seed butters, products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fat and seafood with no added fat.

(c) Saturated fat: contains no more than 10 percent of total calories from saturated fat per item as packaged or served.

Exemptions to the saturated fat standard are granted for reduced fat cheese and part-skim mozzarella cheese, nuts and products consisting of only dried fruit with nuts and/or seeds with no added nutritive sweeteners or fat.

(d) Transfat: contains 0 grams of trans fat per item as packaged or served.

(e) Sugar must be no more than 35 percent by weight.

(i) Exempt from the sugar standard are:

- 1) Dried whole fruits or vegetables;
- 2) Dried whole fruit or vegetable pieces;
- 3) Dehydrated fruits or vegetables with no added nutritive sweeteners; and
- 4) Dried fruits with nutritive sweeteners that are required for processing and/or palatability purposes (i.e., cranberries, blueberries, tart cherries).

(f) Sodium:

(i) Snacks contain no more than 200 mg sodium per item as packaged or served.

(ii) Entrees contain no more than 480 mg sodium per item as packaged or served.

(g) Caffeine free, except for naturally occurring trace amounts, for elementary and middle school level.

(h) Exempt from all nutrients standards on any day are:

- (i) Fresh, canned and frozen fruits or vegetables with no added ingredients except water.
- (ii) Fruit packed in 100 percent juice, extra light or light syrup.
- (iii) Canned vegetables that contain a small amount of sugar for processing purposes.
- (iv) [Sugar-free chewing gum.]

(i) Entrees in same or smaller portion served on the day or the day following in the National School Lunch or School Breakfast Programs are exempt from the nutrient standards for:

- (i) Calories;
- (ii) Total fat;
- (iii) Saturated fat;
- (iv) Transfat;
- (v) Sodium; and
- (vi) Sugar.

b. Beverages must be:

(1) For elementary level students:

- (a) Plain water, carbonated or uncarbonated, with portion size unlimited;
- (b) Lowfat milk (unflavored), with portion size not to exceed 8 ounces and 150 calories;
- (c) Nonfat milk (including flavored), with portion size not to exceed 8 ounces and 150 calories;
- (d) Nutritionally equivalent milk alternatives, portion size not to exceed 8 ounces and 150 calories;
- (e) Full strength, unsweetened fruit or vegetable juices, portion size not to exceed 8 ounces and 120 calories;
- (f) Fruit and vegetable juice that is 100 percent juice diluted with water, carbonated or uncarbonated, and no added sugar or sweeteners with portion size not to exceed 8 ounces and 120 calories;
- (g) Caffeine free, except for naturally occurring trace amounts.

(2) For middle school level students:

- (a) Plain water, carbonated or uncarbonated, with portion size unlimited;
- (b) Lowfat milk (unflavored), portion size not to exceed 10 ounces and 190 calories;
- (c) Nonfat milk (including flavored), portion size not to exceed 10 ounces and 190 calories;
- (d) Nutritionally equivalent milk alternatives, portion size not to exceed 10 ounces and 190 calories;
- (e) Full strength, unsweetened fruit or vegetable juices, portion size not to exceed 10 ounces and 150 calories;

D

- (f) Fruit and vegetable juice that is 100 percent juice diluted with water, carbonated or uncarbonated, and no added sugar or sweeteners with portion size not to exceed 10 ounces and 150 calories;
- (g) Caffeine free, except for naturally occurring trace amounts.

(3) For high school level students:

- (a) Plain water, carbonated or uncarbonated, with portion size unlimited;
- (b) Lowfat milk (unflavored), portion size not to exceed 12 ounces and 225 calories;
- (c) Nonfat milk (including flavored), portion size not to exceed 12 ounces and 225 calories;
- (d) Nutritionally equivalent milk alternatives, portion size not to exceed 12 ounces and 225 calories;
- (e) Full strength, unsweetened fruit or vegetable juices, portion size not to exceed 12 ounces and 180 calories;
- (f) Fruit and vegetable juice that is 100 percent juice diluted with water, carbonated or uncarbonated, and no added sugar or sweeteners with portion size not to exceed 12 ounces and 180 calories;
- (g) Low or no calorie beverage is less than 5 calories per 8 ounce serving or less than or equal to 10 calories per 20 fluid ounces, portion size not to exceed 20 ounce serving;
- (h) Other beverages are not to exceed 40 calories per 8 fluid ounces (or 60 calories per 12 fluid ounces) with portion size not to exceed 12 ounces.

c. Use the nutrient standard for the lowest grade group when mixed grades have open access to competitive foods.

- 9. "School day" means a student education day beginning at midnight and ending at the conclusion of afternoon student activities, such as athletic, music or drama practices, clubs, academic support and enrichment activities.
- 10. "School campus" means all areas of property under the jurisdiction of the school that are accessible to students during the school day.
- 11. "Snack" means a food that is generally regarded as supplementing a meal and includes, but is not limited to, chips, crackers, onion rings, nachos, french fries, doughnuts, cookies, pastries, cinnamon rolls and candy.

Nutrition Promotion and Nutrition Education

Nutrition promotion and nutrition education shall be a sequential and integrated focus on improving students' eating behaviors, reflect evidence-based strategies and be consistent with state and local district health education standards.

Nutrition education at all levels of the district's curriculum shall include the following essential components designed to help students learn:

- 1. Age-appropriate nutritional knowledge, including the benefits of healthy eating, essential nutrients, nutritional deficiencies, principles of healthy weight management, the use and misuse of dietary

supplements, safe food preparation, handling and storage and cultural diversity related to food and eating;

2. Age-appropriate nutrition-related skills, including but not limited to, planning a healthy meal, understanding and using food labels and critically evaluating nutrition information, misinformation and commercial food advertising; and
3. How to assess one's personal eating habits, set goals for improvement and achieve those goals.

Food and Beverage Marketing

The district (i.e., school nutrition services, athletics department, PTA, PTO) will review existing contracts, new contracts and equipment and product purchase or replacement to reflect the applicable food and beverage marketing guidelines established by the district wellness policy.

“Food and beverage marketing” is defined as advertising and other promotions in schools. Food and beverage marketing often include oral, written or graphic statements made for the purpose of promoting the sale of a food or beverage product made by the producer, manufacturer, seller or any other entity with a commercial interest in the product.

This term includes, but is not limited to, the following:

1. Brand names, trademarks, logos or tags, except when placed on a physically present food or beverage product or its container;
2. Displays, such as on vending machine exteriors;
3. Corporate brand, logo, name or trademark on school equipment, such as marquees, message boards, scoreboards or backboards;

Note: Immediate replacement of these items is not required; however, districts will replace or update scoreboards or other durable equipment when existing contracts are up for renewal or to the extent that is financially possible over time so that items are in compliance;

4. Corporate brand, logo, name or trademark on cups used for beverage dispensing, menu boards, coolers, trash cans and other food service equipment; as well as on posters, book covers, student assignment books or school supplies displayed, distributed, offered or sold by the district;
5. Advertisements in school publications or school mailings;
6. Free product samples, taste tests or coupons of a product, or free samples displaying advertising of a product.

Physical Activity and Physical Education

In order to insure students are afforded the opportunity to engage in physical activity and physical education in the school setting, the following guidelines apply:

1. Physical activity will be integrated across curricula and throughout the school day. Movement will be made a part of all classes or courses as part of a well-rounded education;

2. Physical education will be a course of study that focuses on students' physical literacy and development of motor skills;
3. Physical education courses will be the environment where students learn, practice and are assessed on developmentally appropriate knowledge, skills and confidence to become physically literate;
4. All physical education classes will be taught by licensed physical education teachers and/or appropriately licensed teachers as outlined by the Teacher Standards and Practices Commission (TSPC);
5. Daily recess period(s) will be provided that will not be used as a punishment or a reward.

Nutrition Guidelines and Food Services Operation

In order to support a school's nutrition and food services operation as an essential partner in the educational mission of the district and its role in the district's comprehensive nutrition program, the principal is responsible for ensuring:

1. The school encourages all students to participate in the school's NSLP [and SBP] meal opportunities;
2. The school notifies families of need-based programs for free or reduced-price meals and encourages eligible families to apply;
3. The school's NSLP[,] [and] [SBP] [Special Milk Program (SMP)] maintains the confidentiality of students and families applying for or receiving free or reduced-priced meals [or free milk] in accordance with the National School Lunch Act;
4. The school's NSLP[,] [and] [SBP] [SMP] operates to meet dietary specifications in accordance with the Healthy, Hunger-Free Kids Act of 2010 and applicable state laws and regulations;
5. The school sells or serves varied and nutritious food choices consistent with the applicable nutrition standards set by the USDA and the Oregon Smart Snacks Standards. A school or district, that operates or contracts the food service component of their NSLP and SBP, shall form a nutrition advisory committee comprised of staff, students and parents. Cultural norms and preferences will be considered;
6. Food prices set by the district are communicated to students and parents. District pricing strategies will encourage students to purchase full meals and nutritious items;
7. Procedures are in place to provide families, on request, information about the ingredients and nutritional value of the foods served;
8. Modified meals are prepared for students with special dietary needs:

- a. The district will provide substitute foods to students with a disability² that restricts their diet, when supported by a written statement from a state-licensed health care professional who is authorized to write medical prescriptions.
 - b. Such substitutions will be provided only when a medical statement from the licensed health care professional is on file at the school. The medical statement must state the nature of the child's impairment so its effect on the student's diet is understood, and what must be done to accommodate the impairment.
9. Food service equipment and facilities meet applicable local and state standards concerning health, safe food preparation, handling and storage, drinking water, sanitation and workplace safety;
 10. Students are provided adequate time and space to eat meals in a pleasant and safe environment. School dining areas will be reviewed to ensure:
 - a. Tables and chairs are of the appropriate size for students;
 - b. Seating is not overcrowded;
 - c. Students have a relaxed environment;
 - d. Noise is not allowed to become excessive;
 - e. Rules for safe behavior are consistently enforced;
 - f. Tables and floors are cleaned between meal periods;
 - g. The physical structure of the eating area is in good repair; and
 - h. Appropriate supervision is provided.
 11. The guidelines for reimbursable school meals shall not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to subsections (a) and (b) of section 10 of the Child Nutrition Act (42 U.S.C. § 1779) and sections 9(f)(1) and 17(a) of the Richard B. Russell National School Lunch Act (42 U.S.C. § 1758(f)(1), § 1766(a)), as those regulations and guidance apply to schools.

Competitive Food Sales

In keeping with federal regulations, the district controls the sale of all competitive foods. Accordingly, the district will select food items that meet the Oregon Smart Snacks Standards.

The sale of foods and beverages in competition with the district's NSLP and SBP meals shall be permitted when all income from the food sales accrues to the benefit of the district's nutrition and food services operation or a school or student organization as approved by the Board.

Other Foods Offered or Sold

Foods and beverages sold [or offered] in classrooms or school-sponsored activities during the school day shall follow the Oregon Smart Snacks Standards.

Foods and beverages that meet or exceed the nutrition standards set by the USDA and the Oregon Smart Snacks Standards may be sold through fund raisers on the school campus during the school day.

² To comply with Section 504 as it relates to a student's severe food allergy, such as milk, gluten, nut or soy, and including but not limited to diabetes, colitis, etc.

[Employee Wellness³

The district's Employee Wellness Program [may] [shall] include the following:

1. Health education and health promoting activities that focus on skill development and lifestyle behavior that change along with awareness building, information dissemination, access to facilities, and are preferably tailored to employees' needs and interests;
2. Safe, supportive social and physical environments including organizational expectations about healthy behavior, and implementation of policy that promotes health and safety and reduces the risk of disease;
3. Linkage to related programs such as employee assistance programs, emergency care and programs that help employees balance work life and family life;
4. Education and resources to help employees make decisions about health care; and
5. Nutrition and fitness educational opportunities that may include but are not limited to, the distribution of educational and informational materials, and the arrangement of presentations and workshops that focus on healthy lifestyles, health assessments, fitness activities and other appropriate nutrition and physical activity related topics.

The district encourages participation from all employees. "Employees" are not limited to instructional staff (i.e. teachers and instructional assistants), but includes all administrators and support staff.

The following groups are seen as essential for establishing, implementing and sustaining an effective employee wellness program:

1. School personnel who implement existing wellness programs in the district (i.e., employee wellness committee);
2. District personnel who implement health programs for students (e.g., school health coordinator, school nurses, psychologist, health and physical educators, nutrition professionals, counselors and other staff); and
3. Decision makers who have the authority to approve policy and provide administrative support essential for a school wellness program (e.g., Board members, superintendents, human resource administrators, fiscal services administrators and principals).]

Other Activities that Promote Student Wellness

The district will provide the following activities and encourage the following practices which promote local wellness:

1. [Scoliosis screenings;]
2. [Safe Routes to Schools Program;]

³ [This language is optional and not required by state or federal law.]

3. [Physically active community engagement (e.g., skate night, fun run, dance night);]
4. [Nonfood-related fund raisers;]
5. [Physical activity brain breaks during transitions from one subject to another;]
6. [Intramural sports;]
7. [Monthly/Weekly school walks;]
8. [Assemblies which focus on wellness issues such as the importance of breakfast, healthy beverages, and how students and staff can incorporate 60 minutes of physical activity into their day;]
9. [The use of alternates to food as rewards in the classroom;]
10. [Support groups for overweight and underweight students, and those students who struggle with nutrition and physical activity;]
11. [Communication between classroom teachers and nutrition staff, so that menus and nutrition promotion can be tied into classroom learning and coursework;]
12. [Include wellness as a standing agenda item for school-based meetings (e.g., staff meetings, site council meetings, PTO).]

Staff Development

Ongoing pre-service and professional development training opportunities for staff will be encouraged. Staff responsible for nutrition education will be encouraged to participate in professional development activities to effectively deliver the nutrition education program as planned. Nutrition and food service personnel will receive opportunities to participate in professional development activities that address strategies for promoting healthy eating behavior; food safety; maintaining safe, orderly and pleasant eating environments; and other topics directly relevant to the employee's job duties. The principal is responsible to ensure such training is made available, including but not limited to, the following:

1. Personnel management;
2. Financial management and record keeping;
3. Cost- and labor-efficient food purchasing and preparation;
4. Sanitation and safe food handling, preparation and storage;
5. Planning menus for students with special needs and students of diverse cultural backgrounds;
6. Customer service and student and family involvement;
7. Marketing healthy meals;
8. Principles of nutrition education, including selected curriculum content and innovative nutrition teaching strategies; and

9. Assessment by staff of their own eating practices and increased awareness of behavioral messages staff provide as role models.

Family and Community Involvement

In order to promote family and community involvement in supporting and reinforcing nutrition education in the schools, the principal is responsible for ensuring:

1. Nutrition education materials and cafeteria menus are sent home with students;
2. Parents are encouraged to send healthy snacks/meals to school;
3. Parents and other family members are invited to periodically eat with their student in the cafeteria;
4. Families are invited to attend exhibitions of student nutrition projects or health fairs;
5. Nutrition education workshops and screening services are offered;
6. Nutrition education homework that students can do with their families is assigned (e.g., reading and interpreting food labels, reading nutrition-related newsletters, preparing healthy recipes, etc.);
7. Staff are encouraged to cooperate within their own schools and with other agencies and community groups to provide opportunities for student volunteer or paid work related to nutrition, as appropriate;
8. Staff encourages and provides support for parental involvement in their children's physical education[;][.]
9. [Materials promoting physical activity are sent home with students[; and][.]
10. [Physical activity is a planned part of all school-community events.]

Program Evaluation

In order to evaluate the effectiveness of the local wellness program in promoting healthy eating, increased physical activity among students, and to implement program changes as necessary to increase its effectiveness, the superintendent or designee is responsible for ensuring:

1. Board policy and this administrative regulation are implemented as written;
2. All building, grade-level nutrition education curricula and materials are assessed for accuracy, completeness, balance and consistency with state and local district educational goals and standards;
3. Nutrition education is provided throughout the student's school years as part of the district's age-appropriate, comprehensive nutrition program, and is aligned and coordinated with the Oregon Health Education Standards and school health education programs;
4. Teachers deliver nutrition education through age-appropriate, culturally relevant, participatory activities that include social learning strategies and activities that are aligned and coordinated with the Oregon Health Education Standards and school health education programs;

5. Teachers and school nutrition and food service personnel have undertaken joint project planning and action;
6. Teachers have received curriculum-specific training;
7. [Teachers provide physical activity instruction and programs that meet the needs and interests of all students;]
8. Families and community organizations are involved, to the extent practicable, in nutrition education; and
9. One or more persons within the district or at each school, as appropriate, will be charged with the operational responsibility of ensuring that the policy and administrative regulations are followed and will develop an evaluation plan to be used to assess the district's level of compliance with state and federal requirements.

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OSBA Model Sample Policy

Code: EH
Adopted:

Records and Data Management

The superintendent will provide for the preparation, maintenance and retention of records and reports as are required by law.

If a record is a public record then it may be subject to retention requirements based on the content of the message. Records shall not be destroyed if they have been requested under the Public Records Law or if they are part of litigation, even if their retention period has expired.

Employees will retain and destroy records in accordance with the Oregon Archives Division records retention schedule. Employees should consult the retention schedule to determine the retention period of the record.

The district's retention system is to retain records that are part of the network and email system by scanning, saving and/or filing them in an electronic filing system and deleting them from the email account.

The district will comply with all state and federal laws and regulations concerning the custody and maintenance of public records.

"Retention schedule" means a general schedule published by the State Archivist in Oregon Administrative Rule (OAR) Chapter 166 in which certain common public records are described or listed by title and a minimum retention period is established for each.

