



As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

**Reynolds School District
Board of Education Work Session**

August 9, 2023

6:00 PM

Wood Village City Hall

24200 NE Halsey

Wood Village, Oregon 97060

I.	6:00p - Call to Order	2
	A. Roll Call	
	B. Land Acknowledgement	3
II.	6:05p - Public to be Heard	4
III.	6:15p - Role of the Board: Rebekah Jacobson	5
IV.	6:45p - Policy First Reading: Sections AB, C, E, F, and I	16
V.	7:30p - Action Item: Authorization to Spend for Edgefield Demolition	384
VI.	7:35p - Adjourn	387



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To: Board of Directors

From: Frank Caropelo, Superintendent

Subject: Call to Order

Type: Action Item Report / Presentation

Policy: BDDF: Conduct of Board Meetings

Date: August 9, 2023

Connection to Strategic Plan Goal Topics:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Marginalized Students | <input checked="" type="checkbox"/> Culturally Responsive Teaching |
| <input checked="" type="checkbox"/> Student and Staff Wellness | <input checked="" type="checkbox"/> Professional Development |

Roll Call:

- | | |
|--------------------------------------|---|
| • Position 1: Vice Chair Aaron Muñoz | • Position 5: Director Patty Carrera |
| • Position 2: Director Joyce Rosenau | • Position 6: Chair Ana Gonzalez Muñoz |
| • Position 3: Director Michael Reyes | • Position 7: Director Francisco Ibarra |
| • Position 4: Director Cayle Tern | |

Motion to Approve Agenda:

- A. Motion Made by Board Member:
 - a. I move that the Board approve the August 9, 2023 agenda as presented.
- B. Motion Seconded by Another Board Member
- C. Points of Clarification / Discussion
- D. Call for Board Vote

Land Acknowledgement

Land Use Acknowledgment & Guidelines



Approved and Apdopted on May 27, 2020

Reynolds School District expresses our gratitude and appreciation to traditional village sites of the Multnomah, Kathlamet, Clackamas, bands of Chinook, Tualatin, Kalapuya, Molalla and many other Tribes who made their homes along the Columbia River, and which is now home to a vibrant native community representing over 400 different tribal nations.

We believe that it is our responsibility as a school district to educate our students, staff and families about the true history of colonialism and the continued need to address colonialism today. This land acknowledgement will encourage our community to reflect upon the land we are standing on and engage in conversations centered in honoring the land.

Land acknowledgments will take place in conjunction with the Pledge of Allegiance, which will be recited after the Land Use Acknowledgement, during the following times:

- School Board meetings
- District-wide community meetings
- School assemblies
- Athletic Competitions
- Parent and community school evening events

Land Use Acknowledgment

We respectfully acknowledge that the land on which we are gathering today is the traditional homeland of a diverse array of indigenous tribes and bands. Multnomah County rests on traditional village sites of the Multnomah, Wasco, Cowlitz, Kathlamet, Clackamas, Bands of Chinook, Tualatin, Kalapuya, Molalla, and many other tribes who made their homes along the Columbia River, creating communities and summer encampments to harvest and use the plentiful natural resources of the area. Multnomah County is now home to a vibrant indigenous community representing over 400 different tribal nations.

We recognize Indigenous peoples as the traditional stewards of this land and acknowledge the enduring relationship between the land and the people since time immemorial. We make this acknowledgement to open a space of recognition, inclusion, and respect for our sovereign tribal partners and all indigenous students, families, and staff in our community.



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To: Board of Directors

From: Frank Caropelo, Superintendent

Subject: Public to be Heard

Type: Action Item Report / Presentation

Policy: BDDH: Public to be Heard; BDDH-AR: Public to be Heard at Board Meetings

Date: August 9, 2023

Connection to Strategic Plan Goal Topics:

- Marginalized Students Culturally Responsive Teaching
- Student and Staff Wellness Professional Development

Summary / Background:

Members of the public will address the Board with comments and the Board will listen only. The Board may choose not to address a request if it does not fall within the scope of Board Governance. Oregon law prohibits the Board from discussing specific employees or their job performance.

Those wishing to speak must complete a Public Comment Form before the beginning of the meeting. The first 7 submissions will be able to speak for 3 minutes.

Written Public Comment can be submitted on the RSD website at any time.

Previous Board Action:

Not Applicable.

Financial Implications:

Not Applicable.

Motion:

Not Applicable.



As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To: Board of Directors

From: Frank Caropelo, Superintendent

Subject: Role of the Board

Type: Action Item Report / Presentation

Policy: BBA: Board Powers and Duties

Date: August 9, 2023

Connection to Strategic Plan Goal Topics:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Marginalized Students | <input checked="" type="checkbox"/> Culturally Responsive Teaching |
| <input checked="" type="checkbox"/> Student and Staff Wellness | <input checked="" type="checkbox"/> Professional Development |
-

Summary / Background:

Rebekah Jacobson, with Garrett Hemann, Robertson, will go over the general role of the Board and answer any questions Board member may have.

Previous Board Action:

Not Applicable.

Financial Implications:

Not Applicable.

Motion:

Not Applicable.

Board Member Best Practices

Reynolds School Board

August 9, 2023

Rebekah Jacobson, Attorney



GARRETT HEMANN ROBERTSON P.C.

Board Policy BBAA- Individual Board Member's Authority & Responsibilities

Individual board members have no authority or power to act on their own

Board business can only be accomplished by a quorum vote

Be prepared for Board meetings; review agenda and Board packet.

Requests for information that require significant time must be submitted to the Board for consideration.

Legal counsel is responsible to the Board as a whole

Board Policy BBF- Board Member Standards of Conduct

Right to express personal opinion; however, when in public, clarify that the opinion is of the board member, not the Board as a whole.

No board member shall make commitments on matters which should properly come before the board as a whole.

Board members shall not make a decision, deliberate toward a decision on any matter or participate in discussions of official district business in groups where a quorum of board members are present, except when properly advertised. 8

A board member will respect the privacy rights of individuals when dealing with confidential information gained through association with the district.

Board members will treat fellow board members, staff, students and the public with respect while posting and will adhere to Oregon Public Meetings Laws when communicating with other board members via Web sites or other electronic means.



Best Practice #1

Consult with Superintendent on matters/policies board members wish to consider ahead of time. No surprises during Board meetings.

▶ **See Board Policy BD/BDA- Board Meetings**

Establishing the agenda Items of business may be suggested by the clerk, administration, employees, or residents of the district for inclusion on the agenda.

These items shall be submitted in writing and received by the office of the superintendent at least seven days prior to the regularly scheduled meeting.

Items requested by board members shall be placed on the agenda, either by submission in writing as described or by request made at a board meeting.

Any item brought to the attention of the board which does not meet this timeline will not receive formal board action at the same meeting unless emergency conditions make immediate action mandatory.

Best Practice #2

Delegate to Superintendent the responsibility for all executive functions and give the necessary authority to carry out those responsibilities.

▶ **If you think it might be a policy, then ask:**

- Will this decision help determine procedures, activities, programs or services that affect the District as a whole?
- Is this decision required by law or regulatory agencies?
- Is this an issue that the Superintendent has asked for help or guidance on?

If “Yes” to any one, it is a policy decision.

▶ **If you think it might be an administrative matter, then ask:**

- Does this issue affect an individual staff member?
- Does it relate to the efficiency or quality of services provided by a specific department or program?
- Does it relate to an administrative area that is operational in nature or does it affect specific parts of the District as opposed to the whole?

If “Yes” to any one, it is an administrative matter.



Best Practice #3

- ▶ Review agendas to ensure you or a relative do not have a conflict of interest.
 - ▶ Spouse, parent, child, person for whom you have legal support obligation, member of household
- ▶ Declare potential and actual conflicts of interest during the Board meeting
- ▶ If actual conflict, recuse from discussion and vote.
- ▶ Make sure conflict is recorded in Board minutes
- ▶ See Board Policy BBFA- Board Member Ethics & Conflicts of Interest

Best Practice #4

Refer all complaints, questions, comments about administration to Superintendent or to the District's Complaint Procedure.

- ▶ Board Policy BBAA- Individual Board Member's Authority and Responsibilities
- ▶ Board Policy KL- Public Complaints
- ▶ Keep in mind the grievance process for each collective bargaining agreement and the Board's role as appellate body

Best Practice #5

Stay within the scope of executive session (e.g. labor negotiations, employee discipline, expulsion, litigation update, real estate)

- ▶ Pay attention to the reason cited for the executive session on the agenda.
- ▶ Ensure it is announced each time the Board enters into executive session.
- ▶ Abide by the Board Chair's efforts to ensure the conversation is within the scope cited and respect that it is within everyone's best interest to keep the conversation narrowly focused.
 - ▶ No "oh by the way" or general discussion of District policy
- ▶ The Oregon Government Ethics Commission receives complaints regarding violations of executive session law. Penalty ranges from letter of education to monetary fine.

Best Practices #6

- ▶ Do not engage in “serial meetings” via email.
- ▶ One way communications of information to Board are ok. Deliberation via email is not.
- ▶ Remember that any record created about the District’s business will be a public record regardless of medium (i.e. text message, personal email).

Rebekah Jacobson
503-581-1501
rjacobson@ghrlawyers.com



GARRETT HEMANN ROBERTSON P.C.

Questions?



As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To: Board of Directors

From: Frank Caropelo, Superintendent

Subject: Policy First Reading: Sections AB, C, E, F, and I

Type: Action Item Report / Presentation

Policy: BFC: Adoption and Revision of Policies

Date: August 9, 2023

Connection to Strategic Plan Goal Topics:

- Marginalized Students
- Student and Staff Wellness
- Culturally Responsive Teaching
- Professional Development

Summary / Background:

In partnership with Oregon School Boards Association (OSBA), a full-desk rewrite of Board policies has continued. Sections AB (Board Governance and Operations), C (General Administration), E (Support Services), F (Facilities), and I (Instruction) are ready for a first reading with the Board.

All policy sections have been reviewed first by the Board Policy Review Committee made up of administrators, licensed staff, parents, and community members.

Previous Board Action:

The Board reviews and approves all final policies.

Financial Implications:

Not Applicable.

Motion:

Not Applicable.

Reynolds School District

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The following symbol is used on some policies:

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



Code: AC
 Adopted: 1/04/07
 Revised/Readopted: 5/13/10; 9/09/15; 6/13/18
 Orig. Code(s): AC

Nondiscrimination

Required policy

The district prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual’s perceived or actual race¹, color, religion, sex, sexual orientation, gender identity², national or ethnic origin, marital status, age, mental or physical disability, pregnancy, familial status, economic status, or ~~perceived disability, pregnancy, familial status, economic status, veterans’ status, marital status or age,~~ or because of the perceived or actual race, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, age, mental or physical disability ~~or perceived disability,~~ pregnancy, familial status, economic status, or veterans’ status, ~~marital status or age,~~ of any other persons with whom the individual associates.

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

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

The superintendent shall appoint ~~individuals at a designee(s) to serve as the~~ district to contact on issues concerning ~~compliance officer(s) for the Americans with Disabilities Act of 1990 and Americans with Disabilities Act Amendments Act (ADA), of 2008, Section 504 of the Rehabilitation Act, Titles of 1973, Title VI and, Title VII of the Civil Rights Act, Title IX of the Education Amendments, and and other civil rights or discrimination issues, and make known compliance officer(s) contact information³.~~ The board will ~~adopt~~ and notify students, parents, and staff with their names, office addresses, and phone numbers.

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

² “Sexual orientation” means an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behavior differs from that traditionally associated with the individual’s sex at birth.

³ Districts are required to notify students and employees of the name, office address and telephone number of the employee or employees appointed.

The district will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees and the public, and such procedures will be available at the district's administrative office and available on the home page of the district's website.

Complaints regarding noncompliance with non-discrimination legislation shall be processed through the appropriate district policy and/or regulation.

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

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)
[ORS 192.630](#)
[ORS 326.051\(1\)\(e\)](#)
[ORS 408.230](#)
[ORS 659.805](#)
[ORS 659.815](#)
[ORS 659.850 - 659.860](#)
[ORS 659.865](#)
[ORS 659A.001](#)
[ORS 659A.003](#)

[ORS 659A.006](#)
[ORS 659A.009](#)
[ORS 659A.029](#)
[ORS 659A.030](#)
[ORS 659A.040](#)
[ORS 659A.103 - 659A.145](#)
[ORS 659A.230 - 659A.233](#)
[ORS 659A.236](#)
[ORS 659A.309](#)
[ORS 659A.321](#)

[ORS 659A.409](#)
[OAR 581-002-0001 – 002-0005](#)
[OAR 581-021-0045](#)
[OAR 581-021-0046](#)
[OAR 581-021-0047](#)
[OAR 581-021-0047](#)
[OAR 581-022-2310](#)
[OAR 581-022-2370](#)
[OAR 839-003](#)

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-633 (2018); 29 C.F.R Part 1626 (2019).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12112 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2018).

Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (2018); 34 C.F.R. Part 104 (2019).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).

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

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (2018); 29 C.F.R. § 1601 (2019).

Wygant v. Jackson Bd. of Educ., 476 U.S. 267 (1989).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

The Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (2018).

Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (2018); 29 C.F.R. Part 1635 (2019).

House Bill 2935 (2021).

House Bill 3041 (2021).

Corrected 11/16/22



Code: AC-AR
 Revised/Reviewed: 1/04/07; 5/13/10; 9/09/15;
 6/13/18
 Orig. Code: AC-AR

Discrimination Complaint Procedure

(Required to have an adopted complaint procedure; this is best practice)

****Any person, including students, staff, visitors and third parties, may file a complaint.**

Complaints regarding discrimination or harassment, on any basis protected by law, shall be processed in accordance with the following procedures:

1. Complaints may be oral or in writing and must be filed with the principal. The principal shall investigate and determine the action to be taken, if any, and reply, in writing, to the complainant within 10 school days of receipt of the complaint.

Any staff member that receives a written or oral complaint shall report the complaint to the principal.

2. If the complainant wishes to appeal the decision of the principal, ~~he/she~~ the complainant may submit a written appeal to the superintendent or designee within five school days after receipt of the principal’s response to the complaint.

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

3. If the complainant is not satisfied with the decision of the superintendent or designee, a written appeal may be filed with the ~~the~~ Board within five school days of receipt of the superintendent’s or designee’s response in Step 2. The ~~the~~ Board may decide to hear or deny the request for appeal at a Board meeting. If the Board decides to hear the appeal, ~~The~~ ~~the~~ Board may meet with the concerned parties and their representative at the next regular or special ~~a~~ Board meeting. The ~~the~~ Board’s decision will be final and will address each allegation in the complaint and contain reasons for the ~~the~~ Board’s decision. A copy of the ~~the~~ Board’s final decision shall be sent to the complainant in writing or electronic form within ~~10~~ ****30** days of ~~this meeting~~ receipt of the appeal.

If the principal is the subject of the complaint, the individual may start at step 2 and file a complaint with the superintendent or designee. If the superintendent is the subject of the complaint, the complaint may start at step 3 and should be referred to the Board chair. The Board may refer the investigation to a third party.

Complaints against the Board as a whole or against an individual Board member may start at step 3 and should be made to the Board chair and may be referred to district counsel. Complaints against the Board chair may start at step 3 and should be made directly to Board vice chair.

Timelines may be extended based upon mutual consent of both parties.

~~If the complainant, who is a person that resides in the district, is a parent or guardian of a student who attends school in the district or is a student, is not satisfied after exhausting local complaint procedures or 90 days, whichever occurs first, he/she may appeal in writing to the Superintendent of Public Instruction under Oregon Administrative Rule (OAR) 581-021-0049.~~ The complainant, if a person who resides in the district, a parent or guardian of a student who attends school in the district or a student, is not satisfied after exhausting local complaint procedures, the district fails to render a written decision within 30 days of submission of the complaint at any step or fails to resolve the complaint within 90 days of the initial filing of the complaint, may appeal the district's final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023.

DISCRIMINATION COMPLAINT FORM

***Any person, including students, staff, visitors and third parties, may file a complaint.*

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

Student/Parent Employee Nonemployee (Job applicant) Other _____

Type of discrimination: Race Color Religion
 Sex National Origin Disability
 Marital Status Age Sexual Orientation
Other _____

Type of discrimination:

- | | | |
|--|--|---|
| <input type="checkbox"/> Race | <input type="checkbox"/> Mental or physical disability | <input type="checkbox"/> Age |
| <input type="checkbox"/> Color | <input type="checkbox"/> Marital status | <input type="checkbox"/> Sexual orientation |
| <input type="checkbox"/> Religion | <input type="checkbox"/> Familial status | <input type="checkbox"/> Pregnancy |
| <input type="checkbox"/> Sex | <input type="checkbox"/> Economic status | <input type="checkbox"/> Discriminatory use of a Native American mascot |
| <input type="checkbox"/> National or ethnic origin | <input type="checkbox"/> Veterans' status | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Gender identity | | |

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

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

Suggested solution/resolution/outcome: _____

This complaint form should be mailed or submitted to the principal or designee.

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

Corrected 11/16/22; **Corrected 5/04/23



Code: ACA
Adopted: 4/26/17
Orig. Code: ACA

Americans with Disabilities Act

Optional policy; required

The district, in compliance with the Americans with Disabilities Act of 1990 and the Americans with Disabilities Act Amendment Act of 2008 (ADA), is committed to maintaining employment practices, services, programs and activities that provide equity to qualified individuals with disabilities.

The district will provide reasonable accommodations for the known disabilities of all applicants and current employees in all employment application procedures; hiring, advancement or discharge; employee compensation; job training; other terms, conditions and privileges of employment upon request and advance notice.

A reasonable accommodation must not present an undue hardship for the district, be unduly costly, extensive or disruptive; nor present a direct threat to the health or safety of the individual or others in the workplace.

District services, programs and activities will be accessible and usable by qualified individuals with disabilities, consistent with Section 504 of the Rehabilitation Act of 1973 and the ADA. Accessibility may be achieved through nonstructural as well as structural methods.

In order to achieve equal access, the district will make available appropriate auxiliary aids and services that promote effective communications. Primary consideration will be given to the request of individuals with disabilities in the selection of appropriate aids and services. Final determination will be made by the ~~Board~~ **board**. Auxiliary aids and services determinations will be based on availability, effectiveness and financial or administrative burden to the district.

The ~~Board~~ **board** directs the superintendent to develop and implement an appropriate plan that provides for district compliance with the ADA, including the appointment of an ADA compliance officer and the establishment of a process for the investigation and prompt and equitable resolution of any complaint regarding noncompliance.

Retaliation is prohibited against anyone who files a complaint of discrimination, participates in an Office of Federal Contract Compliance Program proceeding or otherwise opposes discrimination under federal or state laws.

END OF POLICY

Legal Reference(s):

Rehabilitation Act of 1973, 29 U.S.C. §§ 503, 791, 793-794 (2010).
Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2010).
Chevron U.S.A. Inc. v. Echazabal, 536 U.S. 73 (2002).
Americans with Disabilities Act Amendments Act of 2008.

Corrected 11/16/22



Code: AE
 Adopted: 1/04/07
 Revised/Readopted: 5/13/10; 4/26/17
 Orig. Code: AE

District Goals

(Highly recommended policy; includes some required actions and best practices.)

All district and program goals shall be determined based on the need for appropriate student achievement opportunities and the health and safety of students and employees.

The district shall maintain an aligned and articulated K-12 program designed to maintain good instruction and, where necessary, improve instruction which improve student achievement, supports the academic growth beyond proficiency in academic content standards and encourages the attainment of individual goals.

The district will work through ~~21st Century Schools~~ ~~Site Councils~~, local school committees and advisory committees to ensure that district goals reflect input from staff, parents and community members.

To successfully prepare students to function effectively in a rapidly changing world and for the futures they choose to pursue, goals will be adopted by the ~~Board~~ Board consistent with the goals adopted by the State Board of Education.

The district will work with staff, parents and community members to develop district goals that support the physical and cognitive growth and development of students. Goals will be adopted by the Board consistent with the goals adopted by the State Board of Education, and will be reviewed and revised as needed. Goals will utilize valid and reliable data for evaluating the success of curriculum, instruction, resource allocation and school improvement.

The superintendent or designee is responsible to the ~~Board~~ Board for developing a process to update or revise district goals, as necessary.

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)
[ORS 192.630](#)
[ORS 329.015](#)
[ORS 329.025](#)

[ORS 329.485](#)
[ORS 332.107](#)
[ORS 659.850](#)
[ORS 659A.003](#)

[ORS 659A.006](#)
[ORS 659A.030](#)
[OAR 839-003](#)

Corrected 11/16/22



Code: BA
Adopted:

Board Goals

Optional policy. Submitting to the board leadership for consideration to decide if this is a good addition to the board's policy manual. Decide whether to keep policy, and whether to keep the list 1-5 in the last paragraph.)

The Board is responsible to the people for whose benefit the district has been established. Further, the Board's current decisions will influence the future course of education in the district's schools. By virtue of this responsibility, the Board and each of its members must look to the future and to the needs of all district patrons. This requires a comprehensive perspective and long-range plan in addition to addressing immediate problems.

The Board's primary responsibility is to establish policies, purposes and programs which will best produce educational achievement. The Board is charged with accomplishing this while also being responsible for wise management of available resources. The Board must fulfill these responsibilities by functioning primarily as a legislative body which formulates and adopts policy, by selecting a chief executive officer to implement policy and by evaluating the results. Further, it must carry out its functions openly and seek the involvement of students, staff and the public during its decision-making processes.

In accordance with these principles, the Board, through its operations, will review and vote to adopt Board goals[.] [that align with the following:

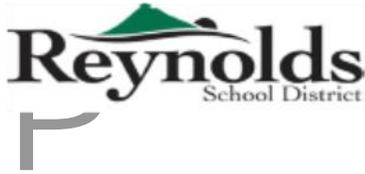
1. Concentrate the Board's collective effort on policy-making and planning responsibilities;
2. Formulate Board policies that best serve each student's educational interests;
3. Provide the superintendent with sufficient and adequate guidelines for implementing Board policies;
4. Maintain effective communication with the students, staff and the public to maintain awareness of attitudes, opinions, desires and ideas;
5. Conduct Board business openly, soliciting and encourage broad-based involvement of the students, staff and the public in the Board's decision-making processes.]

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Corrected 11/16/22



Code: BB
Adopted:

D

Board Legal Status

Optional. Included for board decision on whether to keep.

The Constitution of the state of Oregon charges the Legislature with providing – by statute – for a uniform and general system of common schools. The Legislature enacts laws to delegate the immediate control of the schools to locally elected boards of directors; thus, the Board is the governing body of Reynolds School District.

Federal and state statutes and the State Board of Education rules define and outline the general powers and duties of the Board. The Oregon statutes authorize the Board to transact all business within the jurisdiction of the district, control the district schools and educate the children residing in the district. Oregon Administrative Rules establish further requirements and guidelines for the district. The Board’s duty is to carry out those statutes and rules that are mandatory, e.g., “The Board shall...;” where the laws are permissive, e.g., “The Board may...,” the Board is empowered to exercise judgment and discretion.

This district will be known as Reynolds School District.

The regular term of office for Board members will be four years. The terms of office will commence on the first day of July following regular district elections. The term of office for members appointed to fill a vacancy will be until June 30 following the next regular district election. The term of office for members elected to fill a vacancy will be the time remaining in the vacated Board position.

END OF POLICY

Legal Reference(s):

[ORS 255.335](#)
[ORS 332.018\(1\)](#)
[ORS 332.030\(4\)](#)

[ORS 332.072](#)
[ORS 332.075](#)
[ORS 332.105](#)

[ORS 332.107](#)
[ORS 335.505](#)

OR. CONST., art. VIII, § 3.

S

E

Corrected 11/16/22

D



Code: BBA
Adopted: 5/13/10
Revised/Readopted: 4/26/17
Orig. Code: BBA

Board Powers and Duties

The Legislature of the state of Oregon delegates to the Board responsibility for the conduct and governance of programs and services in the district. The general powers granted to the Board are:

1. Legislative or Rule-Making Authority

In regular or special public meetings, after open discussion and after members' votes are recorded, the Board will establish rules or policy to govern the conduct of its members and the proceedings of the Board.

The Board shall establish policies for governing the programs and services of the district consistent with State Board of Education rules and with local, state and federal laws.

The Board is responsible for providing adequate and direct means for keeping informed about the needs and wishes of the public and for keeping local ~~community members~~ citizens informed about the schools.

2. Judicial Authority

As provided by law, policy or contract, the Board acts as a fact-finding body or a court of appeal for staff members, students and the public when issues involve Board policies or agreements and their implementation, and when the Board must determine the rights, duties or obligations of those who address the Board.

3. Executive/Administrative Authority

The Board will appoint a superintendent delegated to establish administrative regulations to implement Board policy and goals. The Board will evaluate the superintendent's performance.

The Board may establish academic and financial goals for the district and evaluate the superintendent's implementation of those goals.

The Board will oversee the district's financial affairs by authorizing, appropriating and adopting budgets and by proposing local option or bond elections, when appropriate and as allowed by law, to provide for program operation and maintenance or acquisition of district property.

The Board will authorize the superintendent to approve payment on all contracts and business transactions of the district in accordance with Board policies on purchasing and budget requirements. The Board will provide for an annual audit of the district's assets.

The Board will employ the staff necessary to carry out the educational program and will provide for regular evaluation of staff.

The Board will direct the collective bargaining process to establish collective bargaining agreements with the district's personnel. The Board will establish, through the collective bargaining process where appropriate, salaries and salary schedules, other terms and conditions of employment, and personnel policies for districtwide application.

The Board will establish the days of the year and the hours of the day when school will be in session.

END OF POLICY

Legal Reference(s):

[ORS 192.630](#)

[ORS 243.656](#)

[ORS Chapters 279A, 279B](#) and [279C](#)

[ORS 294.305 to -294.565](#)

[ORS 328.205 to -328.304](#)

[ORS 332.072](#)

[ORS 332.075](#)

[ORS 332.105](#)

[ORS 332.107](#)

[ORS Chapter 339](#)

[ORS 342.805 to -342.937](#)

[ORS Chapter 343](#)

Corrected 11/16/22



Code: BBAA
 Adopted: 1/04/07
 Revised/Readopted: 5/13/10; 9/14/16; 4/26/17
 Orig. Code: BBAA

Individual Board Member’s Authority and Responsibilities

(Board, please review the changes to the legal opinion section. What bracketed language is desired to keep or delete?)

(Optional policy and reflects best practices and some requirements)

An individual Board member exercises the authority and responsibility of their position when the Board is in legal session only.

A Board member has the authority to act in the name of the Board when authorized by a specific Board motion. The affirmative vote of the majority of members of the Board is required to transact any business. When authorized to act as the district’s designated representative in collective bargaining, a Board member may make and accept proposals in bargaining subject to subsequent approval by the Board.

~~When expressing~~ A board member has the right to express personal opinions. ~~When expressing such opinions~~ in public, the Board member ~~should~~ must clearly identify the opinions as their own.

Members will be knowledgeable of information requested through Board action, supplied by the superintendent, gained through attendance at district activities and through professional Board activities.

Members of the Board will adhere to the following in carrying out the responsibilities of board membership:

Request for Information

Any individual Board member who desires a copy of an existing written report or a survey prepared by the administrative staff will ~~shall~~ make such a request to the superintendent. ~~Requests for reports or information shall be authorized by the board.~~ A copy of ~~the~~ such material ~~may~~ shall be made available sent to each member of the Board ~~as requested.~~ Requests for the generation of reports or information, which require additional expense to the district, must be submitted to the Board for consideration.

Requests for Legal Opinions

A request for a legal opinions from a Board member ~~[that will incur a cost for the district]~~ must be approved by a majority vote of the Board. ~~Copies of the opinion shall be distributed to all board members.~~ [The Board chair is authorized to obtain legal advice or opinions if [advantageous] to do so prior to the next meeting (e.g., advice regarding an executive session or a decision to invite district legal counsel) without a need for Board approval.] ~~If the legal opinion sought involves the superintendent’s~~

employment or performance, the request should be made to the board chair. Copies of the opinion shall be distributed to all Board members. Legal counsel is responsible to the Board.

Action on Complaints or Requests Made to Board Members

When a board member receives complaints or requests for action from staff, students or members of the public, the Board members will direct the staff, students, members of the public to refer the appropriate complaint policy, Board policy KL – Public Complaints. Such information will be conveyed individual(s) to the superintendent.

Complaints involving the superintendent shall be referred to the Board chair on behalf of the Board. The Board chair shall present the complaint to the Board.

District Board Member’s Relationship to Administration

Individual Board members will be informed about the district’s educational program, may and are encouraged to visit schools or other facilities to gain information, and may request information from the superintendent. No individual Board member may direct the superintendent to action without Board authorization. Board members will not intervene in the administration of the district or its schools.

Contracts or Agreements

All contracts of the district must be approved by the Board, unless otherwise delegated by the Board to the superintendent or designee for approval, before an order can be drawn for payment. If a contract is made without authority of the Board, the individual making such contract shall be personally liable.

END OF POLICY

Legal Reference(s):

[ORS 332.045](#)
[ORS 332.055](#)

[ORS 332.057](#)
[ORS 332.075](#)

38 OR. ATTY. GEN. OP. 1995 (1978)
S. Benton Educ. Ass’n v. Monroe Union High Sch. Dist., 83 Or. App. 425 (1987).

Corrected 11/16/22



Code: BBB
 Adopted: 1/04/07
 Revised/Readopted: 5/13/10; 2/12/14; 4/26/17
 Orig. Code: BBB

Board Elections

(Optional policy; included to inform public about Reynolds board elections and other requirements)

1. Number of Directors—

The ~~Board~~board will consist of seven members elected at large by position and will be known as the Reynolds School Board of Education. ~~An elected~~The term of office shall be four years.

2. Designation of Board Positions—

Board members’ positions and their respective successors in office will be designated by numbers as Position No. 1, No. 2, No. 3, No. 4, No. 5, No. 6 and No. 7. In all proceedings for the nomination or election of candidates for or to the office of ~~Board~~board member, every petition for nomination, declaration of candidacy, certificate of nomination, ballot or other document used in connection with the nomination or election will state the position number to which the candidate aspires.

Individuals may seek more than one elected position (such as school board and education service district board.)-

Re-elections

Re-elections for ~~Board~~board positions will occur as follows:

- Position No. 1: Spring ~~2017~~2025, and every four years thereafter.
- Position No. 2: Spring ~~2017~~2025, and every four years thereafter.
- Position No. 3: Spring ~~2017~~2025, and every four years thereafter.
- Position No. 4: Spring ~~2017~~2025, and every four years thereafter.
- Position No. 5: Spring ~~2019~~2023, and every four years thereafter.
- Position No. 6: Spring ~~2019~~2023, and every four years thereafter.
- Position No. 7: Spring ~~2019~~2023, and every four years thereafter

END OF POLICY

Legal Reference(s):

[ORS 249.013](#)
[ORS 255.235](#)

[ORS 255.245](#)
[ORS 332.011](#)
[ORS 332.018](#)

[ORS 332.118 to -332.138](#)

Corrected 11/16/22



Code: BBBA
 Adopted: 1/04/07
 Revised/Readopted: 5/13/10; 4/26/17
 Orig. Code: BBBA

Board Member Qualifications

(Optional policy; reflects statute)

A person is eligible to serve as a Board member if the person is a qualified elector¹ of the district and has ~~Persons will be eligible to serve as board members if they are an elector 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 been a resident within the district for one year immediately preceding the election or appointment. All b~~ Board members in the district will be elected by position.

~~A~~ No person who is an employee of the district is ~~not~~ will be eligible to serve as a ~~Board~~ 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~~ board of the district in which the public charter school that employs the person is located.

END OF POLICY

Legal Reference(s):

- [ORS 247.002](#)
- [ORS 247.035](#)
- [ORS 249.013](#)
- [ORS 332.016](#)
- [ORS 332.018](#)
- [ORS 332.030](#)
- [ORS 332.124](#)
- [ORS 332.126](#)

OREGON CONSTITUTION, ARTICLE II, Section 2.

Corrected 11/16/22

¹ “Elector” means an individual qualified to vote under Article II, section 2, [Oregon Constitution](#).



Code: BBBB
 Adopted: 1/04/07
 Revised/Readopted: 5/13/10; 4/26/17
 Orig. Code: BBBB

Board Member Oath of Office

(Optional policy and reflects requirement for board members to take an oath of office)

Any Board members when elected or appointed Board member must qualify by taking an the oath of office before assuming the duties of office. The oath of office must be taken again after each election or appointment of a board member.

The oath of office will be in the following form:

I, _____ (name of board Eelectee or Aappointee), having been [duly elected] [appointed] a member of the School Board of Reynolds School District #7, Multnomah County, Oregon, do solemnly swear (or affirm) that I will support the Constitution of the United States, the Constitution of the state of Oregon and of the laws thereof State of Oregon, and the policies of the Reynolds School District. During my term, I will faithfully and impartially discharge the responsibilities of the Officeoffice of Reynolds School Board Member District board member to the best of my ability[, so help me God¹].

END OF POLICY

Legal Reference(s):

[ORS 332.005](#)

Corrected 11/16/22

¹ Final phrase optional.



Code: BBC
Adopted: 9/14/16
Orig. Code: BBC

Board Member Resignation

(Optional policy; provides continuity of the board for governance)

The Board believes that any citizen who files and seeks election or appointment to the Board should do so with full knowledge of and appreciation for the investment in time, effort and dedication expected of all Board members, and that the citizen's intent is to serve a full term of office.

When a member decides to terminate service, the Board requests earliest possible notification of intent to resign so the Board may plan for the continuity of Board business. Resignations must be made in writing. Board members can resign the office effective at a future date. If the resignation is effective at a future date, the resignation is binding unless withdrawn in writing by the end of the third business day after the resignation is made.

The Board will announce the resignation and declare the vacancy at a Board meeting.

The Board will determine the procedures to be used in filling the vacancy. The Board may begin a replacement process and select a successor prior to the effective date of resignation; however, the actual appointment shall not be made before the resignation date.

END OF POLICY

Legal Reference(s):

[ORS 236.320](#)

[ORS 236.325](#)

[ORS 332.030](#)

Corrected 11/16/22



Code: BBD
Adopted: 1/04/07
Revised/Readopted: 5/13/10; 4/26/17
Orig. Code: BBD

Board Member Removal from Office

(Optional policy but states law)

The Board shall declare the office of a board member vacant upon the happening of any of the following:

1. The death or resignation of the incumbent;
2. When an incumbent is removed from office by the judgment of the court;
3. When an incumbent ceases to be a resident of the district;
4. When an incumbent ceases to discharge the duties of the office for two consecutive months unless prevented there from by sickness or other unavoidable cause;
5. When an incumbent ceases to discharge the duties of the office for four consecutive months for any reason;
6. When an incumbent is recalled from office by district voters.

Vacancies will be filled through appointment by the Board unless a majority of the positions are vacant at the same time. In that case, vacancies will be filled by the Multnomah Education Service District.

END OF POLICY

Legal Reference(s):

[ORS 249.865 to -249.877](#)

[ORS 332.030](#)

[ORS 408.240](#)

Corrected 11/16/22



Code: BBE
 Adopted: 1/04/07
 Revised/Readopted: 5/13/10; 4/26/17
 Orig. Code: BBE

Vacancies on the Board

(Optional policy; reflects statute and included to inform)

Vacancies will be filled through Board appointment. The Board appointee must be a legally registered voter and a resident within the district for one year immediately preceding the appointment.

In the event of multiple vacancies, the position vacated first will be filled first.

Upon appointment by the Board, the newly appointed Board member(s) will be sworn and seated immediately.

If the offices of a majority of Board members are vacant at the same time, the directors of the Multnomah Education Service District board shall appoint persons to fill the vacancies from qualified district voters.

Board elections are held every odd-numbered year, which for the purposes of this policy, are termed “election” years.

The appointee will:

1. Serve until June 30 following the next election, at which time the individual elected in May of that year will fill the remaining portion of an unexpired term or serve a full four-year term; or
2. Serve until June 30 of a subsequent election year if the vacancy occurs after the filing date in an election year.

A Board member so elected as a replacement will serve the remaining year(s) of the term of office of the Board member being replaced.

END OF POLICY

Legal Reference(s):

[ORS 249.865 to -249.877](#)
[ORS 255.245](#)

[ORS 255.335](#)
[ORS 332.030](#)

[ORS 332.122](#)
[ORS 332.124](#)

Corrected 11/16/22



Code: BBF
Adopted: 1/04/07
Readopted: 5/13/10
Orig. Code: BBF

Board Member Standards of Conduct

(Highly recommended; best practices and information.)

Board members shall treat ~~with dignity and courtesy~~ other Board members, the superintendent, staff and ~~members of the public~~ with dignity, and ~~courtesy and will~~ shall provide an opportunity for all parties to be heard with due respect for their opinions.

Board members will recognize the superintendent as the chief executive officer to whom the Board has delegated administrative authority to establish regulations and oversee the implementation of Board policy.

~~When a Board member expresses~~ has the right to express personal opinions. ~~When expressing such opinions in public, the Board member should clearly identify the opinions as personal~~ his/her own.

No board member shall make commitments on matters which should properly come before the Board as a whole. Board members shall not make a decision, deliberate toward a decision on any matter or participate in discussions of official district business in groups where a quorum of board members are present, except when properly advertised.

A Board member will respect the privacy rights of individuals when dealing with confidential information gained through association with the district.

Individual Board members and the Board as a public entity must comply with the Code of Ethics laws for public officials provided in state law.

Board members shall recognize the superintendent as the chief executive officer to whom the board has delegated administrative authority to establish regulations and oversee the implementation of board policy.

A Board member will ~~keep~~ use social media Web sites judiciously by not posting confidential information and documents discussed in executive session confidential.

A Board member will not post confidential information or documents about students, staff or district business online, including but not limited to, on social media.

Board members will treat fellow Board members, staff, students and the public with respect while posting online or to social media and will adhere to Oregon Public Meetings Laws, including when communicating with other Board members via websites or other electronic means.

A Board member is a mandatory reporter of child abuse. A Board member having reasonable cause to believe that any child with whom the Board member comes in contact with has suffered abuse or that any person with whom the Board member comes in contact with has abused a child shall immediately make an

oral report by telephone or otherwise to the local Department of Human Services (DHS), to the designee of the department or to a local law enforcement within the county where the person making the report is located at the time of contact.

END OF POLICY

Legal Reference(s):

[ORS 162.015 - 162.035](#)
[ORS 162.405 - 162.425](#)
[ORS 192.610 - 192.710](#)

[ORS 244.040](#)
[ORS Chapter 244](#)
[ORS 332.055](#)

[ORS 419B.005](#)
[ORS 419B.010](#)
[ORS 419B.015](#)

Corrected 11/16/22



Code: BBFA
Adopted: 5/13/10
Revised/Readopted: 4/09/14; 4/13/16
Orig. Code: BBFA

Board Member Ethics and Conflicts of Interest

No Board member will use their/his/her official position or office to obtain personal financial benefit or to avoid financial detriment for themselves or herself, relatives or, household members, or for any business with which the Board member, a household member or a relative is associated.

This prohibition does not apply to any part of an official compensation package, honorarium allowed by Oregon Revised Statute (ORS) ORS 244.042, reimbursement of expenses, or unsolicited awards of professional achievement. Further, this prohibition does not apply to gifts from one without a legislative or administrative interest. Nor does it apply if the gift is under the annual \$50 gift limit from one who has a legislative or administrative interest in any matter subject to the decision or vote of the Board member, the district. District-provided meals at board meetings are acceptable under the reimbursement of expenses exception.