END OF POLICY

Legal Reference(s):

ORS 192.001 - 192.431
ORS 192.650
ORS 326.565 – 326.580
ORS 336.184 – 336.187

OAR 166-400-0010 - 166-400-0065
OAR 581-015-2300
OAR 581-022-2260

OAR 581-022-2305
OAR 581-023-0006
OAR 581-053-0070

OSBA Model Sample Policy

Code: EH-AR
Revised/Reviewed:

Records and Data Management

Employee Responsibilities

1. Employees will evaluate the content and purpose of each record to determine which retention schedule requirement defines the record's required retention period.
2. It is recommended that employees retain only the final message in a communication string that documents the contents of all previous communications. This is preferable to retaining each individual message, containing duplicate content.
3. Employees shall retain records, e.g., documents or email, that have not fulfilled the legally-mandated retention period.
4. Employees will organize their records so they can be located and used.
5. Employees will promptly dispose of transitory, non-public record and personal records from the network and email system.
6. Employees are responsible for ensuring that records that are public records are properly archived prior to any district system auto clean-up schedules.

~~4~~State School District Retention

Table of Contents

Administrative Records	<u>166-400-0010</u>
Activity and Room Scheduling	
Activity Reports, General	
Annual Reports	
Association and Organization Membership	
Audit Records, Internal	
Bond Election	
Calendars and Scheduling	
Child Care Facility License	
Committee and Board Meetings	
Committee and Board Member	
Conference and Workshop	
Contracts and Agreements	
Correspondence	
Eighth Grade Examination	
Fax Reports	
Food/Nutrition Service Program	
Health Log Book	
Immunization Records, Administrative	

Legal Case	
Legal Opinion and Advice	
Legislative Tracking	
Lobbyist	
Mitigation Program	
Notary Public Log Books	
Oregon School Register	
Organization	
Parent-Teacher Organization	
Policy and Planning	
Policy Statements and Directives	
Procedure Manuals	
Professional Membership	
Public Notice	
Reports and Studies	
Requests and Complaints	
Routing and Job Control	
School Census	
School, District or ESD History	
Special Education Census	
Special Event and Celebration	
Staff Meeting	
Standardization	
Student Information and Demographic	
Student Organization Administrative	
Superintendent of Schools	
Surveys, Polls and Questionnaires	
Test Administration	
Work Order	
Work Schedule and Assignment	
Year 2000 (Y2K) Planning	
Curriculum and Instruction Records	<u>166-400-0015</u>
Course Descriptions	
Curriculum Development Records	
Instructional Materials Selection and Adoption Records	
Talented and Gifted Program (TAG) Records	
Teacher Daily Instructional Plans	
Financial Records	<u>166-400-0025</u>
Accounts Payable Records	
Accounts Receivable Records	
Audit Reports	
Bank Transaction Records	
Bond Records	
Budget Preparation Records	
Budget Records	
Check Conversion Records	
Competitive Bid Records	
Credit and Debit Receipts	
Credit Slips	

Employee Bond Records	
Financial Reports	
General Ledgers	
Gift and Contribution Records	
Grant Records	
Investment Records	
Lease Records	
Petty Cash Fund Records	
Purchasing Records	
Revenue Records	
Signature Authorization Records	
Student Organization Financial Records	
Subsidiary Ledgers, Journals, and Registers	
Travel Expense Records	
Unclaimed Property Report Records	
Vendor Records	
Information and Records Management Records	<u>166-400-0030</u>
Computer System Maintenance Records	
Computer System Program Documentation	
Computer System Security Records	
Computer System Wiring Records	
Federal Communications Commission (FCC) License Records	
Filing System Records	
Forms Development Records	
Information Service Subscription Records	
Information System Planning and Development Records	
Microfilm and Image Quality Control Records	
Public Records Disclosure Request Records	
Records Management Records	
Software Management Records	
Telecommunications System Management Records	
User Support Records	
Library and Media Records	<u>166-400-0035</u>
Acquisition and Deaccession Records	
Audio-Visual Materials and Equipment Loan Records	
Circulation Records	
Copyright and Duplication Records	
Library and Media Inventory Records	
Library Catalog Records	
Supplemental Materials Selection and Adoption Records	
Payroll Records	<u>166-400-0045</u>
Deduction Authorization Records	
Deduction Registers	
Employee Payroll Records	
Employee Time and Attendance Records	
Federal and State Tax Records	
Garnishment Records	
Leave Applications	
Leave Balance Reports	

Payroll Administrative Reports	
Payroll Registers	
Unemployment Compensation Claim Records	
Unemployment Reports	
Wage and Tax Statements	
Withholding Allowance Certificates	
Personnel Records	<u>166-400-0050</u>
Affirmative Action Records	
Benefits Continuation Records	
Collective Bargaining Records	
Comparable Worth Study Records	
Compensation Plan Records	
Criminal Background Check Records	
Disciplinary Action Records	
Drug Testing Records	
Employee Benefits Records	
Employee Medical Records	
Employee Personnel Records	
Employee Recognition Records	
Employee Suggestion Award Records	
Employment Eligibility Verification Forms (I-9)	
Equal Employment Opportunity Commission Compliance Records	
Grievance Records	
Hazard Exposure Records	
Layoff, Dismissal, and Non-Renewal Records	
Personnel Research Records	
Photo Identification Records	
Position Description and Classification Records	
Recruitment and Selection Records	
Teacher Registration and Licensure (Certification) Records	
Training Program Records	
Volunteer Program Records	
Wellness Program Records	
Property and Equipment Records	<u>166-400-0020</u>
Architectural Drawings, Blueprints, and Maps	
Asbestos Management Records	
Building and Grounds Repair, Remodeling, and Construction Records	
Capital Construction Project Records	
Damaged/Stolen Property Records	
Equipment Loan Records	
Equipment Records	
Facility Use Records	
Hazardous Materials Management Records	
Inventory Records	
Property Disposition Records	
Property Records	
Underground Storage Tank Management Records	
Utilities Systems Operating and Maintenance Records	
Work Orders	

Safety and Risk Management Records.....	<u>166-400-0055</u>
Accident and Injury Reports	
Accident Insurance Fund Claim Records	
Contractor Liability Insurance Verification Records	
Contractor Performance Bond Records	
Disaster Preparedness Plan Records	
Emergency Response and Safety Plans and Procedures	
Hazard Communications Program Records	
Hazardous Substance Employer Survey Records	
Insurance Claim Records	
Insurance Policy Records	
Liability Claims Records	
Liability Waivers	
Master Material Safety Data Records	
Occupational Injury and Illness Records	
Property Damage Records	
Risk Factor Evaluation Records	
Safety Committee Records	
Safety Inspection and Compliance Records	
Tort Liability Claim Records	
Vehicle Accident Records	
Workers' Compensation Claim Records	
Workers' Compensation Reports	
School Administration Records.....	<u>166-400-0040</u>
Communication Logs	
District Boundary Records	
District Clerk's Records	
Interscholastic Athletic Activity Program Records	
Key and Keycard Records	
Mailing Lists	
Parking Records	
Postal Records	
Press Releases	
Publications	
Scheduling Records	
Security Records	
Student Handbooks	
Visitor Logs	
Student Education Records.....	<u>166-400-0060</u>
Alternative School Referral Records	
Attendance Records	
Behavioral Records, Major (Class/Group A)	
Behavioral Records, Minor (Class/Group B)	
Certificate of Advanced Mastery (CAM) Records	
Certificate of Initial Mastery (CIM) Records	
Child Abuse Reports	
Child Care Facility Residency Records	
Compensatory Education Programs Student Records	
Compulsory Attendance Excuse Records	

Education Counseling Records	
Educational Programs Student Records	
Grade Records	
Grade Reports, Administrative	
Grievance Records	
High School Dual Program Student Records	
Home Schooling Records	
Inter-District Transfer Agreement Records	
Intervention Programs Student Records	
Non-Resident Student Records	
Oregon Student Record	
Parental/Custodial Delegation Records	
Parent-Teacher Conference Records	
Personal/Locker Search Records	
Psychological Guidance and Counseling Records	
Registration Records	
Report Cards	
Special Education Student Records	
Student Athletic Activity Records	
Student Health Records	
Student Health Screening Records	
Student Immunization Records	
Transfer Application Records	
Truancy Records	
Tutoring Records	
Withdrawal Records	
Transportation Records	<u>166-400-0065</u>
Bus Driver Records	
Bus Incident and Vandalism Reports	
Bus Schedule and Route Records	
Bus Service Records	
Fuel Records	
Transportation Complaint Reports	
Transportation Safety Records	
Vehicle Maintenance Records	
Vehicle Records	
Vehicle Usage Records	

OSBA Model Sample Policy

Code: GBEA
Adopted:

Workplace Harassment *

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

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

“Workplace harassment” means conduct that constitutes discrimination prohibited by Oregon Revised Statute (ORS) 659A.030 (discrimination in employment based on race, color, religion, sex, sexual orientation, gender identity, national origin, marital status, age, or expunged juvenile record), including conduct that constitutes sexual assault¹ or that constitutes conduct prohibited by ORS 659A.082 (discrimination against person in uniformed service) or 659A.112 (discrimination in employment based on disability).

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

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

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

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

¹ “Sexual assault” means unwanted conduct of a sexual nature that is inflicted upon a person or compelled through the use of physical force, manipulation, threat or intimidation.

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

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

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

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

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

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

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

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

END OF POLICY

Legal Reference(s):

<u>ORS 174.100</u>	<u>ORS 659A.029</u>	<u>ORS 659A.820</u>
<u>ORS 243.317 - 243.323</u>	<u>ORS 659A.030</u>	<u>ORS 659A.875</u>
<u>ORS 659A.001</u>	<u>ORS 659A.082</u>	<u>ORS 659A.885</u>
<u>ORS 659A.003</u>	<u>ORS 659A.112</u>	<u>OAR 584-020-0040</u>
<u>ORS 659A.006</u>	<u>ORS 659A.370</u>	<u>OAR 584-020-0041</u>

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

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

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

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

House Bill 3041 (2021)

OSBA Model Sample Policy

Code: GCAA
Adopted:

Standards for Competent and Ethical Performance of Oregon Educators

Application of Rules

1. Oregon Administrative Rules were adopted by the Teacher Standards and Practices Commission (TSPC) in accordance with Oregon Revised Statutes (ORS).
2. Oregon Administrative Rules (OAR) may be used as criteria by the TSPC in matters pertaining to the revocation or suspension of licenses issued by the ~~commission~~ TSPC under Oregon ~~law~~ Revised Statutes (ORS) or the discipline of any license holder or any person who has held a license at any time within five years prior to issuance of the notice of charges under ~~Oregon Revised Statutes~~ ORS.
3. The ~~commission~~ TSPC determines whether an educator's performance is ethical or competent in light of all the facts and circumstances surrounding the educator's performance as a whole.
4. The ~~commission~~ TSPC will promptly investigate complaints:
 - a. The ~~commission~~ TSPC may at its discretion defer action to charge an educator against whom a complaint has been filed under ~~Oregon Revised Statutes~~ law when the investigation report indicates that disciplinary action against the educator is pending at the local district level or when criminal charges are pending or are likely to be filed against the educator. In considering whether to defer action to charge an educator, the ~~commission~~ TSPC shall consider all relevant circumstances including the nature and seriousness of the allegations and whether the educator is currently employed as a teacher or school administrator;
 - b. The executive secretary shall regularly inform the ~~commission~~ TSPC of the status of any complaints on which the ~~commission~~ TSPC has deferred action.

Definitions

The following definitions apply to Oregon Administrative Rules unless otherwise indicated by context:

1. "Administrator": any educator who holds a valid Oregon administrative license or registration and who works in a position requiring an administrative license;
2. "Competent": discharging required duties as set forth in these rules;
3. "Educator": any licensed or registered or certified person who is authorized to be engaged in the instructional program including teaching, counseling, school psychology, administering and supervising;
4. "Ethical": conforming to the professional standards of conduct set forth in these rules;
5. ~~"Sexual conduct": any conduct with a student that includes, but is not limited to:~~
 - a. ~~The intentional touching of the breast or sexual or other intimate parts of a student;~~

- b. ~~Causing, encouraging or permitting a student to touch the breast or sexual or other intimate parts of the educator;~~
- ~~Sexual advances or requests for sexual favors directed towards a student;~~
- e. ~~Verbal or physical conduct of a sexual nature when directed toward a student or when such conduct has the effect of unreasonably interfering with a student's educational performance or creates an intimidating, hostile or offensive educational environment; or~~
- ~~Verbal or physical conduct which has the effect of unreasonably interfering with a student's educational performance or creates an intimidating, hostile or offensive educational environment.~~

6.5. "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 that are:

- a. Sexual advances or requests for sexual favors directed toward the student; or
- b. Of a sexual nature that are directed toward the student or that have the effect of unreasonably interfering with the student's educational performance, or of creating an intimidating or hostile educational environment.

"Sexual conduct" does not include:

- a. Touching or other physical contact:
 - (1) That is necessitated by the nature of the district employee's job duties or by the services required to be provided by the contractor, agent, or volunteer; and
 - (2) For which there is no sexual intent.
- b. Verbal, written or electronic communications that are provided as party of an education program that meets the state educational standards or a policy approved by the Board
- c. Conduct or communications described in above if the district employee, contractor, agent or volunteer is also a student and the conduct or communications:
 - (1) Arise out of a consensual relationship between students;
 - (2) Do not create an intimidating or hostile educational environment; and
 - (3) Are not prohibited by law, any policies of the district or any applicable employment agreements.

7.6. "Sexual harassment": any unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

- a. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- b. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
- c. Such conduct unreasonably interferes with an individual's work performance or creates an intimidating, hostile or offensive working environment.

8.7. "Teacher": any person who holds a teacher's license as provided in ORS 342.125.

9.8. "Student": any individual enrolled in the state's public or private schools from preschool through high school graduation or any individual under the age of 18 means any person who is:

- a. In any grade from kindergarten through grade 12; or
- b. Twenty-one years of age or younger and receiving educational or related services from an education provider that is not a post-secondary institution of education; or
- c. 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 Competent Educator

The teacher or administrator demonstrates a commitment to:

1. Recognize the worth and dignity of all persons and respect for each individual;
2. Encourage scholarship;
3. Promote democratic and inclusive citizenship;
4. Raise educational standards;
5. Use professional judgment; and
6. Promote equitable learning opportunities.

Curriculum and Instruction

The competent educator measures success by the progress of each student toward realization of personal potential as a worthy and effective citizen. The competent educator stimulates the spirit of inquiry, the acquisition of knowledge and understanding and the thoughtful formulation of goals as they are appropriate for each individual.

The competent teacher demonstrates:

1. Use of state- and district-adopted curriculum and goals;
2. Skill in setting instructional goals and objectives expressed as learning outcomes;
3. Use of current subject matter appropriate to the individual needs of students;
4. Use of students' growth and development patterns to adjust instruction to individual needs consistent with number of students and amount of time available; and
5. Skill in the selection and use of teaching techniques conducive to student learning.

The competent administrator demonstrates:

1. Skill in assisting individual staff members to become more competent ~~teachers~~ educator by complying with federal, state and local law, rules and lawful and reasonable district policy and contracts;
2. Knowledge of curriculum and instruction appropriate to assignment;
3. Skill in implementing instructional programs through adequate communication with staff; and

4. Skill in identifying and initiating any needed change which helps each student toward realization of personal learning potential.

Supervision and Evaluation

The competent educator is a student of human behavior and uses this knowledge to provide a climate that is conducive to learning and that respects the rights of all persons without discrimination. The competent educator assumes responsibility for the activities planned and conducted through the district's program and assists colleagues to do the same. The competent educator gathers relevant information and uses it in the planning and evaluation of instructional activities.

The competent teacher ~~educator~~ demonstrates:

1. Multiple ways to assess the academic progress of individual students;
2. Skill in the application of assessment data to assist individual student growth;
3. Procedures for evaluating curriculum and instructional goals and practices;
4. Skill in the supervision of students; and
5. Skills in differentiating instruction.

The competent administrator demonstrates:

1. Skill in the use of assessment data to provide effective instructional programs;
2. Skill in the implementation of the district's student evaluation program;
3. Skill in providing equal opportunity for all students and staff; and
4. Skill in the use of employee and leadership techniques appropriate to the assignment and according to well-established standards which ensure due process for the staff for which the administrator is responsible for evaluating.

Management Skills

The competent educator is a person who understands students and is able to relate to them in constructive and culturally competent ways. The competent educator establishes and maintains good rapport. The competent educator maintains and uses records as required and as needed to assist the growth of students.

The competent teacher ~~educator~~ demonstrates skills in:

1. Establishing and maintaining classroom management that is conducive to learning;
2. Using and maintaining district property, equipment and materials appropriately;
3. Using and maintaining student records as required by federal and state law and district policies and procedures;

4. Using district and school business and financial procedures; and
5. Using district lawful and reasonable rules and regulations.

The competent administrator demonstrates:

1. Leadership skills in managing the school, its students, staff and programs as required by lawful and reasonable district policies, rules and regulations, state and federal laws and regulations and other programs as assigned and assures that staff is informed of these requirements; and
2. Skills in planning and staff utilization assignment.

Human Relations and Communications

The competent educator works effectively with others — students, staff, parents and patrons. The competent educator is aware of the ways the community identifies with the school, as well as community needs and ways the school program is designed to meet these needs. The competent educator can communicate with knowledge, clarity and judgment about educational matters, the school and the needs of students.

The competent teacher demonstrates:

1. Willingness to be flexible in cooperatively working with others; and
2. Skill in communicating with students, staff, parents and other patrons.

The competent administrator demonstrates:

1. Skill in helping students, staff, parents and other patrons to learn about the school, the district and its program;
2. Skills in communicating district and school goals to staff and the public;
3. Willingness to be flexible in cooperatively working with others; and
4. Skill in reconciling conflict.

The Ethical Educator

The ethical educator is a person who accepts the requirements of membership in the teaching profession and acts at all times in ethical ways. In so doing the ethical educator considers the needs of the students, the district and the profession.