I. Conflicts of Interest

“Business” means any corporation, partnership, proprietorship, enterprise, association, franchise, firm, organization, self-employed individual or any legal entity operated for economic gain. This definition excludes any income-producing tax exempt 501(c) not-for-profit corporation with which a public official or a relative of the public official is associated only as a member or board director or in a nonremunerative capacity.

“Business with which a Board member or relative is associated” means any private business or closely held corporation of which a Board member or relative is a director, officer, owner, employee or agent or any private business or closely held corporation in which a Board member or relative owns or has owned stock, another form of equity interest, stock options or debt instruments worth \$1,000 or more at any point in the preceding year; any publicly held corporation in which a Board member or relative owns or has owned \$100,000 or more in stock or another form of equity interest, stock options or debt instruments at any point in the preceding calendar year; or any publicly held corporation of which a Board member or relative is a director or officer.

“Relative” means the spouse¹, parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law of the Board member; or the parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law of the spouse of the Board member. Relative also includes any individual for whom the Board member has a legal support obligation, whose employment provides benefits² to the Board member, or who receives any benefit from the Board member’s public position/employment.

“Member of the household” means any person who resides with the public official.

¹ The term spouse includes domestic partner.

² Examples of benefits may include, but not be limited to, elements of an official compensation package including benefits such as insurance, tuition or retirement allotments.

No Board member will solicit or receive, either directly or indirectly, any pledge or promise of future employment based on any understanding that the Board member's vote, official action or judgment would be thereby influenced.

No Board member will attempt to use or use for personal gain any confidential information gained through their/ his/ her official position or association with the district. A Board member will respect individuals' privacy rights when dealing with confidential information gained through association with the district.

If a Board member participates in the authorization of a public contract, the Board member may not have a direct beneficial financial interest in that public contract for two years after the date the contract was authorized leaving the board.

Individual Board members and the Board as a public entity are bound by the ethics laws for public officials as stated in Oregon law.

Potential Conflict of Interest

"Potential conflict of interest" means any action or any decision or recommendation by a Board member that could result in a financial benefit or detriment for self or relatives or for a business with which the Board member or relatives are associated, unless otherwise provided by law.

A Board member must publicly declare a potential conflict of interest. A Board member may, after declaring his/ her potential conflict of interest, either vote or abstain on the issue. Abstaining from a vote does not meet the legal requirement of publicly stating a potential conflict.

Actual Conflict of Interest

"Actual conflict of interest" means any action or any decision or recommendation taken by a Board member that would result in a financial benefit or detriment to self or relatives or for any business with which the Board member or relatives are associated, unless otherwise provided by law.

A Board member must publicly declare an actual conflict of interest. The Board member may not vote lawfully if an actual conflict of interest exists unless a vote is needed to meet a minimum requirement of votes to take official action. Such a vote does not allow the Board member to participate in any discussion or debate on the issue out of which an actual conflict arises.

Class Exception

It will not be a conflict of interest if the Board member's action would affect to the same degree a class consisting of all inhabitants of the state, or a smaller class consisting of an industry, occupation or other group including one of which or in which the person, or the person's relative or business with which the person or the person's relative is associated, is a member or is engaged. For example, if a Board member's spouse is a member of the collective bargaining unit, the Board member may vote to approve the contract, as it will affect all members of that class to the same degree. However, if the collective bargaining unit is very small, the class exception may not apply. Similarly, if the contract contains special provisions that might apply only to particular persons, then the class exception may not apply. For example, if a Board member's spouse is the only one in the bargaining unit that has a doctorate and there is a pay differential for employees with doctorates in the collective bargaining agreement, the Board member should not vote on the contract.

II. Gifts

Board members are public officials and therefore will not solicit or accept a gift or gifts with an aggregate value in excess of \$50 from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. district. All gift related

provisions apply to the Board member, their relatives, and members of their household. The \$50 gift limit applies separately to the Board member, and to the Board member's relatives or members of household, meaning that the Board member, each member of their household and their relative can accept up to \$50 each from the same source/gift giver. "Gift" means something of economic value given to a Board member without valuable consideration of equivalent value, which is not extended to others who are not public officials on the same terms and conditions.

"Relative" means: the spouse³, parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law of the Board member; or the parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law of the spouse of the Board member. Relative also includes any individual for whom the Board member has a legal support obligation, whose employment provides benefits⁴ to the Board member, or who receives any benefit from the Board member's public position/employment.

"Member of the household" means any person who resides with the Board member.

Determining the Source of Gifts

Board members should not accept gifts in any amount without obtaining information from the gift giver as to who is the source of the gift. It is the Board member's personal responsibility to ensure that no single source provides gifts exceeding an aggregate value of \$50 in a calendar year, if the source has a legislative or administrative interest in any matter subject to the decision or vote of the Board member, the district. If the giver does not have a legislative/administrative interest, the ethics rules on gifts do not apply and the Board member need not keep track of it, although they are advised to do so anyway in case of a later dispute.

Determining Legislative and Administrative Interest

A "legislative or administrative interest" means an economic interest distinct from that of the general public, in any action subject to the decision or vote of a person acting in the capacity of a Board member. For example, everyone within a county has a general interest in the fire department, but the person who sells the uniforms to the fire department has a legislative or administrative interest in the fire department that is distinct from the general public.

Determining the Value of Gifts

The fair market value of the merchandise, goods, or services received will be used to determine benefit or value.

"Fair market value" is the dollar amount goods or services would bring if offered for sale by a person who desired, but was not obligated, to sell and purchased by one who is willing, but not obligated, to buy. Any portion of the price that was donated to charity, however, does not count toward the fair market value of the gift if the Board member does not claim the charitable contribution on personal tax returns. Below are acceptable ways to calculate the fair market value of a gift:

1. In calculating the per person cost at receptions or meals the payor of the Board member's admission or meal will include all costs other than any amount donated to a charity.
2. For example, a person with a legislative or administrative interest buys a table for a charitable dinner at \$100 per person. If the cost of the meal was \$25 and the amount donated to charity was \$75, the

³ Ibid. p. 1

⁴ Ibid. p. 1

benefit conferred on the Board member is \$25. This example requires that the Board member does not claim the charitable contribution on personal tax returns.

3. For receptions and meals with multiple attendees, but with no price established to attend, the source of the Board member's meal or reception will use reasonable methods to determine the per person value or benefit conferred. The following examples are deemed reasonable methods of calculating value or benefit conferred:
 - a. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons whom the payor reasonably expects to attend the reception or dinner;
 - b. The source divides the amount spent on food, beverage and other costs (other than charitable contributions) by the number of persons who actually attend the reception or dinner; or
 - c. The source calculates the actual amount spent on the Board member.
4. Upon request by the Board member, the source will give notice of the value of the merchandise, goods, or services received.
5. Attendance at receptions where the food or beverage is provided as an incidental part of the reception that qualify as an exception to the gift definition is permitted without regard to the fair market value of the food and beverage provided.

Value of Unsolicited Tokens or Awards: Resale Value

Board members may accept unsolicited tokens or awards that are engraved or are otherwise personalized items. Such items are deemed to have a resale value under \$25 (even if the personalized item cost the source more than \$50), unless the personalized item is made from gold or some other valuable material that would have value over \$25 as a raw material.

Entertainment

Board members may not solicit or accept any gifts of entertainment over \$50 in value from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the Board member the district unless:

1. The entertainment is incidental to the main purpose of another event (i.e., a band playing at a reception). Entertainment that involves personal participation is not incidental to another event (such as a golf tournament at a conference); or
2. The Board member is acting in their official capacity for a ceremonial purpose.

Entertainment is ceremonial when a Board member appears at an entertainment event for a "ceremonial purpose" at the invitation of when the source of the entertainment who requests the presence of the Board member at a special occasion associated with the entertainment. Examples of an appearance by a Board member at an entertainment event for a ceremonial purpose include throwing the first pitch at a baseball game, appearing in a parade and ribbon cutting for an opening ceremony.

Exceptions

The following are exceptions to the ethics rules on gifts:

1. Campaign contributions are not considered gifts under the ethics rules;
2. Gifts from "relatives" and "members of the household" to the Board member are permitted in an unlimited amount; they are not considered gifts under the ethics rules;

3. Informational or program material, publications, or subscriptions related to the recipient's performance of official duties;
4. Contributions made to a legal expense trust fund if certain requirements are met;
5. Food, lodging, and travel generally count toward the \$50 aggregate amount per year from a single source with a legislative or administrative interest, with the following exceptions:
 - a. Organized Planned Events. Board members are permitted to accept payment for travel conducted in the Board member's official capacity, for certain limited purposes:
 - (1) Reasonable expenses (i.e., food, lodging, travel, fees) for attendance at a convention, fact-finding mission or trip, or other meeting do not count toward the \$50 aggregate amount IF:
 - (2) The Board member is scheduled to deliver a speech, make a presentation, participate on a panel, or represent the district; AND
 - (a) The giver is a unit of a:
 - (i) Federal, state, or local government;
 - (ii) An Oregon or federally recognized Native American Tribe; OR
 - (iii) Nonprofit corporation.
 - (b) The Board member is representing the district:
 - (i) On an officially sanctioned trade-promotion or fact-finding mission; OR
 - (ii) Officially designated negotiations or economic development activities *where receipt of the expenses is approved in advance by the Board.*
6. The purpose of this exception is to allow Board members to attend organized, planned events and engage with the members of organizations by speaking or answering questions, participating in panel discussions or otherwise formally discussing matters in their official capacity. This exception to the gift definition does not authorize private meals where the participants engage in discussion.
7. Food or beverage, consumed at a reception, meal, or meeting IF held by an organization and IF the Board member is representing the district. Again, this exception does not authorize private meals where the participants engage in discussion ~~board member is at the event to give a speech or answer questions as part of a scheduled program.~~

“Reception” means a social gathering. Receptions are often held for the purpose of extending a ceremonial or formal welcome and may include private or public meetings during which guests are honored or welcomed. Food and beverages are often provided, but not as a plated, sit-down meal;
8. Food or beverage consumed by Board member acting in an official capacity in the course of financial transactions between the public body and another entity described in ORS 244.020(75)(b)(I)(i);
9. Waiver or discount of registration expenses or materials provided to Board member at a continuing education event that the Board member may attend to satisfy a professional licensing requirement;
10. A gift received by the Board member as part of the usual or customary practice of the Board member's private business, employment or position as a volunteer that bears no relationship to the Board member's holding of public office.

Honoraria

A Board member may not solicit or receive, whether directly or indirectly, honoraria for the Board member or any relative or member of the household of the Board member or board member's relative if the honoraria are solicited or received in connection with the official duties of the Board member.

The honoraria rules do not prohibit the solicitation or receipt of an honorarium or a certificate, plaque, commemorative token or other item with a value of \$50 or less; or the solicitation or receipt of an honorarium for services performed in relation to the private profession, occupation, avocation or expertise of the Board member or candidate.

END OF POLICY

Legal Reference(s):

[ORS 162.015 - 162.035](#)
[ORS 162.405 - 162.425](#)

[ORS 244.010 - 244.400](#)
[ORS 332.055](#)

[OAR 199-005-0001 - 199-010-0150](#)

38 OR. ATTY. GEN. OP. 1995 (1978)

OR. ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS.

Corrected 11/16/22



Code: BBFB
Adopted: 6/11/09
Revised/Readopted: 5/13/10; 4/09/14; 4/13/16
Orig. Code: BBFB

Board Member Ethics and Nepotism

In order to avoid both potential and actual conflicts of interests, Board members will abide by the following rules when a Board member's relative or member of the household is seeking and/or holds a position with the district:

1. A Board member may not appoint, employ, promote, discharge, fire, or demote or advocate for such an employment decision for a relative or a member of the household, unless the Board member complies with the conflict of interest requirements of Oregon Revised Statute (ORS) Chapter 244.120.

This policy does not apply to decisions regarding unpaid volunteer positions unless it is a Board member position or another Board-related unpaid volunteer position (i.e. a Board committee position).

2. A Board member may not participate as a public official in any interview, discussion, or debate regarding the appointment, employment, promotion, discharge, firing, or demotion of a relative or member of the household. A Board member may still serve as a reference or provide a recommendation.

For the purposes of this policy:

“Member of the household” means any person who resides with the Board member.

“Relative” means: the spouse¹, parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law of the Board member; or the parent, step-parent, child, sibling, step-sibling, son-in-law or daughter-in-law of the spouse of the Board member. Relative also includes any individual for whom the Board member has a legal support obligation, whose employment provides benefits² to the Board member, or who receives any benefit from the Board member's public employment.

Class Exception

It will not be a conflict of interest if the Board member's action would affect to the same degree a class including the Board member's relative or household member. For example, if a Board member's spouse is a member of the collective bargaining unit, the Board member may vote to approve the contract, as it will

¹ The term spouse includes domestic partner.

² Examples of benefits may include, but not be limited to, elements of an official compensation package including benefits such as insurance, tuition or retirement allotments.

affect all members of that class to the same degree. However, if the collective bargaining unit is very small, the class exception may not apply. Similarly, if the contract contains special provisions that might apply only to particular persons, then the class exception may not apply. For example, if a Board member's spouse is the only one in the bargaining unit that has a doctorate and there is a pay differential for employees with doctorates in the collective bargaining agreement, the Board member should not vote on the contract.

END OF POLICY

Legal Reference(s):

[ORS 244.010](#) to -244.400

[ORS 659A.309](#)

[OAR 199-005-0001](#) to -199-010-0150

OR. ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS.

Corrected 11/16/22



Code: BCB
Adopted: 1/04/07
Revised/Readopted: 5/13/10; 4/26/17
Orig. Code: BCB

Officers of the Board and Duties

(Optional policy; reflects best practices and delegates requirements)

At its first scheduled meeting after July 1, the Board but not later than July 31 in an election year, the board will elect one of its members to serve as chair and one to serve as vice chair. No member of the Boardboard may serve as chair more than four years in succession. If a Boardboard member is unable to continue to serve as an officer during the year, a replacement will be elected immediately. The replacement officer will serve the remainder of the officer's term until the following July organizational meeting.

The Boardboard chair will:

1. Assist the superintendent in establishing the agenda for regular Boardboard meetings;
2. Call special meetings when required;
3. Preside at all meetings of the Boardboard and enforce the rules of order;
4. Sign the minutes and other official documents that require the signature of the chair;
5. Represent the district and the Boardboard at official functions, unless this duty is delegated by the Board chair or the board to another Boardboard member;
6. Appoint all committees and will be an ex-officio member of all such committees unless otherwise ordered by the Boardboard;
7. Have the right to discuss issues and vote on any issue.

InThe vice chair in the absence, incapacitation or death of the chair, the vice chair will perform the duties of the chair and, when so acting, will have the chair's powers. The vice chair will perform other functions as designated by the Boardboard.

The superintendent will designate a staff member to serve as Boardboard secretary and will directly supervise and evaluate the secretary. In absence of the designated Board secretary, the Board may name anyone present to serve as secretary for that meeting. The secretary to the Boardboard will take notes at Boardboard meetings, compile minutes and perform related work as assigned by the superintendent or requested by the Board chair.

These duties will include, but not be limited to, the following: The board secretary will:

1. Record the disposition of all matters on which the Boardboard considered action;

2. Prepare, ~~check~~ and distribute minutes in advance for approval at the next ~~Board~~ meeting;
3. Maintain properly authenticated official copies of the minutes;
4. Maintain the official record of ~~Board~~ policies;
5. Properly post all Board meetings.

Board or District Spokesperson

The ~~Board~~ may appoint one of its members, usually the chair, or another person to make authorized statements to the public or the media when the ~~Board~~ deems that, under the circumstances, the district's position should be articulated by a single voice. The spokesperson serves at the ~~Board's~~ direction and may be removed or replaced at any time by action of a majority of the ~~Board~~.

END OF POLICY

Legal Reference(s):

[ORS 255.335](#)
[ORS 332.040](#)

[ORS 332.045](#)
[ORS 332.057](#)

[OAR 166-400-0010\(9\)](#)

Corrected 11/16/22



Code: BCBA
Adopted: 1/04/07
Revised/Readopted: 3/09/11; 4/26/17
Orig. Code: BCBA

Student Representative to the Board

The Board, at its discretion, may ~~appoint~~ establish and appoint a student representative to the Board. The student representative ~~shall be allowed a seat with the board at all public portions of meetings, but shall not attend executive sessions.~~ This position is a non-voting position. Eligibility criteria and process for selection of the student representative is the responsibility of the Board and high school administration.

The student appointment shall be for the term of one school year. ~~The student representative shall have the opportunity to report to the board as a whole at each public board meeting. Additionally, the board chair may invite the student representative to participate in board discussions regarding agenda items.~~

The student representative shall be installed on the Board through the following Oath of Office:

“I _____, will support the Constitution and the laws of the United States, the state of Oregon and the laws thereof, and the policies of the [] District, and will discharge the duties of Student Representative to the [] Board to the best of my ability.”

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Corrected 11/16/22



Code: BCBA-AR
Revised/Reviewed: 10/09/13
Orig. Code: BCBA-AR

Student Representative to Board and High School Reporter Guidelines

The Reynolds School District Board encourages student involvement in the school district. Involvement is defined in two ways: 1) a high school student to act as reporter or ambassador from his or her the high school; and 2) one high school Student Board-Representative to the Board.

Student Representative to Board

The board at its discretion may appoint a student representative to the board. One student representative may be selected according to the selection process established by the high school each year.

Guidelines for a student representative:

1. The student representative shall receive notice of meetings, the agenda and appropriate agenda materials as other Board members are distributed.
2. The position is a nonvoting position.
3. The student will not attend executive sessions.
4. The appointment is for one school year.
5. The student will be allowed a seat with the Board at all business meetings of the board.
6. The Board chair may invite the student representative to participate in Board discussion regarding agenda items.
7. The student representative is expected to be polite and address the board in a formal manner.
8. The student representative will not initiate new agenda items during a business meeting but may submit suggested agenda items according to Board policy BD/BDA – Board Meetings.
9. The student representative may contribute to discussion during the business meeting.
10. The student representative should expect questions from the board.

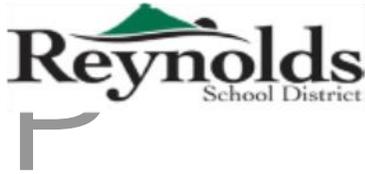
Student Reporter

A student reporter may be appointed by each high school to provide school news to the Board at each a business or regular meeting of the Board.

Guidelines for student reporters:

1. Student reporters will have a scheduled time on the agenda of each business or regular meeting.
2. Three minutes will be allowed for each report.
3. Reports must be submitted to the board secretary in writing after the presentation.
4. Student reporters are expected to be polite and prepared and address the Board in a formal manner.
5. Student reporters who wish to bring a business item to the Board will submit such items in accordance with Board policy BD/BDA – Board Meetings and will not bring business items to the Board’s attention during their report.
6. Student reporters are encouraged to share news about school events, activities, sports, academic happenings and other high interest activities at the school.
7. Reporters should expect questions from the Board.

Corrected 11/16/22



Code: BCD
Adopted:

D Board-Superintendent Relationship

(Optional policy; included for Board consideration to add.)

The superintendent shall be the chief executive officer and shall be responsible for the professional leadership necessary to translate the will of the Board into administrative action.

The superintendent shall be responsible for all aspects of district operation and for such duties and powers pertaining thereto as directed or delegated by the Board, and to develop such procedures and regulations as he/she considers necessary to ensure efficient operation of the district.

The Board expects that the superintendent is professionally able and possesses outstanding qualities of leadership, vision and administrative skill and will implement all Board policies in good faith.

The superintendent can expect the Board will respect the superintendent’s professional competence and extend to the superintendent full responsibility for implementation of Board policy decisions.

The Board holds the superintendent responsible for carrying out its policies within established guidelines and for keeping the Board informed about district operations.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 332.505](#)

S

[ORS 332.515](#)

Corrected 11/16/22

E

D



Code: BCE
Adopted: 1/04/07
Revised/Readopted: 5/13/10; 4/26/17
Orig. Code: BCE

Board Committees

Special temporary committees may be appointed by the Board. The entire Board may meet as a committee-of-the-whole. The functions of such committees shall ordinarily be fact-finding, deliberative, and advisory, and their reports shall be made to the Board for discussion and action. Any Board member, the superintendent of schools or a designee of the superintendent may be ex-officio members of any committee. Special committees shall be discharged upon completion of their assignment.

Committee-of-the-whole meetings, called “work sessions,” may be held. Committee-of-the-whole meetings may be called by the Board chair or any three Board members.

The budget committee and advisory (standing) committees are not addressed in this policy.

Committee Direction

The Board shall give clear directions to any committee it appoints. The Board chair will give a succinct committee direction summary statement to the appointed committee, which shall be recorded in the official board minutes.

Committee Member Selection

The Board shall determine a minimum and maximum number of members. The desire of the Board board to determine the composition of the committee with regard to representation from different district groups should be determined at the Board board-meeting at the time the committee is established. All committees of the Board board will have a district administrator as a member of that committee to act as an advisor in their duties. Board representation on the committee is required, but shall not involve more than three members.

Committee Time-Line

The Boardboard, at the time of creation, will establish a timeline for the newly created committee. No study committee shall continue functioning beyond 12 months from the date of creation without the board’s reconfirmation at an official board meeting.

Parameters of the Committee

The Boardboard, at the meeting during which the committee is created, will establish guidelines appropriate for the newly created committee. Guidelines should speak to the ability of the committee to expend district funds, to use district staff time to assist in their performance and other appropriate limits.

Committee Officers

The committee will select a chair and recorder.

Meeting Schedule Announcement

Meetings of a committee shall follow Public Meeting Laws.

Meeting Minutes

Committees shall record minutes as per public meetings law with distribution to all ~~Board~~ board-members and requesting members of the community.

Scope of Responsibility

The ~~Board~~ board's responsibility cannot be delegated or surrendered to others; therefore, all recommendations of an advisory committee must be submitted to the ~~Board~~ board for action.

END OF POLICY

Legal Reference(s):

[ORS 192.610 to -192.690](#)

[ORS 332.045](#)

[ORS 332.105](#)

Corrected 11/16/22



Code: BCF
Adopted: 1/04/07
Revised/Readopted: 3/09/11; 5/10/17
Orig. Code: BCF

Advisory Committees to the Board

In an ongoing effort to increase communication with the public and to provide for ~~community~~ ~~citizen~~ involvement, the ~~Board~~ ~~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~~ ~~board~~, but such recommendations will not relieve the ~~Board~~ ~~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~~ ~~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~~ ~~board~~. When requested and approved by the ~~Board~~ ~~board~~, appointment of staff members, when appropriate, will be made by the superintendent.

The ~~Board~~ ~~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~~ ~~board~~ will provide;
3. The length of time the committee is asked to serve and the approximate date(s) on which the ~~Board~~ ~~board~~ wishes to receive the committee report(s).

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

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

Educational Equity Advisory Committee

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.

A member of the educational equity advisory committee will also serve on the school district budget committee.¹

END OF POLICY

¹ 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.

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.

Corrected 11/16/22



Code: BD/BDA
Adopted: 1/04/07
Revised/Readopted: 5/13/10; 9/14/16
Orig. Code: BD/BDA

Board Meetings

The Board has the authority to act only when a quorum is present at a duly called regular, special or emergency meeting. “Meeting” means the convening of a quorum of the Board as the district’s governing body to make a decision or to deliberate toward a decision on any matter. This includes meeting for the purpose of gathering information to serve as the basis for a subsequent decision or recommendation by the governing body, i.e. a work session. The affirmative vote of the majority of members of the Board is required to transact any business.

Public Meetings

All regular, special and emergency meetings of the Board will be open to the public except that the Board chair may call an executive session for consideration of those confidential matters permitted by law to be discussed in closed session. All meetings will be conducted in compliance with state and federal statutes. All Board meetings, including Board retreats and work sessions, will be held within district boundaries, except as allowed by law¹. The Board may attend training sessions outside the district boundaries but cannot deliberate or discuss district business.² No meeting will be held at any place where discrimination on the basis of disability, race, creed, color, sex, sexual orientation, gender identity³, age or national origin is practiced.

Notification of Public Meetings

The Board will give public notice reasonably calculated to give actual notice to interested persons, including those with disabilities, of the time and place for all Board meetings and of the principal subjects to be considered. The Board may consider additional subjects at a meeting, even if they were not included in the notice.

Representatives of the local news media shall be notified in advance of any regular, special, executive session or emergency meeting of the board, when requested.

If requested to do so at least 48 hours before a meeting held in public, the Board shall make a good faith effort to provide an interpreter for hearing-impaired persons. Other appropriate auxiliary aids and services will be provided upon request and appropriate advance notice. ~~Communications with all qualified individuals with disabilities shall be as effective as communications with others.~~

¹ ORS 192.630(4). Meetings of the governing body of a public body shall be held within the geographic boundaries over which the public body has jurisdiction, or at the administrative headquarters of the public body or at the other nearest practical location. Training sessions may be held outside the jurisdiction if no deliberations toward a decision are involved.

² ORS 192.630(4). Meetings of the governing body of a public body shall be held within the geographic boundaries over which the public body has jurisdiction, or at the administrative headquarters of the public body or at the other nearest practical location. Training sessions may be held outside the jurisdiction as long as no deliberations toward a decision are involved.

³ As defined in ORS 174.100.

If requested to do so at least 72 hours before a meeting held in public, the Board will make a reasonable effort to provide interpretation services.

All meetings held in public shall comply with the Oregon Indoor Clean Air Act and the smoking provisions contained in the Public Meetings Law.

The possession of dangerous or deadly weapons and firearms, as defined in law and Board policy, is prohibited on district property.

Regular, Special and Emergency Meetings

Generally, one regular Board meeting will be held each month. The regular meeting schedule will be established at the annual organizational meeting in July and may be changed by the Board with proper notice. The purpose of each regular monthly meeting will be to conduct the regular Board business.

No later than the next regular meeting following July 1, the Board will hold the annual organizational meeting to elect Board officers for the coming year and to establish the year's schedule of Board meetings. In Board election years (odd numbered years), the first Board organizational meeting will be held no later than July 31.

Special meetings can be convened by the Board chair, upon request of three Board members, or by common consent of the Board at any time to discuss any topic. A special meeting may also be scheduled if less than a quorum is present at a meeting or additional business still needs to be conducted at the ending time of a meeting. At least 24 hours' notice must be provided to all Board members, the news media, which have requested notice, and the general public for any special meeting.

Emergency meetings can be called by the Board in the case of an actual emergency upon appropriate notice under the circumstances. The minutes of the emergency meeting must describe the emergency. Only topics necessitated by the emergency may be discussed or acted upon at the emergency meeting.

Private or Social Meetings

Private or social meetings of a quorum of the Board for the purpose of making a decision or to deliberate, deliberating toward a decision on any matter, gathering of information on which to deliberate, or participating in discussions of official district business are prohibited by public meetings law the Public Meetings Law.

Work Sessions

The Board may use regular or special meetings for the purpose of conducting work sessions to provide its members with opportunities for planning and thoughtful discussion. Work sessions will be conducted in accordance with the state law on public meetings, including notice and minutes. The Board may make official decisions during a work session.

Executive Sessions

Executive sessions may be held as an agenda item during regular, special or emergency meetings for a reason permitted by law. (See Board policy BDC - Executive Sessions)

Adjourned Meetings (This restates paragraph three under 'Regular, Special or Emergency Meetings' above.)

A board meeting may be adjourned to another time if a quorum is not present or if additional business needs to be conducted at the regular time of adjournment. The time, date and place of the adjourned meeting will be specified and appropriate notice given.

~~A majority of the members of the district board shall constitute a quorum. The affirmative vote of the majority of members of the board is required to transact any business.~~

Agenda

The board chair or vice chair, with the assistance of the superintendent-clerk, shall draft the agenda after determining the desires in the topics and order of consideration following the general order listed below:

- a. Call To Order
- b. Approval of the minutes
- c. Correspondence (if any)
- d. Reports
- e. Public to be Heard
- f. Action and First Reading Items
- g. Adjournment

The clerk shall send written notices of each regular board meeting at least four days before the date of the meeting. (Except in the cases of emergency, mailed notices and agenda shall be sent Friday evening before the regular meeting held on Thursday.) In addition, copies of the minutes of the previous meeting or meetings and other printed information concerning items on the agenda shall be furnished with the agenda.

Establishing the Agenda

Items of business may be suggested by any Board member, the clerk, administration, employees, students or residents of the district for inclusion on the agenda. These items shall be submitted in writing and received by the office of the superintendent's office at least seven days prior to the regularly scheduled meeting. Items requested by Board members shall be placed on the agenda, either by submission in writing as described or by request made at a Board meeting. Any item brought to the attention of the Board which does not meet this timeline will not receive formal Board action at the same meeting unless emergency conditions make immediate action mandatory.

Procedures

Except as otherwise provided by state law/and or board policy, the rules of parliamentary procedure compiled in *Roberts Rules of Order (Revised) for Small Boards* shall govern the Board in its deliberation on formal motions. Modifications will include the following: Motions will all be seconded prior to consideration for discussion by the Board and motions to close or limit debate will be acceptable. Rules established by the Board may be amended at any meeting by majority vote.

Motions and Resolutions

All motions and resolutions offered by any Board member shall be recorded in the minutes, including affirmative and negative votes. No Board member may abstain from voting on any matter before the Board upon which official action is to be taken unless there appears to be a possible conflict of interest is declared under the provision of applicable laws. The Board member will state the reason for the abstention and such abstention will be recorded. In such cases, said Board members shall comply with the disclosure requirements of State law. The Board chair may initiate any motion or resolution or second any motion or resolution, that is not their own, and has the same responsibility to vote on any matter as any other Board member.

~~Visitor Attendance and Participation~~(See policy BDDH)

~~Citizens and other interested parties are welcome to attend meetings of the board. Board meetings are meetings conducted in public but are not necessarily meetings for public participation. The board may allow public testimony or comment at its meetings. In order to keep its deliberations efficient and~~

effective, the board provides the opportunity to speak at such meetings in accordance with the following procedures:

1. — Each patron who wishes to speak is requested to sign a registration card and return it to the board secretary before the beginning of the meeting. This card will include the speaker's name, address, and the agenda item or topic s/he wishes to address;
2. — A group of visitors with a common purpose is requested to designate a spokesperson for the group;
3. — Public comment will usually be limited to two minutes for an individual, four minutes for a group or its spokesperson. The board chair may set time limits at his/her discretion;
4. — Patrons wishing to speak, may submit written testimony or comment which will be made part of the record.

Official Record

An official record shall be kept in the superintendent's district office of any business conducted at any regular, special or emergency Board meeting. This record shall be available to the public for inspection during regular business hours.

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)

[ORS 174.104](#)

[ORS Chapter 192](#)

[ORS Chapter 193](#)

[ORS 255.335](#)

[ORS 332.040 - 332.061](#)

[ORS 433.835 - 433.875](#)

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).

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

OR. ATTY. GEN. Public Records and Meetings Manual.

Oregon House Bill 2560 (2021).

Oregon House Bill 3041 (2021).

Corrected 11/16/22



Code: BGABD/BDA-AR
Adopted: 1/04/07
Readopted: 3/09/11
Orig. Code: BGA

Electronic Mail (Email) Communication

Recognizing that E-mail communication between or among board members falls within state Inspection of Public Records and Public Meetings laws, the following policies shall be in effect for the district.

1. ~~ORS 192.440(3): "If the public record is maintained in a machine readable or electronic form, the custodian shall provide copies of the public record in the form requested, if available. If the public record is not available in the form requested, it shall be made available in the form in which it is maintained."~~The district may provide copies of requested public records in accordance with Board policy KBA – Public Records Request and its accompanying administrative regulation. All such requests will be managed through Board policy.
2. Electronic and applicable written communication by bBoard members will be archived as required by OAR Chapter 166, Division 400.
3. ~~The district will provide hard copies of specifically identified and requested E-mail messages that are requested by the public, if requested in that form, even though the district would not ordinarily print copies.~~
4. ~~All such requests shall be made and received at the district office. The district shall not be expected to deliver, mail or electronically transfer documents. A reasonable fee may be charged for copying, as appropriate.~~
- 5.3. The public meetings law does not prohibit communications among bBoard members. However, the bBoard may not take official action, nor may a quorum of the bBoard deliberate toward a decision by E-mail, unless the district complies with the public meetings law however may using a form of electronic messaging by giving the required advance public notice (except for executive sessions) and providing the opportunity for the public to attend the meeting.

For purposes of this policy, a meeting shall be considered the electronic equivalent of a face-to-face meeting where four board members constitute a quorum. Discussions among less than a quorum of the board do not constitute a meeting. Only communications that involve a decision or group deliberation toward a decision are impacted by the public meetings law. However, care must be taken where all board members are on the same communication network to avoid misunderstandings as to whether or not there is a meeting.

- 6.4. Letters, FAX fax and E-mail, one-way, from one bBoard member to another, or to all bBoard members, will not constitute a meeting, even if all members receive a copy of the communication. While communication of information and opinion is permitted, the bBoard should not treat E-mail

or other electronic messaging as an opportunity to engage in the kind of collective deliberation one would expect at a public meeting.

- 7.5. The E-mail system should be maintained and used primarily for official business. Further, users should be aware that E-mail messages ~~may not be as confidential as other written messages~~ may constitute a public record.

~~E-mail~~ Communications to, by, and among a quorum of ~~b~~Board members outside of a legal called Board meeting, in their capacity as ~~b~~Board members, shall not be used for the purpose of discussing district business. This includes electronic communication. ~~E-mail~~ Electronic communications among ~~b~~Board members shall be limited to: (1) disseminating information, and (2) messages not involving deliberation, debate, or decision-making messages not involving deliberation, debate, decision-making or gathering of information on which to deliberate.

~~E-mail~~ Electronic communications may contain:

- a. Agenda item suggestions;
- b. Reminders regarding meeting times, dates, and places;
- c. Board meeting agendas or information concerning agenda items;
- d. One-way information from ~~b~~Board members or superintendent to each ~~b~~Board member (e.g., an article on student achievement or to share a report on district progress on goals);
- e. Individual responses to questions posed by community members, subject to other limitations in Board policy.

E-mails sent to other board members ~~may~~ will have the following notice:

Important: Please do not reply or forward this ~~e-mail~~ communication if this communication constitutes a decision or deliberation toward a decision between and among a quorum of a governing body which could be considered a public meeting. ~~E-mails~~ Electronic communications on district business are governed by public ~~records law~~ meetings law.

- 8.6. It is permissible for ~~b~~Board members to use E-mail to solicit support from fellow board members on matters that are a part of the ~~b~~Board's responsibility (to have charge of the affairs of the district). ~~E-mail~~ District assigned emails should not be used to promote candidates for office or for advocating a position with regard to a pending measure election during the campaign period, or for overtly political reasons.
- 9.7. The superintendent shall develop ~~administrative~~ procedures necessary for the appropriate implementation of this policy, including any needed steps to ensure equal access to information as per the Americans with Disabilities Act and Americans with Disabilities Amendments Act ("ADA").

~~END OF POLICY~~

Legal Reference(s):

~~ORS 192.410 to 505~~

~~ORS 192.610 to 690~~

~~Americans with Disabilities Act (ADA)~~

Corrected 11/16/22



Code: BDC
Adopted: 1/04/07
Revised/Readopted: 5/13/10; 9/14/16
Orig. Code: BDC

Executive Sessions

The Board may meet in executive session to discuss subjects allowed by statute but may not take final action except for the expulsion of a student and matters pertaining to or examination of the confidential medical records of the student, including that student's educational program.

An executive session may be convened by order of the Board chair, upon request of three Board members or by common consent of the Board for a purpose authorized under Oregon Revised Statute (ORS) 192.660, during a regular, special or emergency meeting. The presiding officer will announce the executive session by identifying the authorization under ORS 192.660 for holding such session and by noting the subject of the executive session. The notice will include the principal subjects anticipated to be considered at the meeting. The Board will determine who may attend executive sessions within the constraints of the law.

The Board may hold an executive session:

1. To consider the employment of a public officer, employee, staff member or individual agent. (ORS 192.660(2)(a))
2. To consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing. (ORS 192.660(2)(b))
3. To conduct deliberations with persons designated by the governing body to carry on labor negotiations. (ORS 192.660(2)(d))
4. To conduct deliberations with persons designated by the governing body to negotiate real property transactions. (ORS 192.660(2)(e))
5. To consider information or records that are exempt by law from public inspection. (ORS 192.660(2)(f))
6. To consult with counsel concerning the legal rights and duties of a public body with regard to current litigation or litigation likely to be filed. (ORS 192.660(2)(h))
7. To review and evaluate the employment-related performance of the chief executive officer of any public body, a public officer, employee or staff member who does not request an open hearing. (ORS 192.660(2)(i))

8. To consider matters relating to school safety or a plan that responds to safety threats made toward a school. (ORS 192.660(2)(k))
9. To review the expulsion of a minor student from a public elementary or secondary school. (ORS 332.061(1)(a))
10. To discuss matters pertaining to or examination of the confidential ~~medical~~ records of a student, ~~including that student's educational program.~~ (ORS 332.061(1)(b))

Members of the press may attend executive sessions except ~~those matters pertaining to~~ as follows:

1. ~~Deliberations with persons designated by the Board to carry on labor~~ Those pertaining to strategies for negotiations;
2. Hearings on the expulsion of a minor ~~student~~ students and matters pertaining to or examination of the confidential ~~medical~~ records of a student ~~or that student's educational program;~~ and
3. ~~Current litigation~~ Litigation or litigation likely to be filed if the member of the news media is a party to the litigation or is an employee, agent or contractor of a news media organization that is a party to the ~~litigation~~ litigations.

The press may not disclose information gained in the executive session.

If an executive session is held pursuant to ORS 332.061, the following shall not be made public: the name of the minor student; the issue, including the student's ~~student's~~ confidential ~~medical~~ records ~~and educational program;~~ the discussion; and each Board member's ~~board members~~ vote on the issue.

~~Minutes shall be kept for all executive sessions.~~ All executive session minutes shall be kept in written form and approved by the ~~b~~Board. The minutes of executive sessions shall include ~~those individuals present and the substance of any discussion~~ items similar to those included in regular minutes. The ~~b~~Board chair or the presiding officer of the executive session, shall review the minutes for accuracy and indicate approval by signature. Executive session minutes shall be maintained indefinitely and in a reasonable manner to prevent damage.

~~Content discussed in executive sessions is confidential and must not be made public. Documents pertaining to evaluation, district personnel and students are also confidential and must not be made available to the public.~~ Executive session minutes may be examined privately by a court and the court shall determine admissibility.

END OF POLICY

Legal Reference(s):

[ORS 192.660](#)

[ORS 332.045](#)

[ORS 332.061](#)

Corrected 11/16/22



Code: BDDF
Adopted: 3/09/11
Orig. Code: BDDF

Conduct of Board Meetings

(This is included in BD/BDA)

The rules of parliamentary procedure contained in *Robert’s Rules of Order Newly Revised*, “Procedure in Small Boards” as modified by the Board will govern the Board in its deliberations. Discussion by Board members will be unlimited as long as it applies to the motion before the Board or the matter under consideration. The Board may vote to limit discussion and the chair will confine discussion to the matter before the Board. The chair may limit the time of any citizen appearing before the Board so that all who wish to be heard may have the opportunity.

Individual votes on motions and/or resolutions will be by “yes” or “no,” and the result of each member’s vote will be recorded by name. A Board member who abstains from voting due to “Conflict of Interest” outlined in policy code: BBFA will be so recorded.

The result of each board member’s vote on appointments to committees, board vacancies, board officers and other such votes will be reported and recorded by name, as required by Public Meeting Laws.

END OF POLICY

Legal Reference(s):

[ORS 165.535](#)

[ORS 165.540](#)

[ORS 192.650](#)

Corrected 12/16/22



Code: BDDH
Adopted: 6/13/18
Orig. Code: BDDH

Public Comment at Board Meetings

All Board meetings, with the exception of executive sessions, will be open to the public. The Board invites the district's district community members to attend Board meetings to become acquainted with the program and operation of the district. The Members of the public has a right to attend public meetings held in open session, and may be invited also are encouraged to share comments, their ideas and opinions with the Board during designated times on the agenda. The Board may conduct a meeting without public comment when appropriate.

It is the intent of the Board to ensure communications with individuals with disabilities are as effective as communications with others. Individuals with hearing, vision or speech impairments will be given an equal opportunity to participate in Board meetings and submit written comments to the Board. Individuals requesting assistance, aids or accommodations are encouraged to notify the district at least 48 hours prior to the Board meeting with the request, consistent with Board policy BD/BDA – Board Meetings. Primary consideration will be given to requests of qualified individuals with disabilities in selecting appropriate auxiliary aids¹ and services.

Auxiliary aids and services for persons with disabilities will be available at no charge to the individual. All auxiliary aids and/or service requests must be made with appropriate advance notice. Should the Board demonstrate such requests would result in a fundamental alteration in the service, program or activity or in undue financial and administrative burdens, an alternative, equally effective means of communication will be used.

Audience

During a session of a Board meeting open to the public, members of the public may be invited to present comments during the designated portion of the agenda. At the discretion of the Board chair, further public comment may be allowed.

Request for an Item on the Agenda

A member of the public may request the superintendent or Board chair consider placing an item on the agenda of a regular Board meeting. This request should be made in writing and presented to the superintendent for consideration at least five working days prior to the scheduled meeting.

Procedures for Oral Public Comment at Meetings

¹ Auxiliary aids may include, but are not limited to, such services and devices as qualified interpreters, assistive listening systems, note takers, readers, taped texts, Braille materials and large print.

The Board establishes the following ~~will establish~~ procedures for public comment at Board ~~in open~~ meetings held in open session. ~~The purpose of these procedures will be to inform the public how to effectively participate in Board meetings for the best interests of the individual, the district and the patrons. The information will be easily accessible and available to all patrons accessing or attending such a public Board meeting.~~

1. Public comment is limited to its designated place on the agenda and while time allows.
2. A person wishing to provide public comment, if an opportunity is provided by the Board during a meeting open to the public, will sign in on the public comment sheet provided, submit their name electronically or as directed prior to the Board meeting.² A request to give public comment in-person or electronically does not guarantee time will be available.
3. A person speaking during the public comment portion of the meeting may comment on agenda items or other topics.
4. A person speaking during the public comment portion of the meeting should state their name, whether they are a resident of the district, and, if speaking for an organization, the name of the organization. A spokesperson should be designated to represent a group with a common purpose.
5. A person giving public comment is limited to an established time limit of three minutes³. Statements should be brief and concise. The Board chair has discretion to waive time limits or extend the overall time allotted for public comment. Additional time will be allocated in a fair and equitable manner. If a person has more comments than time allows or is unable to comment due to time constraints, the person is encouraged to submit additional written comments to the Board through the district office or as directed.
6. Inquiries from the public during the designated portion of the agenda will not generally be responded to immediately by the Board chair, and may be referred to the superintendent for reply at a later date. The Board will not respond to inquiries that are expected to be addressed during another designated portion of the agenda.

Procedures for Written Comment

Members of the public may submit written comments or materials to the Board at any time at the district office, by mail or [online](#). Materials or comments submitted at least 72 hours in advance of a Board meeting will be provided to the Board before the Board meeting, but will not be read at the Board meeting. Written materials or comments submitted may not warrant action by the Board.

- ~~7. Discussion or presentation concerning a published agenda item is limited to its designated place on the agenda, unless otherwise authorized by the Board chair.~~

² When in-person attendees are allowed to provide oral comment, virtual attendees will be afforded the opportunity to give oral comment.

³ Except when translation or interpretation services or other accommodations are needed for an individual, the Board chair may allow additional time.

8. ~~A visitor speaking during the meeting may introduce a topic not on the published agenda. The Board, at its discretion, may require that a proposal, inquiry or request be submitted in writing, and reserves the right to refer the matter to the administration for action or study.~~
9. ~~Any person who is invited by the Board chair to speak to the Board during a meeting should state his/her name and address and, if speaking for an organization, the name and identity of the organization. A spokesperson should be designated to represent a group with a common purpose.~~
10. ~~Statements by members of the public should be brief and concise. The Board chair may use discretion to establish a time limit on discussion or oral presentation by visitors.~~
11. ~~Questions asked by the public, when possible, will be answered by the Board chair or referred to the superintendent for reply. Questions requiring investigation may, at the discretion of the Board chair, be referred to the superintendent for response at a later time.~~
12. ~~At the discretion of the Board chair, anyone wishing to speak before the Board, either as an individual or as a member of a group, on any agenda item or other topic, may do so by providing the Board secretary with a completed registration card or sign-in sheet, prior to the Board meeting in order to allow the chair to provide adequate time for each agenda item.~~

~~The Board chair should be alert to see that all visitors have been acknowledged and thanked for their presence and for any contributed comments on agenda issues. Similar courtesy should be extended to members of staff who have been in attendance. Their return for future meetings should be welcomed.~~

Petitions

~~Petitions may be accepted at any Board meeting. No action will be taken in response to a petition before the next regular meeting. Petitions will be referred to the superintendent for consideration and recommendation.~~

Comments Regarding Staff Members

~~A person speaking during the designated portion of the agenda for public commentSpeakers may offer objective criticism of district operations and programs. The Board will not hear comments regarding any individual district staff member. The Board chair will direct the visitor to the procedures in Board policy KL - Public Complaints for Board consideration of a legitimate complaint involving a staff member. Any association contract governing the employee's rights will be followed. A commendation involving a staff member should be sent to the superintendent or designee, who will forward it to the employee, a supervisor and the Board.~~

END OF POLICY

Legal Reference(s):

[ORS 165.535](#)
[ORS 165.540](#)

[ORS 192.610 - 192.690](#)
[ORS 332.057](#)

[ORS 332.107](#)

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).

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

Baca v. Moreno Valley Unified Sch. Dist., 936 F. Supp. 719 (C.D. Cal. 1996).

Corrected 12/16/22; 1/13/23; Corrected 4/04/23



Code: BDDH-AR
Revised/Reviewed: 6/13/18
Orig. Code: BDDH-AR

Public Comment at Board Meetings

(Given the availability of an online form and a sign-up in-person, this is no longer needed.)

The Board requests that a public comment add information or a perspective that has not already been mentioned previously, and that the patron refrains from repeating a similar point.

To make a comment or present a topic during public comment, if the opportunity is available on the Board agenda, please complete the Intent to Public Comment form and submit it to the Board secretary prior to the start of the meeting.

An individual that has submitted a Public Comment form and has been invited to speak by the Board chair, will be allowed three minutes.

Any person, who is invited by the Board chair to speak to the Board during a meeting, should state his/her name and address and, if speaking for an organization, the name of the organization. A spokesperson should be designated to represent a group with a common purpose.

Please keep in mind that reference to a specific employee or group of employees, is prohibited as follows:

Board policy BDDH - Public Comment at Board Meetings:

“Comments Regarding Staff Members” Speakers may offer objective criticism of district operations and programs. The Board will not hear comments regarding any individual district staff member. The Board chair will direct the visitor to the procedures in Board policy KL - Public Complaints for Board consideration of a legitimate complaint involving a staff member.

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PUBLIC COMMENT FORM

The Board welcomes your input. Please submit this completed card to the Board secretary prior the start of the meeting.

Name: _____ Phone: _____

Address: _____

Email (optional): _____

Topic or comment to be presented (brief description): _____

Representing a Group/Organization (group/organization name): _____

A complaint brought before the Board shall be referred to the proper school authorities. A complaint shall be processed in accordance with Board policy KL - Public Complaints and KL-AR - Public Complaints Procedure. A hearing conducted before the Board regarding personnel shall take place in an executive session.

The Board requests that a topic or comment is limited to three minutes or less.

Corrected 12/16/22

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F



Code: BF
 Adopted: 5/13/10
 Revised/Readopted: 4/26/17
 Orig. Code: BF

Policy Development

(Highly recommended; best practices and to inform of other requirements)

The Board has the authority and responsibility to establish policy. The Board accepts the definition of policy set forth by the National School Boards Association:

School Board policies are statements which set forth the purposes and prescribe in general terms the organization and program of a school system. They create a framework within which the superintendent and his/her staff can discharge their assigned duties with positive direction. They tell what is wanted.

The formulation and adoption of policies, recorded in writing, will constitute the basic method by which the Board will exercise its leadership in the operation of the school system.

The policies shall be consistent with Oregon Revised Statutes, Oregon Administrative Rules and all federal laws and regulations.

The basic responsibility for initiating, reviewing and recommending new policies or policy modification will rest with the superintendent or designee. New policies or changes in existing policy may be proposed by any Board member, group or organization, staff member, parent, student or other member of the community to the superintendent for the Board to consider. The superintendent, in developing these policies, may be guided by the recommendations of the staff and may seek parent and community input during the preparation and subsequent review of policy statements. Advice from legal counsel may be appropriate.

The superintendent will furnish necessary background information and make all final policy recommendations to the Board.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)
[ORS 332.505](#)

[ORS 339.240](#)

[OAR 581-022-2305](#)
[OAR 581-022-2405](#)

Corrected 12/16/22



Code: BFC
 Adopted: 5/13/10
 Revised/Readopted: 9/14/16
 Orig. Code: BFC

Adoption and Revision of Policies

Adopting new policies and changing or repealing existing policies is the Board’s responsibility. Policy will be adopted and amended or repealed only by the affirmative vote of a majority of the Board members. Such action will be scheduled on the agenda of a regular or special meeting.

Proposed policies or policy changes and repeal of existing policies will be presented in writing for consideration by the Board.

To permit time for studying all new policies or amendments to policies and to provide an opportunity for interested parties to react, proposed policies or amendments will be presented as a Board agenda item in the following sequence:

1. First reading of a proposed policy (or policies): This is an information item and no action is required by the Board. A first reading announces that a new policy, a revision of an existing policy or consideration to rescind a policy, is being considered by the Board. Comments, questions, concerns and recommended edits should be forwarded to the superintendent for consideration prior to the meeting in which the policy is recommended for a second reading and/or adoption. If a Board member wishes to discuss a proposed policy or administrative regulation listed as an information item, the policy must be moved to the agenda for discussion with a majority vote of the Board. Any organization which represents employees of the district shall be furnished a copy of personnel policies and revisions as they are made.

2. Second reading/Adoption of proposed policy (or policies): This is an action by the Board and may be placed on the consent agenda. Any revisions to a policy from the first reading will not require the policy go through an additional reading, except as the Board determines that the revision(s) need(s) further study and an additional reading would be advantageous.

When, in the best interests of the district, immediate adoption of a proposed policy is necessary, the Board may adopt such policy at the first meeting in which it is presented.

Policies and amendments adopted by the Board will be attached to, and made a part of, the minutes of the meeting at which they are adopted and also will be included in the district’s board policy manual.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)
[ORS 332.505](#)

[OAR 581-022-2305](#)
[OAR 581-022-2405](#)

Corrected 12/16/22



Code: BFC
Adopted: 5/13/10
Orig. Code: BFC

Administrative Regulations

(Highly recommended)

Administrative regulations are detailed directions governing the operation of the district.

The superintendent or designee is authorized to formulate such administrative regulations appropriate for the implementation of policies adopted by the Board and necessary for the consistent operation of the district.

The Board may review any administrative regulation and may direct its revision if, in the Board's judgment, such administrative regulation is not consistent with adopted board policies.

~~When approved by the superintendent, administrative regulations shall be distributed to the school's library, business office and on the district's website.~~

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[OAR 581-022-2305](#)

[OAR 581-022-2405](#)

Corrected 12/16/22



Code: BFD
 Adopted: 5/13/10
 Revised/Readopted: 5/14/14; 4/26/17
 Orig. Code: BFD

Board Policy Implementation

Effective Date of Policies

All new or amended policies will become effective on the day after adoption by the ~~Board~~board, unless a specific date is included in the motion for adoption.

Policy Implementation

The superintendent and administrative staff will implement board policies. The superintendent may formulate administrative regulations and procedures to assist policy implementation.

It will be the ~~Board's~~board's duty to evaluate the effectiveness of the policy and the effectiveness of the administration's implementation of the policy.

Policy Dissemination

The written board policies that govern the district will be maintained in a policy manual to be updated by district staff as new policies are developed or existing policies are revised or repealed.

Each ~~Board~~board member will be informed how to access the current board policy manual.

~~The district shall make available for inspection to the public and district employees, a copy of the board's policy manual. A copy of the board's policy manual will be maintained and accessible through the district's website. Each district employee will be specifically notified of the existence and availability of personnel policies.~~

The district shall make a copy of the Board's policy manual available to the public and district employees. The ~~Board's~~board's policy manual will be considered a public record and will be open for inspection at the district office during regular ~~working~~business hours.

~~The superintendent will provide channels for disseminating appropriate policies to the community.~~

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)
[ORS 332.505](#)

[OAR 581-022-2305](#)
[OAR 581-022-2405](#)

Corrected 12/16/22



Code: BFE
Adopted:

Administration in the Absence of Policy

(Optional; new proposed policy)

In cases where action must be taken within the school system and the Board has not provided policy to guide administrative action, the superintendent will have the power to act.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[OAR 581-022-2305](#)

Corrected 12/16/22



Code: BFF
Adopted:

R

Suspension of Policies

In the event of emergency or special circumstances, the operation of any individual policy, section or sections of Board policy, including those governing its own operational procedures, may be temporarily suspended¹ by a majority of the Board members at any regular, special or emergency meeting. This suspension, however, does not apply to any section of Board policy that may be established by law, collective bargaining agreement or other contract.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[OAR 581-022-2305](#)

P

Corrected 12/16/22

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¹ Be sure to establish a time limit for the suspension, e.g., This policy is suspended for [.....].



Code: BFG
Adopted: 5/13/10
Orig. Code: BFG

Board Policy Review

Highly recommended

To keep written policies current and relevant, the Board will ~~annually~~ review and update its board policies. The Board ~~also~~ will evaluate the implementation and effect of such policies. The superintendent has continuing responsibility to alert the Board of ~~all~~ policies that may need revision.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[OAR 581-022-2305](#)

[OAR 581-022-2405](#)

Corrected 12/16/22



Code: BG
 Adopted: 1/04/07
 Revised/Readopted: 5/13/10; 4/26/17
 Orig. Code: BG

Board Staff Communications

The Board desires to maintain open channels of communication between itself and the district staff. The basic line of communication will, however, be through the superintendent.

Staff Communications to the Board

All formal communications or reports to the Board or any Board committee, from principals, teachers or other staff members will be submitted through the superintendent. This procedure will not be construed as denying the right of any employee to address the Board about issues which are neither part of an active administrative procedure, nor disruptive to the operation of the district. In addition, this procedure does not restrict protected labor relations communications of bargaining unit members. Staff members are invited to Board meetings, which provide an opportunity to observe the Board's deliberations on matters of district operations.

Board Communications to Staff

All official Board communications, policies and directives of staff interest and concern will be communicated to staff members through the superintendent. The superintendent will provide appropriate communication to keep staff fully informed of the Board's policies, priorities, concerns and actions.

Visits to Schools

Visits by Board members will be conducted only under Board authorization and with the full knowledge of staff, including the superintendent, principals and other supervisors. School visits by Board members will be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes. Official visits by board members will be carried on only under board authorization and with the full knowledge of staff, including the superintendent, principals and other supervisors. This does not prevent a Board member, acting as a volunteer or parent, from visiting in this capacity.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[OAR 581-022-2405](#)

Anderson v. Central Point Sch. Dist., 746 F.2d 505 (9th Cir. 1984).

Connick v. Myers, 461 U.S. 138 (1983).

Lebanon Education Association/OEA v. Lebanon Community School District, 22 PECBR 323 (2008).

Corrected 12/16/22



Code: BH/BHA
 Adopted: 1/04/07
 Revised/Readopted: 5/13/10; 4/26/17
 Orig. Code: BH/BHA

Orientation of New Board Members

The Board and designated staff will make every effort to assist a new board member to become fully informed about the Board's functions, policies, procedures and issues. In the interim between election and assuming office or following an appointment, the new Board member(s) will be assisted in the following ways:

1. The newly elected or appointed board member will be given materials related to the role of a board member;
2. The newly elected or appointed board member will be invited to attend board public meetings to observe the operation of the board but will not be a voting member until he/she assumes office;
3. The newly elected or appointed board member will be provided a board meeting packet, however confidential information will not be provided until the member assumes office;
4. The newly elected or appointed board member will be given shown how to access the online access to, or a copy of the board's policy manual;
5. A copy of the Oregon School Board Association Handbook *Boardsmanship for Oregon School Board Members* published by Oregon School Boards Association, shall be given to the electee/appointee by the superintendent or designee;
6. The newly elected or appointed board member will be invited to meet with the superintendent and other administrative personnel, by arrangement with the superintendent, to discuss services they perform for the district;
7. The newly elected or appointed Board member will be encouraged to attend board training workshops when planned;
8. The newly elected or appointed board member will receive all reports and communications normally sent to board members, except confidential information or communications until such time as the member assumes office.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Corrected 12/16/22



Code: BHB
Adopted: 1/04/07
Revised/Readopted: 5/13/10; 4/26/17
Orig. Code: BHB

Board Member Development

The complexity of Board membership demands opportunities for development, study and training for Board members. The Board places a high priority on the importance of a planned and continuing program of professional development for its members.

In order to develop leadership capabilities, become informed about current issues in education and improve their skills as members of a policy-making body, Board members will participate in opportunities for professional development that may include, but not be limited to, the following:

1. In-service activities planned by the Board and by the administration for staff members, as appropriate;
2. Participation in conferences, workshops, conventions and training held by state and national school board associations and other educational organizations;
3. Subscriptions to publications addressing Board member related topics.

To control both the investment of time and funds necessary to implement this policy, the Board establishes these principles and procedures for its guidance:

1. The superintendent will inform Board members, in a timely manner, of upcoming conferences, conventions, workshops and training. The Board will decide which ~~meetings~~ appear to be most likely to produce the greatest benefit to the Board and the district.
2. Funds for participation at such professional development will be included in the district budget. When funds are limited, the Board will designate which members will participate at a given meeting or training;
3. If authorized by the Board to attend, Board members will be reimbursed, upon request, for reasonable and necessary expenses actually incurred;
4. When a conference, convention or workshop is not attended by the full Board, those who ~~do~~ participate will share, by means of written or oral reports, information, recommendations and materials acquired at the meeting or training.

END OF POLICY

Legal Reference(s):



Code: BHD
Adopted: 1/04/07
Readopted: 5/13/10
Orig. Code: BHD

Board Member Compensation and Expense Reimbursement

(Optional; reflects best practices based in ethics laws)

Board members will not receive any compensation for services other than reimbursement for approved expenses actually incurred on district business. Such expenses may include the cost of attendance at meetings, conferences or visitations when such attendance has been approved by the Board.

Reimbursement includes, but is not limited to, transportation, meals, lodging and miscellaneous expenses in accordance with Board policy. Expense reimbursement shall not include alcoholic beverages, gratuities or expenses of a spouse or other individuals accompanying the Board members.

Board members may be reimbursed, when paid admission is required of the general public, for attending district athletic events and other activities as part of their responsibilities of being informed about district operations. The district will establish accounting procedures consistent with this policy.

END OF POLICY

Legal Reference(s):

[ORS 244.020](#)

[ORS 244.040](#)

[ORS 332.018\(3\)](#)

OR. GOV'T STANDARDS AND PRACTICES COMM'N, STAFF OPINION 02S-015 (May 20, 2002).

OR. GOV'T STANDARDS AND PRACTICES COMM'N, STAFF OPINION 03S-015 (Sept. 11, 2003).

Corrected 12/16/22



Code: BHE
Adopted: 1/04/07
Revised/Readopted: 5/13/10; 4/26/17
Orig. Code: BHE

Board Member Liability Insurance

The district will purchase liability insurance and errors-and-omissions insurance to protect its school board members individually and collectively from claims made against them as a result of official Board actions taken in the course of official duties.

END OF POLICY

Legal Reference(s):

[ORS 30.260 to -30.300](#)

[ORS 332.072](#)

[ORS 332.435](#)

Corrected 12/16/22



Code: BI
Adopted: 1/04/07
Readopted: 5/13/10
Orig. Code: BI

Board Legislative Program

The Board will represent the district’s interests in legislative action to promote the welfare of public education in the state of Oregon or will direct those interests to be represented through its executive officer, the superintendent or designee.

The Board will periodically study, discuss and weigh the merits of pending legislation for the purpose of determining its official position through Board action. If established, these official positions will be the stand of the district in the legislative process.

Board members, individually or as members of professional organizations, will not seek to represent any other positions on legislative matters unless it is made clear that such representation is not the official stand of the district.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Corrected 12/16/22

Reynolds School District

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The following symbol is used on some policies:

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



Code: CB
 Adopted: 1/04/07
 Readopted: 5/13/10
 Orig. Code: CB

Superintendent

The superintendent¹ is designated as the district’s chief executive officer. ~~Under and has, under the Board’s 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 board’s policies and is accountable to the Board~~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, ~~however,~~ 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)

Corrected 12/16/22

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.



Code: CBA
 Adopted: 1/04/07
 Revised/Readopted: 5/13/10; 4/26/17
 Orig. Code: CBA

Qualifications and Duties of the Superintendent

Position — Superintendent

The Board requires the superintendent be a strong educational leader who has the following professional experience and training:

Qualifications

1. A current Oregon administrative license with an authorization for all levels, a superintendent's endorsement or a transitional superintendent license that qualifies the individual to serve as superintendent of the district;
2. Successful experience as an educational leader and/or administrator;
3. In lieu of the experience and training requirements above, the board may consider as a candidate for its superintendent's position an individual who meets transitional administrator or exceptional administrator licensure requirements. The board may, jointly with the individual, submit an application for such license for Teacher Standards and Practices Commission approval pursuant to Oregon Administrative Rule (OAR) 584-080-0151 and 584-080-0161A master's degree or higher in the field of education, preferably in educational administration;
4. Other qualifications as determined by the board Successful teaching experience at the elementary or secondary school level.

In lieu of the experience and training requirements above, the Board may consider as a candidate for its superintendent's position an individual who meets alternative licensure requirements. The Board may take steps to assist an individual to qualify for such a license.

Reports to — Board of Directors

Supervises — Central office administrators and school principals, and through them, all district personnel

Job Goal — Provides for effective administration of all schools and departments, and educational leadership throughout the school system and community.

The superintendent will have the following personal and professional qualities:

1. Success in leadership roles with staff, community and professional peers;
2. Ability to communicate effectively, both orally and in writing;

3. Scholarship, intelligence and excellent ability to plan and organize;
4. Training, experience and success in personnel selection, evaluation and development;
5. Knowledge of curriculum development, implementation and evaluation;
6. Knowledge of business and support service systems which facilitate planning, control and accountability;
7. Experience in administering collective bargaining agreements;
8. Ability to motivate other administrators and significantly involve them in the decision-making process;
9. Strong management skills; and the desire and ability to motivate and innovate, taking advantage of the district's strengths.

General Functions

1. The superintendent is the chief executive officer of the district and, under the direction of the Board, is responsible for control and operation of the school system, and for implementing the decisions and policies of the Board.
2. The superintendent has the authority to formulate and delegate duties and responsibilities to subordinate administrative personnel. The delegation of such duties and responsibilities, however, will not relieve the superintendent of responsibility for the action taken under such delegation.

Performance Responsibilities

1. Serves as chief executive officer of the Board except as otherwise provided by law, makes rules not in conflict with law or with board policies and decides all matters of administrative and supervisory detail in connection with the operation and maintenance of the schools;
2. Serves as educational leader to the Board, staff and community;
3. Initiates and directs the development of policies for approval by the Board, delegating such responsibility to associates and subordinates as deemed desirable;
4. Attends all meetings of the Board, unless excused by the Board;
5. Assists the Board in reaching sound judgments, establishing policies and approving those matters which the law requires the Board to approve, places before the Board necessary and helpful facts (such as comprehensive data in regard to student achievement and behavior), comparisons, investigations, information and reports and makes available the personal advice on special or technical matters by those persons who are qualified to furnish it;
6. Assesses trends and changing procedures in salary negotiations and assist the Board in collective bargaining and salary consultation with district employee groups;
7. Recommends the appointment, renewal, contract extension, contract nonrenewal, contract nonextension or discharge of licensed employees of the Board as provided by law, board policies and the employee's collective bargaining agreement, as applicable, and with such recommendations reported to the Board for approval;

8. Assigns or transfers licensed employees as provided by state law, board policies, collective bargaining agreements and meet and confer agreements, as applicable;
9. Appoints, assigns, transfers, promotes, demotes or discharges classified and nonrepresented employees as provided by state law, board policies, collective bargaining agreements and meet and confer agreements, as applicable;
10. Evaluates the performance of all district administrative personnel in accordance with state law and board policy, and make recommendations for those positions to the Board before March 15 of each year;
11. Causes evaluation of the performance of licensed and classified personnel in accordance with state law, board policy and the employee's collective bargaining agreement, as applicable;
12. Directs the professional supervisory staff in visits to the schools ~~under his/her charge~~; through this staff, directs, assigns and assists teachers and all other educational employees in the performance of their duties; classifies, assigns and controls the promotion of students; and performs such other duties as the Board determines;
13. Directs the work of the professional staff in evaluating curriculum and instructional materials and, upon the basis of such study, makes recommendations to the Board;
14. Supervises the establishment or modification of school attendance and transportation area boundaries subject to Board approval;
15. Directs the preparation of an annual budget showing the estimated receipts and disbursements necessary to cover the needs of the district for the ensuing fiscal year and submits this estimate to the Board in accordance with law;
16. Approves and directs, in accordance with law and board policy, purchases and expenditures, within the limits of the budget;
17. Seeks additional resources as appropriate (such as grants) in accordance with ~~school~~ district goals;
18. Exercises leadership in directing studies of sites and buildings, considering the population trend and the educational and cultural needs of the district, to ensure timely decisions by the Board and electorate regarding construction and renovation projects;
19. Represents the district in dealings with other school systems, social institutions, business firms, government agencies and the general public;
20. Keeps the public informed about modern educational practices, educational trends and the practices and problems in the district;
21. Implements and interprets board policies.

The specific enumeration of the superintendent’s duties as detailed above will not act to limit the authority and responsibility of the office.

END OF POLICY

Legal Reference(s):

[ORS 332.075](#)

[ORS 342.143](#)

[ORS 342.173](#)

[ORS 342.850](#)

[OAR 584-020-0000 - 0035](#)

[OAR 584-046-0003 - 0024](#)

[OAR 584-080-0151](#)

[OAR 584-080-0152](#)

[OAR 584-080-0161](#)

Corrected 12/16/22



Code: CBB
Adopted: 1/04/07
Revised/Readopted: 5/13/10; 4/26/17
Orig. Code: CBB

Recruitment and Appointment of the Superintendent

The Board considers foremost among its responsibilities, the selection and appointment of a superintendent who can effectively translate into action, the Board’s policies and the community’s aspirations for its schools.

To provide the most capable leadership available for the district, the Board may engage in a nationwide search for applicants for the position of superintendent whenever a vacancy in that position occurs.

The Board shall develop and adopt the standards (e.g., candidate qualities and work experience), criteria (e.g., application, screening and hiring process) and policy directives (e.g., promote from within, state and/or national search) to be used in hiring the superintendent, or interim superintendent, at a meeting open to the public and at which the public has had an opportunity to comment.

The Board may seek the advice and counsel of interested individuals or of an advisory committee, or it may hire consultants to assist in screening candidates and to encourage the filing of applications by professional educators who meet the qualifications. The final selection will rest with the Board after a thorough consideration of qualified applicants.

The Board will appoint the superintendent by a majority vote of the Board members at a meeting for which notice has been given of the intended action.

END OF POLICY

Legal Reference(s):

[ORS 192.660\(7\)\(d\)](#)

[ORS 332.505](#)

Corrected 12/16/22



Code: CBC
 Adopted: 1/04/07
 Revised/Readopted: 5/13/10; 4/26/17
 Orig. Code: CBC

Superintendent’s Contract

The superintendent, upon appointment by the Boardboard, 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 Boardboard 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 Boardboard and based upon the responsibilities required of the superintendent in performing theirhis/her duties. The Boardboard may not enter into an employment contract that contains provisions that expressly obligateobligates the district or school to compensate the superintendent for work that is not performed.

Provisions for termination of the superintendent’s employment, either by the Boardboard 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 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.

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

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.

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

Legal Reference(s):

[ORS 332.432](#)

[ORS 332.505](#)

[ORS 342.549](#)

[ORS 342.815](#)

[OAR 584-005-0005\(51\)](#)

Senate Bill 1521 (2022)

Corrected 12/16/22



Code: CBG
 Adopted: 1/04/07
 Readopted: 5/13/10
 Orig. Code: CBG

Evaluation of the Superintendent

The Board will formally evaluate the superintendent's job performance ~~will be evaluated formally~~ at least once each year ~~annually~~. The board and superintendent will establish a timeline for this process. The evaluation will be based on the administrative job description, any applicable standards of performance, Board ~~board~~ policy and progress in attaining any goals for the year established by the superintendent and/or the Board.

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

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

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

END OF POLICY

Legal Reference(s):

[ORS 192.660\(2\), \(8\)](#)
[ORS 332.107](#)
[ORS 332.505](#)

[ORS 342.513](#)
[ORS 342.815](#)

[OAR 581-022-2405](#)

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

Corrected 12/16/22



Code: CCB
 Adopted: 1/04/07
 Readopted: 5/13/10
 Orig. Code: CCB

Staff Relations-Communications and Lines of Authority

The Board expects the superintendent to establish a clear understanding of working relationships in the school system with all staff.

Lines of direct authority will be those approved by the Board and shown on the district organization charts.

Staff members will be expected to refer matters requiring administrative action to the administrator to whom they report. ~~are responsible.~~ That administrator will refer such matters to the next higher administrative authority, when necessary. ~~All~~ Additionally, all staff will inform their immediate supervisor ~~are expected to keep the person to whom they are immediately responsible informed~~ of their activities by whatever means the supervisor considers ~~person in charge deems~~ appropriate.

Lines of authority should not restrict the cooperative working relationship of all staff members in developing the best possible district programs and services. In addition, this policy does not restrict protected labor relations communications of bargaining unit members. The established lines of authority represent direction of authority and responsibility. When the staff works together, the lines represent avenues for a two-way flow of ideas to improve the programs ~~program~~ and operations ~~in~~ of the district ~~school system~~.

END OF POLICY

Legal Reference(s):

[ORS 332.505](#)

[OAR 581-022-2405](#)

Lebanon Education Association/OEA v. Lebanon Community School District, 22 PECBR 323 (2008).

Corrected 12/16/22



Code: CCCA
Adopted: 1/04/07
Revised/Readopted: 5/13/10; 4/26/17
Orig. Code: CCCA

Assignment of Administrative Personnel

The superintendent shall make administrative assignments. Whether an assignment is voluntary or involuntary, the intent of transfers is to improve the district ability to provide a quality educational program. All assignments or transfers are subject to the following guidelines:

1. For the purposes of this policy, all administrators below the rank of assistant superintendent or executive director shall be considered.
2. The reassignment of administrative personnel will occur as directed by the superintendent with advance notification to the board.
3. Reassignment is assumed to be a positive personnel action. To assure implementation of this statement, all members of the management team must actively support all assignment changes to the public, staff, and students.
4. Individual administrators may request reassignment. Such requests should be submitted prior to February 15.
5. When a position becomes vacant or when a new position is established, administrators currently employed by the district may request reassignment to the vacant or new position.
6. At the discretion of the superintendent, vacant or new positions may be filled from among the ranks of administrators currently employed by the district without having considered applicants not presently employed by the district.
7. Administrators may be eligible to apply for other administrative and supervisory positions, or may request reassignment to a teaching position.
8. Administrators selected for reassignment should receive final notification by March 15.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 332.505](#)

[ORS 342.845](#)

Corrected 12/16/22



Code: CHCA
Adopted: 5/13/10
Revised/Readopted: 4/26/17
Orig. Code: CHCA

Handbooks

In order that pertinent Board policies, administrative regulations, school rules and procedures may be known by all staff members, patrons, students and parents affected; district administrators and principals are granted authority to issue staff and student/parent handbooks. ****Handbooks will be published in a manner which makes them accessible for students and staff.**

The contents of all handbooks must conform with districtwide board policies and administrative regulations. The publication shall bear the name of the district, or one of its schools, and be of a quality that reflects favorably on the district. The Board expects all handbooks to be approved by the superintendent or designee before publication.

The district will make all published handbooks available to the Board for informational purposes.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Corrected 12/16/22; **Corrected 5/04/23



Code: CM
Adopted: 6/13/18
Orig. Code: CM

Division 22 Compliance and Reporting on Standards

The superintendent will prepare an annual report that represents the district’s compliance with the standards adopted by the State Board of Education for the preceding school year and submit that report to the Board.

The district’s annual report will be presented orally at a public Board meeting by ~~November~~ February 1 of each school year and will allow public comment on such report. This report will be posted on the district’s web page, by February 1 of each school year. ~~The Board will acknowledge receipt of the report prior to its submission to the Oregon Department of Education (ODE).~~

The district will report on its compliance with state standards to Oregon Department of Education (ODE) by ~~November~~ February 15 each year on a form provided by ODE.

END OF POLICY

Legal Reference(s):

[ORS 329.095](#) [OAR 581-022-2260](#)
[ORS 329.105](#) [OAR 581-022-2305](#)

Corrected 12/16/22

Reynolds School District

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The following symbol is used on some policies:

** As used in this policy, the term parent includes ¹⁰³ legal guardian or person in a parental relationship. The

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



Code: EB
 Adopted: 1/04/07
 Revised/Readopted: 7/15/10; 6/14/17
 Orig. Code(s): EB

Safety Program

Safe buildings, grounds and equipment will be maintained in order to prevent accidents or injury to students, employees and others from fire, natural disasters, mechanical and electrical malfunction and other hazards.

Buildings will be planned, constructed, equipped and maintained in accordance with appropriate local, state and federal safety regulations.

Buildings will be provided with alarm systems, fire extinguishers and other safety devices required by state and federal laws and regulations.

The superintendent will develop and implement a safety program which will include, but not be limited to, compliance with and enforcement of all state and federal laws, rules and regulations.

END OF POLICY

Legal Reference(s):

ORS 329.095	OAR 437-002-0144	OAR 437-002-0390
ORS 654.003 to -654.022	OAR 437-002-0145	OAR 437-002-0391
	OAR 437-002-0180 to -0182	OAR 581-022-2030
OAR 437-001-0760	OAR 437-002-0260 to -0268	OAR 581-022-2225
OAR 437-002-0020 to -0081	OAR 437-002-0360	OAR 581-022-2250
OAR 437-002-0100	OAR 437-002-0368	
OAR 437-002-0140	OAR 437-002-0377	

Fazzolari v. Portland Sch. Dist. No. 1J, 303 Or. 1 (1987).
 Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2006); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2006).

Corrected 10/19/22



Code: EBB
Adopted: 7/15/10
Revised/Readopted: 12/11/13; 4/08/15
Orig. Code: EBB

Integrated Pest Management

To ensure the health and safety concerns of student, staff and community members, the district shall adopt an integrated pest management plan (IPM)[†] which emphasizes the least possible risk to students, staff and community members and shall adopt a list of low-impact pesticides for use with the IPM plan.

The IPM plan is a proactive strategy that:

1. Focuses on the long-term prevention or suppression of pest problems through economically sound measures that:
 - a. Protect the health and safety of students and staff;
 - b. Protect the integrity of district buildings and grounds;
 - c. Maintain a productive learning environment; and
 - d. Protect local ecosystem health.
2. Focuses on the prevention of pest problems by working to reduce or eliminate conditions of property construction, operation and maintenance that promote or allow for the establishment, feeding, breeding and proliferation of pest populations or other conditions that are conducive to pests or that create harborage for pests;
3. Incorporates the use of sanitation, structural remediation or habitat manipulation or of mechanical, biological and chemical pest control measures that present a reduced risk or have a low-impact and, for the purpose of mitigating a declared pest emergency, the application of pesticides that are not low-impact pesticides;
4. Includes regular monitoring and inspections to detect pests, pest damage and unsanctioned pesticide usage;
5. Evaluates the need for pest control by identifying acceptable pest population density levels;
6. Monitors and evaluates the effectiveness of pest control measures;
7. Excludes the application of pesticides on a routine schedule for purely preventive purposes, other than applications of pesticides designed to attract or be consumed by pests;

[†] See Model Integrated Pest Management Plan for Oregon Schools at http://www.ipmnet.org/tim/IPM_in_Schools/Model_School_IPM_Plan_Main_Page.html

8. Excludes the application of pesticides for purely aesthetic purposes;
9. Includes school staff education about sanitation, monitoring, inspection and pest control measures;
10. Gives preference to the use of nonchemical pest control measures;
11. Allows the use of low-impact pesticides if nonchemical pest control measures are ineffective; and
12. Allows the application of a pesticide that is not a low-impact pesticide only to mitigate a declared pest emergency or if the application is by, or at the direction or order of, a public health official.

The district shall designate the ~~operations coordinator and operations supervisor~~ **custodial services supervisor** as the Integrated Pest Management Plan Coordinators give them the authority for overall implementation and evaluation of the IPM plan.

Integrated Pest Management Plan Coordinator

The IPM Plan Coordinators shall:

1. Attend not less than six hours of IPM training each year. The training shall include at least a general review of integrated pest management principles and the requirements of IPM as required by Oregon statute;
2. Ensure appropriate prior notices are given and posted warnings have been placed when pesticide applications are scheduled;
3. Oversee pest prevention efforts;
4. Ensure identification and evaluation of pest situation;
5. Determine the means of appropriately managing pest damage that will cause the least possible hazard to people, property and the environment;
6. Ensure the proper use and application of pesticide applications when non-pesticide controls have been unsuccessful;
7. Evaluate pest management results; and
8. Keep for at least four years following the application date, records of applied pesticides that include:
 - a. A copy of the label;
 - b. A copy of the Safety Data Sheet (SDS);
 - c. The brand name and **U.S. Environmental Protection Agency (USEPA)** registration number of the product;
 - d. The approximate amount and concentration of pesticide applied;
 - e. The location of where the pesticide was applied;
 - f. The type of application and whether the application was effective;
 - g. The name(s) of the person(s) applying the pesticide;
 - h. The pesticide applicator's license numbers and pesticide trainee or certificate numbers of the person applying the pesticide;
 - i. The dates and times for the placement and removal of warning signs; and

- j. Copies of all required notices given, including the dates the IPM Coordinators gave the notices.
- 9. Respond to inquiries about the IPM plan and refer complainants to Board policy KL - Public Complaints;
- 10. Conduct outreach to district staff about the district’s IPM plan.

END OF POLICY

Legal Reference(s):

[ORS 634.116](#)

[ORS 634.700 - 634.750](#)

Corrected 10/19/22



Code: EBBA
 Adopted: 1/04/07
 Revised/Readopted: 7/15/10; 6/14/17
 Orig. Code: EBBA

First Aid**

In cases of sudden illness or injury to a student or staff member, first aid will be given by school staff. Further medical attention for a student to students is the parents' responsibility of the student's parent(s), or of someone the parent(s) parents designate in the case of an emergency.