The ethical educator, in fulfilling obligations to the student, will:

1. Keep the confidence entrusted in the profession as it relates to confidential information concerning a student and the student's family;
2. Refrain from exploiting professional relationships with any student for personal gain or in support of persons or issues; and

3. Maintain an appropriate professional student-~~educator~~^{teacher} relationship by:
 - a. Not demonstrating or expressing professionally inappropriate interest in a student's personal life;
 - b. Not accepting or giving or exchanging romantic or overly personal gifts or notes with a student;
 - c. Reporting to the educator's supervisor if the educator has reason to believe a student is, or may be, becoming romantically attached to the educator; and
 - d. Honoring appropriate adult boundaries with students in conduct and conversations at all times.

The ethical educator, in fulfilling obligations to the district, will:

1. Apply for, accept, offer or assign a position of responsibility only on the basis of professional qualifications and will adhere to the conditions of a contract or the terms of the appointment;
2. Conduct professional business, including grievances, through established lawful and reasonable procedures;
3. Strive for continued improvement and professional growth;
4. Accept no gratuities or gifts of significance that could influence judgment in the exercise of professional duties; and
5. Not use the district's or school's name, property or resources for noneducational benefit without approval of the educator's supervisor or the appointing authority.

The ethical educator, in fulfilling obligations to the profession, will:

1. Maintain the dignity of the profession by respecting and obeying the law, exemplifying personal integrity and honesty;
2. Extend equal treatment to all members of the profession in the exercise of their professional rights and responsibilities; and
3. Respond to requests for evaluation of colleagues and to keep such information confidential as appropriate; and
4. Respond to requests from a TSPC representative for information, furnish documents to TSPC, and participate in interviews with a TSPC representative relating to a TSPC investigation, except subject to the exercise of any legal right or privilege.

END OF POLICY

Legal Reference(s):

OAR 584-020-0000 - 0035

OSBA Model Sample Policy

Code: GCBDB/GDBDB

Adopted:

Early Return to Work

Efforts will be made, on a case-by-case basis, to reinstate ill or injured employees to work. The reinstatement will be within the requirements of the injury, the limitations of the law and the limitations of the district.

In the event an employee is not able to perform essential job functions completely after an illness or injury, the district will determine whether reasonable accommodations are appropriate that would provide a temporary light-duty assignment, restructuring of a position to include modified workdays, shift or part-time work, hours of work or modifications in facilities, equipment, special aids and services. Reasonable accommodations must not result in an undue hardship on the district.

If an employee cannot be reasonably accommodated in ~~his/her~~ their current position, the district will review alternative assignments. The employee, if qualified, will be offered an available vacant position with or without reasonable accommodations. If recovery is ongoing, sick leave is exhausted and no other assignment is possible, the district ~~will~~ may provide temporary unpaid leave as an accommodation in accordance with state and federal law.

The district will maintain current job descriptions for each position. Physical requirements for appropriate job categories will be established.

The superintendent will develop procedures as necessary to implement this policy.

END OF POLICY

Legal Reference(s):

ORS 659A.043

ORS 659A.046

OAR 436-110-00043 to -0900

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2016); 28 C.F.R. Part 35 (2016).
Americans with Disabilities Act Amendments Act of 2008.

OSBA Model Sample Policy

Code: GCDA/GDDA-AR
Revised/Reviewed:

Criminal Records Checks and Fingerprinting

Requirements

1. Any individual newly hired employee¹ [~~whether full-time or part-time,~~] and not requiring licensure under Oregon Revised Statute (ORS) 342.223 as a teacher, administrator, personnel specialist or school nurse, shall submit to a criminal records check and fingerprinting.
2. Any individual applying for reinstatement of an Oregon license with the Teacher Standards and Practices Commission (TSPC) that has lapsed for more than three years shall be required to undergo a criminal records check and fingerprinting with TSPC.
3. Any individual registering with the TSPC for student teaching, practicum or internship as a teacher, administrator or personnel specialist shall be required to submit to a criminal records check and fingerprinting with TSPC.
4. Any individual hired as or by a contractor² [~~whether part-time or full-time,~~] into a position having direct, unsupervised contact with students as determined by the district shall be required to submit to a criminal records check and fingerprinting.

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

5. Any community college faculty member providing instruction at the site of an early childhood education program, a school site as part of an early childhood program or at a grade K through 12 school site during the regular school day, shall be required to undergo a criminal records check and fingerprinting.
6. Any individual who is an employee of a public charter school not requiring licensure under ORS 342.223 shall be required to undergo a criminal records check and fingerprinting.
7. ^{3}A volunteer allowed by the district into a position that has direct, unsupervised contact with students shall undergo an in-state criminal records check.

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

² A person hired as or by a contractor and their employees may not be required to submit to fingerprinting until the contractor has been offered a contract by the district.

³ {If the district allows volunteers to have direct, unsupervised contact with students, districts are required to conduct criminal records checks on these volunteers. Choose the bracketed language options in 7, 8 and/or 9 of this policy that aligns with district practice. If the district allows volunteers to have direct, unsupervised contact with students the presented language is required. Align policy IICC – Volunteers with chosen language here.}

8. [A volunteer allowed to have direct, unsupervised contact with students, into a volunteer position identified in Board policy⁴ by the district as requiring a fingerprint-based criminal records check, shall undergo a state and national criminal records check based on fingerprints.]
9. {A volunteer that is not likely to have direct, unsupervised contact with students {will} [will not] be required to undergo an in-state criminal records check.}

Exceptions

A newly hired employee⁵ is not subject to fingerprinting if:

1. {The district has evidence on file that the employee-person successfully completed a state and national criminal records check for a previous employer that was a school district or private school, and has not resided outside the state between the two periods of employment; or
2. {⁶}The Oregon Department of Education (ODE) determines the person:
 - a. Submitted to a criminal records check for the person's immediately previous employer, the employer is a school district or private school and the person has not lived outside this state between the two periods of employment;
 - b. Submitted to a criminal records check conducted by TSPC within the previous three years; or
 - c. Remained continuously licensed or registered with the TSPC.

Notification

1. The district will provide the following notification to individuals subject to criminal records checks and/or fingerprinting:
 - a. Such criminal records checks and/or fingerprinting are required by law or Board policy;
 - b. Any action resulting from such checks completed by the Oregon Department of Education (ODE) that impact employment, contract or volunteering may be appealed as a contested case to ODE;
 - c. All employment or contract offers [or the ability to volunteer] are contingent upon the results of such checks;
 - d. A refusal to consent to a required criminal records check and/or fingerprinting shall result in immediate termination from employment, {or} contract status, or the ability to volunteer in the district;
 - e. An individual determined to have knowingly made a false statement as to the conviction of any crime on district employment applications, contracts, {or} ODE forms {(written or electronic)} {may} {will} result in immediate termination from employment or contract status;
 - f. An individual determined to have been convicted of any crime that would prohibit employment or contract will be immediately terminated from employment or contract status;{}
 - g. {A volunteer candidate who knowingly made a false statement or has a conviction of the crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number {may} [will] result in immediate termination from the ability to volunteer in the district.} {The district {may} [will] remove the volunteer from the position allowing direct, unsupervised contact with students.}

⁴ See policy GCDA/GDDA – Criminal Records Checks and Fingerprinting.

⁵ Any individual hired within the last three months.

⁶ {This revision to TSPC rules sunsets July 1, 2024.}

2. The district will provide the written notice described above through means such as staff handbooks, employment applications, contracts or ~~volunteer~~ forms.

Processing and Reporting Procedures

1. Immediately following an offer and acceptance of employment or contract, an individual subject to criminal records checks and/or fingerprinting shall complete the appropriate forms authorizing such checks and report to an authorized fingerprinter as directed by the district. The district shall send such authorization, any collection of fingerprint information, and the request to ODE pursuant to law.
2. Fingerprints may be collected by one of the following:
 - a. Employing district staff;
 - b. Contracted agent of employing district; or
 - c. Local or state law enforcement agency.
3. To ensure the integrity of the fingerprinting collection and prevent any compromise of the process, the district will provide the name of the individual to be fingerprinted to the authorized fingerprinter.
4. The authorized fingerprinter will obtain the necessary identification and fingerprinting and notify ODE of the results. ODE will then review and notify the district of said results as well as the identity of any individual it believes has knowingly made a false statement as to conviction of a crime, has knowingly made a false statement as to conviction of any crime or has a conviction of a crime prohibiting employment, ~~for~~ contract or volunteering.
5. A copy of the fingerprinting results will be kept by the district.

Fees

1. Fees associated with criminal records checks and/or fingerprinting for individuals applying for employment with the district and not requiring licensure, including persons hired as or by contractors⁷, shall be paid by the ~~individual~~ district.
2. ~~Any individual offered a contract or employment by the district may, only upon request, request that the amount of the fee be withheld from the amount otherwise due the individual in accordance with Oregon law.~~
3. Fees associated with required criminal records checks for volunteers shall be paid by the ~~individual~~ district.
4. ~~Fees associated with a required fingerprinting for volunteers shall be paid by the individual~~ district.

Termination of Employment or Withdrawal of Employment/Contract Offer/Volunteer Status

1. A subject individual required to submit to a criminal records check and/or fingerprinting in accordance with law and/or Board policy will be terminated from employment or contract status, or withdrawal of offer of employment or contract will be made by the district upon:
 - a. Refusal to consent to a criminal records check and/or fingerprinting; or

⁷ A person hired as or by a contractor and their employees may not be required to submit to fingerprinting until the contractor has been offered a contract by the district.

- b. Notification⁸ from the Superintendent of Public Instruction that the employee has a conviction of any crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number.
- 2. A subject individual ~~may~~ ~~will~~ be terminated from employment or contract status upon notification from the Superintendent of Public Instruction that the employee has knowingly made a false statement as to the conviction of any crime.
- 3. Employment termination shall remove the individual from any district policies, collective bargaining provisions regarding dismissal procedures and appeals and the provisions of Accountability for Schools for the 21st Century Law.
- 4. ~~{~~A volunteer who refuses to submit, when required, to a criminal records check or a fingerprint-based criminal records check in accordance with law and/or Board policy will be denied such ability to volunteer in the district.~~}~~
- 5. ~~{~~If the district has been notified by the Superintendent of Public Instruction that a volunteer knowingly made a false statement or has a conviction for any crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number, the individual ~~will~~ ~~may~~ be denied the ability to volunteer.~~}~~
- 6. ~~{~~A volunteer who knowingly makes a false statement, as determined by the district, on a district volunteer application form ~~will~~ ~~may~~ be denied the ability to volunteer in the district.~~}~~

Appeals

A subject individual may appeal a determination from ODE that prevents employment or eligibility to contract with the district to the Superintendent of Public Instruction as a contested case under ORS 183.413 – 183.470.

A volunteer may appeal a determination from a fingerprint-based criminal records checks by ODE that prevents the ability to volunteer with the district to the Superintendent of Public Instruction as a contested case under ORS 183.413 – 183.470.

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

OSBA Model Sample Policy

Code: GCPA
Adopted:

Reduction or Recall of Licensed Staff *

When the Board is considering a reduction of staff due to a lack of funds to continue the educational program at its anticipated level or due to the elimination or adjustment of classes due to an administrative decision, it will discuss the matter at a regular or special Board meeting and will consider such factors and alternatives it deems necessary to arrive at a decision.

Using the goals and priorities of the district, the Board shall direct the superintendent to prepare a reduction plan identifying which programs are to be reduced or eliminated for Board approval. As a result of the program reductions or elimination, the superintendent shall bring a list of positions to be cut or eliminated to the Board for approval. The district shall consider cultural or linguistic expertise and seniority, and may consider merit and competence, in accordance with Oregon law.¹

Nothing in this policy is intended to interfere with the right of the district to discharge, remove or fail to renew the contract of a probationary teacher, or to not extend the contract of or dismiss a contract teacher pursuant to the provisions of the Accountability for Schools for the 21st Century Law².

END OF POLICY

Legal Reference(s):

ORS 342.805 - 342.910

ORS 342.934

¹ See ORS 342.934 (HB 2001 (2021)) for definitions and requirements.

² ORS 342.805 to 342.937.

OSBA Model Sample Policy

Code: GCPA-AR
Adopted:

Reduction or Recall of Licensed Staff

The Board will make the final decision on programs to be kept, cut or eliminated following a review of the reduction plan developed by the superintendent. The Board will determine when staff layoffs become necessary, and will approve positions to be cut or limited as after receiving a recommendation from the superintendent.¹ Individuals that may be impacted by the layoff shall not be discussed by the Board. The affected employees shall be notified within a reasonable time.

Definitions

1. “Competence” means the ability of a teacher to teach a subject or grade level based on consideration of any of the following:
 - a. Teaching experience within the past five years related to the subject or grade level;
 - b. Educational attainments, which may not be based solely on being licensed to teach; or
 - c. The teacher’s willingness to undergo additional training or pursue additional education.
2. “Cultural or linguistic expertise” means the expertise of one teacher, as measured against the expertise of another teacher, based on consideration of any of the following factors:
 - a. A teacher’s linguistic ability in relation to an in-district language, as determined by the district using a method of verification or attestation of fluency for all in-district languages;
 - b. A teacher’s completion of a teacher pathway program that is implemented by a teacher pathway partnership at the national, state, regional or local level and that has the primary focus of increasing the number of culturally or linguistically diverse teachers; or
 - c. A teacher’s current work assignment that requires the teacher to work at least 50 percent of the teacher’s work assignment time:
 - (1) At a school where at least 25 percent of the student population consists of students from a historically underserved background, if the teacher is assigned to one school; or
 - (2) At programs, schools or school districts where at least 25 percent of the student population consists of students from a historically underserved background, if the teacher is assigned to multiple programs, schools or school districts.
3. “In-district language” means a heritage language or a language other than English that is spoken:
 - a. By five percent or more of the students enrolled at the school where a teacher is assigned or, if the teacher is not assigned to a school, of the students enrolled in the schools of the district; or
 - b. At five percent or more of the homes of the students enrolled at the school where a teacher is assigned or, if the teacher is not assigned to a school, of the homes of the students enrolled in

¹ Districts are encouraged to consult with legal counsel and any applicable collective bargaining agreements prior to taking any action on reductions of staff.

the schools of the district. “Merit” means the measurement of one teacher’s ability and effectiveness against the ability and effectiveness of another teacher.

4. “Qualified” means the measurement of the teacher’s ability to teach the particular grade level or subject matter in which the teacher is placed after the reduction in force.
5. “Qualified teacher with cultural or linguistic expertise” means a teacher who:
 - a. Has more cultural or linguistic expertise than a teacher with more or equal seniority; and
 - b. Holds proper licenses or other credentials to fill a remaining position.
6. “Student from a historically underserved background” includes a student who:
 - a. Is an English language learner;
 - b. Is from a racial or ethnic group that has historically experienced academic disparities, including racial or ethnic groups for which a statewide education plan has been developed under ORS 329.841, 329.843 or 329.845 for students who are black, African-American, American Indian, Alaska Native, Latino or Hispanic;
 - c. Is economically disadvantaged; or
 - d. Has a disability.
7. “Teacher” has the meaning given that term in ORS 342.120.²

Procedures

When determining which teachers will be retained when the district reduces staff, the district shall prioritize seniority, except as follows:

1. A district shall retain a qualified teacher with cultural or linguistic expertise who has less seniority if the release of the less senior teacher would result in a lesser proportion of teachers with cultural or linguistic expertise compared to teachers without cultural or linguistic expertise.
2. If a qualified teacher with cultural or linguistic expertise is retained as described above and the district is determining which teachers to retain who do not have cultural or linguistic expertise, the district shall prioritize:
 - a. Seniority²; or
 - b. Competence or merit in accordance with law.
3. The district may retain a teacher with less seniority than a teacher being released if the district determines that the teacher being retained has more competence or merit than the teacher with more seniority who is being released.

The district shall not agree in any collective bargaining agreement to waive the right to consider competence in making decisions about reduction in staff or recall of staff. Retained teachers will be properly licensed and qualified, as defined in Oregon statutes, for the positions they fill.

² Seniority shall be calculated from the first day of actual service as teachers with the district, inclusive of approved leaves of absence. In the event there is a tie in calculating seniority, it shall be broken by drawing lots.

The district will develop criteria and procedures for identifying in-district languages, verifying teacher language abilities, reviewing teacher pathway programs and determining which teachers teach in schools with 25 percent or more students from a historically underserved population. Procedures and timelines will be communicated to teachers.

Recall

A teacher who was released due to a reduction in staff will be eligible for recall for 27 months after the last date of release, unless waived by a rejection of a specific position. No new teacher shall be hired to any position until all staff who remain on a recall list who are licensed and qualified for the position have been given an opportunity to accept the position.

The district shall notify teachers on the recall list of a position opening by registered letter, return receipt requested, at their last known address. Teachers shall have ~~47~~ calendar days from receipt of such notification in which to indicate their acceptance or rejection of the position and an additional ~~14~~ days from date of acceptance in which to begin active employment unless otherwise mutually agreed upon.

If the teacher rejects any position offered for which the teacher is licensed and qualified, or the teacher fails to respond within the specified timeline, the teacher shall forfeit all recall rights.

Staff returning to work shall have all previously accrued sick leave and seniority reinstated, but shall not receive benefits for the period of the release.

Teachers will have recall rights for a maximum 27-month period. If they choose, released teachers may maintain their district insurance and health plans by paying their own premiums as prescribed by law, subject to the rules of the insurance carrier.