Each principal is charged with providing for the immediate care of ill or injured persons within his/her area of responsibility.

Staff members shall report self-administered first-aid treatment to an immediate supervisor.

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

Designated employees in each building shall hold current first-aid cards. In compliance with Oregon Administrative Rules, each school shall have, at a minimum, at least one staff member with a current first-aid card for every 60 students enrolled, or an emergency response team per building. Such team shall consist of no less than six persons who hold current first-aid/CPR cards and who are trained annually in the district and building emergency plans. Names of the designated employees will be posted.

END OF POLICY

Legal Reference(s):

[ORS 30.800](#)

[OAR 437-002-0042](#)

[OAR 437-002-0120 to -0139](#)

[OAR 437-002-0161](#)

[OAR 437-002-0360](#)

[OAR 437-002-0377](#)

[OAR 581-022-2050](#)

[OAR 581-022-2220](#)

[OAR 581-022-2225](#)

[OAR 581-053-0003\(37\)](#)

[OAR 581-053-0220\(3\)\(B\)\(iii\)](#)

[OAR 581-053-0320\(5\)\(b\)](#)

[OAR 581-053-0420\(2\)\(f\)\(B\)](#)

Corrected 10/19/22



Code: EBBAA-AR
Revised/Reviewed: 7/15/10
Orig. Code: EBBAA-AR

First Aid - Infection Control

Health services information about the transmission of diseases including AIDS and HBV¹ focuses on “body fluids” as a possible carrier of organisms that can infect others. The term includes drainage from cuts and scrapes, vomit, urine, feces, respiratory secretions (nasal discharge), saliva, semen and blood. While any contact with the body fluids of another person represents a risk, the level of risk is very low. The risk is increased if the fluid comes in contact with a break in the skin of another individual. Generally, simple, consistent standards and procedures of cleanliness minimize risk.

The following procedures are precautionary measures against the transmission of diseases. Prudent actions are to be employed by all staff and students. These actions should focus primarily on steps that students and staff members can take to ensure their own well-being.

Those who administer first aid, provide physical care or may otherwise incur occupational exposure to blood or other potentially infectious materials as determined by the district will be specifically protected through the district’s Exposure Control Plan.

The following procedures are a review for all staff and students of appropriate hygienic and sanitation practices:

1. Standard precautions are to be followed at all times. Standard precautions require the assumption that staff and students approach infection control as if all direct contact with human blood and body fluids is known to be infectious for HIV, HBV and/or other bloodborne pathogens;
2. Whenever possible, students should be directed to care for their own minor bleeding injury. This includes encouraging students to apply their own band-aids. If assistance is required, band-aids may be applied after the caregiver removes their gloves, if the caregiver will not come into contact with blood or wound drainage;
3. Food and Drug Administration (FDA) approved gloves are required for all tasks in which an individual may come into contact with blood or other potentially infectious materials. Such tasks include cleaning body fluid spills, emptying trash cans, handling sharps/containers, handling contaminated broken glass, cleaning contaminated equipment and handling contaminated laundry/clothing. This also includes assisting with any minor wound care, treating bloody noses, handling clothes soiled by incontinence, diaper changing and cleaning up vomit;

¹ HIV - Human Immunodeficiency Virus; AIDS - Acquired Immune Deficiency Syndrome; HBV - Hepatitis B Virus

4. Immediate, complete and effective hand washing with soap and running water of at least 30 seconds duration should follow any first aid or health care given to a student or contact with potentially infectious materials;
5. If exposure to blood or other potentially infectious materials occurs through coughing, any first-aid procedure, or through an open sore or break in the skin, thorough washing, preferably with germicidal soap, is necessary;
6. In the event hand-washing facilities are not readily available, thorough cleaning using an antiseptic cleanser and clean cloth/paper towels or antiseptic towelettes provided by the district as an alternative is necessary. In the event alternatives are used, hands must be washed with soap and running water as soon as feasible;
7. Contaminated work surfaces shall be decontaminated with an appropriate disinfectant after completion of procedures; immediately or as soon as feasible when surfaces are overtly contaminated or after any spill of blood or other potentially infectious materials; and at the end of the work shift if the surface may have become contaminated since the last cleaning. Clean surfaces with soap and water and then rinse with an Environmental Protection Agency (EPA) approved disinfectant² following labeling instructions for use, or a freshly made solution of one part bleach to nine parts water, and allow to air dry. These surfaces include equipment, counters, mats (including those used in physical education classes and athletic events), toys or changing tables;
8. An EPA-approved disinfectant must be used when cleaning fluids such as blood or vomit from the floor or other such contaminated surfaces;
9. Contaminated laundry such as clothing and towels must be placed and transported in bags and containers in accordance with the district's standard precautions. All such items must be laundered in hot or cold water and soap and placed in a dryer;
10. Needles, syringes, broken glassware and other sharp objects found on district property must not be picked up by students at any time, nor by staff without appropriate puncture-proof gloves or mechanical device such as a broom, brush and dust pan. Any such items found must be disposed of in closable puncture resistant, leakproof containers that are appropriately labeled or color-coded;
11. All wastebaskets used to dispose of potentially infectious materials must be lined with a plastic bag liner that is changed daily;
12. Gloves and repellent gowns, aprons or jackets are required for tasks in which exposure to blood or other potentially infectious materials can be reasonably anticipated to contaminate street clothing. Type and characteristics of such protective clothing will depend on the task. Such tasks may include diapering/toileting with gross contamination, assisting with wound care, sorting or bagging contaminated laundry/clothing and disposing of regulated waste with gross contamination;

²Disinfectants which can be used include Lysol, Purex, Clorox, Tough Act bathroom cleaner, Dow bathroom cleaner, Real Pine liquid cleaner, Pine Sol, Spic and Span, Tackle liquid, Comet and other products with EPA numbers. Other disinfectants as recommended by the Center for Disease Control may be used.

13. Maximum protection with gloves, face and/or eye protection and gowns is required whenever splashes, spray, spatter or droplets of blood or other potentially infectious materials may be generated and eye, nose or mouth contamination can be reasonably anticipated. Such tasks may include feeding a student with a history of spitting or forceful vomiting and assisting with severe injury and wound with spurting blood;
14. If a first aid situation occurs, students should report to a person in authority; staff should report to a supervisor.

Additional Precautions

The following additional precautions should be applied in all school settings. These procedures will help prevent transmission of many infections in addition to HIV and HBV:

1. A sink with soap, hot and cold running water and disposable towels should be available close to the classroom;
2. Sharing of personal toilet articles, such as toothbrushes and razors, should not be permitted;
3. Skin lesions that may ooze blood or serum should be kept covered with a dressing;
4. Exchange of saliva by kissing on the mouth, by sharing items that have been mouthed and by putting fingers in others' mouths should be discouraged.

Corrected 10/19/22



Code: EBBAA
 Adopted: 7/15/10
 Revised/Readopted: 10/14/10; 6/14/17
 Orig. Code: EBBAA

Infection Control - ~~HIV, AIDS, HBV~~ and Bloodborne Pathogens

The Board recognizes that staff and students incur some risk of infection and illness each time they are exposed to blood or other potentially infectious materials. While the risk to staff and students of exposure to body fluids due to casual contact with individuals in the school environment is very low, the Board regards any such risk as serious.

Consequently, the Board directs adherence to standard precautions. Standard precautions require that staff and students approach infection control as if all direct contact with human blood and body fluids is known to be infectious for HIV, AIDS, HBV¹ and/or other bloodborne pathogens².

~~The district shall use standard precautions at all times for infection control. Each person is therefore treated as though an HIV, AIDS or HBV³ infection exists.~~

The district shall develop an Exposure Control Plan that includes infection control procedures, and procedures to minimize and eliminate exposure incidents to bloodborne pathogens ~~for staff and students.~~

Infection Control

Staff and students shall receive an annual in-service that includes correct procedures for cleaning up body fluid spills and for personal cleanup, appropriate disposal, immunization and personal hygiene, as well as the location and a content review of first-aid and clean-up kits. Kits shall be available for each room in the building and in each district vehicle.

In addition to an annual in-service, staff and students on a regular basis will receive HIV, AIDS and HBV information.

The information shall emphasize infection — how infection is spread as well as how it is not spread.

Bloodborne Pathogens

The Exposure Control Plan shall be reviewed and updated at least annually and when necessary to reflect new or modified tasks and procedures which affect occupational exposure and to reflect new or revised employee positions with occupational exposure. The review and update shall also:

¹ HIV - Human Immunodeficiency Virus; AIDS - Acquired Immune Deficiency Syndrome; HBV - Hepatitis B Virus

² “Bloodborne pathogens” are pathogenic microorganisms that are present in human blood and can cause disease in humans. These include, but are not limited to, Hepatitis B virus (HBV) and Human Immunodeficiency Virus (HIV).

³ ~~HIV - Human Immunodeficiency Virus; AIDS - Acquired Immune Deficiency Syndrome; HBV - Hepatitis B Virus~~

1. Reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens;
2. Annually, document consideration and implementation of appropriate commercially available and effective safer medical devices designed to eliminate or minimize occupational exposure.

The plan shall include training followed by an offer of immunization with Hepatitis B vaccine and vaccination series for all staff who are required to provide first aid to students and/or for all staff who have occupational exposure as determined by the district. Training shall be provided at the time of initial assignment to tasks where occupational exposure may take place and at least annually thereafter. Personal protective equipment appropriate to job tasks shall be provided by the district. A post-exposure evaluation and follow-up shall be made available to any employee sustaining an occupational exposure.

The district recognizes that, as required by Oregon Administrative Rule (OAR) 437-002-1030, employees who use medical sharps in the performance of their duties (e.g., administering injectable medicines to students, such as epinephrine and glucagon) must, at least annually, be provided with the opportunity to identify, evaluate and select engineering and work practice controls (e.g., sharps disposal containers, self-sheathing needles, safer medical devices, such as sharps with engineered sharps injury protections and needleless systems). The district will implement such work practice controls, as appropriate.

Documentation, including a sharps injury log, will be maintained as required by OAR 437-002-1030(3) and 437-002-1035.

The district will cooperate with the Oregon Health Authority, Public Health Division and the local health department in delivering HIV, AIDS and HBV education.

END OF POLICY

Legal Reference(s):

[OAR 437-002-0360](#)
[OAR 437-002-0377](#)
[OAR 437-002-1030](#)

[OAR 437-002-1035](#)
[OAR 581-022-2050](#)
[OAR 581-022-2220](#)

[OAR 581-053-0240\(23\)](#)
[OAR 581-053-0250\(1\)](#)
[OAR 581-053-0517\(13\)\(c\),\(e\)](#)

Occupational Safety and Health Standards, Bloodborne Pathogens, 29 C.F.R. §1910.1030.

Corrected 10/19/22



Code: EBBB
Adopted: 2/12/14
Revised/Readopted: 6/13/18
Orig. Code: EBBB

Injury/Illness Reports

All injuries/illnesses, sustained by the employee while in the actual performance of the duty of the employee, occurring on district premises, in district vehicles, at a district-sponsored activity or involving staff members who may be elsewhere on district business will be reported immediately to a supervisor.

A written report will be submitted within 24 hours to the district's safety officer. Reports will cover property damage as well as personal injury. All accidents involving students or the visiting public will be reported immediately to a supervisor.

In the event of a work-related¹ illness or injury to an employee resulting in overnight hospitalization for medical treatment² other than first aid, the district safety officer shall report the incident to inform the Oregon Occupational Safety and Health Division (OR-OSHA). This report will be made within 24 hours after notification to the district of an illness or injury. Fatalities or catastrophes³ shall be reported to OSHA within eight hours.

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

The district risk manager superintendent or designee will maintain records and reports on serious injuries/illnesses, including accidents involving district property or employees, students or visiting publics, and periodic statistical reports on the number and types of injuries/illnesses occurring in the district, as well as on the measures being taken to prevent such injuries/illnesses in the future.

The records will include monthly reporting information and an analysis of the data and trends will be conducted at least annually. Such reports will be submitted to the superintendent for reviewed by the district safety committee at least annually.

END OF POLICY

¹ An injury or illness is work related if an event or exposure in the work environment caused or contributed to the condition or significantly aggravated a preexisting condition.

² Medical treatment includes managing or caring for a patient for the purpose of combatting disease or disorder. The following are not considered medical treatment: visits to a doctor or health-care professional solely for observation or counseling; diagnostic procedures including administering prescription medications used solely for diagnostic purposes; and any procedure that can be labeled first aid.

³ A "catastrophe" is an accident in which two or more employees are fatally injured, or three or more employees are admitted to a hospital or an equivalent medical facility.

Legal Reference(s):

[ORS 339.309](#)

[OAR 437-001-0015](#)

[OAR 437-001-0700](#)

[OAR 437-001-0704](#)

[OAR 437-001-0760](#)

[OAR 581-022-2225](#)

Corrected 10/19/22



Code: EBC/EBCA
Adopted: 1/13/16
Orig. Code: EBC/EBCA

Emergency Procedures and Disaster Plans

The superintendent will develop and maintain a plan specifying procedures to be used in such emergencies as disorderly conduct, unlawful assembly, disturbances at school activities, natural disasters, fire, illness or injury of a student or staff member, and safety threats use of force on district school property. The superintendent will consult with community and county agencies while developing this plan.

The district's Emergency Procedures Plan will meet the standards of the State Board of Education.

Copies of the Emergency Procedures Plan will be available in every school office and other strategic locations throughout the district. Parents will be informed of the district's plan for the care of students during an emergency situation. The Board may use Oregon Revised Statute (ORS) 192.660(2)(k) to conduct an executive session to consider matters related to school safety or a plan that responds to safety threats made toward a school in the district.

In the case of long-term disruption to district operations as a result of a pandemic flu, declared public health emergency or other catastrophe, the district emergency plan shall at a minimum include the following:

1. Who is in charge of the district plan;
2. What steps the district will take to stop the spread of disease;
3. How sick students will be identified;
4. Transportation plan for sick students;
5. Disease containment measures for the district;
6. Communication plan for staff, students and parents;
7. Continuing education plan for students;
8. Procedures for dealing with student privacy rights;
9. Employee leave procedures during a pandemic flu or other catastrophe;
10. Employee pay and benefit plan and procedures;
11. Facility utilization by other agencies procedures;
12. Business operations plan for offsite operation or alternative measures.

END OF POLICY

Legal Reference(s):

[ORS 192.660\(2\)\(k\)](#)
[ORS 332.107](#)
[ORS 433.260](#)

[ORS 433.441](#)
[OAR 437-002-0161](#)

[OAR 581-022-2030\(3\)\(c\)](#)
[OAR 581-022-2220](#)
[OAR 581-022-2225](#)

Corrected 10/19/22



Code: EBCB
Adopted: 7/15/10
Revised/Readopted: 2/12/14; 5/13/15; 1/13/16
Orig. Code: EBCB

Emergency Drills and Instruction

Each administrator will conduct emergency drills in accordance with the provisions of Oregon Revised Statutes (ORS).

All schools are required to instruct and drill students on emergency procedures so that students ~~can~~ may respond to an emergency without confusion and panic. The emergency procedures shall include drills and instruction on fires, earthquakes, which shall include tsunami procedures in a tsunami hazard zone and safety threats. Instruction on fires, earthquakes and safety threats and drills for students, shall be conducted for at least 30 minutes each school month.

Fire Emergencies

The district will conduct monthly fire drills. At least one fire drill will be held within the first 10 days of the school year. Drills and instruction on fire emergencies shall include routes and methods of exiting the school building.

Earthquake Emergencies

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

Safety Threats

At least two drills on safety threats shall be conducted each year.

Drills and instruction on safety threats shall include ~~procedures related to~~ lockdown, lockout, shelter in place and evacuation and other appropriate actions to take when there is a threat to safety.

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

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

END OF POLICY

Legal Reference(s):

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

[ORS 476.030\(1\)](#)

[OAR 581-022-2225](#)

OREGON STATE FIRE MARSHAL, OREGON FIRE CODE (2014).

Corrected 10/19/22



Code: EBCD
 Adopted: 7/15/10
 Revised/Readopted: 5/13/15
 Orig. Code: EBCD

Emergency Closures**

In case of hazardous or emergency conditions, the superintendent or designee may alter district and transportation schedules as are appropriate to the particular condition. Such alterations include closure[†] of all schools, closure of selected schools or grade levels, delayed openings of schools and early dismissal of students.

The superintendent or designee will develop and maintain such plans and procedures as are necessary to carry out alternate school and bus schedules.

At the beginning of each school year students, parents and staff will be informed of the procedures used to notify them in case of an emergency closure.

END OF POLICY

Legal Reference(s):

[OAR 437-002-0360](#)
[OAR 437-002-0377](#)

[OAR 581-022-2225](#)
[OAR 581-022-2320](#)

[OAR 581-053-0004](#)

Corrected 10/19/22

[†] Upon approval by the Board, for the 2015-2016 school year, up to 14 hours of emergency school closures due to adverse weather conditions and facilities failure may be included in the calculation of instructional time. (Oregon Administrative Rule (OAR) 581-022-1620) “Instructional time” is defined in OAR 581-022-0102.



Code: ECAAA
Adopted: 1/04/07
Revised/Readopted: 7/15/10; 6/14/17
Orig. Code: ECAAA

Employee Identification Badge System

For the safety of staff and students in the school environment, and to reduce the possibilities of theft, vandalism and loss of district property, all district employees shall be issued and will display and wear an identification badge. The supervisors are responsible to see that this requirement is met.

The district's photo identification badge system will serve as an instant identification system for security purposes and will assist students, staff, parents and other visitors to school locations in identifying district employees. Employees will wear and display the identification card at all times in the performance of their duties.

These badges may also serve as keys for entrance to designated buildings. The badges will include employee pictures and shall not be transferred nor loaned.

A badge system, with appropriate designation but without a photograph, shall be used for visitors to schools during regular school hours and for substitutes and/or temporary employees.

Human resources and operations will have an appropriate procedure in place for other personnel regularly in buildings (e.g., contractors, employees).

END OF POLICY

Legal Reference(s):

[ORS 192.447](#)

[ORS 332.107](#)

[ORS 332.505](#)

Corrected 10/19/22



Code: ECAC
Adopted: 1/04/07
Readopted: 7/15/10
Orig. Code: ECAC

Video Surveillance

The Board, as a part of the district's on-going program to maintain student discipline and ensure the health, welfare and safety of all students and personnel, and in the interest of protecting district property and equipment, authorizes the utilization of video equipment in the following ways:

1. Transportation Vehicle Cameras

All vehicles transporting students to and from curricular and extracurricular activities may be provided with video security cameras in accordance with the provisions of law.

2. Building/Premises Cameras

For the promotion of order, safety and security of students, staff and property, the district may place video security cameras in buildings or on district property. Use of the videos from these cameras shall be subject to other policies of the district including confidentiality of records.

3. Surveillance Cameras

Only when specific incidents or situations so warrant, the district may install concealed video surveillance cameras. The placement of these cameras shall be limited to those approved by a member or members of the district executive administration. The duration of the surveillance shall coincide directly with the need for such surveillance. No concealed surveillance cameras shall be used in a general manner where specific situations do not warrant their use.

The superintendent or designee shall be responsible for developing an administrative procedure for use of video equipment that includes but is not limited to:

1. Effect of such equipment in terms of education records.
2. Effect of such equipment in terms of personnel records.
3. Storage and security of recordings.
4. Staff access to equipment or recordings.
5. Viewing requests.
6. Installation procedures.
7. Board Notification.

The district shall notify staff and students through student/parent and staff handbooks that video surveillance may occur on district property.

Students or staff in violation of Board policies, administrative regulations, building rules or law shall be subject to appropriate disciplinary action. Others may be referred to law enforcement.

A video recording may become a part of a student’s educational record or a staff member’s personnel record. The district shall comply with all applicable state and federal laws related to record maintenance and retention.

END OF POLICY

Legal Reference(s):

[ORS 30.864](#)
[ORS 192.420 to -192.505](#)
[ORS 326.565](#)
[ORS 326.575](#)

[ORS 332.107](#)
[ORS 336.187](#)
[ORS 342.850](#)

[OAR 166-400-0010 to -0065](#)
[OAR 581-021-0210 to -0430](#)
[OAR 581-022-2260](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2012).
Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2017).

Corrected 10/19/22



Code: ECACB
Adopted:

Unmanned Aircraft System (UAS) a.k.a. Drone

Third Party Use

Third party use of a UAS on district property or at district-sponsored events or activities on district property for any purpose is prohibited, unless granted permission from the superintendent or designee.

If permission is granted by the superintendent or designee, the third party operating a UAS will comply with all FAA and ODA registration and use regulations and shall provide the following to the district:

1. Proof of insurance that meets the liability limits established by the district;
2. Proof of UAS registration and authorization (including a certificate identified in 14 C.F.R. Part 107 or a Certificate of Authorization described in 49 U.S.C. § 44801) issued by FAA, and proof of user registration with ODA when required; and
3. A signed agreement holding the district harmless from any claims of harm to individuals or damage to property.

The district shall post a copy of this policy, associated procedures, and a copy of Oregon Revised Statute (ORS) 192.345 on the district's website.

END OF POLICY

Legal Reference(s):

[ORS 164.885](#)
[ORS 174.109](#)
[ORS 192.345](#)

[ORS 837.300 - 837.390](#)
[ORS 837.995](#)

[OAR 738-080-0015 - 080-0045](#)
Senate Bill 581 (2019)

Federal Aviation Administration Reauthorization Act of 2018, 49 U.S.C. §§ 44801-44810 (2012).
Small Unmanned Aircraft Systems, 14 C.F.R. Part 107 (2018).
Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g (2018).
OREGON SCHOOL ACTIVITIES ASSOCIATION HANDBOOK.

Corrected 10/19/22

¹ A public body, as defined in ORS 174.109, operating an unmanned aircraft system must register as a user with ODA. (ORS 837.360)



Code: EDC/KGF
Adopted: 2/11/10
Revised/Readopted: 7/15/10; 1/12/11
Orig. Code: EDC/KGF

Authorized Use of District Equipment and Materials

District materials and equipment will be used only for school purposes by district personnel on district properties.

Exceptions to this policy must be approved by the superintendent or a member of executive administration and authorized use shall be consistent with Oregon Revised Statute (ORS) Chapter 244.

In all cases of public use, equipment shall not be used for private financial gain. An equipment use form must be submitted and approved, and all conditions outlined on the attached district equipment list must be adhered to. In the event of excessive damage, a fee will be determined according to repair or replacement costs. Transportation of borrowed equipment will be the user's responsibility. No equipment may be transported off district property unless used for a district-sponsored activity.

END OF POLICY

Legal Reference(s):

[ORS Chapter 244](#)

[ORS 332.107](#)

[OAR 584-020-0040](#)

OREGON GOVERNMENT ETHICS COMM'N, OR. GOV'T ETHICS LAW, A GUIDE FOR PUBLIC OFFICIALS (2008).

Corrected 11/02/22



Code: EEA
Adopted: 7/15/10
Revised/Readopted: 4/08/15; 11/08/17
Orig. Code: EEA

Student Transportation Services

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 and for school-sponsored field trips that are extensions of classroom learning experiences. Transportation will be provided for homeless students who qualify for McKinney-Vento services to and from the student's school of origin¹ as required by the Every Student Succeeds Act of 2015 (ESSA). These services shall be provided throughout the regularly scheduled year and during the regular school day as determined by the Board.

Students in grades K through 5 will be eligible for bus service at intermittently scheduled stops if they reside one mile or farther from their school. In compact elementary attendance areas, only perimeter routes will be used. Students may be required to walk out to bus stops.

Students in grades 6 through 12 will be eligible for bus service at intermittently scheduled stops if they reside one and one-half mile or farther from their school.

Mileage from school will be determined by the transportation supervisor in accordance with Oregon Administrative Rule (OAR) 581-023-0040(1)(e). Mileage exceptions for health, safety or disability will be made in accordance with the district's approved supplemental plan.

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

~~Transportation will be provided to a student of a school receiving Title IA funds to attend a district school out of the student's attendance area because his/her home school has been identified as in need of improvement, corrective action or restructuring. Such transfers will be permitted and transportation provided only to a safe school that has not been identified for improvement, corrective action or restructuring. The obligation of the district to provide for transportation will terminate at the end of the school year if the school from which the student transferred is no longer in school improvement.~~

~~In the event all other district schools a student may transfer to have also been identified as in need of improvement, corrective action or restructuring or there is no other district school to which the student may transfer², the district shall, to the extent practicable, establish a cooperative agreement with other~~

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 ~~If there are no district schools to which students can transfer because: (1) all schools at a grade level are in school improvement; (2) there is only one school in the district; or (3) the rural or isolated nature of the district prevents choice, the~~
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~~districts in the area for a transfer. Transportation for students who transfer for such purposes will be provided for in accordance with the agreement³.~~

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.

~~Transportation provided will, to the extent possible, be to a school that is making adequate yearly progress and that has not been identified as in need of improvement, corrective action or restructuring. 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.

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 Oregon Revised Statute (ORS) 815.055. A person over ~~who weighs more than 40 pounds~~ or who has reached the upper weight limit for the forward-facing car seat must use a booster seat until they are, ~~who is four feet nine inches tall or ages shorter and under eight and the adult years of age must be properly secured with a child safety system that elevates the person so that a safety belt or safety harness properly fits the person.~~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

~~district must notify the parents that the student's school has been identified for school improvement but that no choices are currently available.~~

~~³ Interdistrict transportation under NCLBA does not appear to be a district responsibility. Districts should consult with their attorney.~~

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.

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.

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 principal, their designee or supervisor. The director or designee of 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 appropriate by the principal or designee and/or director or designee of transportation supervisor.

The principalsuperintendent 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 theirhis/her driving abilities.

Parents or guardians may accompany students on school buses for field trips or other school- or district-sponsored activities and shall submit to a criminal records check as required in Board policy GCDA/GDDA – Criminal Records Checks and Fingerprinting and its accompanying administrative regulation. Siblings of district students who are not yet a student of the district may not accompany parents or guardians for such activities.

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

END OF POLICY

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).



Code: EEAB-AR
 Adopted: 1/04/07
 Readopted: 7/15/10
 Orig. Code: EEABA; EEAB

School Bus Scheduling and Routing

Bus stops shall be established annually by the director of transportation supervisor or designee based on the following:

1. Safety of students.
2. Student home residence location. No custom service or special stops will be allowed to accommodate baby-sitters, student activities, or visiting. Special situations will only be accommodated upon approval by the director of business services transportation within bus load limits at regular bus stops.
3. Protection of property.
4. Energy conservation measures. (Includes consolidated stops and driving on major arterial to eliminate starts and stops.)
5. No student is expected to walk farther to the bus stop than any other student is expected to walk to school. (One mile for elementary grades K-5; one and one-half mile for secondary grades 6-12). Students are expected to walk out to major arterial as schedules require. An exception may occur where the bus is unable to gain safe access within the prescribed limits.
6. Additional stops may be requested through the transportation safety committee. Such, or other, additional stops will be determined by the district's director of transportation and may be scheduled by the transportation supervisor only upon written approval of the director of business services.
7. Appeals may be made to the superintendent or designee.

~~END OF POLICY~~

Legal Reference(s):

~~ORS 332.405~~

~~OAR 581-023-0040~~
~~OAR 581-053-0002~~

OAR 581-053-0015

Corrected 11/02/22



Code: EEAC
Adopted: 7/15/10
Revised/Readopted: 10/11/17
Orig. Code: EEAC

School Bus Safety Program

The director of transportation supervisor will ensure instruction for all students in school bus safety and emergency evacuation procedures is provided. Drivers shall assist in the instruction.

Students who are regularly transported by the district shall receive the following instruction within the first six weeks of each half of each the school year:

1. Safe school bus riding procedures, including but not limited to loading, unloading and, crossing; ~~etc.;~~
2. Use of emergency exits; and
3. Planned and orderly evacuation of the school bus in case of emergency, including participation in actual evacuation drills.

Students who are not regularly transported by the district will be given the following instruction at least once in the first half of each school year:

1. Safe school bus riding procedures, including but not limited to loading, unloading and crossing; and
2. Use of emergency exits.

The district will document and maintain records of the content and dates of instruction.

Buses will not exceed vehicle design capacity for seating at any time unless an unforeseen or unusual circumstance arises. Passengers will be provided a seat that fully supports them. 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 Oregon Revised Statute (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 the person is four feet nine inches tall or age eight and the adult belt properly fits.¹ 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 used for student transportation in excess of 10,000 pounds are exempt from this requirement unless they have been

¹ "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.

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.

During adverse weather conditions, the director of transportation-supervisor may recommend the district alter bus schedules or temporarily suspend bus services. The executive director of communications director and community relations or his/her designee will advise local radio stations and other media of communicate any changes in bus schedules or services.

In the case of emergency or disaster, evacuation of students will be carried out according to the district's emergency plan.

An accident review board will study accidents involving district buses and will make recommendations to avoid similar accidents.

END OF POLICY

Legal Reference(s):

[ORS 811.210](#)
[ORS 811.215](#)
[ORS 815.055](#)
[ORS 815.080](#)
[ORS 820.100 to -820.190](#)

[OAR 437-002-0220 to -0227](#)
[OAR 581-022-2225](#)
[OAR 581-053-0002](#)
[OAR 581-053-0003](#)

[OAR 581-053-0004](#)
[OAR 581-053-0010](#)
[OAR 581-053-0021](#)
[OAR 581-053-0031](#)
[OAR 581-053-0210](#)
[OAR 581-053-0240](#)
[OAR 581-053-0310](#)
[OAR 581-053-0320](#)
[OAR 581-053-0330](#)
[OAR 581-053-0340](#)

[OAR 581-053-0410](#)
[OAR 581-053-0420](#)
[OAR 581-053-0430](#)
[OAR 581-053-0440](#)
[OAR 581-053-0445](#)
[OAR 581-053-0510](#)
[OAR 581-053-0520](#)
[OAR 581-053-0530](#)
[OAR 735-102-0010](#)

Corrected 11/02/22



Code: EEACA
 Adopted: 7/15/10
 Revised/Readopted: 4/08/15
 Orig. Code: EEACA

School Bus Driver Examination and Training

The district or transportation provider shall verify that a school bus driver's physical examinations were ~~examination was~~ certified by a medical examiner. This medical examiner's ~~whose~~ certificate must have been ~~was~~ listed in the Federal Motor Carrier Safety Administration's, National Registry of Certified Medical Examiners as of the date of the issuance ~~for~~ of the school bus driver's examination certificate. Bus drivers shall also meet, ~~and meets~~ other criteria as established by state and federal law and by the Oregon Department of Education regulations, including the requirements for a commercial driver's license (CDL).

A school bus manufacturer, school bus dealer or school bus mechanic is not required to have a school bus endorsement while operating a school bus that is not transporting students.

END OF POLICY

Legal Reference(s):

- | | | |
|---|----------------------------------|----------------------------------|
| ORS 659.840 | ORS 807.038 | OAR 581-053-0004 |
| ORS 659A.300 | ORS 820.110 | OAR 581-053-0031 |
| ORS 659A.306 | | OAR 581-053-0040 |
| ORS Chapters 801, 802, 807, 809, 811, 813 | OAR 581-053-0002 | OAR 581-053-0060 |
| | OAR 581-053-0003 | |

Omnibus Transportation Employee Testing Act of 1991, 49 U.S.C. §§ 31301-31317; 49 C.F.R. Parts 40, 382, 391-395 (2016).
 Federal Motor Carrier Safety Administration Regulations, 49 C.F.R. Part 391, §§ 391.42, 391.43 (2016).

Corrected 11/02/22



Code: EEACC
Adopted: 7/15/10
Revised/Readopted: 10/11/17
Orig. Code: EEACC

Student Conduct on School Buses

The following regulations will govern student conduct on school buses and Type 10 School Activity Vehicles if used for transporting students from home to school, school to home and to and from district-sponsored activities and will be posted in a conspicuous place in all school-buses and activity vehicles:

1. Students being transported are under authority of the bus driver;
2. Fighting, wrestling or boisterous activity is prohibited on the bus;
3. Students will use the emergency door only in case of emergency;
4. Students will be on time for the bus, both morning and evening;
5. Students will not bring firearms, weapons or other potentially hazardous material on the bus;
6. Students will not bring animals, except approved service animals, on the bus;
7. Students will remain seated while the bus is in motion;
8. Students may be assigned seats by the bus driver;
9. When necessary to cross the road, students will cross in front of the bus or as instructed by the bus driver;
10. Students will not extend their hands, arms or heads through the bus windows;
11. Students will have written permission to leave the bus other than for home or school;
12. Students will converse in normal tones; loud or vulgar language is prohibited;
13. Students will not open or close windows without permission of the driver;
14. Students will keep the bus clean and must refrain from damaging it;
15. Students will be courteous to the driver, fellow students and passersby;
16. Students who refuse to promptly obey the directions of the driver or refuse to obey regulations may forfeit their privilege to ride on the buses.

The superintendent or designee will establish other administrative regulations as necessary for the safe conduct of students riding district school buses or other forms of district transportation and for disciplinary

procedures. Such regulations will be available to all parents and students and posted in each school bus or other district vehicle.

Students who violate bus rules of conduct may be denied the use of district transportation.

END OF POLICY

Legal Reference(s):

[ORS 339.240](#)

[ORS 339.250](#)

[ORS 820.100 to -820.190](#)

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

[OAR 581-023-0040](#)

[OAR 581-053-0002](#)

[OAR 581-053-0003](#)

[OAR 581-053-0004](#)

[OAR 581-053-0010](#)

[OAR 581-053-0210](#)

Letter Opinion, Office of the OR Attorney General (Nov. 22, 1988).

Corrected 11/02/22



Code: EEACCA
Adopted: 10/11/17
Orig. Code: EEACCA

Video Cameras on Transportation Vehicles

The ~~Board~~ recognizes the district’s continuing responsibility to maintain and improve discipline, and ensure the health, welfare and safety of its staff and students on school transportation vehicles.

The ~~Board~~, after having carefully weighed and balanced the rights of privacy of students and staff with the district’s duty to ensure discipline, health, welfare and safety of staff and students on school transportation vehicles, supports the use of video cameras on its transportation vehicles.

Video cameras may be used to monitor student behavior on school transportation vehicles ~~that transport~~ transporting students to and from curricular and extracurricular activities.

Such equipment may also be used to monitor the performance of district employees in the fulfillment of their duties ~~in~~ school transportation vehicles ~~that are~~ transporting students to and from curricular and extracurricular activities.

Students in violation of district conduct rules shall be subject to disciplinary action in accordance with established ~~Board policies~~ ~~board policy~~ and administrative regulations governing student conduct and discipline.

Staff shall be subject to established ~~Board~~ personnel policies, administrative regulations and collective bargaining agreements including provisions related to evaluation, discipline and dismissal.

Video recordings, depending on how they are used in student disciplinary proceedings, may become a part of a student’s education record. In such cases, the district shall comply with all applicable state and federal laws related to education records. Such records will also be subject to established district procedures regarding education records including access, review and release of such records.

The superintendent shall develop procedures for the notification of staff, students, parents and others as necessary of the use of video cameras on school transportation vehicles and such other procedures as may be required for the implementation of this policy.

END OF POLICY

Legal Reference(s):

[ORS 30.864](#)
[ORS 192.420 to -192.505](#)
[ORS 326.565](#)
[ORS 326.575](#)

[ORS 332.107](#)
[ORS 336.187](#)
[ORS 342.850](#)

[OAR 166-400-0010 to -0065](#)
[OAR 581-021-0210 to -0430](#)
[OAR 581-022-2260](#)
[OAR 581-053-0240\(11\)](#)



Code: EEACCA-AR
Revised/Reviewed: 10/11/17
Orig. Code: EEACCA-AR

Video Cameras and Audio on Transportation Vehicles

Education Records

1. The district will comply with provisions of state and federal law regarding education records requirements including the Family Educational Rights and Privacy Act (FERPA) and the Individuals with Disabilities Education Act (IDEA) as applicable to the district's use of video/audio recordings. Video/audio recordings which become a part of a student's education record will be maintained in accordance with established education record procedures governing access, review and release of education records.
2. The district will include notice in parent/student handbooks that video/audio cameras may be used on district transportation vehicles transporting students to and from curricular and extracurricular activities. The district will include, as a part of its notice procedures, a copy of the district's video/audio camera policy and procedures to all students and parents accompanied by a form to be signed and returned to the district as an acknowledgment of being read and understood.
3. Students will be notified when video/audio camera is "on board" and in use on district vehicles.

Staff Records

1. Video/audio recordings considered for retention as part of the employee's personnel record will be maintained in accordance with established Board board personnel policies, administrative regulations and collective bargaining agreements governing access, review and release of employee personnel records.
2. The district will include notice in personnel handbooks that video/audio cameras may be used on district transportation vehicles that transport transporting students to and from curricular and/or extracurricular activities.
3. Staff will be notified when video/audio camera is "on board" and in use in on district vehicles.

Storage/Security

1. All video/audio recordings will be stored and secured to ensure confidentiality.
2. Video/audio recordings will be stored for five 14 days after the initial recording, unless a viewing request is made to view a recording. These recordings will then be erased unless they become part of a student's education record or a staff member's personnel record.

3. Video/Audio recordings held for review of student or staff incident will be copied and maintained in their original form pending resolution. The recording will then be either erased or retained as necessary as a part of the student's education record and/or employee's personnel record in accordance with the established district policy and procedures.

Use

1. Video/Audio cameras will be used on all district transportation vehicles transporting students to and from curricular or extracurricular activities at the discretion-direction of the director of transportation supervisor or superintendent.
2. Staff and students are prohibited from tampering with or otherwise interfering with video/audio camera equipment.

Viewing Requests

1. Requests for viewing video/audio recordings will be limited to district officials, including teachers whom the district has determined to have legitimate educational interests, parent(s) or the student 18 years of age or older or others specified in state and federal law and accompanying regulations including FERPA.
2. Requests for viewing may be made by the principal or designee to the director of transportationsuperintendent or designee within five school days of the date of recording.
3. Only the portion of the video/audio recording concerning a specific incident(s) will be made available for viewing.
4. Approval/Denial for viewing will be made within five school days of receipt of request and so communicated to the requesting individual(s).
5. When approved, Vvideo/audio recordings will be made available for viewing within three-five school days of the request-approval.

Viewing

1. Actual viewing will be permitted at district-related sites only, including the transportation office, schools, district office or as otherwise required by law.
2. A written recordlog will be maintained of those viewing video-recordings including the date of viewing, the reason for viewing, the date the recording was made, the vehicle videotaped and driver recorded and the signature of the viewer.
3. Video/Audio recordings remain the property of the district and may be reproduced only in accordance with law, including applicable district education records policy and procedures and district personnel records policy, procedures and applicable collective bargaining agreements.

Purchase, Maintenance, Replacement of Equipment/Supplies

1. The transportation supervisor will be responsible for all video equipment and supplies purchase, maintenance and replacement.

2. ~~The transportation supervisor will develop a long range video equipment and supply replacement eyele.~~

3.4. ~~Vehicle drivers will be responsible for the care of video equipment while operating district vehicles.~~

Corrected 11/16/22



Code: EEACD
Adopted: 1/04/07
Readopted: 7/15/10
Orig. Code: EEACD

Employee Use of District Vehicles

The following criteria shall be met in all cases where district personnel operate publicly-owned vehicles on district business:

1. Employee shall hold a valid Oregon driver's license.
2. Employee's state driving record reviewed and evaluated annually.
3. Employee must demonstrate proficiency in vehicle to be driven.
4. Employee must have valid first aid card. (For operation of vehicles in which students will be transported.)
5. ~~Employee must complete defensive driving course. (For operation of vehicles in which students will be transported.)~~
- 6.5. Must be an employee of the district.
- 7.6. Employee must comply with Oregon Administrative Rules Governing Drivers of District Vehicles.