~~[Teachers affected by a reduction in staff may be placed on the substitute list for any position requested when released. They will be notified for those positions requested before other substitutes are notified.]~~

OSBA Model Sample Policy

Code: GCQB
Adopted:

Research

District staff Employees are encouraged to participate in research for the development and improvement of education. If an employee plans Staff who propose to engage in a research, e.g., study toward advanced work or for use in classroom instruction, project during the workday or using district resources or students, either for study toward advanced work or for use in classroom instruction, approval must be secured from will submit a proposal to the [superintendent] [principal] for approval the superintendent prior to commencing such research. If approved, and the study results in material or practices which would may be useful to other employees district staff, it is recommended that it such will be reviewed by [administration] and may be made available for distribution throughout the district as determined by administration. For the protection of all concerned, privacy rights of students or other individuals involved in research such projects research must be protected.

Research which is conducted by or for a nondistrict employee individual or organization must be approved by the superintendent [or designee].

END OF POLICY

Legal Reference(s):

ORS 332.107

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (20122018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (20162022).

Protection of Pupil Rights, 20 U.S.C. § 1232h (20122018); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (20162022).

OSBA Model Sample Policy

Code: GDA

Adopted:

Instructional Assistants^{1}

Instructional assistants shall be hired by the superintendent.

All instructional assistants² must:

1. Have a high school diploma or the equivalent;
2. Be at least 18 years of age or older; and
3. Have standards of moral character as required of teachers.

In addition to the above, instructional assistants providing translation services must have demonstrated proficiency and fluency, knowledge of and ability to provide accurate translations from a language other than English into English and from English into another language.

Instructional assistants³ who work in Title IA programs and provide instructional support must have:

1. Completed at least two years of study at an institution of higher education; or
2. Obtained an associate's or higher degree; or
3. Met a rigorous standard of quality, and can demonstrate, through a formal state or local academic assessment or para-professional certificate program, knowledge of, and the ability to assist in instructing, as appropriate, reading/language arts, writing and mathematics or reading readiness, writing readiness and mathematics readiness.

¹ {Various laws, references and guidance documents use different terms in place of "instructional assistant." Districts should use the term that is commonly used in their district.}

² "Instructional assistant" means a classified school employee who does not require a license to teach, who is employed by a school district or education service district and whose assignment consists of and is limited to assisting a licensed teacher in accordance with the rules established by the TSPC.

³ Instructional assistants may be assigned to: (1) provide one-on-one tutoring for eligible students, if the tutoring is scheduled at a time when a student would not otherwise receive instruction from a teacher; (2) assist with classroom management, such as organizing instructional and other materials; (3) provide assistance in a computer laboratory; (4) conduct parental involvement activities; (5) provide support in a library or media center; (6) act as a translator; or (7) provide instructional services to students while working under the direct supervision of a teacher. Instructional assistants may assume limited duties that are assigned to similar personnel who are not working in a program supported with Title IA funds, including duties beyond classroom instruction or that do not benefit participating children, so long as the amount of time spent on such duties is the same proportion of total work time as prevails with respect to similar personnel at the same school.

These requirements do not apply to an instructional assistant: (1) who is proficient in English and a language other than English and who provides services primarily to enhance the participation of children in Title IA programs by acting as a translator; or (2) whose duties consist solely of conducting parental involvement activities.

~~[[The district ~~will~~ will not] require individuals newly hired as Title IA instructional assistants who have met another district's academic assessment to meet the district's academic assessment standards.]~~

The general responsibilities of an instructional assistant shall be outlined in a job description. The major responsibility shall be to assist the classroom teacher, specialist or supervisor or related service provider with instruction and/or support. The instructional assistants shall be under the supervision of the appropriately licensed classroom teachers, specialist or supervisor. Other supporting tasks may include, but are not limited to: clerical support, student control, personal care, translation or parent and family involvement activities and media center or computer laboratory support.

Instructional assistants shall not be used by the district or teacher as substitute teachers. The responsibility for classroom supervision remains with the teacher at all times.

END OF POLICY

Legal Reference(s):

- | | | |
|--------------------|----------------------------|---|
| <u>ORS 332.107</u> | <u>ORS 342.120</u> | <u>OAR 581-037-0005 to 0025</u> |
| <u>ORS 332.505</u> | <u>OAR 581-022-2400(2)</u> | <u>OAR 584-005-0005(20),(2728),(44)</u> |

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, as amended, 38 U.S.C. § 4212 (20122018).
Title II of the Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (2018); 29 C.F.R. Part 1635 (2022).
Section 503 of the Rehabilitation Act of 1973, 29 U.S.C. § 791, 793-794 (2018).

OSBA Model Sample Policy

Code: IFE
Adopted:

Curriculum Guides and Course Outlines

Curriculum guides and course outlines will be written for all courses offered in the district. Academic content standards¹ and Essential Skills as adopted by the State Board of Education will be included. Teachers are expected to adhere closely to the course of study adopted by the district. Information regarding course offerings will be made available to all students and interested district patrons, upon request.

END OF POLICY

Legal Reference(s):

ORS 332.075(1)
ORS 336.035

OAR 581-021-0046
OAR 581-022-2000
OAR 581-022-2030
OAR 581-022-2250

OAR 581-022-2300
OAR 581-022-2305
OAR 581-022-2310
OAR 581-022-2315

¹ [The proficiency in Essential Skills requirement has been waived and is not a condition of receiving a high school diploma during the 2021-2022, 2022-2023 or 2023-2024 school year (Senate Bill 744, 2021).]

OSBA Model Sample Policy

Code: IGAC
Adopted:

Religion and Schools

Teachers shall be permitted to teach or present to students information concerning religions and religious beliefs, but teachers shall not promote or inhibit, openly or covertly or by subtlety, a particular religion, religious belief or nonreligious belief.

Students and staff members may be excused from participating in programs or activities which are contrary to their religious beliefs without penalty.

END OF POLICY

Legal Reference(s):

ORS 332.107

ORS 336.035

U.S. Const. amend. I.

OR. CONST., art. I.

Kennedy v. Bremerton Sch. Dist., 142 S. Ct. 2407 (2022) 869 F.3d 813 (9th Cir. 2017).

OSBA Model Sample Policy

Code: IGAI
Adopted:

Human Sexuality, AIDS/HIV, Sexually Transmitted Diseases, Health Education**

The district shall provide an age appropriate, comprehensive plan of instruction focusing on human sexuality, HIV/AIDS and sexually transmitted infections and disease prevention in elementary and secondary schools as an integral part of health education and other subjects. Course material and instruction for all human sexuality education courses that discuss human sexuality shall enhance a student's understanding of sexuality as a normal and healthy aspect of human development. A part of the comprehensive plan of instruction shall provide age-appropriate child sexual abuse prevention instruction for students in kindergarten through grade 12. The district must provide a minimum of four instructional sessions annually; one instructional session is equal to one standard class period. In addition, the HIV/AIDS and sexually transmitted infections and disease prevention education and the human sexuality education comprehensive plan shall provide adequate instruction at least annually, for all students in grades 6 through 8 and at least twice during grades 9 through 12.

Parents, teachers, school administrators, local health departments staff, other community representatives and persons from the medical community who are knowledgeable of the latest scientific information and effective education strategies shall develop the plan of instruction and align it with the Oregon Health Education Standards and Benchmarks.

The Board shall approve the plan of instruction and require that it be reviewed and updated biennially in accordance with new scientific information and effective educational strategies.

Parents of minor students shall be notified in advance of any human sexuality or AIDS/HIV instruction. Any parent may request that their child be excused from that portion of the instructional program under the procedures set forth in Oregon Revised Statute (ORS) 336.035(2).

The comprehensive plan of instruction shall include the following information that:

1. Promotes abstinence for school-age youth and mutually monogamous relationships with an uninfected partner for adults;
2. Allays those fears concerning HIV that are scientifically groundless;
3. Is balanced and medically accurate;
4. Provides balanced, accurate information and skills-based instruction on risks and benefits of contraceptives, condoms and other disease reduction measures;
5. Discusses responsible sexual behaviors and hygienic practices which may reduce or eliminate unintended pregnancy, exposure to HIV, hepatitis B/C and other sexually transmitted infections and diseases;
6. Stresses the risks of behaviors such as the sharing of needles or syringes for injecting illegal drugs and controlled substances;

7. Discusses the characteristics of the emotional, physical and psychological aspects of a healthy relationship;
8. Discusses the benefits of delaying pregnancy beyond the adolescent years as a means to better ensure a healthy future for parents and their children. The student shall be provided with statistics based on the latest medical information regarding both the health benefits and the possible side effects of all forms of contraceptives including the success and failure rates for prevention of pregnancy, sexually transmitted infections and diseases;
9. Stresses that HIV/STDs and hepatitis B/C can be possible hazards of sexual contact;
10. Provides students with information about Oregon laws that address young people's rights and responsibilities relating to childbearing and parenting;
11. Advises students of consequences of having sexual relations with persons younger than 18 years of age to whom they are not married;
12. Encourages family communication and involvement and helps students learn to make responsible, respectful and healthy decisions;
13. Teaches that no form of sexual expression or behavior is acceptable when it physically or emotionally harms oneself or others and that it is wrong to take advantage of or exploit another person;
14. Teaches that consent is an essential component of healthy sexual behavior. Course material shall promote positive attitudes and behaviors related to healthy relationships and sexuality, and encourage active student bystander behavior;
15. Teaches students how to identify and respond to attitudes and behaviors which contribute to sexual violence;
16. Validates the importance of one's honesty, respect for each person's dignity and well-being, and responsibility for one's actions;
17. Uses inclusive materials and strategies that recognizes different sexual orientations, gender identities and gender expression;
18. Includes information about relevant community resources, how to access these resources, and the laws that protect the rights of minors to anonymously access these resources; and
19. Is culturally inclusive.

The comprehensive plan of instruction shall emphasize skills-based instruction that:

1. Assists students to develop and practice effective communication skills, development of self-esteem and ability to resist peer pressure;
2. Provides students with the opportunity to learn about and personalize peer, media, technology and community influences that both positively and negatively impact their attitudes and decisions related

to healthy sexuality, relationships and sexual behaviors, including decisions to abstain from sexual intercourse;

3. Enhances students' ability to access valid health information and resources related to their sexual health;
4. Teaches how to develop and communicate sexual and reproductive boundaries;
5. Is research based, evidence based or best practice; and
6. Aligns with the Oregon Health Education Content Standards and Benchmarks.

All sexuality education programs emphasize that abstinence from sexual intercourse, when practiced consistently and correctly, is the only 100 percent effective method against unintended pregnancy, sexually transmitted HIV and hepatitis B/C infection and other sexually transmitted infections and diseases.

Abstinence is to be stressed, but not to the exclusion of contraceptives and condoms for preventing unintended pregnancy, HIV infection, hepatitis B/C infection and other sexually transmitted infections and diseases. Such courses are to acknowledge the value of abstinence while not devaluing or ignoring those students who have had or are having sexual relationships. Further, sexuality education materials, including instructional strategies, and activities must not, in any way use shame or fear-based tactics.

Materials and information shall be presented in a manner sensitive to the fact that there are students who have experienced, perpetrated or witnessed sexual abuse and relationship violence.

The district's health and sexuality education will provide information on menstrual health and will be inclusive and affirming of transgender, non-binary, intersex, and two spirit/indigiqueer students; be positive and not fear- or shame-based; be age-appropriate; be medically-accurate; be culturally responsive; and be accessible for students with disabilities.

END OF POLICY

Legal Reference(s):

ORS 336.035

ORS 336.059

ORS 336.107

ORS 336.455 - 336.4754

ORS 339.370 - 339.400

OAR 581-021-0009

OAR 581-021-0593

OAR 581-022-2030

OAR 581-022-2050

OAR 581-022-2220

OSBA Model Sample Policy

Code: IGBAF
Adopted:

Special Education - Individualized Education Program (IEP)**

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

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

END OF POLICY

Legal Reference(s):

ORS 343.151
ORS 343.155

OAR 581-015-2000
OAR 581-015-2190
OAR 581-015-2195
OAR 581-015-2200

OAR 581-015-2205
OAR 581-015-2210
OAR 581-015-2215
OAR 581-015-2220
OAR 581-015-2225
OAR 581-015-2229
OAR 581-015-2230

OAR 581-015-2235
OAR 581-015-2055
OAR 581-015-2600
OAR 581-015-2065
OAR 581-015-2265

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

OSBA Model Sample Policy

Code: IGBAF-AR

Adopted/Revised/Reviewed:

{This AR is designated as required because the district is required to do everything in this AR. Having this AR may help demonstrate compliance during the ODE audit process.}

Special Education - Individualized Education Program (IEP)**

1. General IEP Information

- a. The district ensures that an IEP is in effect for each eligible student:
 - (1) Before special education and related services are provided to a student;
 - (2) At the beginning of each school year for each student with a disability for whom the district is responsible; and
 - (3) Before the district implements all the special education and related services, including program modifications, supports and/or supplementary aids and services, as identified on the IEP.
- b. The district uses:
 - (1) The Oregon standard IEP; or
 - (2) An IEP form that has been approved by the Oregon Department of Education.
- c. The district develops and implements all provisions of the IEP as soon as possible following the IEP meeting.
- d. The IEP will be accessible to each of the student's regular education teacher(s), the student's special education teacher(s) and the student's related services provider(s) and other service provider(s).
- e. The district takes steps to ensure that parent(s) are present at each IEP meeting or have the opportunity to participate through other means.
- f. The district ensures that each teacher and service provider is informed of:
 - (1) Their specific responsibilities for implementing the IEP specific accommodations, modifications and/or supports that must be provided for, or on behalf of the student; and
 - (2) Their responsibility to fully implement the IEP including any amendments the district and parents agreed to make between annual reviews.

The district takes whatever action is necessary to ensure that parents understand the proceedings of the IEP team meeting, including arranging for an interpreter for parents with deafness or whose native language is other than English.

- g. The district provides a copy of the IEP to the parents at no cost.

2. IEP Meetings

- a. The district conducts IEP meetings within 30 calendar days of the determination that the student is eligible for special education and related services.
- b. The district convenes IEP meetings for each eligible student periodically, but not less than once per year.
- c. At IEP meetings, the team reviews and revises the IEP to address any lack of expected progress toward annual goals and in the general curriculum, new evaluation data or new information from the parent(s), the student's anticipated needs, or the need to address other matters.
- d. Between annual IEP meetings, the district and the parent(s) may amend or modify the student's current IEP without convening an IEP team meeting using the procedures in the Agreement to Amend or Modify IEP subsection.
- e. When the parent(s) requests a meeting, the district will either schedule a meeting within a reasonable time or provide timely written prior notice of the district's refusal to hold a meeting.
- f. If an agency other than the district fails to provide agreed upon transition services contained in the IEP, the district convenes an IEP meeting to plan alternative strategies to meet the transition objectives and, if necessary, to revise the IEP.

3. IEP Team Members

- a. The district's IEP team members include the following:
 - (1) The student's parent(s);
 - (2) The student, if the purpose of the IEP meeting is to consider the student's postsecondary goals and transition services (beginning for IEPs in effect at age 16), or for younger students, when appropriate;
 - (3) At least one of the student's special education teachers or, if appropriate, at least one of the student's special education providers;
 - (4) At least one of the student's regular education teachers if the student is or may be participating in the regular education environment. If the student has more than one regular education teacher, the district will determine which teacher or teachers will participate;
 - (5) A representative of the district (who may also be another member of the team) who is qualified to provide or supervise the provision of special education and is knowledgeable about district resources. The representative of the district will have the authority to commit district resources and be able to ensure that all services identified in the IEP can be delivered;
 - (6) An individual, who may also be another member of the team, who can interpret the instructional implications of the evaluation results; and
 - (7) At the discretion of the parent or district, other persons who have knowledge or special expertise regarding the student.
- b. Student participation:
 - (1) Whenever appropriate, the student with a disability is a member of the team.
 - (2) If the purpose of the IEP meeting includes consideration of postsecondary goals and transition services for the student, the district includes the student in the IEP team meeting.

- (3) If the purpose of the IEP meeting includes consideration of postsecondary goals and transition services for the student, and the student does not attend the meeting, the district will take other steps to consider the student's preferences and interests in developing the IEP.

c. Participation by other agencies:

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

4. Agreement for Nonattendance and Excusal

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

5. IEP Content

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

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

6. Individualized COVID-19 Recovery Services¹

¹ The requirements of this section are in effect until July 1, 2023 unless extended by the State Board of Education.

Individualized COVID-19 Recovery Services are defined as those services determined necessary for eligible students based on the unique needs that arise from their disability due to the impact of the COVID-19 pandemic, which may include but are not limited to:

- a. Special education and related services;
- b. Supplementary aides and services;
- c. Additional or intensified instruction;
- d. Social emotional learning support; and
- e. Peer or adult support.

The IEP team for each eligible student shall consider the need for Individualized COVID-19 Recovery Services at least at each initial IEP meeting and each regularly scheduled annual review meeting.

- a. IEP teams shall consider the impact COVID-19 on the eligible student's ability to engage in their education, develop and re-establish social connections with peers and school personnel, and adapt to the structure of in-person learning.
- b. For initial IEPs, IEP teams shall also review the impact of COVID-19 on the eligible student's initial evaluation timeline and eligibility determination in considering the need for Individualized COVID-19 Recovery Services.
- c. For annual reviews, IEP teams shall also consider the impact of COVID-19 on the implementation of the eligible student's IEP considering the need for Individualized COVID-19 Recovery Services.

Any member of the IEP team, including parents and eligible students, may request that the IEP team meet to review the need for Individualized COVID-19 Recovery Services at any time.

- a. IEP teams are not required to meet more than once annually to consider the need for Individualized COVID-19 Recovery Services unless updated information indicates the eligible student's circumstances have changed or there is reason to suspect that the eligible student may need any additions or modifications to their Individualized COVID-19 Recovery Services.
- b. IEP teams that considered the need for Individualized COVID-19 Recovery Services at an initial IEP or annual review meeting on or after June 24, 2021 shall review the need for Individualized COVID-19 Recovery Services at the next annual review, but are not required to do so before then unless the eligible student's circumstances have changed or there is reason to suspect that the eligible student may need any additions or modifications to their Individualized COVID-19 Recovery Services.