From the above requirements, an approved list of drivers will be developed that will allow personnel to operate district vehicles.

The ~~Board~~ district may provide for the use of vehicles, commonly designated as Types 10, 20 or 21 pupil transportation vehicles, which do not meet the requirements of a "school bus" for the purpose of transporting students, licensed, classified or other supervisory personnel to and from curricular and extracurricular activities sponsored by the district.

The vehicle shall be insured for bodily injury, property damage, uninsured motorist coverage and personal injury protection. The ~~director of business services~~ district risk manager will recommend amounts to adequately protect the district against loss.

The district will meet or exceed minimum driver requirements and procedures as set forth in Oregon Administrative Rules, Section 53. OARs 581-053-0545, 581-053-0550 and 581-056-0555. The district shall meet child safety system requirements and minimum standards and specifications as set forth in state law ORS 811.210, 815.055 and 815.080 and OAR 735-102-0010.

END OF POLICY

Legal Reference(s):

[ORS 811.210](#)

[ORS 815.055](#)

[ORS 815.080](#)

[ORS 820.110](#)

[ORS 820.190](#)

[OAR 437-002-0220 to -0227](#)

[OAR 581-053-0010](#)

[OAR 581-053-0220](#)

[OAR 581-053-0310](#)

[OAR 581-053-0320](#)

[OAR 581-053-0330](#)

[OAR 581-053-0340](#)

[OAR 581-053-0410](#)

[OAR 581-053-0420](#)

[OAR 581-053-0430](#)

[OAR 581-053-0440](#)

[OAR 581-053-0511](#)

[OAR 581-053-0521](#)

[OAR 581-053-0531](#)

[OAR 581-053-0540](#)

[OAR 581-053-0610](#)

[OAR 581-053-0620](#)

[OAR 581-053-0630](#)

[OAR 581-053-0640](#)

[OAR 735-102-0010](#)

Corrected 11/16/22



Code: EEAE
Adopted: 7/15/10
Revised/Readopted: 10/11/17
Orig. Code: EEAE

Student Transportation in Private Vehicle

Transportation of students will be by the district's transportation system or by a district employee's vehicle, properly insured, except as provided below.

Parents, employees and other designated adults may be permitted to use private vehicles to transport students other than their own on field trips or other school activities if the following conditions have been met prior to the activity:

1. The school administrator has approved the activity;
2. A permission slip signed by the student's parent(s) has been received by the principal or ~~his/her~~ designee, granting permission for the student to participate in the field trip/activity and to ride in a privately-owned vehicle;
3. The ~~parent~~parents, employee or other adult driving the vehicle is properly licensed to drive and has provided proof of insurance. Such insurance shall meet or exceed minimum requirements as established by the state of Oregon and as set by the district;
4. The vehicle contains an adequate number of seat restraints, including when applicable, a child safety system for a child who weighs less than 40 pounds, regardless of age, and the adult driver requires their use. The child safety system must elevate the person so that a safety belt or safety harness properly fits the individual and meets the minimum standards and specifications of law. 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~~the person is four feet nine inches tall or age eight and the adult belt properly fits.¹ 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 Oregon Revised Statute (ORS) 815.055. Training in the proper installation and use of child safety system may be required. The driver is responsible for not placing children under the age of 13 in the front seat of a vehicle equipped with passenger-side air bags.

The district will develop procedures to implement this policy.

END OF POLICY

Legal Reference(s):

¹ "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.

[ORS 332.107](#)
[ORS 801.455](#)

[ORS 811.210](#)
[ORS 815.055](#)

[ORS 815.080](#)
[OAR 735-102-0010](#)

Corrected 11/02/22



Code: EFAA
Adopted: 7/15/10
Revised/Readopted: 12/14/11; 4/08/15; 6/14/17
Orig. Code: EFAA

District Nutrition and Food Services

The district may enter into an agreement with the Oregon Department of Education (ODE) to operate the National School Lunch Program (NSLP) and the Commodity Food Distribution Program (CFDP) by signing a permanent Sponsor-ODE Agreement entitling the district to receive reimbursement for all meals that meet program requirements and to earn USDA Food entitlement based on the number of lunches served.

The permanent agreement shall be signed by the superintendent or other school official with authority to obligate the district to legally binding contracts, subject to annual ODE renewal and will include, at the district's option, an agreement to operate the School Breakfast Program (SBP), Summer Food Service Program (SFSP), the Child and Adult Care Food Program (CACFP) and the Special Milk Program (SMP). The district recognizes that meals and snacks served by the district will not be eligible for reimbursement until the annual program update is received and approved by ODE.

The permanent Sponsor-ODE Agreement shall include assurances by the district that it will follow all Child Nutrition Program regulations for which the district is approved to operate:

1. Free and reduced price process (updated annually);
2. Financial management of the nonprofit school food service;
3. Civil rights and confidentiality procedures;
4. Meal pattern and nutrition content of meals served;
5. Use and control of commodity foods;
6. Accuracy of reimbursement claims;
7. Food safety and sanitation inspections;
8. Nutrition standards for foods and beverages sold to students.

The superintendent or designee will develop an administrative regulation as necessary to implement this policy and meet the requirements of state and federal law. The administrative regulation will be reviewed and adopted by the Board as required by law.

END OF POLICY

Legal Reference(s):

[ORS 327.520 to -327.537](#)
[ORS 336.423](#)

[OAR 581-022-2345](#)
[OAR 581-051-0100](#)
[OAR 581-051-0305](#)

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

Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance, 7 C.F.R. Part 15b (2017).

U.S.D.A., ELIGIBILITY GUIDANCE FOR SCHOOL MEALS MANUAL.

U.S.D.A., FNS INSTRUCTION 765-7 REV. 2: HANDLING LOST, STOLEN AND MISUSED MEAL TICKETS.

Healthy, Hunger-Free Kids Act of 2010, 42 U.S.C. §§ 1758, 1760 (2012).

National School Lunch Program 7 C.F.R. Part 210 (2017)

U.S.D.A. Instruction 113-1 Civil Rights

Donation of Foods for Use in the United States, Its Territories and Possessions and Areas Under its Jurisdiction, 7 C.F.R. Part 250 (2017)

Uniform Administrative Requirements, Cost Principles and Audit Requirements for Federal Awards, 2 C.F.R. 200 (2017).

Corrected 11/16/22



Code: EFAA-AR
 Adopted: 7/15/10
 Revised/Readopted: 4/08/15; 1/13/16; 4/13/16;
 6/08/16; 6/14/17
 Orig. Code: EFAA-AR

Reimbursable School Meal Programs

(National School Lunch Program and School Breakfast Program and other meal programs)

The district’s nutrition and food services will be operated in accordance with the following requirements:

Meal Pricing Procedures

1. Reimbursable meals will be priced as a unit.
2. Reimbursable meals ~~and afterschool snacks~~ will be served free or at a reduced price to all children who are determined by the district to be eligible for free or reduced-price meals.
3. Annually, the district will establish prices for reimbursable student meals.
4. The price charged to students who do not qualify for free or reduced-price meals will be established annually ~~set by the district in compliance with state and federal laws~~ by the district in compliance with state and federal laws guidelines.
5. The price charged to students who qualify for reduced-price meals will be established annually by the district in compliance with state and federal laws.
6. ~~The district will implement claiming alternative Provision at the schools as established annually.~~
- 7.6. The district will implement claiming alternative Community Eligibility at the following schools under its jurisdiction: all schools except HOLLA.

Application Procedures

1. Households receiving SNAP ~~that submit a direct certification document from AFS showing the household receives food stamps~~ or Temporary Assistance to Needy Families (TANF) benefits as identified by and Oregon Department of Education (ODE), ~~approved~~ will be automatically eligible for free meals for the students listed on the official document. Districts must access this document at least three times per year.
2. Students receiving support through the migrant education program, Runaway and Homeless Youth Act, McKinney-Vento Homeless Assistance Act, federal Head Start and state-funded prekindergarten programs, with income eligibility criteria identical or more stringent than federal Head Start, or are in state or court placement foster care, will be automatically eligible for free meals ~~and afterschool snacks~~, for the students listed on the official documents.

3. Households that submit a confidential application will be notified of their student’s eligibility for free or reduced-price meals. Households that are denied free or reduced-price benefits will be notified in writing using the ODE template letter distributed to the district annually.
4. On a case-by-case basis, when a student is known to be eligible for free or reduced-price meal benefits, and the household fails to submit a confidential application, the superintendent or designee may complete an application for the student documenting how they know he/she knows the household income qualifies the student for free or reduced-price meal benefits. Parents of a student approved for free or reduced-price benefits, when application is made for the student by a school official, will be notified of the decision and given the opportunity to decline benefits.
5. Students who do not qualify for free or reduced-price meals are eligible to participate in the ~~SMP~~, National School Lunch Program (NSLP) and School Breakfast Program (SBP) and will be charged “paid” prices set by the district. “Paid” category students will be treated equally to students receiving free or reduced-price benefits in every aspect of the district’s NSLP, SBP, Child and Adult Care Food Program (CACFP) and the Summer Food Service Program (SFSP).
6. The district has established a fair hearing process under which a household can appeal a decision with respect to the household’s application for benefits or any subsequent reduction or termination of benefits.

Financial Management of the Nonprofit School Food Service

1. The district will maintain a nonprofit school nutrition and food service operation.
2. Revenues earned by the school nutrition and food services will be used only for the operation or improvement of NSLP, SBP, CACFP and SFSP.
3. Lunch and breakfast meals served to teachers, administrators, custodians and other adults not directly involved with the operation of the district’s nutrition and food services will be priced to cover all direct and indirect cost of preparing and serving the meal¹.
4. District nutrition and food services revenues will not be used to purchase land or buildings.
5. The district will limit its nutrition and food services net cash resources to an amount that does not exceed three months average expenditures.
6. The district will maintain effective control and accountability for, and adequately safeguard, all nutrition and food services’ cash, real and personal property, equipment and other assets, and ensure they are used solely for nutrition and food services purposes.
7. The district will meet the requirements for allowable ~~of~~ NSLP, SBP, CACFP and SFSP costs as described in 2 C.F.R. 200.
8. In purchasing nutrition and food services goods or services, the district will not accept proposals or bids from any party that has developed or drafted specifications, requirements, statements of work,

¹ For meals with portion sizes equivalent to student meals, the adult meal price will be no less than the amount of reimbursement for a free-eligible meal, plus the value of commodity foods used in the meal preparation.

invitations for bids, requests for proposals, contract terms and conditions or other documents for proposals used to conduct the procurement.

9. All procurement transactions for nutrition and food services goods and services will be conducted according to state, federal and district procurement standards using the applicable cost thresholds.
10. In the operation of its nutrition and food services program, the district will purchase food products where at least 50 percent of the ingredients are produced or processed in the United States, whenever possible.
11. ~~The district may use facilities, equipment and personnel supported with nutrition and food services revenue to support a nonprofit nutrition program for the elderly.~~

Civil Rights and Confidentiality Procedures

1. The district will not discriminate against any student because of ~~their~~^{his/her} eligibility for free or reduced-price meals.
2. The district will not discriminate against any student or any nutrition and food services employee because of race, color, national origin, sex, sexual orientation, marital status, parental status, religion, age or disability.
3. The district will assure that all students and nutrition and food services employees are not subject to different treatment, disparate impact or a hostile environment.
4. Established district procedures will be followed for receiving and processing civil rights complaints related to applications for ~~of~~NSLP, SBP, CACFP and SFSP benefits and services, and employment practices with regard to the operation of its ~~of~~NSLP, SBP, CACFP and SFSP. The district will forward any civil rights complaint regarding the district's nutrition and food services to ODE's director of Child Nutrition Programs within three days of receiving the complaint.
5. The district will make written or oral translations of all nutrition and food services materials available to all households who do not read or speak English.
6. The district will maintain strict confidentiality of all information obtained through a confidential application for free and reduced-price meals or direct certification, including students' eligibility for free or reduced-price meals and all household information. The district's NSLP, ~~and~~SBP, CACFP ~~and~~ SFSP operators are not required to release any information from a student's confidential application for free or reduced-price meals. No information may be released from a student's eligibility information without first obtaining written permission from the student's parent or legal guardian/adult household member signing the application, except as follows:
 - a. An individual student's name and eligibility status may be released without written consent only to persons who operate or administer federal education programs; persons who operate or administer state education or state health programs at the state level; persons evaluating state, education assessment; or persons who operate or administer any other NSLP, SBP, SMP, SFSP, CACFP or ~~the~~ SNAP;
 - b. Any other confidential information contained in the confidential application for free and reduced-price meals (e.g., (family income, address, etc.) may be released without written consent only to persons who operate or administer the NSLP, SBP, CACFP, SFSP and the

Special Supplemental Nutrition Program for Women, Infants and Children (WIC); the Comptroller General of the United States for audit purposes; and federal, state or local law enforcement officials investigating alleged violation of any of the programs listed above.

Nutrition and Menu Planning

1. Meals ~~and afterschool snacks~~ served for reimbursement will meet the nutrition standards established by the U.S. Department of Agriculture (USDA) and Oregon Smart Snacks Standards ~~recommendations of the most current *Dietary Guidelines for Americans*.~~
2. Meals ~~and afterschool snacks~~ served for reimbursement will meet at least the minimum of NSLP, SBP, CACFP and SFSP requirements for food ~~items~~ and quantities.
3. Meals served for reimbursement will:
 - a. Meet all calorie range requirements by grade level;
 - b. Meet ~~at least the maximum~~ minimum nutrient standards set for saturated fat, calories, protein, calcium, iron, vitamin A and vitamin C by grade level;
 - c. Meet the maximum standards set for total fat and saturated fat; ~~and Offer less sodium by grade and cholesterol and increase the level; and of dietary fiber over time. The district will use a USDA approved menu planning approach to plan meals and afterschool snacks claimed for reimbursement.~~
 - d. Meet the requirement for zero grams of trans fats.
4. ~~The menu planning approach selected by the district to be used in all schools under its jurisdiction.~~
- 5.4. The district will use the offer versus serve option when serving NSLP lunches to all school students. Students must take at least three of five different food items including one-half cup of fruit or vegetable offered in program lunches.
- 6.5. The district will use the offer versus serve option when serving program breakfasts to school students. Students must take at least three of four food items, including one-half cup of fruit or vegetable offered in program breakfasts.

Use and Control of Commodity Foods

1. The district will accept and use commodity foods in as large a quantity as may be efficiently utilized in the NSLP, SBP, CACFP and SFSP.
2. The district will maintain necessary safeguards to prevent theft or spoilage of commodity foods.
3. The value of commodity foods used for any food production other than NSLP, SBP, SFSP ~~or afterschool snacks~~ shall be replaced in the food service inventory.

Accuracy of Reimbursement Claims

1. The district will claim reimbursement only for reimbursable meals ~~and afterschool snacks~~ served to eligible children.

2. All meals ~~and afterschool snacks~~ claimed for reimbursement will be counted at each dining site at a “point of service” where it can be accurately determined that the meal and snack meets of NSLP, SBP, CACFP and SFSP requirements for reimbursement.
3. The person responsible for determining if ~~the reimbursability of meals and afterschool snacks are reimbursable~~ will be trained to recognize a reimbursable meal.
4. The district official signing the claim for reimbursement will review and analyze monthly meal ~~and afterschool snack~~ counts to ensure accuracy of the claim, before submitting the claim to ODE.
5. Annually, by November 15, the district will verify a random sample of applications according to NSLP verification requirements. Instructions for completing the verification process will be sent by ODE to the district in October each year.

Food Safety and Sanitation Inspections

1. The district will maintain necessary facilities for storing, preparing and serving food and milk.
2. Semiannually, the district will schedule food safety inspections with the county Environmental Health Department for each school or dining site under its jurisdiction.
3. The district will maintain health standards in compliance with all applicable state food safety regulations at each school or dining site under its jurisdiction.

General USDA NSLP and SBP Requirements

1. The district will ensure that no student is denied a meal as a disciplinary action.
2. Breakfast will be served in the morning hours, at or near the beginning of the student’s school day.
3. Lunch will be served between the hours of 10 a.m. and 2 p.m.
4. The district will provide substitute foods for 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. 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. The district will not charge more than the price of the school meal, as determined by the child’s eligibility status, for meals with the accommodation.
5. The district will control the sale of competitive foods.
6. The district will ensure that potable water will be available to students, free of charge for consumption in the place where meals are served during meal service.³

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.

³ ~~Requirement under Healthy, Hunger Free Kids Act of 2010, 42 U.S.C. 1751 §§ 203.~~

7. The district will notify all households and appropriate staff of its meal charge requirements at ~~early~~ ~~in~~ the beginning of each school year, upon enrollment of a student or the transfer of a student. The meal charging requirements will be posted on the district website.

Regardless of the ability to pay, a student shall be provided a reimbursable meal upon request. Parents or guardians may provide written permission to the district to withhold a meal from a student. After five meal charges the district will attempt to certify the student for free or reduced-price meals. At least two attempts to contact the student's parent or guardian for completing a meal application will be made by the district, including offering assistance filling out the application, if appropriate. Communications regarding student charges will be directed to parents or guardians, only. The district may refer delinquent meal charges to third parties for collection. Collection fees will not be charged to the parent or guardian.

8. The sale of foods in competition with the district's lunch (NSLP) or breakfast (SBP) programs will be allowed in dining sites during lunch and breakfast periods with ~~Board~~ ~~board~~ approval only when all income from the food sales accrues to the benefit of the district's nutrition and food services or accrues to a school or student organization approved by the ~~Board~~ ~~board~~. A copy of the ~~Board~~ ~~board~~ minutes approving and defining competitive food sales will be made available upon request.
9. All students will be charged a la carte prices for second servings of meals or portions of meals served.

Record Keeping

The following documents will be maintained by the district for three years after the current school year or longer, in the event of an unresolved audit(s), until the audit(s) has been completed:

1. All currently approved and denied confidential applications for free and reduced-price meals; all current direct certification documents, eligibility verification documents and school membership or enrollment lists;
2. Financial records that account for all revenues and expenditures of the district's nonprofit nutrition and food services programs, including procurement documents;
3. Records (i.e., recipes, ingredient lists and nutrition fact labels or product specifications) that document the compliance with nutrition standards for all program and competitive foods available for sale to students at a school campus;
4. Documents of participation data (i.e. meal counts) from each school in the district to support claims for reimbursement;
5. Production and menu records;
6. Records to document compliance with Paid Lunch Equity;
7. Records to document compliance with Revenue from Nonprogram Foods; and
8. Internal program monitoring documents for NSLP, SBP, SFSP, and CACFP ~~and afterschool snacks.~~

Corrected 11/16/22; Corrected 2/28/23



Code: EFD
Adopted:

R

Food Preparation

In keeping with public health authority guidelines, only food prepared in an inspected kitchen will be available in the district.

No foods prepared at home will be served at school parties, events or activities to students and families.

END OF POLICY

O

Legal Reference(s):

[ORS 332.107](#)

P

Corrected 11/16/22; Corrected 3/30/23

O

S

E

D



Code: EGAAA
Adopted: 1/04/07
Readopted: 7/15/10
Orig. Code: EGAAA

Reproduction of All Copyrighted Materials

It is the intent of the Board to adhere to the provisions of the current copyright laws and congressional guidelines.

~~The board recognizes that unlawful copying and use of copyrighted materials fosters an attitude of disrespect for law which is in conflict with the educational goals of the district.~~

Infringement on copyrighted material, whether prose, poetry, graphic images, music, audiotape, video or computer-programmed materials, is a serious offense against federal law and contrary to the ethical standards required of staff and students alike.

Violations may result in criminal or civil suits.

The Board directs that district employees adhere to all provisions of Title 17 of the United States Code, entitled "Copyrights", and other relative federal or state legislation and guidelines related to the duplication, retention, and use of copyrighted materials.

Employees who make and/or use copies of copyrighted materials in their jobs are expected to be familiar with published provisions regarding "fair use" in public display, and are further expected to be able to provide their supervisor, upon request, the justification in accordance with current copyright laws and guidelines, for copies that have been made or used.

1. Unlawful copies of copyrighted materials may not be produced on district-owned equipment.
2. Unlawful copies of copyrighted material may not be used with district-owned equipment, within district-owned facilities, or at district-sponsored functions.
3. The legal and/or insurance protection of the district may not be extended to employees who willfully violate copyright laws.
4. A synopsis of pertinent copyright laws shall be posted in each office, workrooms, media center and computer laboratory throughout the district and information shall be provided for all employees.

If an individual questions the legality of duplicating materials, they should seek permission from the copyright holders.

Employees in violation of copyright law may be required to remunerate the district in the event of loss due to litigation and may be subject to discipline up to and including dismissal.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Copyrights, 17 U.S.C. §§ 101-1332; 19 C.F.R. Part 133 (2016).

Corrected 11/16/22



Code: EGAAA-AR
Revised/Reviewed: 7/15/10
Orig. Code: EGAAA; EGAAA-AR

Guidelines for the Use of Copyrighted Materials

The superintendent is responsible for the establishment of practices which will ensure compliance with the provisions of the U.S. Copyright law as they affect the district and its employees.

1. General Responsibilities

- a. The principal and/or designees will be designated with the responsibility for disseminating and interpreting copyright regulations at the building level. He/She/The principal or designee will provide employee training as needed, distribute and review district policy and administrative regulations with employees, control the approval process and maintain written records regarding permissions, response to requests and license agreements, as may be necessary.
- b. The principal will ensure that budget recommendations include appropriate funds for the purchase of multiple copies of needed software.
- c. The principal and/or designee will ensure that appropriate warning notices are posted to educate and warn individuals using district equipment of the applicable provisions of the copyright law.

Warning notices will be posted as follows:

- (1) On or near all copiers;
 - (2) On all forms used to request copying services;
 - (3) On all video recorders;
 - (4) On all computers;
 - (5) At the library/media center or other places where interlibrary loan orders for copies of materials are accepted.
- d. The principal will ensure that building computers and computer labs are used only with proper supervision to help protect against unauthorized copying.
 - e. The principal will annually inspect the library/media center and any video collections to ensure all copies are acquired and maintained in accordance with applicable provisions of the copyright law.
 - f. All computer software license agreements must be signed by the business manager.
 - g. The employee reproducing a copyrighted work will determine whether copying is permitted by law in accordance with district policy and administrative regulations.
 - h. The employee will obtain written permission to reproduce material from the copyright holder(s) whenever copying does not fall within the "fair use" guidelines of copyright law. ~~Permission forms, as provided by the district, will be used.~~
 - i. The employee using emerging technology will be responsible to ensure that the intended use of the media does not conflict with copyright law. Such technology includes, but is not limited to, digital video, videodisk, satellite transmission, distance learning, CDs, online databases, CD-

ROM, on-line data bases (and their downloading/down-loading), informational networks and other emerging electronic information which can be manipulated into new copyrightable forms of expression.

In the absence of clearly granted rights, the employee must contact the copyright holder in writing for permission to manipulate or use these technologies in alternative ways.

Any contract provided by the distributor of such technology must be submitted to the business manager for approval.

Fair Use

2. Printed Materials

a. Permissible uses — district employees may:

(1) Make a single copy of the following for use in teaching or in preparation to teach a class:

- (a) A chapter from a book;
- (b) An article from a periodical or newspaper;
- (c) A short story, short essay or short poem, whether or not from a collective work;
- (d) A chart, graph, diagram, drawing, cartoon or picture from a book, periodical or newspaper.

(2) Make multiple copies for classroom use (not to exceed one copy per student in a course) from the following:

- (a) A complete poem, if it has fewer than 250 words and does not exceed two printed pages in length;
- (b) A complete article, story or essay of less than 2,500 words;
- (c) Prose excerpts not to exceed 10 percent of whole or 1,000 words, whichever is less;
- (d) One chart, graph, diagram, cartoon or picture per book or per issue of a periodical;
- (e) An excerpt from a children's book containing up to 10 percent of the words found in the text.

b. All permitted copying must bear an appropriate reference. References should include the author, title, date and any other pertinent information.

c. Prohibited uses — district employees may not:

- (1) Copy more than one work or two excerpts from a single author during one class term;
- (2) Copy more than three works from a collective work or periodical volume during one class term;
- (3) Copy more than nine sets of multiple copies for distribution to students in one class term;
- (4) Copy to create or replace or substitute for anthologies or collective works;
- (5) Copy "consumable" works, such as workbooks, exercises, standardized tests and answer sheets;
- (6) Copy the same work from term to term;

- (7) Copy the same material for more than one particular course being offered (may not copy every time a particular course is offered) unless permission is obtained from the copyright owner.

d. All sound recordings, ~~including phonograph records, audiotapes, compact disks and laser disks,~~ will be treated under the same provisions that guide the use of print materials unless as may otherwise be excepted by regulations governing the reproduction of works for libraries/media centers.

3. Sheet and Recorded Music

a. Permissible uses — district employees may:

- (1) Make emergency copies to replace purchased copies which for any reason are not available for an imminent performance provided purchased replacement copies will be substituted in due course;
- (2) Make, for academic purposes other than performance, multiple copies (one per student) of excerpts not constituting an entire performance unit such as a section, movement or aria, but in any case no more than 10 percent of the whole work;
- (3) Make, for academic purposes other than performance, a single copy of an entire performable unit such as a section, movement or aria if confirmed by the copyright holder to be out of print or the “unit” is unavailable except in a larger work. The copy may be made solely for the purpose of scholarly research or in preparation to teach a class;
- (4) Edit or simplify printed copies which have been purchased provided that the fundamental character of the work is not distorted or the lyrics, if any, altered or lyrics added if none exist;
- (5) Copy complete works which are out of print or unavailable except in large works and used for teaching purposes;
- (6) Make a single copy of a recorded performance by students to be retained by the school or individual teacher for evaluation or rehearsal purposes;
- (7) Make a single copy of a sound recording, ~~such as a tape, disk or cassette,~~ of copyrighted music owned by the school or an individual teacher for constructing aural exercises or examinations and retained for the same purposes.

b. Prohibited uses — district employees may not:

- (1) Copy to create or replace or substitute for anthologies, compilations or collective works;
- (2) Copy works intended to be “consumable,” such as workbooks, exercises, standardized tests and answer sheets;
- (3) Copy for the purpose of performance, except as noted above (a. (1)) in emergencies;
- (4) Copy to substitute for purchase of music except as noted above (a. (1), (2) and (3));
- (5) Copy without inclusion of the copyright notice on the copy.

4. Television Off-the-Air ~~Recording~~Taping

a. Permissible uses — district employees may:

- (1) Record a broadcast program off-air simultaneously with the broadcast transmission, including simultaneous cable or satellite retransmission, and retain the recording for a

period not to exceed the first 45 consecutive calendar days after the date of the recording.

A limited number of copies may be reproduced from each off-air recording to meet the legitimate needs of teachers. Each additional copy will be subject to all provisions governing the original recording.

Unless authorized by the library/media center supervisor, at the conclusion of the retention period, all off-air recordings shall be erased or destroyed immediately.

~~The library/media center~~ Individuals who wish to retain programs beyond the 45-day period need to complete and return the preview portion of the Request for Off-Air Video Taping form to the library/media supervisor for each program videotaped. The library/media supervisor will coordinate requests for permission to use or retain copyrighted television programs beyond the 45-day¹ retention period.

- (2) Retain recordings/videotapes of commercial programs only with written approval of appropriate copyright holders;
- (3) Use off-air recordings once for each class in the course of relevant teaching activities and repeat once only when instructional reinforcement is necessary and only within the first 10 consecutive school days of the 45-consecutive-calendar-day retention period;
- (4) Use off-air recordings for evaluation purposes only, after the first 10 consecutive school days up to the end of the 45-consecutive-calendar-day retention period. Evaluation purposes may include use to determine whether or not to include the broadcast program in the teaching curriculum;
- (5) Use off-air recordings made from a satellite dish if they conform to the 45-consecutive-calendar-day retention period established for broadcast or cable programming and are not subscription channels;
- (6) Use copies of off-air recordings, as stipulated in these guidelines, only if the copies include the copyright notice on the broadcast program;
- (7) Request that a library/media center record and retain for research purposes commercial television news programs from local, regional or national networks; interviews concerning current events; and on-the-spot coverage of news events. Documentary, magazine-format and public affairs broadcasts, however, are not included in the definition of daily newscasts of major events of the day.

Requests for retention of programs recorded off-air will be directed to the producers of those programs directly through the network (not affiliate).

b. Prohibited uses — district employees may not:

- (1) Record/Tape off-air programs in anticipation of an educator's requests;
- (2) Request that a broadcast program be recorded off-air more than once for the same educator, regardless of the number of times the program may be broadcast;
- (3) Use the recording for instruction after 45 consecutive-calendar days;
- (4) Hold the recording for weeks or indefinitely because:

¹ Means 45 consecutive calendar days.

- (a) Units needing the program concepts are not taught within the 45-day use period;
 - (b) An interruption or technical problems delayed its use; or
 - (c) Another teacher wishes to use it, or any other supposedly “legitimate” educational reason.
- (5) Record programs off-air without written permission from the author/producer/distributor when a special notice is provided specifically prohibiting reproduction of any kind;
 - (6) Alter off-air programs from their original content. Broadcast recordings may not be physically or electronically combined or merged to constitute teaching anthologies or derivative works.

Off-air recordings, however, need not be used in their entirety.

- (7) Exchange program(s) with schools in the district or other school districts without the approval of the library/media center supervisor.

Programs will be used for the specific curriculum application for which the request was intended. No other curriculum application is authorized.

- (8) Use the recording for public or commercial viewing;
- (9) Copy or use subscription programs transmitted via subscription television cable services, such as HBO or Showtime. Such programs are licensed for private home use only and cannot be used in public schools.

“Pay” programs received via satellite dish are also subject to these prohibitions.

5. Rental, Purchase and Use of Video Recordings/CDs/DVDs/Videotapes

a. Permissible uses — district employees may:

- (1) Use purchased or rented video recordings/CDs/DVDs/videotapes such as feature films as part of a systematic course of instruction, in accordance with district policy. Such use shall be for direct instruction and must take place in a classroom or similar area devoted to instruction;
- (2) Use only rented lawfully-made video recordings/CDs/DVDs/videotapes;
- (3) Arrange for the local school to transmit videotapes/CDs/DVDs over their closed circuit television systems for direct instruction;
- (4) Use off-air video recordings/videotapes made at home for classroom instruction and only in accordance with television off-air guidelines and district policy.

b. Prohibited uses — district employees may not:

- (1) Use rented or purchased recordings/CDs/DVDs/videotapes where a written contract specifically prohibits such use in the classroom or direct teaching situation;
- (2) Use rented or purchased video recordings/CDs/DVDs/videotapes such as feature films for assemblies, fund raising, entertainment or other applications outside the scope of direct instruction without public performance rights.

6. Computer Software

- a. Permissible uses — district employees may:
- (1) Make a copy of an original computer program for the purpose of maintaining the availability of the program should it be damaged during use. Either the copy or the original may be retained in archives. Only one, either the original or the copy, may be used at any one time;
 - (2) Make a copy of a program as an essential step in using the computer program as long as it is used in conjunction with the machine and in no other manner;
 - (3) Make a new copy from the archival program in the event that the program in use is damaged or destroyed;
 - (4) Use a purchased program sent from a manufacturer labeled “archival” simultaneously with the original copy of the program provided its use is permitted (not excluded) by the terms of the sales agreement;
 - (5) Make an archival copy of a rightfully-owned disk that is labeled “archival” by the software manufacturer;
 - (6) Load a software program from a single disk into a distribution network or to individual stand-alone computers for simultaneous use when the distribution network is only accessible to the owner-user if not otherwise prohibited by terms of a sales agreement;
 - (7) Adapt a copyrighted program from one language to another for which it is not commercially available or add features to a program to better meet local needs.
- b. Prohibited uses — district employees may not:
- (1) Load the contents of one disk or download a program or software into multiple computers at the same time in the absence of a license permitting the user to do so;
 - (2) Load the contents of one disk or download a program or software into local network or disk-sharing systems in the absence of a license permitting the user to do so;
 - (3) Make or use illegal copies of copyrighted programs on district equipment;
 - (4) Allow any student to surreptitiously or illegally duplicate computer software or access any data base or electronic bulletin board;
 - (5) Make copies of software provided by a software publisher for preview or approval;
 - (6) Make multiple copies of copyrighted software (or a locally produced adaptation or modification) even for use within the school or district;
 - (7) Make replacement copies from an archival or back-up copy;
 - (8) Make copies of copyrighted software (or a locally-produced adaptation or modification) to be sold, leased, loaned, transmitted or even given away to other users;
 - (9) Make multiple copies of the printed documentation that accompanies copyrighted software.
- c. With permission from the copyright holder, prohibitions may be significantly modified or removed altogether.

7. Reproduction of Works for Libraries/Media Centers

- a. Permissible uses — district employees may:
- (1) Arrange for interlibrary loans of photocopies of works requested by users, provided that copying is not done to substitute for a subscription to or purchase of a work;

- (2) Make for a requesting entity, within any calendar year, five copies of any article or articles published in a given periodical within the last five years prior to the date of the request for the material;
- (3) Make single copies of articles or sound recordings or excerpts of longer works for a student making a request, provided the material becomes the property of the student for private study, scholarship or research;
- (4) Make a copy of an unpublished work for purposes of preservation, of a published work to replace a damaged copy of an out-of-print work that cannot be obtained at a fair price;
- (5) Make off-the-air recordings of daily television news broadcasts for limited distribution to researchers and scholars for research purposes;
- (6) Make one copy of a musical work, pictorial, graphic, sculptural work, motion picture or other audiovisual work if the current copy owned by the library/media center is damaged, deteriorated, lost or stolen; and it has been determined that an unused copy cannot be obtained at a fair price.

b. Prohibited uses — district employees may not:

- (1) Make copies for students if there is reason to suspect that the students have been instructed to obtain copies individually;
- (2) Copy without including a notice of copyright on the reproduced material.

8. Performances

a. Permissible uses — district employees must:

- (1) Contact the copyright holder in writing for permission whenever copyrighted works such as plays and musical numbers are to be performed.

This is particularly important if admission is to be charged or recordings of the performance are to be sold.

NOTICES

Text of warning notice to be posted on or near copiers. It is recommended that type be at least 18 points in size:

NOTICE:

THE COPYRIGHT LAW OF THE UNITED STATES (TITLE 17 U.S. CODE) GOVERNS THE MAKING OF PHOTOCOPIES OR OTHER REPRODUCTIONS OF COPYRIGHTED MATERIAL. THE PERSON USING THIS EQUIPMENT IS LIABLE FOR ANY INFRINGEMENT.

Text of warning notice to be displayed at places where orders for copies of materials are accepted by libraries/media centers or archives. Type must be at least 18 points in size; the notice printed on heavy paper or other durable material and displayed prominently within the immediate vicinity of the place where orders are accepted.

The warning is also required on any form that is used to request copying service. There are no specific requirements for type size on request forms.

NOTICE WARNING CONCERNING COPYRIGHT RESTRICTIONS

THE COPYRIGHT LAW OF THE UNITED STATES (TITLE 17, UNITED STATES CODE) GOVERNS THE MAKING OF PHOTOCOPIES OR OTHER REPRODUCTIONS OF COPYRIGHTED MATERIAL.

UNDER CERTAIN CONDITIONS SPECIFIED IN THE LAW, LIBRARIES AND ARCHIVES ARE AUTHORIZED TO FURNISH A PHOTOCOPY OR OTHER REPRODUCTION. ONE OF THESE SPECIFIC CONDITIONS IS THAT THE PHOTOCOPY OR REPRODUCTION IS NOT TO BE "USED FOR ANY PURPOSE OTHER THAN PRIVATE STUDY, SCHOLARSHIP OR RESEARCH." IF A USER MAKES A REQUEST FOR, OR LATER USES, A PHOTOCOPY OR REPRODUCTION FOR PURPOSES IN EXCESS OF "FAIR USE," THAT USER MAY BE LIABLE FOR COPYRIGHT INFRINGEMENT.

THIS INSTITUTION RESERVES THE RIGHT TO REFUSE TO ACCEPT A COPYING ORDER IF, IN ITS JUDGMENT, FULFILLMENT OF THE ORDER WOULD INVOLVE VIOLATION OF COPYRIGHT LAW.

Text of warning notice to be affixed to video recorders and computers. (There is no specific requirement for type size.):

NOTICE:

MANY ~~VIDEOTAPE~~ VIDEO RECORDED MATERIALS AND COMPUTER PROGRAMS ARE PROTECTED BY COPYRIGHT (TITLE 17 U.S. CODE). UNAUTHORIZED COPYING MAY BE PROHIBITED BY LAW.

Text of warning notice to be affixed to package containing the copy of a computer program subject to loan. The notice must be printed in such a manner as to be clearly legible, prominently displayed and durably attached to the copies or to a box, reel, cartridge, cassette, disc, CD, DVD or other container used as a permanent receptacle for the copy of the computer program:

WARNING: THIS COMPUTER PROGRAM IS PROTECTED UNDER THE COPYRIGHT LAW. MAKING A COPY OF THIS PROGRAM WITHOUT PERMISSION OF THE COPYRIGHT OWNER IS PROHIBITED. ANYONE COPYING THIS PROGRAM WITHOUT PERMISSION OF THE COPYRIGHT OWNER MAY BE SUBJECT TO PAYMENT OF \$150,000 OR MORE IN DAMAGES AND, IN SOME CASES, IMPRISONMENT FOR ONE YEAR OR MORE.

REQUEST FOR OFF-AIR VIDEO TAPING

I, the undersigned, having requested the (District) to videotape the following program(s) within the parameters of the policy set forth by the board, (Date), am aware of said policy, have reviewed district policy and administrative regulations and agree to accept responsibility for the use and erasure of this material to prevent any infringement of copyright law in lieu of expressed written approval of the copyright proprietor.

Title of Program to be Copied: _____

Date of Program: _____ Date Program is Needed: _____

Time of Program: _____ Station or Channel: _____

Length of Program: _____

Special Instructions: _____

Requestor's Name: _____ Location: _____
(please print)

Signature: _____ Department: _____

PREVIEW AND EVALUATION

____ Yes ____ No Do you want the videotape of this program retained until information regarding the sale, lease, free loan or rental of this material is obtained?

INSTRUCTIONAL QUALITY (circle the appropriate number on the rating scale below)

Criteria	Suggested Guidelines for Rating Scale	5	4	3	2	1	0
Instructional Design	Well-organized, content-load appropriate, maturity level consistent with the content.						
Content	Accurate, authentic, current, thorough, relevant.						
Curriculum Match	Supports what is commonly taught in this subject at this grade level.						
Interest	Supports or enhances communication of content.						
5=Exemplary 4=Desirable (very good) 3=Desirable (good) 2=Fair 1=Poor 0=Unacceptable							
OVERALL (AVERAGE) RATING OF QUALITY:							

____ Yes (High Priority) Yes (Low Priority) No Do you recommend acquisition of this program?

SENSITIVE CONTENT

Yes No Is nudity, excessive violence, glamorization of drugs/dangerous substances, profanity and/or a sexual nature present in this program? **IF YES,** please verify by circling the topics present.

ADDITIONAL INFORMATION

Subject Area(s) _____ Grade Level _____ Ability Level _____

____ Yes ____ No ____ Uncertain Previewed?
____ Yes ____ No ____ Uncertain Do presently owned materials adequately cover the subject area?