When Individualized COVID-19 Recovery Services are recommended, the eligible student's IEP must be updated to reflect the recommendation.

The district or program shall provide written notice to the parents of each eligible student regarding the opportunity for the IEP team to meet to consider Individualized COVID-19 Recovery Services.

After each determination is made, the district or program shall provide written notice to the parent and/or adult student with a disability regarding the determination of need for Individualized COVID-19 Recovery Services. This notice shall include the following documentation:

- a. A statement of the Individualized COVID-19 Recovery Services recommended based on the meaningful input of all IEP team members, including parents and eligible students, as appropriate;
- b. The projected dates for initiation and duration of Individualized COVID-19 Recovery Services
- c. The anticipated frequency, amount, location, and provider of the services described in item a. above and whether these services are being provided within the standard instructional day for the eligible student.

If the district and parent hold an IEP meeting to discuss the need for Individualized COVID-19 Recovery Services and do not reach an agreement regarding such services, the district and parent may request a Facilitated IEP meeting. If the district and the parent choose to participate in a Facilitated IEP meeting, the district shall notify ODE.

Nothing in this section shall affect or otherwise alter a parent's right to seek mediation under OAR 581-015-2335, request a due process hearing under OAR 581-015-2345, a complaint under OAR 581-015-2030, or other parental rights under the procedural safeguards.

Nothing in this section relieves the district of its duty to create an appropriate IEP for every eligible student, regardless of whether the eligible student requires Individualized COVID-19 Recovery Services.

7. Agreement to Amend or Modify IEP

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

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

8. IEP Team Considerations and Special Factors

- a. In developing, reviewing and revising the IEP, the IEP team considers:
 - (1) The strengths of the student and concerns of the parent for enhancing the education of the student;
 - (2) The results of the initial or most recent evaluation of the student;
 - (3) As appropriate, the results of the student's performance on any general state or districtwide assessments;
 - (4) The academic, developmental and functional needs of the child.

- b. In developing, reviewing and revising the student's IEP, the IEP team considers the following special factors:
- (1) The communication needs of the student; and
 - (2) The need for assistive technology services and/or devices.
- c. As appropriate, the IEP team also considers the following special factors:
- (1) For a student whose behavior impedes their learning or that of others, strategies, positive behavioral intervention and supports to address that behavior;
 - (2) For a student with limited English proficiency, the language needs of the student as those needs relate to the IEP;
 - (3) For a student who is blind or visually impaired, instruction in Braille and the use of Braille unless the IEP team determines (after an evaluation of reading and writing skills, needs and media, including evaluation of future needs for instruction in Braille or the use of Braille, appropriate reading and writing), that instruction in Braille or the use of Braille is not appropriate;
 - (4) For a student who is deaf or hard of hearing, the student's language and communication needs, including opportunities for direct communication with peers and professional personnel in the student's language and communication mode, academic level and full range of needs, including opportunities for direct instruction in the student's language and communication mode;
 - (5) If a student is deaf, deafblind, or hard of hearing, the district will provide information about relevant services and placements offered by the school district, the education service district, regional programs, and the Oregon School for the Deaf; and
 - (6) A statement of any device or service needed for the student to receive a free appropriate public education (FAPE).
- d. In addition to the above IEP contents, the IEP for each eligible student of transition age includes:
- (1) Beginning not later than the first IEP in effect when the student turns 16, or as early as 14 or younger, if determined appropriate by the IEP team (including parent(s)), and updated annually thereafter, the IEP must include:
 - (a) Appropriate measurable postsecondary goals based upon age-appropriate transition assessments related to training education, employment, and where appropriate, independent living skills; and
 - (b) The transition services (including courses of study) needed to assist the student in reaching those goals.

Regarding employment planning, the parent shall be provided information about and opportunities to experience employment services provided by Oregon Vocational Rehabilitation or the Oregon Office of Developmental Disability Services. These services must be provided in a competitive integrated employment setting, as defined by Oregon Administrative Rule (OAR) 411-345-0020. Information about these services shall also be provided to the parent by the district

at each annual review for IEPs to be in effect when the child turns 16, or as early as 14 or younger, if determined appropriate by the IEP team (including parent(s)).

- (2) At least one year before a student reaches the age of majority (student reaches the age of 18, or has married or been emancipated, whichever occurs first), a statement that the district has informed the student that all procedural rights will transfer at the age of majority; and
 - (3) If identified transition service providers, other than the district, fail to provide any of the services identified on the IEP, the district will initiate an IEP meeting as soon as possible to address alternative strategies and revise the IEP if necessary.
- e. To promote self-determination and independence, the district shall provide the student and the student's parents with information and training resources regarding supported decision-making as a less restrictive alternative to guardianship, and with information and resources regarding strategies to remain engaged in the student's secondary education and post-school outcomes. The district shall provide this information at each IEP meeting that includes discussion of post-secondary education goals and transition services.

9. Incarcerated Youth

- a. For students with disabilities who are convicted as adults, incarcerated in adult correctional facilities and otherwise entitled to FAPE, the following IEP requirements do not apply:
 - (1) Participation of students with disabilities in state and districtwide assessment; and
 - (2) Transition planning and transition services, for students whose eligibility will end because of their age before they will be eligible to be released from an adult correctional facility based on consideration of their sentence and eligibility for early release.
- b. The IEP team may modify the student's IEP, if the state has demonstrated a bona fide security or other compelling interest that cannot be otherwise accommodated.

10. Extended School Year Services

- a. The district makes extended school year (ESY) services available to all students for whom the IEP team has determined that such services are necessary to provide FAPE.
- b. ESY services are:
 - (1) Provided to a student with a disability in addition to the services provided during the typical school year;
 - (2) Identified in the student's IEP; and
 - (3) Provided at no cost to the parent.
- c. The district does not limit consideration of ESY services to particular categories of disability or unilaterally limit the type, amount or duration of service.
- d. The district provides ESY services to maintain the student's skills or behavior, but not to teach new skills or behaviors.
- e. The district's criteria for determining the need for extended school year services include:

- (1) Regression (a significant loss of skills or behaviors) and recoupment time based on documented evidence; or
 - (2) If no documented evidence, on predictions according to the professional judgment of the team.
- f. “Regression” means significant loss of skills or behaviors in any area specified on the IEP as a result of an interruption in education services.
 - g. “Recoupment” means the recovery of skills or behaviors specified on the IEP to a level demonstrated before the interruption of education services.

11. Assistive Technology

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

12. Transfer Students

- a. In state:

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

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

- b. Out of state:

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

- (1) Conducts an initial evaluation (if determined necessary by the district to determine Oregon eligibility) with parent consent and determines whether the student meets eligibility criteria described in the OARs.
- (2) If the student is eligible under Oregon criteria, the district develops, adopts and implements a new IEP for the student using the Oregon Standard IEP or an approved alternate IEP.

- (3) If the student does not meet Oregon eligibility criteria, the district provides prior written notice to the parents explaining that the student does not meet Oregon eligibility criteria and specifying the date when special education services will be terminated.

OSBA Model Sample Policy

Code: IGBB
Adopted:

Talented and Gifted Program and/or Services**

The district is committed to an educational program that recognizes, identifies and serves the unique strengths and needs of talented and gifted students identified as talented and gifted. Talented and gifted students are those who have been identified as academically talented and/or intellectually gifted demonstrate exceptional performance when compared to applicable developmental or learning progressions, with consideration given for variations in student's opportunity to learn and to culturally relevant indicators of ability.

The Board directs the superintendent to develop a written identification process for identifying identification of academically-talented and intellectually-gifted students in grades K through 12. (See Board policy IGBBA – Talented and Gifted Students – Identification**) (See Board policy IGBBA – Talented and Gifted Students – Identification**) (See Board policy IGBBA – Talented and Gifted Students – Identification**)

A written plan shall be developed that identifies programs or services needed to address the assessed levels of learning and accelerated rates of learning of identified students and provides an opportunity for the student's parents to discuss with the district the programs and services available to the student and to provide input on the programs and services to be made available to the student.

The district will develop a written plan of instruction for talented and gifted students in accordance with law. (See Board policy IGBBA – Talented and Gifted Students – Identification**)

1. Includes a statement of the district policy on the education of talented and gifted students (this policy);
2. Identifies and assesses special talented and gifted programs and services available in the district;
3. States goals related to providing such programs and services, including timelines for achievement;
4. Describes the programs and services intended to accomplish stated goals;
5. Describes how the district provides parents an opportunity to discuss and to provide input on programs and services for their child;
6. Describes how the district will evaluate progress of the plan; and
7. States the name and contact information for the district's talented and gifted coordinator. (See Board policy IGBBA – Talented and Gifted Students – Identification**)

The district shall submit such plan to the Oregon Department of Education (ODE) as directed. (See Board policy IGBBA – Talented and Gifted Students – Identification**)

The plan will be provided at the school or the district office, when requested, and will be published on the district's website. The district website shall also provide the name and contact information of the district's

¹ For the list of complete requirements of the plan, see ORS 343.397(1).

coordinator of special education and programs for talented and gifted. The district will annually report the name and contact information of the district's TAG coordinator to ODE.

The district may also identify and provide programs for students who demonstrate outstanding ability or potential in creative abilities in using original or nontraditional methods in thinking and producing; leadership abilities-ability in motivating the performance of others in educational or noneducational settings; and/or unusual abilitiesability in the visual or performing arts, such as dance, music or art.

Complaints regarding programs and/or services can be filed in accordance with Board Policy KL – Public Complaints, beginning at Step 2. The superintendent or designee may choose to convene a committee in making a decision. [the procedure in the accompanying administrative regulation, IGBB-AR – Complaints Regarding the Talented and Gifted Program and/or Services.]

END OF POLICY

Legal Reference(s):

ORS 343.391 - 343.401
ORS 343.407 - 343.413

OAR 581-022-2325
OAR 581-022-2330

OAR 581-022-2370
OAR 581-022-2500

Senate Bill 486 (2021)

OSBA Model Sample Policy

Code: IGBBA
Adopted:

Talented and Gifted Students - Identification**

In order to serve academically talented and intellectually gifted (“TAG”) students in grades K through 12, the district directs the superintendent [or designee] [after the consideration of the input of staff, parents and the community] to establish an written identification process.

This process of identification shall include as at a minimum:

1. Use of research based best evidence-based practices to identify talented and gifted students from under-represented populations such as ethnic minorities, students with disabilities, students who are culturally and/or linguistically diverse or economically disadvantaged that include a variety of tools and procedures to determine if a student demonstrates a pattern of exceptional performance and/or achievement that is relevant to the identification of TAG students under ORS 343.395.
2. Behavioral, learning and/or performance information Collection and use of multiple modes and methods of qualitative and quantitative evidence to allow appropriate members of a student’s identification team to make a determination about the identification and eligibility of the students for TAG services, supports and/or programs; with no single test or piece of evidence eliminating a student from eligibility.
3. A nationally standardized mental ability test for assistance in the identification of intellectually gifted students.
- 4.3. Use of methods and practices that minimize or seek to eliminate the effects of bias in assessment and identification of students from historically underrepresented populations including, but not limited to:
 - a. Students who are racially/ethnically diverse;
 - b. Students experiencing disability;
 - c. Students who are culturally and/or linguistically diverse;
 - d. Students experiencing poverty; and
 - e. Students experiencing high mobility.
- 5.4. Incorporate assessments, tools and procedures that will inform the development of an appropriate plan of instruction for students who are identified as TAG and describe how information from the assessments, tools and procedures used in the identification for TAG students will be used to support development of the plan of instruction.
- 6.5. Identify how the educational record under ORS 326.565 of the student being considered will document and reflect the record of the team’s decision and the procedures and data used by the team to make the decision.
7. A nationally standardized academic achievement test of reading or mathematics [or a test of total English Language Arts/Literacy or total mathematics] on the Smarter Balanced Assessment [Consortium] for assistance in identifying academically talented students.

Identified students shall score at or above the 97th percentile on one of these tests. Other students who demonstrate the potential to perform at the eligibility criteria, as well as additional students who are talented and gifted may be identified.

The district will provide professional development for staff assigned the responsibility for identification of talented and gifted students.

The identification team may use sources of evidence described in OAR 581-022-2325(3) to provide students with multiple opportunities to demonstrate a pattern or preponderance of evidence of talent or giftedness.

Academic evidence reviewed shall align to the full depth, breadth, and complexity of Oregon's content standards and benchmarks. Standardized assessments used for academic/achievement-based identification shall include technical documentation demonstrating alignment or documentation of intended use for the purpose of TAG identification. Standardized assessments used for intellectually gifted identification shall include technical documentation demonstrating alignment to research-based best practices inclusive of students from underrepresented populations.

When a student is identified for TAG, the district shall inform parents of the programs and services available to their student and provide an opportunity for parents to provide input to, and discuss TAG instruction proposed for their student. The instruction provided shall be designed to accommodate the student's assessed levels of learning and accelerated rates of learning. Parents may request the withdrawal of their student from TAG at any time.

If a parent is dissatisfied with the identification process or placement of their student, they may submit an appeal the decision through [Board policy KL - Public Complaints and begin at Step 2] with the superintendent [or designee] [the accompanying administrative regulation, IGBBA-AR - Appeal Procedure for Talented and Gifted Student Identification and Placement**].

After exhausting the district's appeal procedure and receiving the district's final decision, a parent may appeal the decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rule (OAR) 581-002-0001 – 581-002-0023. The district shall provide a copy of the OARs upon request.

END OF POLICY

Legal Reference(s):

ORS 343.395
ORS 343.407
ORS 343.409

ORS 343.411
OAR 581-021-0030
OAR 581-022-2325

OAR 581-022-2330
OAR 581-022-2370
OAR 581-022-2500

OSBA Model Sample Policy

Code: IGBBA-AR
Revised/Reviewed:

Appeal Procedure for Talented and Gifted Student Identification and Placement**

The Board has established an appeal process for a parent to utilize if they are dissatisfied with the identification process and/or placement of their student in the district program for talented and gifted (TAG) students, and wish to request reconsideration. The district's desire and intent is to reach satisfactory solutions during the informal process:

Informal Process

1. A parent will contact the district's TAG coordinator/teacher to request reconsideration.
2. The TAG coordinator/teacher will confer or meet with the parent, and may include any additional appropriate persons (e.g., principal, counselor, teacher, etc.), within five working school days of the request. Information pertinent to the selection or placement will be shared.
3. If an agreement cannot be reached, the parent may initiate the Formal Process.

Formal Process

1. A parent shall submit a written request for reconsideration of the identification and/or placement to the program supervisor within five working days of the conference identified above.
2. The program supervisor shall acknowledge in writing the receipt of the request within five working days and shall forward copies of the request and acknowledgment to the TAG coordinator/teacher.
3. The program supervisor, TAG coordinator/teacher and other appropriate administrator shall review the student's file and earlier decisions within 10 working days of the original request presented in the previous step. Additional data may be gathered to support or change the earlier decision. The parent may be provided an opportunity to present additional evidence.

If deemed necessary, a formal hearing will be conducted by the district hearings officer utilizing the appropriate procedures.

4. A decision will be made by the program supervisor within 20 working days after receipt of the written request for reconsideration from the parent. The parent shall be notified of the decision in writing and the decision shall be forwarded to the superintendent.
5. The decision may be appealed to the Board through procedures found in IGBBC AR – Complaints Regarding the Talented and Gifted Program through Board policy KL – Public Complaints and may begin at Step 3.
6. If the parent is still dissatisfied, the parent may file an appeal to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023. The district shall provide a copy of the OARs upon request.

OSBA Model Sample Policy

Code: IGBHE
Adopted:

Expanded Options Program**

The Board is committed to providing additional educational options to eligible students enrolled in grades 11 and 12 to continue or complete their education, to earn concurrent high school and college credits and to gain early entry into post-secondary education. The district's Expanded Options Program (EOP) will comply with all requirements of Oregon law (ORS 340) and give priority status to "at-risk" students.

Eligible Students

Eligible students may apply to take courses at an eligible post-secondary institution through the Expanded Options Program. A student is eligible for the EOP if the student:

1. Is 16 years of age or older at the time of enrollment in a course under the EOP;
2. Is in grade 11 or 12 at the time of enrollment in a course under the EOP or has not yet completed the required credits to be in grade 11 or 12, but the district has allowed the student to participate in the program;
3. Has developed an educational learning plan;
4. Has not successfully completed the requirements for a high school diploma. A student who has graduated from high school may not participate; and
5. Is not an ~~foreign~~ exchange student enrolled in a school under a cultural exchange program.

Student Notification

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

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

The notice must include the following:

1. Financial arrangements for tuition, textbooks, equipment and materials;
2. Available transportation services;

3. The effect of enrolling in the EOP on the student's ability to complete high school graduation requirements;
4. The consequences of failing or not completing a post-secondary course;
5. Notification that participation in the EOP is contingent on acceptance by an eligible post-secondary institution; and
6. District timelines affecting student eligibility and duplicate course determinations;
- ~~7. Exclusion of duplicate courses as determined by the district;~~
- ~~8. The process for a student to appeal the district's duplicate course determination to the Superintendent of Public Instruction or the Superintendent's designee under ORS 340.030;~~
- ~~9. Exclusion of post-secondary courses in which a student is enrolled if the student is also enrolled full time in the resident high school.~~

Enrollment Process

Prior to May 15 of each year, a student who is interested in participating in the EOP shall notify the district of the intent to enroll in eligible post-secondary courses during the following school year. A high school transfer student or ~~returning dropout~~ student returning to high school after dropping out of school has 20 business days from the date of enrollment to indicate interest.