OVERALL EVALUATION (SUMMARY, USE, ETC.) AND/OR REASONS FOR REQUESTING RETENTION OF THIS TAPE:

VIDEOTAPE STATUS - OFFICE USE ONLY Date: _____

____ AVAILABLE: Format: 16mm 3/4" 1/2" VHS Other (Specify) _____

Price: _____

____ May be retained indefinitely
____ May be kept on an indefinite basis pending updated information on the program's future availability
____ May be kept permanently on a licensed basis ____ Must be erased immediately

**SAMPLE LETTER:
REQUEST FOR PERMISSION TO COPY**

Author, Publisher or Distributor _____ Date: _____

Permission Department

I am requesting permission to copy and use:

Title: _____ Author/Editor: _____

Year published: _____ Number of copies: _____

Will copies be sold? (Circle) **YES NO**

Description of materials to be copied (Photocopy enclosed): _____

Intended use of materials: _____

Type of reproduction: _____

A self-addressed, stamped envelope is enclosed for your convenience in replying to this request. Should you be unable to authorize this request, please forward this letter to the proper person/agency.

Sincerely,

Permission granted: _____ Date: _____

Conditions (if any): _____

SAMPLE PRODUCER INQUIRY LETTER: REQUEST FOR INFORMATION OF AGENCY HOLDING RIGHTS TO A TV BROADCAST AND PERMISSION TO RETAIN PROGRAM IF IT IS NOT FOR SALE, RENT OR LEASE.

Network Address (ABC, NBC, CBS - not affiliate) _____ Date: _____
Permission Department

I am requesting information on the availability and retention of the following program:

Title: _____ Air date: _____

Can a copy of this program be retained for classroom use? (Circle) YES NO

Is this program available for sale? (Circle) YES NO

_____ If Yes, specify agency distributing this program: _____

_____ Specify format: _____ Cost (if known): _____

Enclosed is a self-addressed, stamped envelope for your convenience in replying to this request. Should you be unable to authorize this request, or provide the above information, please forward this letter to the proper person/agency.

Sincerely,

Permission to retain off air copy on a free basis: _____ Date: _____

Conditions (if any): _____

Corrected 11/16/22



Code: EGAB
 Adopted: 1/04/07
 Readopted: 7/15/10
 Orig. Code: EGAB

Mail and Delivery Services

(This is an internal procedure; does not rise to board policy.)

The interschool mail service is established for school-related purposes. It provides a central mailing service to expedite the distribution of materials and professional communications among schools and staff members.

To avoid overburdening the service, employees may not be allowed to use interschool mail for the delivery of personal letters, notes and materials to other employees.

The recognized collective bargaining units will be permitted to use the service in accordance with the terms of their contracts and board policy on the use of district facilities.

Bulk Rate Permit Use

The district bulk rate permit shall be used only by the district. It shall not be used by any group even though that group is an unofficial adjunct to the school system, such as a student organization or parent support group.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Perry Educ. Ass'n v. Perry Local Educator's Ass'n, 460 U.S. 37 (1983).
 Univ. of Cal. v. Pub. Emp. Rel. Bd., 485 U.S. 589 (1988).

Corrected 11/16/22



Code: EGACA
Adopted: 7/15/10
Revised/Readopted: 6/14/17
Orig. Code: EGACA

Cell Phones

The Board recognizes that the use of cell phones may be appropriate to provide for the effective and efficient operation of the district, and to help ensure safety and security of district property, staff and others while on district property or engaged in district-sponsored activities. To this end, the Board authorizes the purchase and employee use of cell phones, as deemed appropriate by the superintendent or designee.

Employees do not have any expectations of privacy with district-owned cell phones or any information stored on them; the phone may be confiscated and searched at any time. Employee use of a district-owned cell phone shall not violate Oregon's ethics laws.

If an employee's cell phone purchase is reimbursed by the district, or the employee is provided a stipend to purchase a Use of a personal cell phone for district business, all phone records, text messages, emails to and from the cell phone, and other communications made with the cell phone may be subject to public records law.

Employees shall not use cell phones, whether district-owned or personally-owned, for non-district-related business while attending to and/or performing their job responsibilities, other than as identified in policy administrative regulation EGACA-AR - Cell Phones Procedure.

District-owned cell phones shall be used for authorized district business purposes, consistent with the district's mission and goals. Personal use of such equipment is prohibited except in emergency situations. Any expenses incurred for such personal use shall be reimbursed to the district.

Use of cell phones in violation of Board policies, administrative regulations and/or state and federal laws will result in discipline up to and including dismissal and/or referral to Oregon Government Ethics Commission and law enforcement officials, as appropriate.

The superintendent or designee is directed to develop administrative regulations for the implementation of this policy, including a uniform and controlled system for identifying employee cell phone needs, monitoring use and reimbursement. Provisions may also be included for staff use of privately-owned cell phones for authorized district business.

END OF POLICY

Legal Reference(s):

[ORS 244.010](#)

[ORS 244.020\(15\)](#)

[ORS 244.040\(1\)\(a\)](#)

[ORS 244.120](#)

[ORS 332.105](#)

[ORS 332.107](#)

Davidson v. Or. Gov't Ethics Comm'n, 300 Or. 415 (1985)

OR. GOV'T STANDARDS AND PRACTICES COMM'N, ADVISORY OPINIONS 02S-020 (Aug. 2, 2002), 02A-1008 (July 12, 2002), 01A-1004 (June 1, 2001) and 98A-1003 (July 9, 1998).

Corrected 11/16/22



Code: EGACA-AR
Revised/Reviewed: 11/18/08; 7/15/10; 6/14/17
Orig. Code: EGACA-AR

Cell Phones Procedure

~~Either a district provided cell phones or a stipend for individually personally owned cell phones used for district business may be appropriate.~~

Administrators

Administrators will receive a stipend to defray the cost of using their personal cell phones for district business. The monthly amount shall be determined by the ~~administrator-related contract and/or agreement.~~

Staff

Other employees with limited, but required cell phone use for their job may ask to be considered for a cell phone stipend. The decision to provide a stipend shall be made by the ~~department directors of the human resources and business services offices,~~ based on information supplied by the employee and their supervisor. If granted, the stipend ~~shall be no greater than \$25 per month,~~ will be established by the district ~~during the employee's district work schedule.~~

Cell phone use costs beyond the stipend shall be at the employee's expense. The criteria for a district provided phone includes:

1. A job where a phone is essential to effective performance of assigned duties.
2. Safety or security.

Employees whose cell phone use for district business is rare shall ~~not receive neither a stipend nor a district cell phone.~~ Some costs, when appropriate, may be recouped through district reimbursement procedures (i.e., while on out of town business for the district).

All cell phone stipends, outside of contractual obligations, shall be reviewed annually to determine if the stipend shall continue.

Responsibilities

~~Human resources and business services shall be responsible for maintaining and updating this procedure.~~

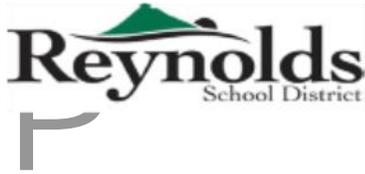
~~Business office shall be responsible for providing district cell phones and maintaining phone plans meeting district needs.~~

Employees ~~provided~~ using a personal phone for district business phone shall comply with Oregon Government Ethics Commission practices, rules and guidelines and may be subject to public records

requests. ~~Personal telephone calls shall be brief and infrequent. Such personal calls are to be for the purpose of managing personal matters that can only be accomplished during regular working hours, such as calls to medical care providers, service technicians, emergency situations or to a child's school. All calls in excess of the allotted monthly minutes shall be charged to the employee.~~

Cell phones, if necessary, should not be used by district employees in accordance with Oregon's cell phone and texting law while driving and performing district business and should not be used ~~or~~ while operating dangerous equipment. Personal use of any phone should not occur during work hours, with the exception of true emergencies.

Corrected 11/16/22



Code: EH
Adopted:

R

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.

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

S

Legal Reference(s):

[ORS 192.001 - 192.431](#)
[ORS 192.650](#)
[ORS 326.565 – 326.580](#)
[ORS 336.184 – 336.187](#)

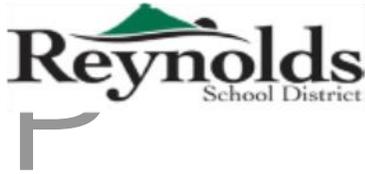
[OAR 166-400-0010 - 166-400-0065](#)
[OAR 581-015-2300](#)
[OAR 581-022-2260](#)

[OAR 581-022-2305](#)
[OAR 581-023-0006](#)
[OAR 581-053-0070](#)

E

Corrected 11/16/22

D



Code: EH-AR
Revised/Reviewed:

R

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.

State School District Retention

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Corrected 11/16/22



Code: EHA
 Adopted: 6/11/09
 Revised/Readopted: 7/15/10
 Orig. Code: EHA

Health Insurance Portability and Accountability Act

The Board~~board~~ has determined that it meets the definition of a hybrid of covered entities¹ under the Health Insurance Portability and Accountability Act (HIPAA). As the district offers health-care provider programs and services that include electronic billing for the reimbursement of services under Oregon Medicaid programs, or contracts with another entity to provide such services, it is subject to HIPAA.

As a covered entity, the district will meet the national electronic transaction standards and applicable requirements of federal law. In all electronic transactions involving student education records information, the district will adhere to the confidentiality requirements of the Family Educational Rights and Privacy Act (FERPA).

The superintendent will ensure that training is provided to appropriate staff with access to, and responsibility for, electronic transactions of student education records~~records~~ information as required by HIPAA. Notice will be provided to students and parents of their rights pertaining to the disclosure of personally identifiable information, complaint procedures and the district official to contact in the event of questions, as provided in established student education records~~records~~ related Board~~board~~ policies and administrative regulations.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Health Insurance Portability and Accountability Act of 1996, 42 U.S.C. §§ 1320d to -1320d-8 (2012); 45 C.F.R. Parts 160, 164 (2016).

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2012); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2016).

Corrected 11/16/22

¹ A “covered entity” is an entity subject to HIPAA. These include those entities defined under the Act as a health plan, health-care clearinghouse, health-care provider or a hybrid entity. A hybrid of covered entities is a single legal entity that is a covered entity and whose covered functions are not its primary function. Self-insured health plans and Internal Revenue Service Section 125 plans with 50 or more participants operated or maintained by public schools entities are covered health plans for HIPAA privacy rule purposes. Similarly, any provider of services, a provider of medical or health services as defined in section 1861 of the Act (~~42 U.S.C. § 1395X(s)), (5)~~), and any person or organization who furnishes, bills or is paid for health care in the normal course as defined by 45 C.F.R. § 160.103 is also subject to HIPAA requirements as a health-care provider. District’s should review their programs and services with their legal counsel in determining HIPAA applicability.



Code: EIA
 Adopted: 1/04/07
 Revised/Readopted: 7/15/10; 6/14/17
 Orig. Code: EIA

Insurance Coverage

~~District insurance coverage shall be written by a company that meets industry standards with a rating of not less than Best's Key Rating of Excellent (A, A-). The director of business services will select a company with a financial size category adequate to ensure surplus resources to protect the district's assets.~~

Insurance may also be written by any fully insured, partially insured or self-insured pool that is able to demonstrate satisfactory financial stability as determined by Oregon law industry standards.

Blanket building and equipment insurance will cover replacement costs with an agreed amount endorsement and with a deductible determined by the director of business services to provide the lowest possible premium costs consistent with adequate protection from unanticipated expenditures.

General and personal liability insurance will cover district Boardboard members and employees only while acting in their official capacity.

Errors and omissions and tort liability endorsements will be carried.

The district will provide liability coverage for all district-owned or leased vehicles.

The district will establish and provide the opportunity for students to purchase student accident insurance.

The district will not be liable for theft and damage of personal property of students that is not a requirement for attendance or participation. Additionally, the district will not be liable for theft and damage of personal property of staff.

During its organizational meeting in July, the Board will appoint an insurance agent of record for the district.

END OF POLICY

Legal Reference(s):

[ORS 30.260](#) to -30.300
[ORS 278.005](#) to -278.215

[ORS 332.435](#)
[ORS 332.437](#)

Corrected 11/16/22

Reynolds School District

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The following symbol is used on some policies:

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



Code: FA
 Adopted: 4/04/07
 Readopted: 7/15/10
 Orig. Code: FA

Facilities Development Goals

To provide and maintain facilities that offer the best possible physical environment for learning and working, the board, in consultation with the superintendent and in consideration of the input from staff, parents and the community, aims specifically to:

1. Provide buildings and renovations that will accommodate and facilitate those new organizational and instructional patterns that support the district’s educational philosophy and instructional goals;
2. Meet all safety requirements through the remodeling of older structures;
3. Provide building renovations as needed to meet state and federal requirements on the accessibility and usability of facilities to persons with disabilities;
4. Plan building design, construction and renovation that will allow low maintenance costs and the conservation of energy.

END OF POLICY

Legal Reference(s):

- [ORS 332.107](#)
- [ORS 332.155](#)
- [OAR 437-001-0760](#)
- [OAR 437-002-0020 to -0075](#)
- [OAR 581-022-1530](#)

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2006); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2006).
 Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

Corrected 11/16/22



Code: FB
Adopted: 7/15/10
Orig. Code: FB

Facilities Planning

The Board will gather and analyze appropriate data to evaluate the district's facilities needs on a long-range basis. Such data will include, but not be limited to, enrollment projections, anticipated changes in the instructional program, analysis of community building plans, analysis of sites and evaluation of present facilities.

END OF POLICY

Legal Reference(s):

[ORS 195.110](#)
[ORS 197.295](#) to -197.314

[ORS 332.155](#)

[OAR 581-022-2345](#)

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2012); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2012).

Corrected 11/16/22



Code: FC
Adopted: 1/04/07
Readopted: 7/15/10
Orig. Code: FC

Capital Construction Program

The Board may submit to district voters the question of contracting bonded indebtedness following advisory committee review of building needs and development of long-term capital construction and improvement plans for the district to build or renovate school buildings or to purchase school sites.

The Board will appoint a finance committee to recommend efficient and cost effective financing options to meet district funding needs.

The finance committee may consist of Board members, the superintendent, deputy clerk, district's attorney, bond counsel, financial advisor, underwriter, bond registrar/paying agent and others as deemed appropriate by the Board.

Following consultation with the finance committee, the Board may adopt a resolution authorizing the election and ballot title.

Bonded indebtedness may be approved for such purposes such as:

1. Acquiring, construction, reconstruction, improving, repairing, equipping or furnishing (as allowed by Oregon law) a school building or school buildings or additions;
2. Funding or refunding the removal or containment of asbestos or other toxic/contaminated materials in school buildings and for repairs made necessary for removal or containment;
3. Acquiring or improving district property;
4. Funding or refunding outstanding indebtedness; and
5. Providing for the payment of debt.

Specific needs will be communicated to the public. District funds may be used to provide pertinent informational material to the public concerning the proposed bond election. Materials may include, but not be limited to, estimated costs to the taxpayer to retire proposed bonds, current bonded indebtedness and the proposed use of funds. Informational material shall not be used to advocate "yes" votes on bond issues.

Following voter approval, bonds will be advertised appropriately. The date of issue will be coordinated with tax collection dates or as close as practicable, payment on bonds already outstanding and favorable market conditions. Disposition of bonds may be accomplished by public sale on a competitive bid or negotiated basis, as determined by the Board. Specific structuring options will be based on the advice of financial counsel and applicable statutes.

The Board will receive periodic reports on expenditures made from the capital projects fund as compared with original appropriations. Interest generated from the investment of bond proceeds in excess of the anticipated project costs may be used for additional capital project expenditures as approved by the Board.

The district will comply with all Oregon Revised Statutes and Oregon Administrative Rules regarding bonded indebtedness. ~~The superintendent or designee will develop additional procedures as necessary to meet the requirements of this policy.~~

END OF POLICY

Legal Reference(s):

[ORS 195.110](#)

[ORS 197.295 to -197.314](#)

[ORS Chapter 255](#)

[ORS Chapter 294](#)

[ORS 328.205](#)

[ORS 328.542 to -328.565](#)

[ORS 332.155](#)

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2012); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2012).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).
Americans with Disabilities Act Amendments Act of 2008.

Corrected 11/16/22



Code: FEA
 Adopted: 7/15/10
 Orig. Code: FEA

Capital Improvement - Educational Program

To ensure all new and remodeled facilities are designed to best implement the educational program, the superintendent will provide for detailed educational specifications prior to design and construction of new buildings or renovation of existing buildings. These specifications will include descriptions of:

1. All activities that will take place in the building;
2. The curriculum to be housed in the building;
3. Specific architectural characteristics desired;
4. The facilities needed, equipment requirements as provided by law, space relationships to other facility elements and ready accessibility and usability by persons with disabilities;
5. Integration of technology to strengthen a student’s learning experience;
6. Pertinent budget and other governing factors.

The preparation of educational specifications serves a two-fold purpose:

1. To encourage staff and community input on the needs, desires and objectives of the educational program to be conducted within the proposed new building; and
2. To organize this information in a manner that can be easily and clearly interpreted by an architect.

The Board, superintendent, staff, student and citizen representatives and the architect should be involved in developing educational specifications. Consultants may be used when deemed necessary by the superintendent and the Board.

END OF POLICY

Legal Reference(s):

[ORS 195.110](#) [ORS 332.107](#) [OAR 581-022-2345](#)
[ORS 197.295 to -197.314](#) [ORS 332.155](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).
 Americans with Disabilities Act Amendments Act of 2008.

Corrected 11/16/22



Code: FEB
 Adopted: 7/15/10
 Orig. Code: FEB

Selection of Architect

(See policy DJC and its AR)

The board will employ a licensed architect to design the plans of each proposed building, building addition or extensive renovation.

In selecting architects, the following criteria shall include, but not be limited to:

1. Experience in school construction;
2. Evidence of relevant experience in the design and construction of facilities that provide appropriate accessibility and usability for persons with disabilities;
3. Creative design ability;
4. Technical knowledge to control the design so the best results are obtained for the smallest amount of money;
5. Executive and business ability to oversee the proper performance of contracts;
6. Proven ability in all major phases of planning and construction: predesign planning, schematic design, design development, bidding, construction;
7. Ability and temperament to work cooperatively with others, willingness to consult with staff on educational specifications;
8. Extent and experience of architectural staff in relation to the scope of the planned project.

The architect will be selected by the board on the basis of the above criteria and will be employed under contract.

END OF POLICY

Legal Reference(s):

[ORS Chapters 279A, 279B and 279C](#) [ORS 455.642](#)
[ORS 332.107](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

Corrected 11/16/22



Code: FECBA
Adopted: 7/15/10
Orig. Code: FECBA

Energy-Conserving Construction

The Board recognizes the importance and need for energy conservation in the construction of new school facilities.

Proposed construction and renovation projects that contain the most efficient energy-saving plans within an acceptable budget will have high priority. Energy-saving designs will be documented in the architectural evaluation and will comply with educational specifications and cost control checklists as determined by the Board.

A continuous study of energy problems and energy sources will be maintained for future planning.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)
[ORS 332.155](#)

Corrected 11/16/22



Code: FEF/FEFB
 Adopted: 1/04/07
 Readopted: 7/15/10
 Orig. Code: FEF/FEFB

Construction Contracts - Bidding and Awards

(See policy DJC and its AR)

The board or its designee may serve as its own contract review board.

The board will advertise and award contracts for construction or renovation of facilities according to the provisions of state law. Pre-qualification of bidders may be required by the district.

Contractors shall be registered as required by Oregon law.

For every contract for which a bond is required, a bond with good and sufficient sureties will be required of the contractor. The purpose of the bond is to assure:

1. The obligations of the contract are faithfully performed;
2. Payment is promptly made to all persons supplying labor or materials to the contractor or subcontractor for the work provided in the contract;
3. All contributions for workers' compensation and unemployment insurance are made promptly;
4. All sums required to be deducted and retained from the contractor's and subcontractor's employees' wages are paid.

END OF POLICY

Legal Reference(s):

[ORS Chapters 279A](#), 279B and 279C

Corrected 11/16/22

F



Code: FEFA
 Adopted: 1/04/07
 Readopted: 7/15/10
 Orig. Code: FEFA

Authority to Approve Contract Change Orders

The board recognizes certain unique conditions are created during the course of construction or modification of equipment in district-owned or constructed facilities that at times requires the exercise of judgment on the part of the superintendent.

Recognizing that unique conditions exist in many contracted construction projects, the board authorizes the superintendent or his/her designee to approve/disapprove change orders when one or more of the following conditions exist:

1. Time is of the essence; waiting for board action on the change order at its next regularly scheduled meeting would cause a delay in a construction or maintenance project or in the receipt of services or material;
2. The requested change order has minimal effect on the overall scope or design of the project;
3. The requested change would result in a credit, no additional cost or an increase no greater than \$25,000, in cost that would not exceed the total amount of the project budget;
4. Contract amendments, change order and extra work would be within guidelines as set by Oregon Revised Statutes ORS Chapter 279 and Oregon Administrative Rules OAR 125-310-0010.

All actions on change orders approved by the superintendent or his/her designee as authorized under this policy shall be reviewed by the board at its next regularly scheduled meeting following the date of action.

END OF POLICY

Legal Reference(s):

[ORS Chapters 279A, 279B, and 279C](#) [ORS 332.075](#)

Corrected 11/16/22



Code: FF
 Adopted: 1/04/07
 Readopted: 7/15/10
 Orig. Code: FF

Naming ~~New~~ Facilities

Schools are often named after cities, landmarks, special events, ~~great citizens and individuals~~ others who have made significant contributions to the schools and youth of the community. Because the number of potential names far exceeds the facilities available, the Board will in each case establish procedures to be followed.

If the ~~b~~Board approves naming the facility in honor of an individual, adequate signage, ~~as determined by the district,~~ to that effect shall be provided.

Examples of procedures the ~~b~~Board may choose to follow

1. Names for new or existing facilities may be proposed by any ~~citizen~~ community member. All such proposals must be in writing.
2. The ~~b~~Board may choose to delegate a representative committee the responsibility of preparing recommendations for ~~b~~Board consideration. The interests of students and patrons must be considered.
3. The ~~b~~Board will make the final determination as to whether the facility will be named and what that name shall be.

Examples of naming requirements the ~~b~~Board may choose to follow:

1. Names relating to location must significantly relate to the total area.
2. As facility use changes, the name shall be reviewed and adjusted as needed.
3. The ~~b~~Board may specify additional requirements for each new request/recommendation.
4. Facilities will not be named after living state, national or international dignitaries.
5. Facilities may be named after local individuals, retirees or former ~~employees~~ not less than ~~six months~~ two years after direct involvement in school activities or completion of service to the district has been completed.
6. The naming of facilities or portions of facilities recommended to be named in memoriam shall not be so named until a period of six months after the death of the memorialized has passed.

Commented [LF1]: Why did the review process change #5?

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Corrected 11/16/22



Code: FFA
Adopted: 7/15/10
Readopted: 6/08/11
Orig. Code: FFA

Memorials and Scholarships

Memorials

The Board recognizes that when a school community experiences the sudden death of a student or staff member, it is important to the school community and to those who are personally affected by the death to acknowledge the event. Additionally, certain traumatic events occurring on a local, state or national level may also give rise to the need for district acknowledgment through appropriate activities. Requests from students, staff, parents or others for remembering or memorializing a person or event may be approved by the superintendent or designee, subject to the provisions of this policy.

The Board recognizes that memorials of flowers, personal messages and mementoes are often created at lockers, parking spaces and other areas on district property upon such losses or events. Memorials may be permitted at the discretion of the building administrator and in accordance with any health and safety of guidelines or policies. He/SheThe building administrator will consult with the family of the deceased, as appropriate. The display of all remembrances will be temporary in nature, removed in a timely manner and offered to the family.

Requests may be made to memorialize an individual or event in school yearbooks, at graduation ceremonies and other district activities. Activities that will not detract from scheduled classroom or school activities, or the celebration of student accomplishments may, with prior building administrator approval, be authorized. Activities or events may be rescheduled or cancelled with prior superintendent approval only.

In considering memorial activity requests, the administration will balance memorializing or commemorating the individual or event on the one hand, while not creating an atmosphere that glamorizes a traumatic event or self-destructive behavior on the other.

Schools may observe a moment of silence in memory of the individual or in recognition of certain traumatic events as deemed appropriate by the superintendent or designee. Additional district counseling services may be made available to provide support. Deaths will not be announced or memorialized on reader boards. School will not be dismissed early or cancelled on the day of a memorial or funeral service without superintendent approval. Flags may be lowered only in accordance with state and federal law. District property (e.g., buildings, rooms, fields, gymnasiums, etc.) may be named or renamed to memorialize an individual with Board approval only and in accordance with adopted policies.

Any such use request will be considered in accordance with Board policy KG - Use of District Property and accompanying administrative regulation.

In collaboration with the building administrators, plaques may be hung commemorating the deceased. The Board superintendent or designee may approve permanent living memorials, such as planting trees. Such requests will be submitted to and discussed with the facilities director prior to approval.

Scholarships

Memorial scholarships may be accepted and awarded under criteria approved by the district in honor of persons who have special significance to the students, district or community. All such offers will be submitted to the superintendent or designee with pertinent information concerning the purpose of the memorial scholarship. Funds will be administered by the district. Items may be accepted by the district in memory of an individual or event with superintendent or designee approval only. The superintendent or designee will consider any maintenance costs to the district of such gifts. Items received become the property of the district and will be used for the purpose for which they were donated.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 332.385](#)

Corrected 11/16/22



Code: FFB
Adopted: 7/15/10
Orig. Code: FFB

Names on Building Plaques

In keeping with the practice to recognize elected officials and others for their efforts and public service in providing new and/or improved facilities to the public, the Board wishes to have plaques installed on new construction projects giving the names of persons at the time of acceptance of the project bid as reflected in Board minutes. The plaques will provide the following information:

1. Name of the school or building;
2. Board-approved construction date;
3. Names of the Board members on the Board-approved construction date:
 - a. Chair;
 - b. Vice chair;
 - c. Members (in order of number of years on the Board).
4. Names of superintendent and secretary;
5. Name of architect;
6. Name of contractor.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Corrected 11/16/22



Code: FG
Adopted: 7/15/10
Orig. Code: FG

Board Inspection and Acceptance of New Facilities

The superintendent shall appoint a construction manager.

The construction manager shall personally inspect each project. When the performance meets the district's expectation, the construction manager will recommend acceptance of performance to the superintendent. The superintendent shall sign off the project and make payment.

The superintendent may make a final inspection with or without the board before signing off.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Corrected 11/16/22



Code: FJ
 Adopted: 1/04/07
 Readopted: 7/15/10
 Orig. Code: FJ

Temporary District Facilities

The Board’s goal is to have sufficient permanent facilities to meet the needs of district enrollment and the district’s programs. Rented facilities, movable units and other emergency school housing may be inadequate for long-term public school purposes.

If circumstances require immediate space not available in public school buildings, facilities will be leased or moveable structures will be used.

~~The board recognizes the need to provide classrooms and other needed spaces which are safe and well designed for the effective delivery of instruction and related services.~~

~~When additional facilities are needed and financing is not available for permanent construction, the Board will examine all options available to provide the needed spaces which will assure that the primary task of educating the youth of Multnomah County will continue in an orderly and timely manner.~~

Any such facility must conform to all appropriate federal, state and local building and land use codes, health and fire laws, environmental standards and provisions for accessibility and usability as required by the Americans with Disabilities Act.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 332.155](#)

[OAR 437-001-0760](#)

[OAR 437-002-0020 to -0081](#)

[OAR 437-002-0161](#)

[OAR 437-002-0180 to -0182](#)

[OAR 437-002-0368](#)

[OAR 437-002-0377](#)

[OAR 437-002-0390](#)

[OAR 437-002-0391](#)

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2012); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2012).

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.

Corrected 11/16/22



Code: FK
Adopted: 7/15/10
Orig. Code: FK

Facilities Renovation

The board's district's priorities for funding renovation of facilities are in order of priority, as follows:

1. Protection of life and health; compliance with mandated requirements governing construction codes and fire safety requirements;
2. Direct support of the educational program;
3. Urgently required projects to comply with the priorities set forth in the district's comprehensive planning program for facilities and sites;
4. ~~All others.~~

The participation of staff, parents and the community in the development of plans for new and renovated facilities will ~~may~~ be actively solicited.

The superintendent or designee will establish procedures for requesting, approving and scheduling facilities renovation.

Plans for new and remodeled buildings will be designed and offer accommodations to make them accessible to persons with disabilities. The board superintendent or designee will review construction plans to ensure that new and remodeled buildings are made fully accessible.

END OF POLICY

Legal Reference(s):

[ORS 195.110](#)
[ORS 197.295 to -197.314](#)
[ORS 332.107](#)
[ORS 332.155](#)

[OAR 437-001-0760](#)
[OAR 437-002-0020 to -0081](#)
[OAR 437-002-0180 to -0182](#)
[OAR 437-002-0368](#)

[OAR 437-002-0377](#)
[OAR 437-002-0390](#)
[OAR 437-002-0391](#)

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2012); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2012).
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.

Corrected 11/16/22



Code: FL
 Adopted: 7/15/10
 Orig. Code: FL

Retirement of Facilities

Certain school buildings may no longer be adequate for instructional purposes and should be used to benefit the district or public in other ways. In determining which facility is to be retired for regular school purposes, the district's decision board will be guided by this combination of these factors:

1. Educational flexibility: Which school building is least adaptable for housing a modern and flexible educational program?
2. Site: Which school site is least adequate for continued use as an educational center?
3. Cost: Which school building represents the highest cost in terms of upkeep, maintenance and renovation?

The board district may invite the viewpoints of community residents and staff in making its decision.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)
[ORS 332.155](#)

[OAR 437-001-0760](#)
[OAR 437-002-0020 to -0075](#)

[OAR 581-022-2345](#)

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2012); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2012).

Corrected 11/16/22

Reynolds School District

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The following symbols are used on some sample policies:

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



Code: IA
Adopted: 12/08/10
Revised/Readopted: 2/12/14
Orig. Code(s): IA

Instructional Goal

In establishing an effective educational program as part of the students' total education, the district recognizes the importance of developing a partnership that promotes the involvement of staff, parents and the community through such means as, but not limited to, ~~21st Century Schools Council~~ site councils, local school committees and advisory committees.

The district is committed to a continual process of collaborative decision making and goal setting that supports the ~~physical and cognitive growth and development of students around the~~ following characteristics:

1. Provides equal and open access and educational opportunities for all students regardless of their linguistic background, culture, race, sex, sexual orientation, gender, capability or geographic location;
2. Assumes that all students can learn and establishes high, specific skill and knowledge expectations, and recognizes individual differences at all instructional levels;
3. Utilizes valid and reliable data for evaluating the success of curriculum, instruction, resource allocation and school improvement;
4. Provides special education, compensatory education, linguistically and culturally appropriate education and other specialized programs to all students who need those services;
5. Supports the physical and cognitive growth and development of students;
6. Provides students with a solid foundation in the skills of reading, writing, problem solving and communication;
7. Provides opportunities for students to learn, think, reason, retrieve information, use technology and work effectively alone and in groups;
8. Provides for rigorous academic content standards and instruction in mathematics, science, language arts English, history, geography, economics, civics, physical education, health, the arts and world languages;
9. Provides students with an educational background to the end that they will function successfully in a constitutional republic, a participatory democracy and a multicultural nation and world;
10. Provides students with the knowledge and skills that will provide the opportunities to succeed in the world of work, as members of families and as citizens;

11. Provides students with the knowledge and skills and positive attitude that lead to an active, healthy lifestyle;
12. Provides students with the knowledge and skills to take responsibility for their decisions and choices;
13. Provides opportunities for students to learn through a variety of teaching strategies;
14. Emphasizes involvement of parents and community in the total education of students;
15. Transports students safely to and from school;
16. Ensures that the funds allocated to schools reflect the uncontrollable differences in costs facing each district;
17. Ensures that local schools have adequate control of how funds are spent to best meet the needs of students in their communities;
18. Provides for a safe, educational environment;
19. Provides increased learning time; and
20. Provides each student an education experience that supports students' academic growth beyond proficiency in academic content standards and encourages their attainment of challenging and aspirational individual goals.

END OF POLICY

Legal Reference(s):

[ORS 329.025](#)

[ORS 329.125](#)

[ORS 336.067](#)

[OAR 581-022-2030](#)

[OAR 581-022-2315](#)

House Bill 2056 (2021).

Corrected 1/25/23



Code: IB
Adopted: 12/08/10
Revised/Readopted: 10/11/17
Orig. Code(s): IB

Freedom of Expression**

Students have a general right to freedom of expression within the school system. The district requires, however, that students exercise their rights fairly, responsibly and in a manner not disruptive to other individuals or to the educational process.

Freedom of Student Inquiry and Expression

1. Generally, students and student organizations are free to examine and discuss questions of interest to them and to express opinions publicly and privately within the school system, provided such examination and expression is fair and responsible and is not disruptive to other individuals or to the educational process. Students may support or oppose causes by orderly means which do not disrupt other individuals or the operation of the school.
2. In the classroom, students are free to examine views offered in any course of study, provided such examination is expressed in a responsible manner.

Freedom of Association

Students are free to organize associations to promote their common interests. Student organizations should be open to all students. Membership criteria may not exclude students on the basis of age, race, religion, color, national origin, disability, marital status, familial status, parental status, linguistic background, culture, socioeconomic status, capability, geographic location, sex, or sexual orientation or gender identity. Each student organization must have a staff adviser to procedurally counsel and, when necessary, supervise students in the organization. All student organizations must submit to the school a statement of purpose, criteria for membership, rules and procedures and a current list of officers. School administrators may establish reasonable rules and regulations governing the activity of student organizations.

~~K-8~~ Publications ~~K-8~~, Displays and Productions

On occasion, materials such as leaflets, newsletters, cartoons and other items including displays and productions are prepared, produced and/or distributed by students as part of the educational process and free expression in an academic community. Materials may be reviewed by the administrator or may be subject to administrative review, restricted or prohibited, however, pursuant to legitimate educational concerns. Such concerns include:

1. The material is or may be defamatory;
2. The material is inappropriate based on the age, grade level and/or maturity of the audience;

3. The material is poorly written, inadequately researched, biased or prejudiced;
4. Whether there is an opportunity for a named individual or named individuals to make a response;
5. Whether specific individuals may be identified even though the material does not use or give names;
6. The material is or may be otherwise generally disruptive to the school environment. Such disruption may occur, e.g., for example, if the material uses, advocates or condones the use of profane language or advocates or condones the commission of unlawful acts;
7. Students, parents and members of the public might reasonably perceive the materials to bear the sanction or approval of the ~~district~~ districts.

High School Student Journalists

Generally, high school student journalists have the right to exercise freedom of speech and of the press in school-sponsored media. “School-sponsored media” means materials that are prepared, substantially written, published or broadcast by student journalists; that are distributed or generally made available, either free of charge or for a fee, to members of the student body; and that are prepared under the direction of a student media adviser. School-sponsored media does not include media intended for distribution or transmission solely in the classrooms in which they are produced.

School-sponsored media prepared by student journalists are subject to reasonable time, place and manner restrictions, pursuant to state and federal law. School-sponsored media cannot contain material that:

1. Is libelous or slanderous;
2. Is obscene, pervasively indecent or vulgar;
3. Is factually inaccurate or does not meet journalistic standards established for school-sponsored media;
4. Constitutes an unwarranted invasion of privacy;
5. Violates federal or state law or regulation; or
6. So incites students as to create a clear and present danger of:
 - a. The commission of unlawful acts on or off school premises;
 - b. The violation of district or school policies; or
 - c. The material and substantial disruption of the orderly operation of the school. A school official will base a forecast of material and substantial disruption on specific facts, including past experience in the school and current events influencing student behavior, and not on undifferentiated fear or apprehension.

Modifications or removal of items may be appealed in writing to the superintendent. The superintendent shall schedule a meeting within three school days of receiving the written appeal. Those present at the meeting shall include the individual(s) making the appeal, the individual(s) who made the decision to modify or remove materials and the superintendent. At the superintendent’s discretion, the district’s legal

counsel may also attend the meeting. The superintendent shall make ~~his~~ ^{his/her} decision within three school days of the meeting. The superintendent's decision shall be final and binding on all parties.

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)
[ORS 329.025](#)
[ORS 332.072](#)
[ORS 332.107](#)

[ORS 336.477](#)
[ORS 339.880](#)
[ORS 339.885](#)
[ORS 659.850](#)

[OAR 581-021-0050](#)
[OAR 581-021-0055](#)

Equal Access Act, 20 U.S.C. §§ 4071-4074 (2018).
Westside Cmty. Bd. of Educ. v. Mergens, 496 U.S. 226 (1990).
Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988).
U.S. CONST. amend. I; U.S. CONST. amend. XIV.
OR. CONST., art. I, § 8.
House Bill 3041 (2021).

Corrected 1/25/23



Code: IBDJA
Adopted: 1/04/07
Revised/Readopted: 12/08/10; 10/11/17; 6/13/18
Orig. Code: IBDJA

Relations with Homeschooled Students**

The district board recognizes the rights of parents to educate their students at home and acknowledges the education services district's role in registering and monitoring test results for students who are being taught at home.

~~Further, the board is willing to assist parents in this endeavor if a request is made through the superintendent. The district will furnish basic course descriptions, state standards for elementary and secondary education. The district will not provide instructional materials, lesson plans or curriculum guides to students being instructed at home.~~

Students may, upon parent request, be allowed to participate in district programs such as physical education programs, instrumental and vocal music programs, or other selected options if space and materials are available. Such students must then adhere to regular attendance procedures as established by the school and must avoid disruption of said programs. Parents are responsible for transportation for students attending selected school offerings.

The district board reaffirms its prerogative to accept or not accept home instruction course credit toward graduation requirements.

Homeschooled students may participate in available interscholastic activities if the following requirements are met:

1. The student can meet the district eligibility requirements, except the district or class attendance requirements;
2. ~~The student~~Students need not meet class requirements of the voluntary association administering the interscholastic activities;
3. The student must meet one of the following:
 - a. The student must achieve the minimum score on an examination from the list adopted by the State Board of Education that places the student at or above the 23rd percentile based on national norms. The examination shall be taken at the end of each school year. The parent or guardian shall submit the examination results to the district. ~~The student~~Students may participate while awaiting test results; or
 - b. The district may adopt alternative requirements, in consultation with the parent or guardian, that a student must meet to participate in interscholastic activities, including, but not limited to, a requirement that a student submit a portfolio of work samples to the district for review to determine whether a student is eligible to participate in interscholastic activities.

4. The student must fulfill the same responsibilities and standards of behavior and performance including related class or practice requirements of other students participating in the interscholastic activity. The ~~student~~ students must meet the same standards for acceptance on the team or squad. The student must also comply with all public school requirements during the time of participation;
5. The student must reside in the attendance boundaries of the school for which the student participates.

“Interscholastic activities” means, athletics, music, speech and other similar or related activities.

END OF POLICY

Legal Reference(s):

[ORS 326.051](#)
[ORS 339.030](#)
[ORS 339.035](#)

[ORS 339.450 to -339.460](#)
[OAR 581-021-0026 to -0029](#)
[OAR 581-021-0033](#)

[OAR 581-021-0071](#)
[OAR 581-021-0210](#)
[OAR 581-022-2505](#)

Corrected 1/25/23



Code: IC/ICA
Adopted: 12/08/10
Orig. Code(s): IC/ICA

School Year/School Calendar

The Board will approve the school year calendar for the following year no later than its April meeting following due consideration of the recommendation of the superintendent and the input from staff, parents and the community. After Board approval, any modification of the calendar will require Board action.

The superintendent will develop a school calendar that satisfies the requirements of Oregon Administrative Rule 581-022-2320. The calendar will include the number of student hours, number of workdays for staff and holidays. The calendar will meet or exceed state requirements. The starting and ending times for the school day will be established annually by the superintendent.

Any instructional hours ~~The calendar will meet state requirements.~~ Days lost will be made up to ensure that the state-required number of days/hours are met by the district.

END OF POLICY

Legal Reference(s):

[ORS 187.010](#)
[ORS 243.650](#)
[ORS 332.075\(1\)\(a\)](#)

[ORS 332.107](#)
[ORS 336.010](#)

[OAR 581-022-2320](#)

Corrected 1/25/23; Corrected 3/01/23



Code: ID
Adopted: 12/08/10
Orig. Code: ID

School Day

(See policy IC/ICA for this language)

The number of days of instruction and number of hours of instruction will be determined by the superintendent with final approval by the board. Starting and ending times for the school day will be established annually by the superintendent.

END OF POLICY

Legal Reference(s):

[ORS 332.075](#)

[ORS 332.107](#)

[OAR 581-022-1620](#)

Corrected 1/25/23



Code: IF
 Adopted: 12/08/10
 Orig. Code: IF

Curriculum Development

The Board recognizes that to improve the quality of instructional programs and to respond to changing societal and community needs, it cannot permit the curriculum to remain static. The Board deems it essential that the district develop and implement an instructional management system which will modify curricula to meet changing needs, ensuring quality educational programs serving each individual student’s interests.

While the Board retains its full rights and responsibilities under the laws and regulations of the state of Oregon with regard to determining curriculum, it authorizes the superintendent to organize committees and other structures which would be responsive and representative in planning curriculum improvements and be effective at implementing approved changes.

Decision making within the curriculum improvement process should be based on reliable data collected through a comprehensive assessment of needs. The assessment should include, but is not limited to, evaluation of student performance using appropriate measurement tools and procedures, surveys of parent perceptions and professional staff recommendations.

(See policy IIA for additional curriculum language.) ~~The superintendent or his/her designee shall be responsible for developing procedures for monitoring existing curricula and for utilizing expertise available from within and/or outside the school system to develop new, more effective and/or appropriate curricula.~~

END OF POLICY

Legal Reference(s):

- | | | |
|----------------------------------|----------------------------------|----------------------------------|
| ORS 329.025 | OAR 581-021-0046 | OAR 581-022-2300 |
| ORS 332.075 | OAR 581-022-2000 | OAR 581-022-2305 |
| ORS 336.067 | OAR 581-022-2030 | OAR 581-022-2310 |
| OAR 581-021-0045 | OAR 581-022-2250 | OAR 581-022-2315 |

Corrected 1/25/23



Code: IFCA
 Adopted: 1/04/07
 Readopted: 12/08/10
 Orig. Code: IFCA

~~21st Century Schools Councils~~ Site Councils¹

The Board directs the superintendent to encourage community involvement in shared decision making and to foster the collaborative efforts of district personnel, students, parents and community members through ~~21st Century Schools Councils~~ site councils at each school site.

Additionally, the Board may, as deemed necessary for assisting in the administration of grants or for coordination of districtwide programs, establish a ~~21st Century Schools Councils~~ site council and/or other special committees at the district level for specific projects or issues.

The establishment and charge of ~~the 21st Century Schools Council~~ site council shall not interfere with the duties, responsibilities and rights of the duly elected Board.

Site Council Members

At ~~the~~ a school site, ~~site councils~~ ~~21st Century Schools Councils~~ shall be structured as follows:

1. Composition

~~21st Century Schools Councils~~ A site council shall be composed of teachers, parents, classified employees and ~~administrators~~ ~~building administrator~~ or their designees ~~designee~~ as follows:

- a. Not more than half of the members shall be teachers;
- b. Not more than half of the members shall be parents or guardians of students attending that school;
- c. At least one member shall be a classified employee;
- d. One member shall be ~~an~~ ~~building~~ administrator or designee.;
- e. ~~Other~~ ~~In addition, other~~ members may be designated by the site council from district patrons that include ~~Board~~ ~~including~~, but are not limited to, local school committee members, business leaders, students and members of the community-at-large.

2. Selection

~~The members~~ Members of ~~the 21st Century Schools Council~~ site council shall be selected as follows:

- a. Teachers shall be licensed teachers elected by licensed teachers at the school site;
- b. Classified employees shall be elected by classified employees at the school site;

¹ 21st Century Schools Councils (ORS Chapter 329)

- c. Parents shall be selected by parents of students attending the school, by a process to be defined by the Board; and
- d. Others shall be selected by the council.

3. Duties

The duties of the ~~21st Century Schools Councils~~ **site council** shall include, but not be limited to:

- a. The development of plans to improve the professional growth of the school’s staff;
- b. The improvement of the school’s instructional program;
- c. The development and coordination of plans for the implementation of programs at the school in accordance with Oregon’s ~~Education~~ **Education** Act for the 21st Century;
- d. The administration of grants-in-aid for the professional development of teachers and classified employees.

If the Board determines that a school site is unable to fulfill the requirements ~~of the 21st Century Schools Council~~ as outlined in this policy, or if the needs of a school site require a different composition, the Board shall establish the ~~21st Century Schools Council~~ **site council** in a manner that best meets the educational needs of the district.

The ~~21st Century Schools Councils~~ **site council** may request a waiver of Board policy. A ~~waiver request~~ **Waiver requests** must be submitted in writing to the superintendent. The superintendent will submit the waiver request and ~~his/her~~ **her** recommendation to the Board for final approval. A ~~policy~~ **Policy** waiver ~~request~~ **requests** will be considered based on the district’s mission statement, philosophy, Board-adopted goals and effective schooling tenets.

All ~~21st Century Schools Councils~~ **site council** decisions are subject to superintendent and Board review and approval, respectively. In no case will a ~~21st Century Schools~~ **site council** ~~Councils~~ abrogate any provision of the district’s collective bargaining agreements, district contracts or Board policy, except through the waiver process.

All ~~21st Century Schools~~ **site council meetings** ~~Councils~~, the duties of which include ~~advising the board or making decisions on behalf of the board~~, shall follow the notice, meeting and recordkeeping requirements of the Public ~~Records and Meetings~~ **Records and Meetings** Law.

END OF POLICY

Legal Reference(s):

ORS 192.660 to -192.690	ORS 329.125	OAR 581-020-0100 to -0115
ORS 243.650	ORS 329.704	OAR 581-020-0125
ORS 243.782		OAR 581-020-0130

Corrected 1/25/23; Corrected 3/01/23



Code: IFE
Adopted:

Curriculum Guides and Course Outlines

Course catalogs and course descriptions will be developed for all courses offered in the district. Academic content standards¹ 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 581-021-0045](#)

[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](#)

Reviewed/Revised 1/25/23

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).]



Code: IGAC
Adopted: 6/13/18
Orig. Code: IGAC

Religion and Schools

(Only an update to the legal references)

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).

Corrected 1/25/23



Code: IGAC-AR
Revised/Reviewed: 6/13/18
Orig. Code: IGAC-AR

Recognition of Religious Beliefs and Customs

Observances of Religious Holidays

The practice of the district shall be as follows:

1. Holidays which have a religious and secular basis may be observed in the public schools;
2. The historical and contemporary values and the origin of religious and secular holidays may be explained in an unbiased and objective manner without sectarian indoctrination;
3. Music, art, literature and drama having religious themes or bases are permitted as part of school-sponsored activities and programs if presented in a prudent and objective manner and as a traditional part of the cultural and religious heritage of the particular holiday;
4. The use of religious symbols that are a part of a religious holiday is permitted as a teaching aid or resource provided such symbols are displayed as an example of the cultural and religious heritage of the holiday and are temporary in nature;
5. The district's calendar should be prepared to minimize conflicts with religious holidays.

Religion in the Curriculum

1. The district supports the inclusion of religious literature, music, drama and the arts in the curriculum and in school activities provided it is intrinsic to the learning experience in the various fields of study and is presented objectively.
2. The emphasis on religious themes in the arts, literature and history should be only as extensive as necessary for a balanced and comprehensive study of these areas.
3. Curriculum and instruction includes theories, views and precepts.
4. Student-initiated expressions to questions or assignments which reflect their religious or nonreligious beliefs are permissible. For example, students are free to express religious or nonreligious belief in compositions, art forms, music, speech and debate.

Traditional Observances

Traditions are a cherished part of the community life and the district expresses an interest in maintaining those traditions which have had a significance to the community.

The practice of the district shall be as follows:

1. A baccalaureate service is traditionally religious in nature and shall not be sponsored by the district. One or more community groups may hold a baccalaureate service on district property or in a district facility, but must conform to the current community use policy.
2. A memorial service which is religious in nature shall not be sponsored by the district. One or more community groups or individuals may hold a memorial service on district property or in a district facility, but must conform to the current community use policy.

Reviewed 1/25/23



Code: IGAEB
Adopted: 10/11/17
Orig. Code: IGAEB

Drug, Alcohol and Tobacco Prevention, Health Education**

Students have a right to attend school in an environment conducive to learning. Since student drug, alcohol and tobacco use is illegal and harmful and interferes with both effective learning and the healthy development of students, the school has a fundamental legal and ethical obligation to prevent unlawful drug, alcohol and tobacco use and to maintain a drug-free educational environment.

After consulting with parents, teachers, school administrators, local community agencies and persons from the drug, alcohol or health service community who are knowledgeable of the latest research information, the Board will adopt a written plan for a drug, alcohol and tobacco prevention and intervention program.

Drug Prevention Program

The district's drug, alcohol and tobacco curriculum will be age-appropriate, reviewed annually and updated as necessary to reflect current research and Oregon's Health Education Academic Content Standards.

Drug, alcohol and tobacco prevention instruction will be integrated in the district's health education courses for grades K-12. Students not enrolled in health education shall receive such instruction through other designated courses. At least annually, all high school students, grades 9-12, shall receive instruction about drug and alcohol prevention. Instruction shall minimally meet the requirements set forth in Oregon Administrative Rules.

The district will include information regarding the district's intervention and referral procedures, including those for drug-related medical emergencies, in student/parent and staff handbooks.

“Intervention” is defined as the identification and referral of students whose behavior is interfering with their potential success socially, emotionally, physiologically, and/or legally as a result of prohibited drug, alcohol and/or tobacco use.

Any staff member who has reason to suspect a student is in possession of, or under the influence of unlawful drugs, alcohol, other intoxicants or tobacco on district property, on a school bus or while participating in any district-sponsored activity, whether on district property or at sites off district property, will escort the student to the office or designated area and will report the information to the principal or his/her designated representative.

The principal or designee will:

1. Call law enforcement if deemed appropriate;
2. Call the parents for a meeting;

R7/01/17 | PH

Drug, Alcohol and Tobacco Prevention, Health Education** – IGAEB

3. Discuss the incident with student, parents if available and law enforcement police if contacted;
4. Impose the penalty for violations using due process procedures;
5. Tell parents about resources which offer treatment or assistance for young people suffering from drug-, alcohol- or tobacco-related problems.

Students possessing, using and/or selling unlawful drugs, including drug paraphernalia, alcohol and tobacco on district property, in district vehicles, at district-sponsored activities on or off district grounds shall be subject to discipline up to and including expulsion. When considering disciplinary action for a child with disabilities, the district must follow the requirements of Board policy JGDA/JGEA – Discipline of Students with Disabilities including those involving functional behavioral assessment, change of placement, manifestation determination and an interim alternative educational setting. Students may also be referred to law enforcement officials.

Each year the administration will meet with law enforcement officials to discuss:

1. Who the school should call for suspected violations of the law or other needs;
2. How school representatives should handle evidence of a suspected offense (i.e., school staff should not taste a substance to ascertain whether or not it is a drug). What about fingerprints? Paraphernalia?
3. What questioning procedures may take place on district property;
4. Other needs of the district and law enforcement to avoid conflicts or confusion before a substance-related incident occurs.

In general, drug-related medical emergencies will be handled like a serious accident or illness. Immediate notification of the community emergency care unit is required. Trained staff members will assist the student in any way possible. Parents shall be contacted immediately. A staff member shall be designated to accompany the student to the hospital or emergency medical facility. Procedures to be taken, including those for students participating in district-sponsored activities off district grounds, shall be included in the district's comprehensive first aid/emergency plan.

The district will actively seek funds from outside sources either independently or through coordinated efforts with other districts, community agencies or the education service district for drug-free schools grants.

A planned staff development program that includes current drug, alcohol and tobacco prevention education, an explanation of the district's plan and staff responsibilities within that plan will be developed by the superintendent. The input of staff, parents and the community is encouraged to ensure a staff development program that best meets the needs of district students.

The district will develop a public information plan for students, staff and parents.

The district’s Drug, Alcohol and Tobacco Prevention, Health Education plan, related board policies, rules and procedures will be reviewed annually and updated as needed.

END OF POLICY

Legal Reference(s):

[ORS 163.575](#)
[ORS 336.067](#)
[ORS 336.222](#)
[ORS 339.873](#)
[ORS Chapter 475](#)

[OAR 581-011-0052](#)
[OAR 581-015-2000](#)
[OAR 581-015-2040](#)
[OAR 581-015-2045](#)
[OAR 581-015-2050](#)
[OAR 581-015-2055](#)

[OAR 581-015-2060](#)
[OAR 581-015-2070](#)
[OAR 581-015-2075](#)
[OAR 581-015-2205](#)
[OAR 581-015-2220](#)
[OAR 581-015-2225](#)
[OAR 581-015-2230](#)
[OAR 581-015-2235](#)
[OAR 581-015-2240](#)
[OAR 581-015-2325](#)
[OAR 581-015-2410](#)
[OAR 581-015-2415](#)

[OAR 581-015-2420](#)
[OAR 581-015-2425](#)
[OAR 581-015-2430](#)
[OAR 581-015-2435](#)
[OAR 581-015-2440](#)
[OAR 581-015-2600](#)
[OAR 581-015-2605](#)
[OAR 581-021-0050](#)
[OAR 581-021-0055](#)
[OAR 581-022-2030](#)
[OAR 581-022-2045](#)

Drug-Free Workplace Act of 1988, 41 U.S.C. §§ 8101-8106 (2012); General Principles Relating to Suspension and Debarment Actions, 34 C.F.R. §§ 84.100-84.670; 86.1-86.7 (2017).

Controlled Substances Act, 21 U.S.C. § 812 (2012); Schedules of Controlled Substances, 21 C.F.R. §§ 1308.11-1308.15 (2017).
Safe and Drug-Free Schools and Communities Act, 20 U.S.C. §§ 7101-7117 (2012).

Corrected 1/25/23



Code: IGAI
Adopted: 12/08/10
Revised/Readopted: 5/14/14; 6/08/16
Orig. Code(s): IGAI

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~~ internal 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.

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.

Parents, teachers, school administrators, local health department 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~~ his/her 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 ~~high~~-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~~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 ~~legal~~ 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 practices; 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 emphasized, 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, and hepatitis B/C. 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.

END OF POLICY

Legal Reference(s):

[ORS 336.035](#)
[ORS 336.059](#)
[ORS 336.107](#)
[ORS 336.455 - 336.474](#)

[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](#)

Corrected 1/25/23



Code: IGAJ
Adopted: 1/04/07
Revised/Readopted: 12/08/10; 10/11/17
Orig. Code: IGAJ

Traffic Safety Education

The district may provide driver education classes. The program will be made available to all eligible resident students enrolled in the district at a tuition rate to be determined by the administration. The tuition rate will be reviewed annually to ensure compliance with the law.

Eligible nonresident students may enroll in the district’s traffic safety education program if resources are available. Nonresident students will be charged tuition.

No resident student shall be denied enrollment in the district’s traffic safety education program based solely on the ability to pay tuition.

The district will develop procedures for establishing tuition rates, enrolling nonresident students and reducing or waiving tuition.

END OF POLICY

Legal Reference(s):

[ORS 336.790 - 336.815](#)
[ORS 339.141](#)

[ORS 802.110](#)

[OAR 737-015-0010 - 0100](#)

Reviewed 1/25/23



Code: IGAJ-AR
Revised/Reviewed: 12/08/10; 10/11/17
Orig. Code: IGAJ-AR

Traffic Safety Education

The following procedures shall be used in implementing the district’s traffic safety education program.

Tuition Rate

Each year prior to the Board’s organization meeting, following July 1, the superintendent will provide the Board with data regarding the district’s traffic safety education program. The data shall include the number of available “slots,” the number of “slots” filled, the number of resident and nonresident students enrolled, the cost of the program, the amount of state reimbursement and other appropriate information. From this data, the superintendent will propose a tuition rate for Board adoption annually.

Nonresident Student Enrollment

Each August the superintendent ~~will~~ may identify districts that might benefit from the district’s traffic safety education program.

The superintendent may send a letter inviting nonresident student application. Such application shall establish a “waiting list.” The waiting list shall be based upon a “first come, first served” basis. When the resident student enrollment is established, the waiting list will be activated.

All students shall be subject to the district’s code of conduct, policies and administrative regulations. Violation may result in disciplinary action up to and including removal from the traffic safety education program.

Reduction or Waived Tuition

When a student requests a waiver or reduction of the established fee for traffic safety education, a review committee consisting of the traffic safety education instructor, the student’s counselor and an administrator shall review the request.

The committee shall only consider students who qualify for free or reduced-price meals under federal child nutrition programs or students whose family believes the tuition is a severe hardship.

Tuition waivers or reductions may result in:

1. Accessing a fund set aside to assist needy students;
2. Setting up a work program with the student;
3. Setting up a “payment plan”;
4. Other.

Corrected 1/25/23



Code: IGBA
Adopted: 2/11/10
Revised/Readopted: 12/08/10; 3/13/13; 6/13/18
Orig. Code: IGBA

Students with Disabilities - Child Identification Procedures

The district implements an ongoing system to locate, identify and evaluate all children birth to age 21 residing within its jurisdiction who have disabilities and need early intervention, early childhood special education (EI/ECSE) or special education services. For preschool children the district is responsible for the evaluation(s) used to determine eligibility; the designated referral and evaluation agency, Reynolds School District, is responsible for determining the eligibility of children for EI/ECSE services in accordance with Oregon Administrative Rule (OAR) 581-015-2100. The district identifies all children with disabilities, regardless of the severity of their disabilities, including those who are:

1. Highly mobile, such as migrant and homeless children;
2. Wards of the state;
3. Native American¹ Indian preschool children living on reservations;
4. Suspected of having a disability even though they are advancing~~advance~~ from grade to grade;
5. Home schooled;
6. Resident and nonresident students, including residents of other states, attending a private school (religious or secular) located within the boundaries of the district;
7. Attending a public charter school located in the district;
8. Below the age of compulsory school attendance who are not enrolled in a public or private school program; and;~~or~~
9. Above the age of compulsory school attendance who have not graduated from high school with a regular high school~~or modified~~ diploma and have not completed the school year in which they reach their 21st birthday.

The district determines residency in accordance with Oregon Revised Statutes (ORS) Chapter 339 and, for the purposes of public charter school students with disabilities, in accordance with ORS Chapter 338 and ORS Chapter 339. The district enrolls all students who are five on or before~~by~~ September 1 of the current school year. Students with disabilities are eligible to enroll in the district through the school year in which they reach the age of 21 if they have not graduated with a regular high school~~diploma or a modified~~ diploma.

¹ The Individuals with Disabilities Education Act uses the term "Indian."

The district shall annually submit data to the Oregon Department of Education (ODE) regarding the number of resident students with disabilities who have been identified, located and evaluated and are receiving special education and related services. The district conducts an annual count of the total number of private school children attending private schools located within the boundaries of the district, and a count of all children with disabilities attending private schools located within the boundaries of the district, in accordance with OAR 581-015-2465. The district reports any additional data to ODE as required by the ODE to meet the requirements of federal or state law and the applicable reporting dates.

END OF POLICY

Legal Reference(s):

[ORS 332.075](#)
[ORS 338.165](#)
[ORS 339.115 - 339.137](#)
[ORS 343.151](#)
[ORS 343.157](#)
[ORS 343.193](#)
[ORS 343.221](#)

[ORS 343.517](#)
[ORS 343.533](#)

[OAR 581-015-2040](#)
[OAR 581-015-2045](#)
[OAR 581-015-2080](#)
[OAR 581-015-2085](#)

[OAR 581-015-2190](#)
[OAR 581-015-2195](#)
[OAR 581-015-2315](#)
[OAR 581-015-2480](#)
[OAR 581-021-0029](#)
[OAR 581-022-2315](#)

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. § 1412(a)(3) (2012).
Early Intervention Program for Infants and Toddlers with Disabilities, 34 C.F.R. Part 303 (2017).
Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 300.111 (2017).

Corrected 1/25/23



Code: IGBA-AR
Revised/Reviewed: 2/11/10; 12/08/10; 2/14/13
Orig. Code: IGBA-AR

Students with Disabilities - Child Identification Procedures**

1. The ~~district's child find efforts include~~ District's Child Find Efforts Include:
 - a. Public awareness. District child find activities involve local media resources and direct contact activities, such as presentations at community meetings, business group meetings, services agencies or advocacy organizations.
 - (1) The district provides information about special education services in the district and the district's special education referral process to public and private facilities and public charter schools located in the district, including day care centers, homeless shelters, group homes, county jails, hospitals, medical officer and other facilities that serve children birth to 21 years old.
 - (2) The district provides information about special education services and how to make a referral to any migrant education programs operating in the district.
 - b. Notice of confidentiality. Before any major child find activity, the district publishes notice in newspapers or other media, or both, informing parents that confidentiality requirements apply to these activities. Circulation for this notice must be adequate to inform parents within the district's jurisdiction.
 - c. Staff awareness. The district ensures that staff are knowledgeable of the characteristics of disabilities and the referral procedures for students, including preschool children, suspected of having disabilities.
 - d. Communication to parents. District staff shall inform parents about the availability of special education services in the district and provide them with information about initiating referral for special education evaluation, including the information about early intervention/early childhood special education services (EI/ECSE) and the designated referral and evaluation agencies with which the district collaborates.
2. Private School Children with Disabilities:
 - a. The district's child find system applies to children, including those children who are residents of another state, that are enrolled by their parents in private schools, located within the boundaries of the district.
 - b. The district's child find activities for private school students enrolled by their parents in private schools are similar to, and completed within a comparable time period, as child find activities for students in district public schools.
 - c. The district does not include the cost of conducting child find activities for private school students, including individual evaluations, in determining whether it has spent a proportionate

share of its federal Individuals with Disabilities Education Act (IDEA) IDEA funds on parentally-placed school students with disabilities.

- d. The district consults with private school representatives and parents of private school students with disabilities about how to carry out these child find activities, including:
 - (1) How private school children suspected of having a disability can participate equitably; and
 - (2) How parents, teachers and private school officials will be informed of the process.
- e. The district child find process for parentally-placed private school students ensures the equitable participation of parentally-placed private school students with disabilities and an accurate count of such children.

3. Home-Schooled Students with Disabilities

- a. The district collaborates with the education service district ESD that serves the district to ensure that the district responds promptly to information about home-schooled students with suspected disabilities.
- b. The district collaborates with home schooling organizations in the district's jurisdiction and provides information about special education services in the district and how to make a referral.
- c. If the district has reason to suspect that a home-schooled student has a disability, the district will obtain parent consent for initial evaluation.

Corrected 1/25/23



Code: IGBAC
Adopted: 2/11/10
Revised/Readopted: 12/08/10; 11/08/17
Orig. Code: IGBAC

Special Education - Personnel

Consistent with Teacher Standards and Practices Commission (TSPC) requirements, the district's personnel are appropriately and adequately prepared to implement special education and related services, and have the content knowledge and skills to serve children with disabilities.

The district takes measurable steps to recruit, hire, train and retain personnel, who are appropriately licensed and endorsed by TSPC, to provide special education and related services to children with disabilities.

The district's plan for providing personnel development programs in the district is found in Board policy GCL/GDL - Staff Development. ~~GCL – Professional Development.~~

END OF POLICY

Legal Reference(s):

[OAR 584-220-0180](#)

[OAR 584-220-0185](#)

Individuals with Disabilities Education Act 20 U.S.C. § 1412(a)(14)(D) and 20 U.S.C. § 1413(a)(3) (2012).
Assistance to States for the Education of Children with Disabilities 34 C.F.R. § 300.156(d) and 34 C.F.R. § 300.207 (2017).

Corrected 2/15/23



Code: IGBAE
 Adopted: 2/11/10
 Readopted: 12/08/10
 Orig. Code: IGBAE

Special Education - Participation in Regular Education Programs

The district ensures that to the maximum extent appropriate, students with disabilities, including students in public or private institutions or other care facilities, are educated with students who are nondisabled.

Special classes, separate schooling or other removal of students with disabilities from the regular educational environment occurs only if the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily. A child with a disability is not removed from education in age-appropriate regular classrooms solely because of needed modifications in the general curriculum.

END OF POLICY

Legal Reference(s):

[ORS 343.223](#)

[OAR 581-015-2040](#)

[OAR 581-015-2045](#)

[OAR 581-015-2050](#)

[OAR 581-015-2055](#)

[OAR 581-015-2060](#)

[OAR 581-015-2065](#)

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.114 to -330.118 (2006).

Corrected 2/15/23



Code: IGBAE-AR
Revised/Reviewed: 2/11/10; 12/08/10
Orig. Code: IGBAE-AR

Special Education - Participation in Regular Education Programs**

1. Placement Decisions of the Student

- a. The placement decision for each eligible student is:
 - (1) Made by a group of persons, including the parents, and other persons knowledgeable about the student, the meaning of the evaluation data and the placement options;
 - (2) Made in conformity with the requirements of least restrictive environment;
 - (3) Determined at least annually, every 365 days;
 - (4) Based on the student's individualized education program (IEP); and
 - (5) As close as possible to the student's home.
- b. The student is educated in the school that ~~the student~~ ~~he/she~~ would attend if nondisabled unless the services identified in the IEP cannot feasibly be provided in this setting.
- c. The district ensures that:
 - (1) A continuum of placement options is available to meet the needs of students with disabilities for special education and related services and to the extent necessary to implement the individualized education program for each student with a disability;
 - (2) The continuum of placement options includes instruction in regular classes (with special education and related services and/or supplementary aids and services as identified ~~in~~ ~~on~~ the IEP), special classes, special schools, home instruction and instruction in hospitals and institutions;
 - (3) Placement options, including instruction in regular classes, special classes, special schools, home instruction and instruction in hospitals and institutions are available to the extent necessary to implement the IEP for each student with a disability.
- d. Placement teams, including the parent, select the least restrictive environment for each student, using the following decision-making process:
 - (1) Completion of the IEP, including determining the student's special education and related services, and determining the extent to which these services can be provided to the student in the regular class;
 - (2) If all IEP services cannot be provided in the regular class, identifying those that must be provided outside the regular class; however, the district will not remove a student from education in age-appropriate regular classrooms solely because of needed modifications in the general education curriculum;
 - (3) For those services that must be provided outside the regular class, identifying where, on the continuum from least to most restrictive, the services can be provided;

- (4) Placement is in the school the student would attend if not disabled, unless another arrangement is required for implementation of the IEP;
- (5) In selecting the student's placement, the placement team considers and documents:
 - (a) All placement options considered, including placement options requested by the parent;
 - (b) Potential benefits of placement options that are considered;
 - (c) Any potential harmful effects on the student or on the quality of services that ~~the student~~ ~~the or she~~ needs; and
 - (d) Modifications and services considered to maintain the student in the least restrictive placement before concluding that a more restrictive setting is necessary.
- (6) The placement team documents the placement selected, and provides a copy of the determination to the parent;
- (7) If the selected placement is a change from previous placement, the district provides the parent with prior written notice of the change in placement; and
- (8) If the parent requests a specific placement that the team rejects, the district provides a prior written notice of refusal.

2. Youth Incarcerated in Adult Correctional Facilities

For students otherwise entitled to a free appropriate public education (FAPE), FAPE, the placement team may modify the student's placement if the state has demonstrated a bona fide security or compelling penological interest that cannot be otherwise accommodated. The requirements related to least restrictive environments do not apply with respect to these modifications.

3. Nonacademic Settings

- a. The district takes steps, including providing the supplementary aids and services determined appropriate and necessary by the student's IEP team, to provide nonacademic and extracurricular services and activities in the manner necessary to afford students with disabilities an equal opportunity for participation in those services and activities.
- b. Nonacademic and extracurricular services and activities include all those available to nondisabled students and may include:
 - (1) Counseling services;
 - (2) Athletics;
 - (3) Transportation;
 - (4) Health services;
 - (5) Recreational activities;
 - (6) Special interest groups or clubs;
 - (7) Referrals to agencies that provide assistance to individuals with disabilities; and
 - (8) Employment of students.

Corrected 2/15/23



Code: IGBAF
 Adopted: 2/11/10
 Revised/Readopted: 12/08/10; 3/13/13
 Orig. Code: IGBAF

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 | OAR 581-015-2205 | OAR 581-015-2235 |
| ORS 343.155 | OAR 581-015-2210 | OAR 581-015-2055 |
| OAR 581-015-2000 | OAR 581-015-2215 | OAR 581-015-2600 |
| OAR 581-015-2190 | OAR 581-015-2220 | OAR 581-015-2065 |
| OAR 581-015-2195 | OAR 581-015-2225 | OAR 581-015-2265 |
| OAR 581-015-2200 | OAR 581-015-2229 | |
| | OAR 581-015-2230 | |

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).

Corrected 2/15/23



Code: IGBAF-AR
Revised/Reviewed: 2/11/10; 12/08/10; 4/13/16
Orig. Code: IGBAF-AR

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

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.

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

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~~ ~~his or her~~ 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; ~~and~~
 - (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). ~~Free Appropriate Public Education.~~
- 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. ~~a free appropriate public education (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 ~~FAPE, 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 ~~FAPE, 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 ~~FAPE, 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 Oregon Administrative Rules.~~
- (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.

Corrected 2/15/23



Code: IGBAG
Adopted: 2/11/10
Readopted: 12/08/10
Orig. Code(s): IGBAG

Special Education - Procedural Safeguards**

Procedural Safeguards – General

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

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

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

Procedural Safeguards Notice

1. The district provides to parents a copy of the *Procedural Safeguards Notice*, published by the Oregon Department of Education, at least once per year and upon initial referral or parent request for special education evaluation and when the parent requests a copy. The district also gives a copy to the student at least a year before the student's 18th birthday or upon learning that the student is considered emancipated.
2. The district provides the *Procedural Safeguards Notice* in the parent's native language or other mode of communication unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, the district takes steps to ensure that the notice is translated orally or by other means understandable to the parent and that the parent understands the content of the notice. The district maintains written evidence that it meets these requirements.

Parent or Adult Student Meeting Participation

1. The district provides parents or adult students an opportunity to participate in meetings with respect to the identification, evaluation, IEP and educational placement of the student, and the provision of a ~~FAPE~~ free appropriate public education to the student.
2. The district provides parents or adult students written notice of any meeting sufficiently in advance to ensure an opportunity to attend. The written notice:
 - a. States the purpose, time and place of the meeting and who is invited to attend;
 - b. Advises that parents or adult students may invite other individuals who they believe have knowledge or special expertise regarding the student;
 - c. Advises that the team may proceed with the meeting even if the parents are not in attendance;
 - d. Advises the parents or adult students who to contact before the meeting to provide information if they are unable to attend; and
 - e. Indicates if one of the meeting's purposes is to consider transition services or transition services needs. If so:
 - (1) Indicates that the student will be invited; and
 - (2) If considering transition services, identifies any agencies invited to send a representative (with parent or adult student consent).
3. The district takes steps to ensure that one or both parents of a child with a disability are present at each IEP or placement meeting or are afforded the opportunity to participate, including:
 - a. Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and
 - b. Scheduling the meeting at a mutually agreed upon time and place.
4. If neither parent can attend, the district will use other methods to ensure an opportunity to participate, including, but not limited to, individual or conference phone calls or home visits.

5. The district may conduct an evaluation planning or eligibility meeting without the parent or adult student if the district provided meeting notice to the parent or adult student sufficiently in advance to ensure an opportunity to attend.

END OF POLICY

Legal Reference(s):

[ORS 343.155](#)

[ORS 343.165](#)

[ORS 343.177](#)

[ORS 343.181](#)

[OAR 581-001-0005](#)

[OAR 581-015-2000](#)

[OAR 581-015-2030](#)

[OAR 581-015-2090](#)

[OAR 581-015-2095](#)

[OAR 581-015-2190](#)

[OAR 581-015-2195](#)

[OAR 581-015-2305](#)

[OAR 581-015-2310](#)

[OAR 581-015-2325](#)

[OAR 581-015-2330](#)

[OAR 581-015-2345](#)

[OAR 581-015-2360](#)

[OAR 581-015-2385](#)

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.300, 300.500 to -300.505, 300.515, 300.517 (2008).

Corrected 2/15/23



Code: IGBAG-AR
Revised/Reviewed: 2/11/10; 12/08/10; 5/14/14;
6/13/18
Orig. Code: IGBAG-AR

Special Education - Procedural Safeguards**

1. Procedural Safeguards

a. The district provides procedural safeguards to:

- (1) Parents, guardians (unless the guardian is a state agency) or persons in parental relationship to the student;
- (2) Surrogate parents; and
- (3) Students who have reached the age of 18, the age of majority, or are considered emancipated under Oregon law and to whom rights have transferred by statute, identified as adult students (called “eligible students”).

b. The district gives parents a copy of the ~~Notice of Procedural Safeguards~~ **Notice**, published by the Oregon Department of Education (ODE):

- (1) At least once a year; ~~and~~
- (2) At the first referral or parental request for evaluation to determine eligibility for special education services;
- (3) When the parent (or adult student) requests a copy; ~~and~~
- (4) To the parent and the student one year before the student’s 18th birthday or upon learning that the student is emancipated.

c. The ~~Notice of Procedural Safeguards~~ **Notice** is:

- (1) Provided written in the native language or other communication of the parents (unless it is clearly not feasible to do so) and in language clearly understandable to the public.
- (2) If the native language or other mode of communication of the parent is not a written language, the district takes steps to ensure that:
 - (a) The notice is translated orally or by other means to the parent in ~~their~~ **his/her** native language or other mode of communication;
 - (b) The parent understands the content of the notice; and
 - (c) There is written evidence that the district has met these requirements.

2. Content of Procedural Safeguards Notice

The procedural safeguards notice includes all of the content provided in the ~~Notice of Procedural Safeguards~~ **Notice** published by ~~ODE~~ **the Oregon Department of Education**.

3. Parent or Adult Student Meeting Participation

- a. The district provides parents or adult students an opportunity to participate in meetings with respect to the identification, evaluation, individualized education program (IEP) and educational placement of the student, and the provision of a free appropriate public education (FAPE) to the student.
- b. The district provides parents or adult students written notice of any meeting sufficiently in advance to ensure an opportunity to attend. The written notice:
 - (1) States the purpose, time and place of the meeting and who is invited to attend;
 - (2) Advises that parents or adult students may invite other individuals who they believe have knowledge or special expertise regarding the student;
 - (3) Advises the parents or adult student that the team may proceed with the meeting even if they are not in attendance;
 - (4) Advises the parent or adult students who to contact before the meeting to provide information if they are unable to attend; and
 - (5) Indicates if one of the meeting's purposes is to consider transition services or transition service needs. If so:
 - (a) Indicates that the student will be invited; and
 - (b) Identifies any agencies invited to send a representative.
- c. The district takes steps to ensure that one or both of the parents of a student with a disability are present at each IEP or placement meeting or are afforded the opportunity to participate, including:
 - (1) Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and
 - (2) Scheduling the meeting at a mutually agreed on time and place.
- d. If neither parent can participate, the district will use other methods to ensure participation, including, but not limited to, individual or conference phone calls or home visits.
- e. The district may conduct an evaluation planning or eligibility meeting without the parent or adult student if the district provided meeting notice to the parent or adult student sufficiently in advance to ensure an opportunity to attend.
- f. The district may conduct an IEP or placement meeting without the parent or adult student if the district is unable to convince the parents or adult students that they should participate. Attempts to convince the parent to participate will be considered sufficient if the district:
 - (1) Communicates directly with the parent or adult student and arranges a mutually agreeable time and place and sends written notice to confirm the arrangement; or
 - (2) Proposes a time and place in the written notice stating that a different time and place might be requested and confirms that the notice was received.
- g. If the district proceeds with an IEP meeting without a parent or adult student, the district must have a record of its attempts to arrange a mutually agreed upon time and place such as:
 - (1) Detailed records of telephone calls made or attempted and the results of those calls;
 - (2) Copies of correspondence sent to the parents and any responses received; and

- (3) Detailed records of visits made to the parents' home or place of employment and the results of those visits.
- h. The district takes whatever action is necessary to ensure that the parent or adult student understands the proceedings at a meeting, including arranging for an interpreter for parents or adult students who are deaf or whose native language is other than English.
- i. After the transfer of rights to an adult student at the age of majority, the district provides written notice of meetings to the adult student and parent, if the parent can be reasonably located. After the transfer of rights to an adult student at the age of majority, a parent receiving notice of an IEP meeting is not entitled to attend the meeting unless invited by the adult student or the district.
- j. An IEP meeting does not include:
 - (1) Informal or unscheduled conversations involving district personnel;
 - (2) Conversations on issues such as teaching methodology, lesson plans or coordination of service provision if those issues are not addressed in the student's IEP; or
 - (3) Preparatory activities that district or public personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.

4. Surrogate Parents

- a. The district protects the rights of a student with a disability, or suspected of having a disability, by appointing a surrogate parent when:
 - (1) The parent cannot be identified or located after reasonable efforts;
 - (2) The student is a ward of the state or an unaccompanied homeless youth and there is reasonable cause to believe that the student has a disability, and there is no foster parent or other person available who can act as the parent of the student; or
 - (3) The parent or adult student requests the appointment of a surrogate parent.
- b. The district secures nominations of persons to serve as surrogates. The district appoints surrogates within 30 days of a determination that the student needs a surrogate, unless a surrogate has already been appointed by juvenile court.
- c. The district will only appoint a surrogate who:
 - (1) Is not an employee of the district or ~~ODE the Oregon Department of Education~~;
 - (2) Is not an employee of any other agency involved in the education or care of the student;
 - (3) Is free of any personal or professional interest that would interfere with representing the student's special education interests; and
 - (4) Has the necessary knowledge and skills that ensure adequate representation of the student in special education decisions. The district will provide training, as necessary, to ensure that surrogate parents have the requisite knowledge.
- d. The district provides all special education rights and procedural safeguards to appointed surrogate parents.
- e. A surrogate will not be considered an employee of the district solely on the basis that the surrogate is compensated from public funds.
- f. The duties of the surrogate parent are to:
 - (1) Protect the special education rights of the student;

- (2) Be acquainted with the student's disability and the student's special education needs;
 - (3) Represent the student in all matters relating to the identification, evaluation, IEP and educational placement of the student; and
 - (4) Represent the student in all matters relating to the provision of ~~FAPE~~ free appropriate public education to the student.
- g. A parent may give written consent for a surrogate to be appointed.
- (1) When a parent requests that a surrogate be appointed, the parent shall retain all parental rights to receive notice and all of the information provided to the surrogate. When the district appoints a surrogate at parent request, the district will continue to provide to the parent a copy of all notices and other information provided to the surrogate.
 - (2) The surrogate, alone, shall be responsible for all matters relating to the special education of the student. The district will treat the surrogate as the parent unless and until the parent revokes consent for the surrogate's appointment.
 - (3) If a parent gives written consent for a surrogate to be appointed, the parent may revoke consent at any time by providing a written request to revoke the surrogate's appointment.;
- h. An adult student to whom rights have transferred at age of majority may give written consent for a surrogate to be appointed. When an adult student requests that a surrogate be appointed, the student shall retain all rights to receive notice and all of the information provided to the surrogate. The surrogate, alone, shall be responsible for all matters relating to the special education of the student. The district will treat the surrogate as the adult student unless and until the adult student revokes consent for the surrogate's appointment. If an adult student gives written consent for a surrogate to be appointed, the adult student may revoke consent at any time by providing a written request to revoke the surrogate's appointment.
- i. The district may change or terminate the appointment of a surrogate when:
- (1) The person appointed as surrogate is no longer willing to serve;
 - (2) Rights transfer to the adult student or the student graduates with a regular diploma; ~~or modified diploma;~~
 - (3) The student is no longer eligible for special education services;
 - (4) The legal guardianship of the student is transferred to a person who is able to carry out the role of the parent;
 - (5) A foster parent or other person is identified who can carry out the role of parent;
 - (6) The parent, who previously could not be identified or located, is now identified or located;
 - (7) The appointed surrogate is no longer eligible;
 - (8) The student moves to another district; or
 - (9) The student is no longer a ward of the state or unaccompanied homeless youth.
- j. The district will not appoint a surrogate solely because the parent or student to whom rights have transferred is uncooperative or unresponsive to the special education needs of the student.