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

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

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

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

Duplicate Courses

The district will establish a process to determine duplicate course designations. The district will notify an eligible student and the student's parent or guardian, of any course the student wishes to take that the district determines is a duplicate course, within 20 business days after the student has submitted a list of intended courses.

A student may appeal a duplicate course determination to the Board based on evidence of the scope of the course. The Board or designee will issue a decision on the appeal within 30 business days of receipt of the appeal. If the appeal is denied by the Board or designee, the student may appeal the district's determination to the Superintendent of Public Instruction or designee under ORS 340.030.

Expanded Options Program Annual Credit Hour Cap

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

At the district's discretion, the district may choose to exceed both the individual high school level cap and the aggregate district level cap. If the district has more eligible students than are allowed under the credit hour cap the district shall establish a process for selecting eligible students for participation in the program. The process will give priority for participation to students who are "at risk." ~~An "at-risk student" means: (1) a student who qualifies for a free or reduced-price lunch program; or (2) an at-risk student as defined by rules adopted by the State Board of Education if it has adopted rules to define an at-risk student.]~~

If the district has not exceeded the credit hour cap, the district shall ensure that all eligible at-risk students are allowed to participate in the EOP and may allow eligible students who are not at-risk to participate in the program.

Post-Secondary Institution Credit

Prior to beginning an eligible post-secondary course, the district shall notify the student of the number and type of credits that the student will be granted upon successful completion of the course. If there is a dispute between the district and the student regarding the number or type of credits that the district will or has granted to a student for a particular course, the student may appeal the district's decision to the ~~Board~~^{1}.

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

Financial Agreement

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

Waiver

¹ {ORS 340.040(3) allows a student to appeal through an "appeals process adopted by the school district board."}

A district may request an EOP waiver from the Superintendent of Public Instruction² if: compliance with the EOP would adversely impact the finances of the district or if all conditions identified in ORS 340.083(1)(b)³ exist.

~~— Compliance would adversely impact the finances of the district; or~~

- ~~1. Accelerated college credit programs are offered by the district (e.g., Dual Credit, Sponsored Based Dual Credit, Assessment Based Dual Credit, Articulated Career Technical Education (CTE) courses, two plus two programs, Advanced Placement (AP), International Baccalaureate Programs or other locally developed program that offers Accelerated College Credit to their respective high school students).~~

Student Reimbursement

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

Transportation Services

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

Special Education Services

The district of an eligible student participating in the EOP shall be responsible for providing any required special education and related services to the student. If a post-secondary institution intends to provide special education and related services to an EOP participant, the institution shall enter into a written contract with the district of the student.

The contract shall include the following at a minimum:

1. Allowance for the student to remain in the program during the pendency of any special education due process hearing unless the parent or guardian and district agree otherwise;

² Oregon Department of Education

³ The district does all of the following:

1. Offers a dual credit program, a two-plus-two program, an advanced placement program, an International Baccalaureate program or any other accelerated college credit program;
2. Ensures that at-risk students who participate in the accelerated college credit programs are not required to make any payments for participation in the programs; and
3. Has a process for participation in the programs that allows:
 - a. All at-risk students who are eligible students to participate in the programs;
 - b. At-risk students to earn the number of credit hours established by the State Board of Education by rule under ORS 340.080; or
 - c. For an increasing number of at-risk students who are eligible students to participate in the programs each school year based on demand and appropriateness and as provided by a plan developed by the school district.

2. Immediate notification to the district if the institution suspects that a student participating in the program may have a disability and requires special education or related services;
3. Immediate notification to the district if the student engaged in conduct that may lead to suspension or expulsion; and
4. Immediate notification to the district of any complaint made by the parent or guardian of the student regarding the student's participation in the program at the institution.

District Alternative Programs

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

Any new program, agreement or plan that is developed after January 1, 2006, and is intended to provide access for public high school students to a post-secondary course, may be initiated at the discretion of the district and the post-secondary institution.

END OF POLICY

Legal Reference(s):

ORS 329.485
ORS 332.072

ORS 336.615 - 336.665
ORS Chapter 340

Every Student Succeeds Act, 20 U.S.C. §§ 1111-1605; §§ 3111-3203 (2018).

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

Americans with Disabilities Act, 42 U.S.C. §§ 12101-12112 (2018); 29 C.F.R. Part 1630 (2022); 28 C.F.R. Part 35 (2022).

Americans with Disabilities Act Amendments Act, 42 U.S.C. §§ 12101-12133 (2018).

Rehabilitation Act, 29 U.S.C. §§ 791, 794 (2018).

Title IX of the Education Amendments, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (2018).

Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2022).

Individuals with Disabilities Education Act, as amended, 20 U.S.C. §§ 1400-1401, 1411-1416 (2018); 34 C.F.R. Part 300 (2022).

OSBA Model Sample Policy

Code: IGDJ
Adopted:

Interscholastic Activities**

The Board recognizes the integral role interscholastic activities¹ play in the character development and general enhancement of the education of its students. Accordingly, administrators, coaches, advisors, student participants, and others associated with the district's high school activities programs and events² shall conduct themselves in a manner that is consistent with the letter and spirit of policies, rules, and regulations of the district and of the Oregon School Activities Association (OSAA) and the fundamental values of sportsmanship any associated voluntary organization³. Each will be held accountable for their actions.

The district and its schools may only be members of and pay fees, if any, to a voluntary organization that administers interscholastic activities or that facilitates the scheduling and programming of interscholastic activities if the organization:

1. Implements and adheres to equity focused policies that:
 - a. Address the use of derogatory or inappropriate names, insults, verbal assaults, profanity, or ridicule that occurs at an interscholastic activity, including by spectators of the interscholastic activity;
 - b. Prohibit discrimination;
 - c. Permit a student to wear religious clothing in accordance with the student's sincerely held religious belief and consistent with any safety and health requirements; and
 - d. Balance the health, safety, and reasonable accommodation needs of participants on an activity-by-activity basis;
2. Maintains a transparent complaint process that:
 - a. Has a reporting system to allow participants of interscholastic activities or members of the public to make complaints about student, coach, or spectator behavior;
 - b. Responds to a complaint made within 48 hours of the complaint being received; and
 - c. Resolves a complaint within 30 days of the complaint being received unless the organization determines that there is good cause to extend the timeline for resolving the complaint;
3. Develops and implements a system of sanctions against schools, students, coaches, and spectators if a complaint is verified; and

¹ Interscholastic activities includes: for students any grade from kindergarten through grade 12, athletics, music, speech and other similar or related activities; for students in any grade from kindergarten through grade eight, activities that are offered only before or after regular school hours and that may, but are not required to, involve interaction among other schools.

² This applies to only OSAA-sanctioned activities and events.

³ Includes a voluntary organization that administers interscholastic activities or that facilitates the scheduling and programming of interscholastic activities.

4. Performs an annual survey of students and their parents to understand and respond to potential violations of equity focused policies or other discrimination.

{⁴} The district shall allow homeschooled students that reside in the district, students eligible to attend school and enrolled in a district or ESD provided General Education Development (GED) high school equivalency program⁵ that reside in the district, and students attending a public charter school that does not provide interscholastic activities that reside in the district, the opportunity to participate in available interscholastic activities when the requirements found in Oregon law are met.

Interscholastic activities when provided by the district will comply with Title IX and other nondiscrimination laws.

{⁶} District employees, students, parents, alumni, and activity volunteers are prohibited from inducing or attempting to induce a student to attend a district school for interscholastic activity eligibility or participation. The principal, activities director, advisors and coaches are each responsible for ensuring student participants meet all district and OSAA eligibility requirements of participation and those of the associated voluntary organization. The principal [or designee] is responsible for ensuring accurate certification regarding the eligibility of participating students and for verifying that athletic directors, coaches of sports, and activity advisors have all required certifications prior to assuming their duties. The principal [or designee] shall ensure that a program is in place to effectively evaluate the performance of all coaches and activity advisors under their supervision.

Volunteers may be approved to assist with district activities with prior approval from the principal.

The principal shall investigate all allegations of district student ineligibility, staff recruitment violations or other student or staff conduct that may violate Board policies, administrative regulations, and/or OSAA the rules and regulations of the associated voluntary organization. The principal shall notify the superintendent [or designee] of conduct that violates the terms of this policy and report to the associated voluntary organization OSAA as if required.

An employee determined to have violated Board policies and/or rules and regulations of the associated voluntary organization OSAA [will] [may] be subject to discipline, up to and including, dismissal. A student in violation of Board policies and/or the OSAA rules and regulations of the associated voluntary organization will be subject to discipline, up to and including, dismissal from an interscholastic activity or program, suspension and/or expulsion from school. Volunteers in violation of Board policies and/or the OSAA rules and regulations of the associated voluntary organization shall be subject to discipline, up to and including, removal from district programs and activities and such other sanctions as may be deemed appropriate by the district.

Employees, volunteers, or students in violation of OSAA such policies, rules and/or regulations [will] [may] be required to remunerate the district in the event of fines are assessed by OSAA as a result of their actions.

⁴ {This policy content is required practice but is not required policy language.}

⁵ "High school equivalency program" means a program provided to assist a student in earning a certificate for passing an approved high school equivalency test such as the General Educational Development (GED) test.

⁶ {The remaining policy content is optional, but highly recommended language to inform about and support governance of activities (see beginning bracket here; ending with last paragraph of policy – see closing bracket).}

The superintendent will develop procedures, as necessary, to implement this policy, including a process to ensure that all district rules governing the conduct of students, staff, and volunteers engaged in district activities are regularly reviewed and updated.

The district will annually review interscholastic activities and participation to determine whether the current offerings reflect the students the district serves.

END OF POLICY

Legal Reference(s):

<u>ORS 326.051</u>	<u>OAR 581-015-2255</u>	<u>OAR 581-026-0700</u>
<u>ORS 332.075(1)(e)</u>	<u>OAR 581-021-0045 – 0049</u>	<u>OAR 581-026-0705</u>
<u>ORS 332.107</u>	<u>OAR 581-022-2308(2)</u>	<u>OAR 581-026-0710</u>
<u>ORS 339.450 - 339.460</u>	<u>OAR 581-026-0005</u>	

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 (2022).

~~OREGON SCHOOL ACTIVITIES ASSOCIATION, OSAA HANDBOOK.~~

Montgomery v. Bd. of Educ., 188 Or. App. 63 (2003).

Senate Bill 1522 (2022).

OSBA Model Sample Policy

Code: IK
Adopted:

Academic Achievement**

The Board believes it is important that teachers have as much accurate knowledge of student achievement as possible to assess students' needs and growth; thus, a sharing of information among parent, teacher and student is essential.

The district shall ensure that all students have the opportunity to demonstrate progress toward mastery of the knowledge and skills of the student's current grade level or course content level. Students who have not yet met or who exceed all of the standards at any grade level, will be offered additional services or alternative educational or public school options.

The Board directs staff to follow these guidelines in measuring and determining student progress:

1. Parents and students ~~will~~ may be informed ~~at least annually;~~ of their student's progress toward achieving the academic content standards, including but not limited to:
 - a. Information on progress in each subject area to meet or exceed the academic content standards at the student's current grade level or course content level, including major goals used to determine the information;
 - b. Specific evidence of student progress toward mastery of a continuum of academic knowledge and skills (academic content standards) of a subject area, upon request from a parent;
 - c. ~~Evidence of the student's progress in a continuum of knowledge and skills that are not academic and that may include student behaviors that are defined by the district;~~
 - d. Student scores on all state and local assessments indicating any of the requirements that have been waived for the district or the individual and time periods for the waiver; and
 - e. Student progress toward completion of diploma requirements to parents of students in grades 9-12, including credits earned, demonstration of extended application and demonstration of the Essential Skills.
2. Parents will be alerted and conferred with as soon as possible when a student's performance or attitude becomes unsatisfactory or shows marked or sudden deterioration;
3. Grades and/or portfolio content assessment will be based upon academic performance and will not include student attitude ~~or behavior~~. Grades will not be used for disciplinary purposes. Absenteeism or misconduct shall not be the sole criterion for the reduction of a student's grade. ~~Behavior performance shall be reported separately;~~
4. At comparable levels, the school system will strive for consistency in grading and reporting except when this consistency is inappropriate for certain classes or certain students;
5. When no grades are given but the student is evaluated in terms of progress, the school staff will also provide a realistic appraisal of the student's standing in relation to his/her peers show whether the student is achieving course requirements at the student's current grade level;

6. The staff will take particular care to explain to students the meaning of marks and symbols used to reflect student performance.

END OF POLICY

Legal Reference(s):

ORS 107.154
ORS 329.485

ORS 343.295
OAR 581-021-0022

OAR 581-022-2260
OAR 581-022-2270

OSBA Model Sample Policy

Code: IKF
Adopted:

Graduation Requirements**

(If the district has additional credit or graduation requirements above the state requirements, the district is required to include those additional credits and graduation requirements in the following lists.)

The Board establishes graduation requirements for awarding of a high school diploma, a modified diploma, an extended diploma and an alternative certificate which meet or exceed state requirements.

A student may satisfy graduation requirements in less than four years. The district will award a diploma to a student fulfilling graduation requirements in less than four years if consent is given by the student's parent or guardian or by the student if the student is 18 years of age or older or emancipated.

If the district requires diploma requirements beyond the state requirements, the district shall grant a waiver for those requirements to any student who, at any time from grade 9 to 12, was:

1. A foster child¹;
2. Homeless;
3. A runaway;
4. A child in a military family covered by the Interstate Compact on Educational Opportunity for Military Children;
5. A child of a migrant worker; or
6. Enrolled in the Youth Corrections Education Program or the Juvenile Detention Education Program.

For any student identified above, the district shall accept any credits earned by the student in another district or public charter school or an educational program² in this state, applying those credits toward the state requirements for a diploma if the credits satisfied those requirements in that district or public charter school or educational program in this state.

¹ As defined in ORS 30.297.

² "Educational program in this state" means an educational program that is provided by a school district, a public charter school, the Youth Corrections Education Program or the Juvenile Detention Program, or funded as provided by ORS 343.243 for students in a long term care or treatment facility described in ORS 343.962 or a hospital identified in ORS 343.261.

Diploma

A high school diploma will be awarded to students in grades 9 through 12 who complete a minimum of 24 credits³ which include at least:

1. Three credits in mathematics (shall include one unit at the Algebra I level and two units that are at a level higher than Algebra I);
2. Four credits in language arts (shall include the equivalent of one unit in written composition);
3. Three credits in science;
4. Three credits in social sciences (including history, [civics⁴,] geography and economics (including personal finance));
5. One credit in health education;
6. One credit in physical education; and
7. Three credits in career and technical education, the arts or world languages⁵ (units shall be earned in any one or a combination).

The district shall offer students credit options provided the method for obtaining such credits is described in the student's personal education plan and the credit is earned by meeting requirements described in Oregon Administrative Rule (OAR) 581-022-2025.

To receive a diploma, in addition to credit requirements outlined in OAR 581-022-2000, a student must⁶:

1. Develop an education plan and build an education profile;
2. Demonstrate extended application through a collection of evidence; and
3. Participate in career-related learning experiences.

Modified Diploma

A modified diploma will be awarded only to students who have demonstrated the inability to meet the full set of academic standards adopted by the State Board of Education for a diploma while receiving

³ {If the district has additional credit or graduation requirements, the district is required to include those additional credits and graduation requirements in the following lists. However, if the district provides an education as described in ORS 336.585 or 336.590 and awards high school diplomas, the district may not impose requirements for a high school diploma in those instances that are in addition to the requirements prescribed by ORS 329.451 (2)(a) or by rule of the State Board of Education.}

⁴ {Civics becomes a half-credit requirement beginning on January 1, 2026 (Senate Bill 513, 2024 ORS 329.451). {This is not required language at this time but the district could choose to keep language with the footnote, and certainly should keep if the district already provides this instruction.}}

⁵ "World language" includes sign language, heritage language and languages other than a student's primary language.

⁶ {The proficiency in Essential Skills requirement has been waived and is not a condition of receiving a high school diploma during the 2021-2022, 2022-2023 or 2023-2024 school year (Senate Bill 744, 2021).}

reasonable modifications and accommodations. A modified diploma may only be awarded to a student who meets the eligibility criteria below and other criteria, if applicable, outlined in OAR 581-022-2010(3):

1. Has a documented history of an inability to maintain grade level achievement due to significant learning and instructional barriers; or
2. Has a documented history of a medical condition that creates a barrier to achievement.

Having met the above eligibility criteria, a modified diploma will be awarded to students who, while in grade nine through completion of high school, complete 24 credits which shall include:

1. Three credits in language arts;
2. Two credits in mathematics;
3. Two credits in science;
4. Two credits in social sciences (which may include history, civics, geography and economics (including personal finance));
5. One credit in health education;
6. One credit in physical education; and
7. One credit in career technical education, the arts or world languages (units may be earned in any one or a combination).

Students may earn additional credits to earn a modified diploma pursuant to OAR 581-022-2010.

In addition to credit requirements as outlined in OAR 581-022-2010, a student must:

1. Develop an education plan and build an education profile; and
2. Demonstrate extended application through a collection of evidence.

Districts may make modifications to the assessment for students who seek a modified diploma when the following conditions are met:

1. For a student on an individualized education program (IEP) or Section 504 plan, any modifications to work samples must be consistent with the requirements established in the IEP or 504 plan. Modifications include practices and procedures that compromise the intent of the assessment through a change in learning expectations, construct, or content that is to be measured, grade level standard, or measured outcome of the assessment. This means that IEP or 504 school teams responsible for approving modifications for a student's assessment may adjust the administration of the assessment and/or the assessment's achievement standard;
2. For a student not on an IEP or 504 plan, any modifications to work samples must have been provided to the student during their instruction in the content area to be assessed and in the year in which the student is being assessed, and modifications must be approved by the school team that is responsible for monitoring the student's progress toward the modified diploma.

Students not on an IEP or a Section 504 Plan may not receive a modified Smarter Balanced assessment.

A student's school team shall decide that a student should work toward a modified diploma no earlier than the end of grade six and no later than two years before the student's anticipated exit from high school.

A student's school team may decide to revise a modified diploma decision.

A student's school team may decide that a student who was not previously working toward a modified diploma should work toward one when the student is less than two years from anticipated exit from high school if the documented history has changed.

Beginning in grade five or beginning after a documented history to qualify for a modified diploma, the district shall annually provide to the parents or guardians of the student, information about the availability and requirements of a modified diploma.

Extended Diploma

An extended diploma will be awarded only to students who have demonstrated the inability to meet the full set of academic content standards adopted by the State Board of Education for a diploma while receiving modifications and accommodations. To be eligible for an extended diploma, a student must:

1. While in grade nine through completion of high school, complete 12 credits, which may not include more than six credits in a self-contained special education classroom and will include:
 - a. Two credits in mathematics;
 - b. Two credits in language arts;
 - c. Two credits in science;
 - d. Three credits in history, geography, economics or civics;
 - e. One credit in health;
 - f. One credit in physical education; and
 - g. One credit in the arts or a world language.
2. Have a documented history of:
 - a. An inability to maintain grade level achievement due to significant learning and instructional barriers;
 - b. A medical condition that creates a barrier to achievement; or
 - c. A change in the student's ability to participate in grade level activities as a result of a serious illness or injury that occurred after grade eight.

Beginning in grade five or beginning after a documented history to qualify for an extended diploma, the district shall annually provide to the parents or guardians of the student, information about the availability and requirements of an extended diploma.

Alternative Certificates

Alternative certificates will be awarded to students who do not satisfy the requirements for a diploma, a modified diploma, or an extended diploma if the students meet minimum requirements established by the district.

Beginning in grade five or beginning after a documented history to qualify for an alternative certificate, the district shall annually provide to the parents or guardians of the student, information about the availability and requirements of an alternative certificate.

Other District Responsibilities

The district will ensure that students have onsite access to the appropriate resources to achieve a diploma, a modified diploma, an extended diploma, or an alternative certificate at each high school. The district will provide [age-appropriate and developmentally appropriate] literacy instruction to all students until graduation.

The district may not deny a student the opportunity to pursue a diploma with more stringent requirements than a modified diploma or an extended diploma for the sole reason the student has the documented history listed under the above modified diploma or extended diploma requirements.

The district may award a modified diploma or an extended diploma to a student only upon the written consent of a student who is emancipated or who has reached the age of 18 at the time the modified or extended diploma is awarded, or the student's parent or guardian. The district shall receive the written consent during the school year in which the modified diploma or the extended diploma is awarded.

A student shall have the opportunity to satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in the later of 4 years after starting the ninth grade, or until the student reaches the age of 21 if the student is entitled to a public education until the age of 21 under state or federal law.

A student may satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in less than four years but not less than three years. To satisfy the requirements for a modified diploma, an extended diploma or an alternative certificate in less than four years, the student's parent or guardian or a student who is emancipated or has reached the age of 18 must provide written consent which clearly states the parent, guardian or student is waiving the fourth year and/or years until the student reaches the age of 21. A copy of the consent will be forwarded to the district superintendent who will annually report to the Superintendent of Public Instruction the number of such consents.

A student who qualifies to receive or receives a modified diploma, an extended diploma, or an alternative certificate shall have the option of participating in a high school graduation ceremony with the student's class.

A student who receives a modified diploma, an extended diploma, or an alternative certificate shall have access to instructional hours, hours of transition services and hours of other services that are designed to meet the unique needs of the student and when added together provide a total number of hours of instruction and services that equals at least the total number of instructional hours that are required to be provided to students who are attending a public high school.

The district will award to students with disabilities a document certifying successful completion of program requirements. No document issued to students with disabilities educated in full or in part in a special education program shall indicate that the document is issued by such a program. When a student who has an IEP completes high school, the district will give the student an individualized summary of performance.

Eligible students with disabilities are entitled to a free appropriate public education (FAPE) until the age of 21, even if they have earned a modified diploma, an extended diploma, an alternative certificate or completion of a General Education Development document. The continuance of services for students with disabilities for a modified diploma, extended diploma or alternative certificate is contingent on the IEP team determining the student’s continued eligibility and special education services are needed.

Students and their parents will be notified of graduation and diploma requirements.

The district may not deny a diploma to a student who has opted out of statewide assessments if the student is able to satisfy all other requirements for the diploma. Students may opt-out of the Smarter Balanced or alternate Oregon Extended Assessment by completing the Oregon Department of Education’s Opt-out Form⁷ and submitting the form to the district.

The district will issue a high school diploma pursuant to Oregon law (ORS 332.114) to a veteran if the veteran resides within the boundaries of the district or is an Oregon resident and attended a high school of the district, or to a deceased veteran, upon request from a representative of the veteran, if the deceased veteran resided within the boundaries of the district at the time of death or was an Oregon resident at the time of death and attended a high school of the district.

The act of student-initiated test impropriety is prohibited. A student that participates in an act of student-initiated test impropriety will be subject to discipline. “Student-initiated test impropriety” means student conduct that is inconsistent with the *Test Administration Manual* or accompanying guidance; or results in a score that is invalid.

END OF POLICY

Legal Reference(s):

ORS 329.007	ORS 339.115	OAR 581-022-2010
ORS 329.045	ORS 339.505	OAR 581-022-2015
ORS 329.451	ORS 343.295	OAR 581-022-2020
ORS 329.479		OAR 581-022-2025
ORS 332.107	OAR 581-021-0009	OAR 581-022-2030
ORS 332.114	OAR 581-022-0102	OAR 581-022-2115
ORS 336.585	OAR 581-022-2000	OAR 581-022-2120
ORS 336.590	OAR 581-022-2005	OAR 581-022-2505

Test Administration Manual, published by the OREGON DEPARTMENT OF EDUCATION.

House Bill 2056 (2021).

Senate Bill 744 (2021).

Senate Bill 1522 (2022).

⁷ Oregon Department of Education page for: [30-day notice and opt-out form](#)

OSBA Model Sample Policy

Code: IMB
Adopted:

Student Achievement District Improvement Program (Required only if the district has a school in improvement as designated by ODE.)

The Board recognizes that the key work of school boards is to establish and promote a clear vision of student achievement as the top priority of the district. ~~Student achievement will be defined by the district and include, but not be limited to, improved assessment results, increased student attendance and reduced drop-out rates and diploma attainment.~~ The district will accomplish this through ~~its~~ continued evaluation and improvement of its programs.

The superintendent will ensure development and implementation of a comprehensive, collaborative planning and self-evaluation process that ~~engages the school community~~ [involves parents, students, teachers, school employees and community representatives from the demographic groups of their school population] in the district's goal setting and continuous student achievement-improvement program efforts.

The district's program will be consistent with Oregon Department of Education requirements and reflected in school and district continuous improvement plans.

The ~~Board~~ district will, in striving for continuous improvement of student achievement, annually review district and individual school data on student achievement and prioritize, allocate and realign resources as necessary. The district will annually review and report test results and progress to the community.

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

END OF POLICY

Legal Reference(s):

ORS 329.095
ORS 332.107

OAR 581-022-2000
OAR 581-022-2010

OAR 581-022-2250

OSBA Model Sample Policy

Code: IMB-AR
Revised/Reviewed:

Student Achievement District Improvement Program

(Required only if the district has a school in improvement as designated by ODE.)

The district's comprehensive student achievement continuous improvement program planning efforts will be guided by the following key actions:

1. The superintendent will convene a student achievement improvement committee¹ ~~once every four years~~ ~~biennially~~ consisting of ~~Board members,~~ administrators, staff, parents, ~~students~~ and other community stakeholders with representation from the demographic groups of school population. The purpose of the committee will be to:
 - a. ~~Establish a clear vision of and mission supporting student equity and achievement as the top priority of the district;~~
 - b. ~~Define student achievement and identify specific state and local performance benchmarks and district goals based on self-evaluation data;~~
 - c. Conduct a self-evaluation to design, develop and update the district's continuous improvement plan;
 - d. Develop an action plan ~~clearly-linked~~ to specific benchmarks and goals for improving student achievement ~~performance and growth~~. The plan will be reflected in school and district improvement plans;
 - e. Develop strategies for annually monitoring, reviewing and revising, ~~as necessary,~~ the action plan and school and district improvement plans ~~as necessary~~;
 - f. ~~Report student achievement performance results annually to the school community.~~
2. ~~The committee will complete a review of self-evaluation data needed to assess student achievement performance progress, set benchmarks, establish goals and develop action plans; will be compiled and disaggregated annually at the district and building level.~~ ~~Data may include, but will and may not be limited to:~~
 - a. ~~Numbers of district students who take statewide assessment tests, who meet, fail to meet or who exceed state and local standards; levels of achievement by building, grade level, class and growth in performance;~~
 - b. ~~Results Academic outcomes on district tests statewide and local and other assessments, including the Scholastic Aptitude Test (SAT), American College Test (ACT), etc.;~~
 - c. ~~Grade point average (GPA) results by class, socioeconomic status, demographics, grade level and school;~~
 - d. ~~Percentage of students enrolled in, and completion rates, for advanced courses at the elementary, middle and high school levels and among diverse populations;~~
 - e. ~~Drop-out and Completion rates by building, grade level, class and district, including diverse populations;~~

¹ With representatives invited to participate from the demographic groups of their school population.

- f. ~~Post-secondary enrollment, including community colleges, trade/apprenticeship programs and military enlistments, if known;~~
- g. ~~Student, teacher, administration and community demographics;~~
- h. ~~Student behavioral/disciplinary referral/attendance data, mobility data and participation in cocurricular and extracurricular activities as an indicator of student success in school;~~
- i. ~~Previous school and district improvement plan results to determine which components were successful, which were not and degree to which specific strategies were implemented; and~~
- j. ~~Survey results of stakeholder satisfaction.~~

3. ~~District identified benchmarks and goals for the improvement of student achievement will reflect needs of school subpopulations, be clearly stated, measurable and based on Oregon Department of Education (ODE) guidelines (Quintile Method, Progress Toward Meeting Standards Methods, Individual Aggregate Method, Benchmark Aggregate Method or Composite Method) or other methods as deemed appropriate by the district;~~

4.3. ~~The district's action plan to meet identified, specific benchmarks and goals for the improvement of student achievement plan is subject to superintendent review and Board approval.~~

The ~~district's~~ improvement plan ~~will~~ shall include, but not be limited to:

a. ~~Goals to implement the following:~~

- (1) ~~A rigorous curriculum aligned with state standards;~~
- (2) ~~High-quality instructional programs;~~
- (3) ~~Short- and long-term professional development to provide teachers with the knowledge and skills necessary to assure students make progress in meeting local and statewide academic content standards and district goals plans;~~
- (4) ~~Steps to assure a Programs and policies that achieve a safe educational environment conducive to learning;~~
- (5) ~~Education service plans for students who have or have not exceeded all of the academic content standards;~~
- (6) ~~Staff leadership development;~~
- (7) ~~A plan for family and community engagement;~~
- (8) ~~High-quality data systems;~~
- (9) ~~A strong school library program;~~
- (10) ~~Improvement planning that is data-driven.~~

b. ~~e. A description of district efforts to Identification achieve of local efficiencies and efforts to make better use of resources (e.g., private and public partnerships, targeting of state and federal funds, ESD efficiency reviews);~~

c. ~~d. Steps to assure that all A review of demographics, student performance, staff characteristics and students have access to, the and use of, educational opportunities necessary for them to meet the high standards of the state and district;~~

d. ~~A needs assessment to be conducted which addresses priorities in accordance with Oregon Revised Statute (ORS) 329.095.~~

e. ~~e. Recommendations for allocation and realignment of district resources to support student achievement improvement efforts. For example:~~

- (1) ~~Curriculum revision to ensure K-12 alignment with state and local academic content standards;~~

- (2) ~~Establishment of appropriate educational alternatives for students who exceed academic content standards, for students who are not meeting academic content standards and accommodations for students with special needs. Such alternatives may include before-school or after-school and summer school tutoring, remediation or enrichment activities and programs;~~
 - (3) ~~Staffing needs, assignments and reassignment;~~
 - (4) ~~Instructional materials needs;~~
 - (5) ~~Fully and equitably integrate technology in curriculum with the primary focus on achieving identified benchmarks and goals.~~
- f. ~~Strategies to develop collaborative relationships with community businesses and child-centered organizations with a focus on consensus building for the improvement of student achievement as a community priority.~~

5.4. Accountability to assure the district's action continuous improvement plan is implemented will be a shared responsibility of staff, administrators and the Board. Minimally, the superintendent will ensure:

- a. Specific administrative responsibility for implementing action-plan strategies and assuring that the activity takes place in the manner described is assigned, monitored and evaluated;
- b. Data analysis results are included as an essential component of the teacher goal setting and evaluation process and as a basis for staff development;
- e. ~~Public recognition of student achievement and staff efforts is provided;~~
- d. ~~Specific recommendations are developed for visible change for lack of success;~~
- e.c. Principals at the building level compile all necessary disaggregated data for the district's self-evaluation, to enable an in-depth assessment of student achievement and comprehensive recommendations to meet identified benchmarks and goals;
- f.d. Student performance results on identified benchmarks and goals are annually reported to the community in conjunction with state assessment results, district and school improvement plan progress and the district's status in relation to Oregon Administrative Rules Chapter 581, Division 022 standards as required by the ODE;
- e.e. Retain copies of the improvement plans in accordance with State retention and public records requirements;
- h.f. Communications strategies are developed and implemented for keeping stakeholders (e.g., parents, students, teachers, staff and community representatives) informed, including specific activities for providing information on student achievement improvement progress and feedback through surveys, forums and other similar methods.

The district will submit its continuous improvement plan to the Oregon Department of Education (ODE) at least once every four years or more frequent if there are substantial changes² following the annual review, or when requested by ODE.

² "Substantial change" is defined in OAR 581-022-2250(3)(c).

OSBA Model Sample Policy

Code: JEA
Adopted:

Compulsory Attendance**

Except when exempt by Oregon law, all children between ages 6 and 18 who have not completed the 12th grade are required to regularly attend a public, full-time school during the entire school term. Persons having 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.

OSBA Model Sample Policy

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;]~~
- ~~e.b.~~ 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;
- ~~e.c.~~ Serve the notification personally or by certified mail. The notification will be written in the native language of the parent or guardian;
- ~~e.d.~~ 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.e.~~ Ensure that the notification states that the parent or guardian has the right to request an evaluation to determine if the child should have an individualized education program (IEP), if the child does not currently have an IEP, or request a review of their child's current IEP;
- ~~g.f.~~ 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.g.~~ 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.a.~~ If after review of attendance records a citation appears warranted, prior to issuing the citation, provide written notification to the parent or guardian. The notice will be written in the native language of 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;

- ~~(2)~~ Failure to send the student to school and to maintain the student in regular attendance is a Class C violation;
- ~~(3)~~(2) A citation for violation of compulsory attendance laws may be issued by the superintendent or designee;
- ~~(4)~~(3) 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)~~(4) 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 43. 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.]

3. ~~4~~ 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. ~~4~~ 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.~~4~~

4. ~~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;

- (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 provided the citation;
- (13) Ensure the designated court is appropriately notified immediately after the citation is served;
- (14) Ensure the district retains a copy of the citation;
- ~~(15) [Ensure the parent or guardian is served with the goldenrod (bottom) copy;]~~
- ~~(16) [Ensure the white and yellow copies are sent to the appropriate court, immediately after the citation is served;]~~
- ~~(17) [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;]~~
- ~~(18)~~(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. 

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

Umatilla School District
1001 6th St.
Umatilla, OR 97882

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

Date _____
Parent(s)/Guardian _____
Address _____

Dear _____,
(Parent/Guardian)

A determination has been made that your student, After review of attendance records, your child _____; (name) has is not enrolled in school and has not been exempted from compulsory attendance ~~in~~ for school, under provisions of ORS 339.030, and is not currently enrolled in school.

In accordance with Oregon law, you are hereby notified that you children between ages 6 through 18 must be enrolled your student at in [] S school. Please enroll your child at [name of school] no later than the next school day following receipt of this notice and maintain your child in regular attendance for the remainder of the school year.

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 child should have an individualized education program (IEP), or request a review of your child's current IEP.

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

If you have questions and/or need assistance, please contact District Office 2001 SW Nges Pendleton, OR 97801 941-922-6500.

Sincerely,

[Signature]
[Attendance Supervisor/Principal]

cc: [Principal/Superintendent]

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

*Umatilla School District
1001 6th St
Umatilla OR 97882*

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

Date _____
Parent(s)/Guardian _____
Address _____

Dear _____,
(Parent/Guardian)

A determination has been made that your student ~~After review of attendance records, your child-~~ _____, (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 child has had [] unexcused absences from school [] days on the following dates: [].

~~You are hereby notified that you must~~ Please send your child to school no later than the next school day following receipt of this notice and maintain your child in regular attendance for the remainder of the school year. ~~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 child should have an individualized education program (IEP), or request a review of your child's current IEP. If you request an evaluation for an IEP or a review of a current IEP, ~~the a conference referred to above will be held after such evaluation or review.~~

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

*InterMountain ESD,
2001 SW Nye
Pendleton, OR
97801.
541-922-6500*

If you have questions and/or need assistance, please contact ~~[name]~~ *the District Office* at ~~[number]~~.

Sincerely,

~~[Attendance Supervisor] [Principal]~~

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

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

Umatilla School District
1001 6th St.
Umatilla OR 97882
541-922-6500

**** 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 child, [name], has ~~failed to~~ is not yet enrolled in school] ~~failed to~~ is not maintaining regular school attendance] as required by Oregon compulsory attendance laws.

Your child was required to appear in school no later than the next school day following your receipt of ~~that the~~ notice and maintain regular attendance for the remainder of the school year. District records indicate your child continues to be absent from school. A child is required to regularly attend a full-time 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~~ may request an evaluation of your child's individualized education program (IEP) or a review of your child's current IEP.] [requested an evaluation to determine if your child should have an individualized education program (IEP).] [[requested a review of an existing IEP for your child] and the requested evaluation or review was completed on [date].]

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

1. Oregon's compulsory attendance law and your child's attendance record;
2. The reasons for your noncompliance;
3. The development of a plan for improvement;
4. Resources available to help your child be successful in school, referrals to other agencies as may be needed and such alternative education information as may be required by law;
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 child in regular school attendance following this conference will result in the issuance of a citation to you, as provided by law.~~

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

Inter Mountain ESD
2001 SW Nye St
Pendleton, OR
97801

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

the District office
541-922-6500

Sincerely,

[(Superintendent)]/[(Designee)]

OSBA Model Sample Policy

Code: JGAB
Adopted:

Use of Restraint or Seclusion**

The Board is dedicated to the development and application of best practices within the district's public educational/behavioral programs. The Board establishes this policy and its administrative regulation to define the circumstances that must exist and the requirements that must be met prior to, during, and after the use of restraint or seclusion as an intervention with district students.

The use of the following types of restraint on a student in the district is prohibited:

1. Chemical restraint.
2. Mechanical restraint.
3. Prone restraint.
4. Supine restraint.
5. Any restraint that involves the intentional and nonincidental use of a solid object¹, including a wall or the floor, to impede a student's movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.
6. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, neck or throat.
7. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, unless the restraint is necessary for the purpose of extracting a body part from a bite.
8. Any restraint that impedes, or creates a risk of impeding, breathing.
9. Any restraint that involves the intentional placement of the hands, feet, elbow, knee or any object on a student's neck, throat, genitals or other intimate parts.
10. Any restraint that causes pressure to be placed, or creates a risk of causing pressure to be placed, on the stomach or back by a knee, foot or elbow bone.
11. Any action designed for the primary purpose of inflicting pain.

The use of a seclusion cell is prohibited.

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 ^{PACE}[²] 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;

[² The district must identify the program utilized for training.]

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 characteristics³ 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):

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

³ 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.

OSBA Model Sample Policy

Code: JHC
Adopted:

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~~ important Board ~~responsibility~~ 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) 581-022-2220.¹

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 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.¹

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 ~~scotiosis,~~ 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
ORAR 581-022-2050

ORAR 581-022-2220
ORAR 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.

OSBA Model Sample Policy

Code: KBA
Adopted:

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 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).

OSBA Model Sample Policy

Code: KBA-AR
Revised/Reviewed:

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 [district office] at [address].
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.~~

OSBA Legislative Roadshow September-October 2022



Come help shape OSBA’s legislative agenda and let us know how we can best meet your district needs. In the past year, you shared, and we heard you. We have revitalized our traditional Fall Regional Meetings to continue conversations and engage with OSBA members from across the state.

At the OSBA Legislative Roadshow, you will have the chance to:

- Meet your region’s Legislative Policy Committee representative
- Ask questions and share how OSBA can better serve you
- Hear the latest update from the Capitol
- Find out about OSBA’s legislative priorities and principles and OSBA’s legislative agenda

- **InterMountain ESD will be hosting the Baker & Union counties' Fall Regional Meeting**

Monday, October 3

Dinner at 6:00 p.m. -- Meeting at 6:30 p.m.

[Eastern Oregon University - Gilbert Hall, One University Blvd, La Grande, OR 97850](#)

Please RSVP with Jen Merritt, jen.merritt@imesd.k12.or.us

- **InterMountain ESD will be hosting the Morrow & Umatilla counties' Fall Regional Meeting**

Tuesday, October 4

Dinner at 6:00 p.m. -- Meeting at 6:30 p.m.

[Pendleton Convention Center 1601 Westgate, Pendleton, OR 97801](#)

Please RSVP with Jen Merritt, jen.merritt@imesd.k12.or.us

Elementary Programs

September 2022

Taunya Daniel
School Board Report

Summer Institute

The week before contracted inservice, we were able to offer many opportunities for professional development to all staff members. Offerings included curriculum trainings, CPR/First Aid, trauma informed and resilience practices, classroom management, bias training, grading practices, para training, MAPS assessment, etc.

We had over 150 staff members participate in some capacity contributing to over 2000 hours of professional development over the course of 6 days. It was amazing to see so many staff members work to improve their craft to better serve our students.

Feedback from staff members has been good and we hope to be able to continue to offer this in the future as well as a few follow-up classes.

New Language Arts Adoption

Teachers, coaches, and myself have been immersed in learning how to best utilize the new curriculum. All but 3 teachers were able to attend the training during summer institute which has been helpful.

As with all new things, it has proven to be a little bit of a challenge learning all the new components, but it is a great challenge to have. Teachers are excited to be able to utilize not only the printed materials but also access all the digital resources as well.

It has also given us an opportunity to reset instructional expectations from our adopted literacy plan bringing us out of the covid years.

Assessment

This year we are saying goodbye to DIBELS, which has been a part of our assessment regime for over 15 years, and saying hello to MAPS Fluency. Data from MAPS fluency will be utilized to monitor reading progress and make instructional plans for reading intervention. This program will provide teachers with more detailed data while sacrificing less instructional time than with DIBELS. Students are loving taking this assessment as they are required to use a headset with a microphone which is very cool to most elementary students.

Students will continue to take a progress monitoring assessment monthly throughout the school year. This will allow for continual adjustments to their instruction. Currently, progress monitoring is only available in English so our Dual Language students will continue to be monitored via IDEL (Indicadores Dinamicos del Exito en la Lectura). According to NWEA, Spanish progress monitoring for MAPS fluency is in the beta phase but they currently do not have a publish date.



McNary Heights Elementary
School Board Report
September 2022
Timothy Young

Discipline:

We have had 1 major referral since 9/01/122.

- 1- Assault

SAFETY:

Kinder – 5th grade will participate in bus evacuations on Friday, September 9th at 8:45 AM.

EXPECTATIONS/ROUTINES:

Teachers worked with students the first week on our school wide expectations, and will continue this process next week.

Tier one interventions are called Mustang Manners. Those are our school-wide expectations. All of our expectations are posted around the school and teachers are working to explicitly teach/model these expectations. Each classroom comes up with classroom expectations as a group as a part of building their classroom community.

**Arrival
Expectations**

- S** – Safely cross the street and use crosswalks
- A** – Always respect adults
- F** – Face forward and walk to playground
- E** – exit bus safely and quietly

**Bathroom
Expectations**

- F** – Flush the toilet paper
- L** – Leave it clean and dry
- U** – Use it quickly and quietly
- S** – Speak at a level 1
- H** – Hands washed and paper towel in the garbage

**Cafeteria
Expectations**

- C** – Clean your area
- H** – Hands and body to self
- E** – Enjoy your friends with an Inside Voice
- W** – Watch your manners



McNary Heights Elementary
School Board Report
September 2022
Timothy Young

Hallway Expectations

- W** — Walk facing forward
- A** — Always keep your hands and body to self
- L** — Level 0 or 1 voice
- K** — Keep to the right

Recess Expectations

- P** — Play by the rules
- L** — Level 3 voice
- A** — Always keep your hands and feet to yourself
- Y** — You're a respectful Mustang

Office Expectations

- A** — Always use please and thank you
- S** — Stand quietly and wait your turn
- K** — Keep your hands and feet to yourself

PE Expectations

- S** — Silent when the teacher is talking
- W** — Work
- E** — Enjoy the challenge
- A** — Always come prepared (clothes and shoes)
- T** — Take care of each other

Dismissal Expectations

- W** — Walk in the hall and outside
- A** — Always respect adults
- I** — I will use sidewalks and crosswalks
- T** — Talk with an inside voice

McNary Heights

VOICE LEVELS

3 OUTSIDE

2 INSIDE

1 WHISPER

0 SILENT

Teachers have a pacing guide for implementing positive discipline strategies in the classroom and will be teaching the 'brain in the hand' concept and building the groundwork to having class meetings on a regular basis.

Character Traits for September:

September 6th-9th--- Mustang Manners

September 12th-16th--- Respect

September 16th-20th--- Kindness

September 19th-23rd--- Responsibility/Self Discipline



**McNary Heights Elementary
School Board Report
September 2022
Timothy Young**

September 26th-30th---Tolerance

5th Grade Student Jobs: 5th graders have submitted applications for the following positions:

SAFETY PATROL

The new safety patrol team for the 2022-23 school year will begin Monday, September 12th. Each patrol team will be responsible for cross walk duty in the afternoons for one week per month.

RECYCLING

Recycling will begin Friday, September 16th. The recycling team will go around to each classroom to teach/remind staff and students about what is acceptable to recycle and what is not.

CAFETERIA HELPERS

Cafeteria helpers will start Monday, September 19th. Four 5th grade students each week give up their recess to help out in the cafeteria.

Student Leadership Team:

Student Leadership team information will go out soon. I hope to have them ready to start morning announcements in October.

McNary Heights Elementary School

September Board Report 2022



Home of the Mustangs

Principal: Nicole Coyle

Assistant Principal: Tim Young

Enrollment:

As of September 2, 2022, we have 674 students currently enrolled at McNary.

Last year there were 633 students enrolled, so our enrollment is up by 41 students

Enrollment by grade level: Kinder = 102, 1st =109, 2nd =107 , 3rd = 119, 4th =107, 5th = 130

Start of School: We had a great start to the school year. A huge thank you to our custodial and maintenance staff for ensuring that rooms were clean and as ready as possible for students and staff. Our office staff handled all new enrollments as well as incoming kinders in a short period of time. The week before school begins they are very busy, and always do an amazing job! We were able to let parents walk their kids to class on the first day of school again and they were very excited and happy.

Open House went very well. The PTO had a table to welcome parents and encourage sign ups. They also helped organize 3 balloon photo backdrops for families and provided cookies. The city of Umatilla's Parks and Rec department had a table where they showed a mock up for a plan to redo Hash Park and were asking for community input. The STEAM program also had sign ups during this time.

Kindergarten Delayed Start: Tuesday will be our first day with Kinders. Last week they had individual appointment slots with families to complete some kindergarten local assessments. This data was then used to place students into classrooms. Their open house was last Friday from 4-6.

Fall Pictures: McNary's fall pictures will be Wednesday, September 28th. Parents will be able to purchase individual pictures of their students through Barksdale.

SECURE: On Thursday, September 1st, we put the school into SECURE status because a student saw a gun in a backyard at the perimeter of the playground and reported it to an adult. We called UPD to check it out and removed students from the playground area. It was business as usual until the potential threat outside school grounds was secured. UPD went to the home and found the weapon to be a BB gun. After it was secured we lifted the status. We went into Secure at 11:31am and it was cleared at 11:57am. This was a good practice for everyone and we are very thankful for the student who reported something unsafe and for UPD.





**Clara Brownell Middle School
School Board Report
August 2022
Anthony Brown
Dean of Students/Athletic Director**

Discipline:

- Three lunch detentions 8/31/22

Student Activities:

- Fall Athletics-Volleyball and Football practice began 8/30/22
- First Volleyball game is Friday, September 9th @CBMS VS Helix 3PM
- Volleyball has around 50 girls right now. A,B and C teams most likely.
- First Football game is Thursday, September 15th @ CBMS VS Central 4PM

Volleyball Head coaches- Satesh Karan and Meagan Selis

Football Head coaches- Jeff Collins and Dan Durfey

UMATILLA HIGH SCHOOL



Board Report

September 2022

Students are Back!

We started the year with just freshmen and our Leadership students. The Leadership students and Mrs. Dirksen did an awesome job planning the day and the freshmen really enjoyed the activities. The assembly at the end of the day was great. It was fun to see and hear the freshmen get into the games and cheer on their classmates.

Tuesday, we welcomed all students. Students were excited to be back in the halls with their friends. We had a great week of activities. I believe this is the best start we have had in my seven years at the high school. Friday's spirit assembly went really well. All classes broke the 100 decimal threshold during their class chant.



ASB/Leadership-

Our theme for this year is "Choose to Shine". We have over 40 kids in leadership that are planning activities for our school year. To help our freshmen transition into the high school, we had only these kids come to school the first day. It gave them an opportunity to participate in many fun, informative activities, rotate through their schedule, eat lunch, and then finish the day with a pep assembly to prepare them for day 1 with all students. This was a very successful day for our freshmen and helped them feel more comfortable with the high school setting on day 2. We hosted our first assembly with all grades in the gym. It felt so good and was amazing as it was filled with a lot of noise and excitement.



Advisory- We held advisory every day of the first week to have teachers go over the rules and expectations in the student handbook. Students all signed off they understand the expectations of them while at Umatilla High School.



Fall Sports

We had our one and only 11 man football game last Friday against Tri-Cities Prep. The rest of our games will be in the new 2A 9-man format. We will host Gaston this coming Friday.

Boys Soccer begin their season opening at home on Sept. 6. We will be playing Prescott at 4pm.

Volleyball will host Irrigon Sept. 6. JV will start at 4:00 with Varsity following at 5:30.

Girls Soccer will open at home on Saturday against Trout Lake.

Cross Country ran at Tillamook last Saturday. This is one of their favorite runs because of the unique course with a mud pit and crossing through a river.

It is great to see the kids out and being active this Fall.

September Board Report

Maintenance will be finishing up on a few pending work requests and finish clearing out storage areas within all three schools. We will also be getting a few projects listed onto the schedule such as putting up a fence that connects the middle school to the high school, doing so will give us a secured playground for the middle school. Grounds will be coming up with plans on fixing up a couple landscaping areas. Grounds will also be working on the playing fields for upcoming sport events. Maintenance will soon begin our deep clean on hvac units within the district.



STEAM Academy of Umatilla

Stephanie Williams, Program Director 541-922-6516

Stefanie Blake, Site-coordinator MHES 541-922-6680

Tina Ridings, Site-coordinator CBMS/UHS 541-922-6543

September 2022

Dear Umatilla School Board Members,

The first week of school went by in a flash! The after school program will have meetings next week to go over the handbook, expectations and training. Coni Pottorff and Melanie Johnston are facilitating a Time to Teach training for the staff as well. We are very excited to start with kids on Monday, September 12th.

Our FLL and FTC programs were awarded the Amazon FIRST Engineer grant totaling \$8460 this year. This grant will fund registration and kits for the teams, we are grateful for the support.

Sincerely,

Stephanie Williams

ELD/Bilingual Board Report

September 2022

ESL & Dual Language

Dual Language Update

The first week of school we tested 100 in-coming kindergarteners, 57 of which qualified for English language development services. Following testing, the kindergarten team placed the students into classes.

The dual language classes will start out with more students (23 in each DL class to 18 in the other classes) to help offset attrition down the road.

Due to increased ELs and due to a lack of parent requests from English-speaking parents, we just barely made our minimum of at least 33% for English-speaking students in the dual language classes.

We also addressed the challenge of gender parity in dual language classes. The last few years there were many more girls who were placed than boys. This year, with the overall kindergarten class having 60% girls and 40% boys, we worked to end up with the same percentages in both DL and non-DL classes.

We are excited to extend DL to grade 3 this year, and welcome Grace Martinez, Samantha Carrillo, and Jordan Bennett to the DL team. Yoshira Escamilla is shifting from 1st grade to kindergarten.

One other change in dual language is that in both kindergarten and 1st grade, students will not change teachers halfway through the day. Instead, the teachers in those grades will provide instruction in both languages at different times in the day.

ESL

Teachers at MHES assisted with testing kinders this week, but also set the ESL schedule and placed students. They will begin classes next week.

Because our new curriculum hasn't arrived, we are beginning the year with our previous curriculum at all 3 schools.

We are excited to welcome Becca Guenther to our ESL team at MHES.

Besides new kinders, there are a number of new students throughout the district. Over the next few weeks I will be contacting previous schools and testing those who have a home language other than English. Among the new students there are several newcomers at UHS and at least one at CBMS and one at MHES. For the newcomers at UHS we have worked to get and analyze transcripts from their schools in Mexico and El Salvador. We always try to award them credits equal to their previous high school experiences.

Libraries

We have two new media assistants at MHES, Katie McMillan and Joanne Lind. At CBMS we now have Devyn Wagner. I spent a little bit of time with Devyn before school started, getting the CBMS library up and running. This week, because I was at MHES all week, I spent as much time as I could spare working with the new assistants there.

Overall, our library and ESL teams are very excited about the new school year!

As usual, if you have any questions or comments, feel free to reach out to me. Thank you!

David Lougee



Board Talking Points

September 2022

September is such an exciting month due to school start-up. We are grateful to return to more normal routines.

With a renewed emphasis on Teaching and Learning this year, IMESD expanded its programming for component schools. Key additions include:

- **Media Specialist/Librarian** IMESD hired a regional media specialist/librarian to offer support and compliance for our districts.
- **Instructional Coaches** Two classroom instructional coaches will model best practices and provide direct support to regional teachers.
- **Technology Coach** One technology coach was hired to integrate data literacy.
- **Principal Academy** Supported by the Oregon Trail REN and COSA, a comprehensive principal professional development program will be offered to regional principals.
- **Virtual Learning Academy** Our innovative K-12 on-line program will continue to provide on-line options for our districts. Additional staffing was added to meet increased demand.

MISSION

To provide outstanding customer service to our school districts in four areas: special education, technology, school improvement, and administrative services.

VISION

IMESD strives to ensure the success of every child by providing equitable services to close the opportunity gap. We are committed to the values of antiracism and multiculturalism.