5. Transfer of Rights at Age of Majority

- a. When a student with a disability reaches the age of majority, marries or is emancipated, rights previously accorded to the student's parents under the special education laws, transfer to the

student. A student for whom rights have transferred is considered an “adult student” under OAR 581-015-2000(1).

- b. The district provides notice to the student and the parent that rights (accorded by statute) will transfer at the age of majority. This notice is provided at an IEP meeting and documented on the IEP:
 - (1) At least one year before the student’s 18th birthday;
 - (2) More than one year before the student’s 18th birthday, if the student’s IEP team determines that earlier notice will aid transition; or
 - (3) Upon actual knowledge that within a year the student will likely marry or become emancipated before age 18.
- c. The district provides written notice to the student and to the parent at the time of the transfer.
- d. These requirements apply to all students, including students who are incarcerated in a state or local adult or juvenile correctional facility or jail.
- e. After transfer of rights to the student, the district provides any written prior notices and written notices of meetings required by the special education laws to the adult student and to the parent if the parent can be reasonably located.
- f. After rights have transferred to the student, receipt of notice of an IEP meeting does not entitle the parent to attend the meeting unless invited by the student or the district.
- g. 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 goals and transition services.

6. Prior Written Notice

- a. The district provides prior written notice to the parent of a student, or student, within a reasonable period of time, before the district:
 - (1) Proposes to initiate or change, the identification, evaluation or educational placement of the student, or the provision of a FAPE~~free appropriate public education~~ to the child; or
 - (2) Refuses to initiate or change the identification, evaluation or educational placement of the student, or the provision of a FAPE to the child.
- b. The content of the prior written notice will include:
 - (1) A description of the action proposed or refused by the district;
 - (2) An explanation of why the district proposed or refused to take the action;
 - (3) A description of each evaluation procedure, test, assessment, record or report used as a basis for the proposal or refusal;
 - (4) A statement that the parents of a student with a disability have procedural safeguards and, if this notice is not an initial referral for evaluation, how a copy of the *Notice of Procedural Safeguards Notice* may be obtained;
 - (5) Sources for parents to contact to obtain assistance in understanding their procedural safeguards;
 - (6) A description of other options the IEP team considered and the reasons why those options were rejected; and

- (7) A description of other factors that are relevant to the agency’s proposal or refusal.
- c. The prior written notice is:
 - (1) Written in language understandable to the general public; and
 - (2) Provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so;
 - (3) If the native language or other mode of communication of the parent is not a written language, the district shall take steps to ensure that:
 - (a) The notice is translated orally or by other means to the parent in the parent’s native language or other mode of communication;
 - (b) The parent understands the content of the notice; and
 - (c) There is written evidence that the requirements of this rule have been met.

7. Consent¹ – Initial Evaluation

- a. The district provides notice and obtains informed written consent from the parent or adult student before conducting an initial evaluation to determine whether a student has a disability (as defined by Oregon law) and needs special education. Consent for initial evaluation is not consent for the district to provide special education and related services.
- b. The district makes reasonable efforts to obtain informed consent from a parent for an initial evaluation to determine a child’s eligibility for special education services. If a parent does not provide consent for an initial evaluation or does not respond to a request for consent for an initial evaluation, the district may, but is not required to, pursue the initial evaluation of the child through mediation or due process hearing procedures. The district does not violate its child find obligations if it declines to pursue the evaluation using these procedures.

8. Consent – Initial Provision of Special Education Services

- a. The district provides notice and obtains informed written consent from the parent or adult student before the initial provision of special education and related services to the student.
- b. The district makes reasonable efforts to obtain informed consent, but if a parent or adult student does not respond or refuses consent for initial provision of special education and related services, the district does not convene an IEP meeting, develop an IEP or seek to provide special education and related services through mediation or due process hearing procedures. The district will not be considered to be in violation of the requirement to make FAPE available to the student under these circumstances. The district stands ready to serve the student if the parent or adult student later consents.

¹ “Consent” means that the parent or adult student: a) has been fully informed, in their/his/her native language or other mode of communication, of all information relevant to the activity for which consent is sought; and b) understands and agrees in writing to the carrying out of the activity for which their/his/her consent is sought. Consent is voluntary on the part of the parent and meeting the requirements of consent provision for OAR 581-015-2090, IDEA and Family Education Rights and Privacy Act (FERPA).

9. Consent – Re-evaluation

- a. The district obtains informed parent consent before conducting any re-evaluation of a child with a disability, except:
 - (1) The district does not need written consent for a re-evaluation if the parent does not respond after reasonable efforts to obtain informed consent. However, the district does not conduct individual intelligence tests or tests of personality without consent.
 - (2) If a parent refuses to consent to the re-evaluation, the district may, but is not required to, pursue the re-evaluation by using mediation or due process hearing procedures.
- b. A parent or adult student may revoke consent at any time before the completion of the activity for which they have given consent. If a parent or adult student revokes consent, that revocation is not retroactive.

10. Consent – Other Requirements

- a. The district documents its reasonable efforts to obtain parent consent, such as phone calls, letters and meeting notes.
- b. If a parent of a student who is home schooled or enrolled by the parents in a private school does not provide consent for the initial evaluation or the re-evaluation, or if the parent does not respond to a request for consent, the district:
 - (1) Does not use mediation or due process hearing procedures to seek consent; and
 - (2) Does not consider the child as eligible for special education services.
- c. If a parent or adult student refuses consent for one service or activity, the district does not use this refusal to deny the parent or child any other service, benefit or activity, except as specified by these rules and procedures.
- d. If, at any time subsequent to the initial provision of special and related services, the parent of a child revokes consent in writing for the continued provision of special education and related services, the district:
 - (1) May not continue to provide special education and related services to the child, but must provide prior written notice before ceasing the provision of special education and related services;
 - (2) May not use mediation or due process procedures to obtain an agreement or ruling that the services may be provided to the child;
 - (3) The district will not be considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further special education and related services; and
 - (4) The district is not required to convene an IEP team meeting or develop an IEP for the child for further provision of special education or related services.

11. Exceptions to Consent

- a. The district does not need written parent or adult student consent before:
 - (1) Reviewing existing data as part of an evaluation or re-evaluation;

- (2) Administering a test or other evaluation administered to all students without consent unless, before administration of that test or evaluation, consent is required of parents of all students;
 - (3) Conducting evaluations, tests, procedures or instruments that are identified on the student's individualized education program (IEP) as a measure for determining progress; or
 - (4) Conducting a screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation.
- b. The district does not need written parent consent to conduct an initial special education evaluation of a student who is a ward of the state and not living with the parent if:
 - (1) Despite reasonable efforts to do so, the district has not been able to find the parent;
 - (2) The parent's rights have been terminated in accordance with state law; or
 - (3) The rights of the parent to make educational decisions have been subrogated by a judge in accordance with state law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.
 - c. The district does not need written parental consent if an administrative law judge (ALJ) determines that the evaluation or re-evaluation is necessary to ensure that the student is provided with a free appropriate public education.

12. Independent Educational Evaluations (IEE)

- a. A parent of a student with a disability has a right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the district.
- b. If a parent requests an independent educational evaluation at public expense, the district provides information to parents about where an independent educational evaluation may be obtained, and the district criteria applicable for independent educational evaluations.
- c. If a parent requests an independent educational evaluation at public expense, the district, without unnecessary delay, either:
 - (1) Initiates a due process hearing to show that its evaluation is appropriate; or
 - (2) Ensures that an independent educational evaluation is provided at public expense unless the district demonstrates in a hearing that the evaluation obtained by the parent did not meet district criteria.
- d. The district criteria for independent educational evaluations are the same as for district evaluations including, but not limited to, location, examiner qualifications and cost.
 - (1) Criteria established by the district do not preclude the parent's access to an independent educational evaluation.
 - (2) The district provides the parents the opportunity to demonstrate the unique circumstances justifying an IEE that does not meet the district's criteria.
 - (3) A parent may be limited to one independent educational evaluation at public expense each time the district conducts an evaluation with which the parent disagrees.

- e. If a parent requests an independent educational evaluation, the district may ask why the parent disagrees with the public evaluation. The parent may, but is not required to provide an explanation. The district may not:
 - (1) Unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the public evaluation;
 - (2) Except for the criteria listed above in c., impose conditions or timelines related to obtaining an IEE at public expense.
- f. The district considers an independent educational evaluation submitted by the parent, in any decision made with respect to the provision of a free appropriate public education to the student, if the submitted independent evaluation meets district criteria.

13. Dispute Resolution – Mediation

- a. The district or parent may request mediation from ODE for any special education matter, including before the filing of a complaint or due process hearing request.
- b. The district acknowledges that:
 - (1) Mediation must be voluntary on the part of the parties, must be conducted by a qualified and impartial mediator who is trained in effective mediation techniques and may not be used to deny or delay a parent’s right to a due process hearing or filing a complaint.
 - (2) Each mediation session must be scheduled in a timely manner and must be held in a location that is convenient to the parties to the dispute.
 - (3) An agreement reached by the parties to the dispute in the mediation process must be set forth in a legally binding written mediation agreement that:
 - (a) States the terms of the agreement;
 - (b) States that all discussions that occurred during the mediation process remain confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding; and
 - (c) Is signed by the parent and a representative of the district who has the authority to bind the district to the mediation agreement.
 - (4) Mediation communication is not confidential if it relates to child or elder abuse and is made to a person who is required to report abuse, or threats of physical harm, or professional conduct affecting licensure.
 - (5) The mediation agreement is enforceable in any state court of competent jurisdiction or in a district court of the United States.

14. Dispute Resolution – Complaint Investigation

- a. Any organization or person may file a signed, written complaint with the State Superintendent of Public Instruction alleging that a district or education service district (ESD) is violating or has violated the Individuals with Disabilities Education Act (IDEA) or associated regulations within one year before the date of the complaint. Upon receiving a parent complaint, the ODE Oregon Department of Education (ODE) forwards the complaint to the district or ESD along with a request for a district response to the allegations in the complaint.
- b. Upon receiving a request for response from ODE, the district responds to the allegations and furnishes any requested information or documents within 10 business days.

- c. The district sends a copy of the response to the complainant. If ODE decides to conduct an on-site investigation, district personnel participate in interviews and provide additional documents as needed.
- d. The district and the complainant may attempt to resolve a disagreement that led to a complaint through mediation. If they decide against mediation, or if mediation fails to produce an agreement, ODE will pursue the complaint investigation.
- e. If ODE substantiates some or all of the allegations in a complaint, it will order corrective action. The district satisfies its corrective action obligations in a timely manner.
- f. If the district disagrees with the findings and conclusions in a complaint final order, it may seek reconsideration by ODE or judicial review in county circuit court.

15. Due Process Hearing Requests

- a. The district acknowledges that parents may request a due process hearing if they disagree with a district proposal or refusal relating to the identification, evaluation, educational placement or provision of a free appropriate education to a student who may have a disability and be eligible for special education.
- b. The district may request a due process hearing regarding the identification, evaluation, educational placement or provision of a free appropriate education to a student who may have a disability and be eligible for special education.
- c. When requesting a due process hearing, the district or the attorney representing the district provides notice to the parent and to ODE.
- d. The party, including the district, that did not file the hearing request must, within 10 days of receiving the request for a hearing, send to the other party a response that specifically addresses the issues raised in the hearing request.
- e. If the parent had not yet received prior written notice of the district's proposal or refusal, the district, within 10 days of receiving the hearing request for a due process hearing, sends to the parent a response that includes:
 - (1) An explanation of why the district proposed or refused to take the action raised in the hearing request;
 - (2) A description of other options that the district considered and the reasons why those options were rejected;
 - (3) A description of each evaluation procedure, assessment, record or report the district used as the basis for the proposed or refused action; and
 - (4) A description of the factors relevant to the district's proposal or refusal.

16. Resolution Session

- a. Within 15 days of receiving a due process hearing request, the district will hold a resolution session with the parents and the relevant members of the IEP team who have specific knowledge of the facts identified in the due process hearing request.
- b. This meeting will include a representative of the district who has decision-making authority for the district.
 - (1) The district will not include an attorney unless the parent brings an attorney.
 - (2) The district will provide the parent with an opportunity for the parent to discuss the hearing request and related facts so that the district has an opportunity to resolve the dispute.

- (3) The district and parent may agree in writing to waive the resolution meeting. If so, the 45-day hearing timeline will begin the next business day, unless the district and parent agree to try mediation in lieu of the resolution session.

17. Time Limitations and Exception

- a. A parent must request a due process hearing within two years after the date of the district act or omission that gives rise to the parent's hearing request.
- b. This timeline does not apply to a parent if the district withheld relevant information from the parent or incorrectly informed the parent that it had resolved the problem that led the parent's hearing request.

18. Hearing Costs

- a. The district reimburses ~~ODE~~ the Oregon Department of Education (ODE) for costs related to conducting the hearing, including pre-hearing conferences, scheduling arrangement and other related matters.
- b. The district provides the parent with a written or, at the option of the parent, an electronic verbatim recording of the hearing, within a reasonable time of the close of the hearing.
- c. The district does not use IDEA funds to pay attorney's fees or other hearing costs.

19. Discipline and Placement in Interim Alternative Setting

See Board policy JGDA/~~JGEA~~ - Discipline of Students with Disabilities.

Corrected 2/15/23



Code: IGBAH
 Adopted: 2/11/10
 Revised/Readopted: 12/08/10; 3/13/13; 6/13/18
 Orig. Code: IGBAH

Special Education - Evaluation Procedures

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.

A full and individual evaluation of a student’s educational needs that meets the criteria established in the Oregon Administrative Rules will be conducted before determining eligibility and before the initial provision of special education and related services to a student with a disability. The district implements an ongoing system to locate, identify and evaluate all children birth to 21 residing within its jurisdiction who have disabilities and need early intervention, early childhood special education or special education services.

The district identifies all children with disabilities, regardless of the severity of their disabilities, including children who are:

1. Highly mobile, such as migrant and homeless children;
2. Wards of the state;
3. Native American¹ Indian preschool children living on reservations;
4. Suspected of having a disability even though they are advancing~~advance~~ from grade to grade;
5. Home schooled;
6. Resident and nonresident students, including residents of other states, attending a private school (religious or secular) located within the boundaries of the district;
7. Attending a public charter school located in the district;
8. Below the age of compulsory school attendance who are not enrolled in a public or private school program; and; or
9. Above the age of compulsory school attendance who have not graduated from high school with a regular high school or modified diploma and have not completed the school year in which they reach their 21st birthday.

The district is responsible for evaluating and determining eligibility for special education services for school-age children. The district is responsible for evaluating children who may be eligible for early intervention/early childhood special education~~Early Intervention/Early Childhood Special Education~~

¹ The Individuals with Disabilities Education Act uses the term “Indian”.

(EI/ECSE) services. The district's designated referral and evaluation agency is responsible for determining eligibility.

Before conducting any evaluation or re-evaluation, the district:

1. Plans the evaluation with a group that includes the parent(s);
2. Provides prior written notice to the parent(s) that describes any proposed evaluation procedures the agency proposes to conduct as a result of the evaluation planning process; and
3. Obtains informed written consent for evaluation.

The district conducts a comprehensive evaluation or re-evaluation before:

1. Determining that a child has a disability;
2. Determining that a child continues to have a disability;
3. Changing the child's eligibility;
4. Providing special education and related services;
5. Terminating the child's eligibility for special education, unless the termination is due to graduation from high school with a regular diploma or ~~modified diploma~~ or exceeding the age of eligibility for a free appropriate public education.

Upon completion of the evaluation, the district provides the parent or eligible child a copy of the evaluation report at no cost. The evaluation report describes and explains the results of the evaluation. Upon completion of the eligibility determination, the district provides the parent or eligible child documentation of eligibility determination at no cost.

The district ensures that assessments and other evaluation materials, including those tailored to assess specific areas of education need, used to assess a child ~~are~~:

1. ~~Selected~~~~Are selected~~ and administered so as not to be racially or culturally discriminatory;
2. ~~Provided~~~~Are provided~~ and administered in the child's native language or other mode of communication and 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. ~~Used~~~~Are used~~ for purposes for which assessments or measures are valid and reliable;
4. ~~Administered~~~~Are administered~~ by trained and knowledgeable personnel; and
5. ~~Administered~~~~Are administered~~ in accordance with any instructions provided by the producer of such assessments.

Materials and procedures used to assess a child with limited English proficiency are selected and administered to ensure that they measure the extent to which the child has a disability and needs special education, rather than measuring the child's English language skills.

A student must meet the eligibility criteria established in the Oregon Administrative Rules.

The district conducts re-evaluations:

1. When the educational or related ~~services~~services needs, including improved academic achievement and functional performance of the children, warrant a re-evaluation;
2. When the child's parents or teacher requests a re-evaluation; and
3. At least every three years, unless that parent and the district agree that a re-evaluation is unnecessary.

The district does not conduct re-evaluation more than once a year, unless the parent and district agree otherwise.

If a parent has previously revoked consent for special education and related services and subsequently requests special education and related services, the district will conduct an initial evaluation of the student to determine eligibility for special education.

END OF POLICY

Legal Reference(s):

[ORS 343.155](#)
[ORS 343.157](#)

[ORS 343.164](#)
[OAR 581-015-2000](#)

[OAR 581-015-2095](#)
[OAR 581-015-2105 - 2190](#)

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.300, 300.530-300.534, 300.540-300.543, 300.7 (2017).

Corrected 2/15/23



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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 The district, or designated referral and evaluation agency for preschool children, ensures that, 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 and document their review of existing information/evaluation data 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;
and

(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 need~~ ~~only~~ 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.

Corrected 2/15/23



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 Orig. Code: IGBAI

Special Education - Private Schools**

Individuals with Disabilities Education Act (IDEA) IDEA requires special education services for two different groups of private school students: those referred or placed by the district and those enrolled by parents. The law, rules and requirements for these groups of students are vastly different. It is the policy of the district to implement differentiated procedures and services for these groups.

The district shall ensure that a student with a disability who is placed in or referred to a private school or facility by the district is provided special education and related services at no cost to the parents, is provided an education that meets the standards that apply to education provided by the district and has all of the rights of a student with a disability who is served by the district.

If a student with a disability has a free appropriate public education available to him/her and the parents choose to place the student in a private school, the district is not required to pay the cost of the student’s education, including special education and related services, at the private school.

All parentally-placed private school students attending a private school within the district’s boundaries will be included in the district’s special education private school student count and the private school students for whom the district may provide services.

END OF POLICY

Legal Reference(s):

- | | | |
|----------------------------------|----------------------------------|----------------------------------|
| ORS 343.155 | OAR 581-015-2270 | OAR 581-015-2470 |
| | OAR 581-015-2280 | OAR 581-015-2480 |
| OAR 581-015-2080 | OAR 581-015-2450 | OAR 581-015-2515 |
| OAR 581-015-2085 | OAR 581-015-2455 | OAR 581-021-0029 |
| OAR 581-015-2265 | OAR 581-015-2460 | |

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.221, 300.380 - 300.382 (2006).

Corrected 3/01/23



Code: IGBAI-AR
Revised/Reviewed: 2/11/10; 12/08/10
Orig. Code: IGBAI-AR

Special Education - Private Schools

Approved Private Schools

1. Obligations of the district:
 - a. The district ensures that parents are included in any decision about their child's evaluation, eligibility, placement or provision of services.
 - b. If the district refers a student with a disability to, or places such a student in, a private school or facility as a means of providing special education and related services, the district ensures that the student receives an education that meets the standards of the state in a private preschool, school or facility approved by the Oregon Department of Education (ODE) to provide such education in conformance with an individualized education program (IEP), and at no cost to the parents, and has all the rights of a student with a disability who is served by the district.
 - c. Before placing a student with a disability in an approved private school or preschool, the district ensures that the program has current ODE Oregon Department of Education approval to provide special education and related services.
 - d. The district or public agency fulfills all federal and state requirements relating to the evaluation, the IEP/individualized family service plan (IFSP) IFSP development and placement when determining whether to place the child in an approved private preschool or school for special education services.
 - e. For each student age three through 21, the district's or public agency's placement team, including the parent, determines whether placement in an approved private school constitutes a free appropriate public education in the least restrictive environment.
 - (1) When proposing to place a child with a disability in an approved private school or preschool, the district ensures that school-age students are district residents or preschool-age children are eligible to receive early intervention/early childhood special education (EI/ECSE) EI/ECSE or special education services.
 - (2) The district initiates and conducts an individualized education program team meeting that includes a representative of the approved private school. If a representative of the approved private school, or other member of the IEP/IFSP team is unable to attend the IEP/IFSP meeting, the district and the parent may agree to use alternative means of meeting participation such as individual or conference telephone calls, or video conferences.
 - (3) After the district initially places a student in an approved private school, any subsequent meetings to review or revise an IEP/IFSP or placement are the responsibility of the district or public agency, unless the district or public agency requests by written agreement that the approved private school initiate and conduct meetings to review and revise the IEP or IFSP.

- (4) The district may, by written agreement, request that the approved private school initiate and conduct meetings to review and revise the IEP or IFSP. Under such an agreement the district remains responsible for ensuring the private school or preschool meets:
 - (a) All federal and state requirements related to these meetings; and
 - (b) Ensures the participation of parents and the district or public agency representative.
- (5) The private school or preschool may not determine or implement program changes without the participation and agreement of the parents and the district or public agency representative.
- (6) The district in which the child resides provides transportation to and from the approved private school or preschool at no cost to the parent.
- (7) The district or public agency terminates the placement of students in a private school or preschool if ~~ODE the Oregon Department of Education~~ suspends, revokes or refuses to renew the approval of a private school or preschool.
 - (a) The district ensures that every student with a disability who is placed in or referred to a private school or facility by the district as a means of providing special education and related services:
 - (i) Receives education and services that constitute a free appropriate public education in the least restrictive environment at no cost to the parents;
 - (ii) Is provided an education that meets the standards that apply to education provided by the public agency; and
 - (iii) Has all of the rights of a student with a disability who is served by the public agency.
 - (b) The district ensures that all applicable federal and state requirements relating to the evaluation, eligibility, IEP development, placement and procedural safeguards are followed when determining whether the student will be placed in an approved private school for special education services.
 - (c) The district initiates and conducts an IEP meeting at which an IEP is developed based upon the needs of the student before determining placement of a student with a disability in an approved private school.

2. Out-of-State Placements for Special Education

- a. The district ensures that any private educational institution located outside the state of Oregon with which it contracts to provide special education and related services to Oregon students is approved by the state educational agency of the state in which the educational institution is located. If the state does not have a formal approval process, the educational institution shall meet whatever requirements apply for private schools to serve publicly placed students in that state.
- b. The district maintains documentation of such approval and makes it available to ~~ODE the Oregon Department of Education (ODE)~~ upon request.
- c. The district makes contractual agreements for out-of-state placements for the provision of special education and related services when, in accordance with applicable federal and state law, the district has:

- (1) Developed an individualized education program;
- (2) The placement team has determined that no appropriate in-state placement options are available.

3. District Responsibility for Students Enrolled by their Parents in Private Schools

- a. The district provides equitable services, funded by a proportionate share of federal special education funds, for resident and nonresident students with disabilities enrolled by their parents in private schools located within district boundaries. Nonresident students include children who are residents of another state.
- b. The district consults with private school officials about procedures and services and provides child find activities, evaluations, reevaluations and eligibility determinations comparable to those provided for the district's public schools.
- c. The district maintains in its records and provides annually to the Oregon Department of Education, a count of the number of parentally-enrolled private school students evaluated, the number found eligible and the number to whom it provides services.

4. Consultation with Representatives of Private School Students with Disabilities

- a. The district consults, in a timely and meaningful way with representatives of private schools and parents of parentally placed private school students with disabilities enrolled in private schools located within the district's boundaries.
- b. Consultation includes:
 - (1) The child find process, including:
 - (a) How parentally-placed private school children with disabilities may participate equitably, as they do not have an individual entitlement to the same level of special education services as children enrolled in public schools; and in the child find process and how parents, teachers and private school officials will be informed of the process;
 - (b) How parents, teachers and private school officials will be informed of the process;
 - (c) How, where and by whom the special education and related services will be provided;
 - (d) The determination of the proportionate amount of federal funds available including how the amount is calculated, the proportionate share of federal funds available to serve parentally placed private school children with disabilities and how this is calculated;
 - (e) How services will be apportioned if funds are insufficient, and how and when these decisions will be made;
 - (f) A written explanation of service decisions that the district provides to officials of private schools if the district disagrees with the views of the private school officials about the services to be provided or the methods of providing these services.
- c. Written affirmation and complaint:
 - (1) The district requests a written affirmation, signed by the administrator of each private school participating in the consultation process that a timely and meaningful consultation occurred;

- (2) If private school officials do not provide this affirmation within a reasonable period of time, the district forwards its documentation of the consultation process to the ~~ODE; Oregon Department of Education (ODE);~~
 - (3) The district maintains documentation of its consultation process;
 - (4) The district acknowledges the right of a private school official to submit a complaint to the ~~ODE Oregon Department of Education (ODE)~~ regarding the district's implementation of these requirements. Should such a complaint occur, the district forwards to ODE appropriate documentation, including documentation of the district's consultation process.
- d. The district makes the final decisions with respect to the services to be provided to eligible private school students.
 - e. Child Find for Parentally-Placed Private School Children:
 - (1) The district's child find process includes all resident and nonresident parentally placed students attending private schools located within the district's boundaries.
 - (2) The district provides child find activities that are similar to, and completed within a comparable time period as child find activities for students in the district's public schools.
 - (3) The district consults with private school representatives and parents about how to implement the child find activities and how to keep parents and private school personnel informed.
 - (4) The district ensures the equitable participation of parentally placed private school students in the child find process.
 - (5) The district does not include the cost of conducting child find activities for private school students, including individual evaluations in determining whether it has spent a proportionate share of its federal ~~Individuals with Disabilities Education Act (IDEA)~~IDEA funds on parentally placed private school students with disabilities.
 - (6) The district ensures an accurate count of these children is made between October 1 and December 1 of each year and uses this count in determining the amount the district spends for services in the subsequent fiscal year.

5. Provisions for serving students placed by their parents in private schools:

- a. District decisions about the services that are provided to private school students with disabilities are made throughout the consultation process and in accordance with the district's plan for service of parentally-placed private school students and their services plans.
- b. The services provided to private school students with disabilities are provided by personnel meeting the same standards as personnel providing service in the district program.
- c. The district may provide private school students with disabilities a different amount of services than students with disabilities attending public schools in the district.
- d. The district may provide services to private school students with disabilities onsite at the student's private school, including a religious school, to the extent that services can be provided in a religiously neutral setting within the private school. These services will be provided during the student's regular school day, unless stated otherwise in the student's service plan.

- e. If a parent of a private school student with a disability requests an meeting from the resident district, the resident district will either:
 - (1) Hold an IEP meeting within a reasonable time; or
 - (2) Provide the parent with prior written notice of the district’s refusal to hold an IEP meeting.
6. Evaluation, Reevaluation and Eligibility of Private School Students with Disabilities
- a. The district conducts evaluations, reevaluations and eligibility determinations, in accordance with federal and state laws and regulations, for both resident and nonresident students enrolled by their parents in private schools located within district boundaries.
 - b. Eligibility for special education and related services will be determined by the district in the same manner as for public school students with disabilities.
 - c. The district in which the private school is located reevaluates private school students with disabilities at least every three years to determine whether the student continues to be eligible for special education, whether the student is or is not currently receiving services under a services plan.
 - d. If parents who enroll a student in a private school at their own expense do not provide consent for the initial evaluation or the reevaluation, or the parent fails to respond to a request to provide consent, the district does not use due process procedures to override the lack of consent. The district does not, and is not required to, consider the child as eligible for special education services in these cases.
 - e. If a parent refuses a reevaluation that is necessary to determine whether the student continues to be a student with a disability, and as a result the team cannot determine the student’s continuing eligibility, the student will no longer be considered “eligible” and shall not be counted as a private school student with a disability for the purposes of the private school student count.
 - f. Following an initial determination of eligibility, and upon any subsequent determination of eligibility, the district will notify the parent in writing that the resident district will make a free appropriate public education available to the student if the student is enrolled in a district program, and conducts a meeting to develop, review or revise the students services plan.
 - g. If the parent does not choose to remove the child from private school to enroll in a district public school, the district initiates and conducts a meeting to develop, review or revise the student’s services plan, consistent with the procedures for IEP meetings and timeline and in light of the service provision the district has determined through the consultation process.
 - h. The district in which the private school is located does not release evaluation and eligibility determination information or other personally identifiable information to the student’s resident district without written parental consent, unless parents seek enrollment in the student’s resident district and the resident district requests records.
7. Services Plan
- a. If a student with a disability is enrolled by a parent in a private school the district offers a services plan.
 - b. The district ensures that the services plan describes the specific special education and related services the district will provide to the student in light of the services that have been determined through the consultation process.

- c. The district convenes individual meetings to develop, review and revise the services plan consistent with procedures for IEP team membership, parent participation and IEP content, to the extent appropriate.
- d. The district ensures that a representative of the private school attends each meeting. If the representative cannot attend, the district will use other methods to ensure participation by the private school, including individual or conference telephone calls.
- e. The district is not required to provide transportation from the student's home to the private school. If necessary for the student to benefit from or participate in the services provided by the district, the district must provide transportation:
 - (1) From the student's school or the student's home to a site other than the private school; and
 - (2) From the service site to the private school, or to the student's home, depending on the timing of the services.

8. Property, Equipment and Supplies

- a. The district keeps title to and exercises continuing administrative control of all property, equipment and supplies that the district acquires with IDEA funds for the benefit of private school students with disabilities.
- b. The district may place equipment and supplies in a private school for a period of time needed to implement the service plan of a private school student with disabilities or for child find purposes.
- c. The district ensures that the equipment and supplies placed in a private school:
 - (1) Are used only for implementation of special education activities; and
 - (2) Can be removed from the private school without remodeling the private school facility.
- d. The district removes equipment and supplies from a private school if:
 - (1) The equipment and supplies are no longer needed for special education activities, programs or services; or
 - (2) The district determines removal is necessary to avoid unauthorized use of the equipment and supplies.
- e. The district does not use IDEA funds for repairs, minor remodeling or construction of private school facilities.

9. Separate Classes Prohibited

The district does not use IDEA funds for classes that are organized separately on the basis of school enrollment or religion of the students if:

- a. The classes are at the same site; and
- b. The classes include students enrolled in public school programs and students enrolled in private schools.

10. Funds and Property Not to Benefit Private Schools

- a. The district will not use IDEA funds to finance the existing level of instruction in a private school or to otherwise benefit the private school.
- b. The district will use IDEA funds to meet the special education needs of students enrolled in private schools, but not for:
 - (1) The needs of a private school; or
 - (2) The general needs of the students enrolled in the private school.

11. Use of School Personnel

- a. The district may use IDEA funds to make public school personnel available in other than public facilities:
 - (1) To the extent necessary to implement any of the requirements related to private school students with disabilities; and
 - (2) If those services are not normally provided by the private school.
- b. The district may use IDEA funds to pay for the services of an employee of a private school to provide services to private school students if:
 - (1) The employee performs the services outside of his/her regular hours of duty; and
 - (2) The employee performs the services under public supervision and control.

12. Federal Funds Available for Services

- a. The district calculates a proportionate share of federal funds available to provide special education and related services to private school students with disabilities using the formula specified in the IDEA. ~~Individuals with Disabilities Act (IDEA).~~
- b. If the district does not expend the proportionate share of funds by the end of the fiscal year, the district obligates the remaining funds to be used in the following year.
- c. The district does not include child find expenditures in determining whether the district has met its expenditure requirements for parentally placed private school students, but may include the cost of transportation required for students to access required special education services.
- d. The district does not supplant the proportionate amount of federal funds required to be expended for parentally placed private school students.

Corrected 2/15/23



Code: IGBAJ
Adopted: 2/11/10
Revised/Readopted: 12/08/10; 3/13/13; 2/12/14;
6/13/18
Orig. Code: IGBAJ

Special Education - Free Appropriate Public Education (FAPE)**

1. The district admits all resident school -age children with disabilities and makes special education and related services available at no cost to those:
 - a. Who have reached five years of age but have not yet reached 21 years of age on or before September 1 of the current school year, even if they ~~have not failed or have not been retained in a course or grade~~ or are advancing from grade to grade;
 - b. Who have not graduated with a regular ~~high school~~ or ~~modified~~ diploma;
 - c. Who have been suspended or expelled in accordance with special education discipline provisions; or
 - d. Who reach age 21 before the end of the school year. These students remain eligible until the end of the school year in which they reach 21.
2. The district determines residency in accordance with Oregon law.
3. The district takes steps to ensure that its children with disabilities have available to them the variety of educational programs and services available to nondisabled children in the area served by the district and provides a continuum of services to meet the individual special education needs of all resident children with disabilities, and children with disabilities who are enrolled in public charter schools located in the district.
4. The district may, but is not required to, provide special education and related services to a student who has graduated with a regular ~~or modified~~ diploma.
5. State law prohibits the district from recommending to parents, or requiring a child to obtain, a prescription for medication to affect or alter thought processes, mood or behavior as a condition of attending school, receiving an evaluation to determine eligibility for early childhood special education or special education, or receiving special education services.
6. If the ~~individualized education program (IEP)~~ ~~IEP~~ team determines that placement in a public or private residential program is necessary to provide FAPE, the program, including nonmedical care and room and board, must be at no cost to the parents of the child.

7. If a parent revokes consent for a student receiving special education and related services, the district will not be considered to be in violation of the requirement to make FAPE available to the student because of the failure to provide the student with further special education and related services.

END OF POLICY

Legal Reference(s):

[ORS 338.165](#)
[ORS 339.115](#)
[ORS 343.085](#)
[ORS 343.224](#)

[OAR 581-015-2020](#)
[OAR 581-015-2035](#)
[OAR 581-015-2040 - 2065](#)
[OAR 581-015-2050](#)
[OAR 581-015-2075](#)

[OAR 581-015-2530](#)
[OAR 581-015-2600](#)
[OAR 581-015-2605](#)
[OAR 581-021-0029](#)

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.17, 300.101-110, 300.113, 300.300 (2017).

Corrected 2/15/23



Code: IGBAJ-AR
Adopted: 2/11/10
Revised/Readopted: 12/08/10; 2/14/13; 8/14/13;
6/13/18
Orig. Code: IGBAJ-AR

Special Education - Free Appropriate Public Education (FAPE)**

1. FAPE and Age Ranges

The district provides special education and related services to all resident school-age students with disabilities, including students enrolled in public charter schools located in the district, as provided below:

- a. "School-age children" are children who have reached 5 years of age but have not yet reached 21 years of age on or before September 1 of the current school year.
- b. The district will admit an otherwise eligible student who has not yet reached 21 years of age on or before September 1 of the current school year.
- c. An otherwise eligible person whose 21st birthday occurs during the school year will continue to be eligible for FAPE for the remainder of the school year.
- d. The district provides FAPE to students with disabilities who have been suspended or expelled from school in accordance with the special education discipline rules.

2. Nonacademic Services

- a. The district provides equal opportunity for students with disabilities for participation in nonacademic and extracurricular services and activities.
- b. Nonacademic and extracurricular services and activities may include meals, recess periods, counseling services, athletics, transportation, health services, recreational activities, special interest groups or clubs sponsored by the district, referrals to agencies that provide assistance to individuals with disabilities, and employment of students, including both employment by the district and assistance in making outside employment available.
- c. The district ensures that each child with a disability participates with nondisabled children in the extracurricular services and activities to the maximum extent appropriate to the needs of each individual child.

3. Graduation

- a. A student graduating with a regular high school ~~or modified~~ diploma is no longer entitled to FAPE.
- b. The district provides prior written notice in a reasonable time before a student with a disability, graduates with a regular high school ~~or modified~~ diploma.
- c. The district is not required to conduct a reevaluation before terminating eligibility due to graduation with a regular high school ~~or modified~~ diploma.
- d. Graduation with an alternative document:
 - (1) The district may award an alternative document meeting the criteria of the State Board of Education alternative document to a student with a disability.
 - (2) Graduation with an alternative document does not terminate eligibility, require an evaluation or require prior written notice.

- e. The district may, but is not required to, provide special education and related services to a student who has graduated with a regular ~~or modified~~ diploma.

4. Incarcerated Youth

- a. The district has a plan, approved by the local Board, to provide or cause to be provided, appropriate education for children placed in a local or regional correctional facility located in the district.
- b. The district provides FAPE for students with disabilities ages 18 through 21, incarcerated as adults in an adult correctional facility if, in the last educational setting before their incarceration:
 - (1) Were identified as students eligible for special education; and
 - (2) Had an individualized education program (IEP).
- c. The district's provisions of FAPE ~~do~~ does not include:
 - (1) The requirements relating to participation of children with disabilities in statewide and district assessments.
 - (2) For students whose eligibility for services will end before their release, the requirements related to transition planning and transition service do not apply. The district makes this determination based on considerations of the sentence and eligibility for early release. Requirements relating to transition planning and transition services, with respect to the students whose eligibility will end, because of their age, before they will be eligible to be released from adult correctional facilities based on consideration of their sentence and eligibility for early release.
 - (3) The IEP team may modify the student's IEP or placement if the state has demonstrated a bona fide security or compelling penological interest that cannot otherwise be accommodated. Least restrictive environment requirements do not apply with respect to these modifications.
 - (4) The public agency responsible for the special education of students in an adult correctional facility is not required to provide notice of meetings to the parent after rights transfer to the student.

5. Residential Placement

If the IEP team determines that placement in a public or private residential program is necessary to provide FAPE to a student with a disability, the district ensures that the program, including nonmedical care and room and board, is provided at no cost to the parents of the student.

6. Physical Education

- a. The district makes physical education services, specially designed if necessary, available to every child with a disability receiving FAPE, unless the school enrolls children without disabilities and does not provide physical education to children without disabilities in the same grade.
- b. The district provides the opportunity to each child with a disability to participate in the regular physical education program available to nondisabled children unless the child needs specially designed physical education as prescribed in the child's IEP.
- c. If specially designed physical education is included in the child's IEP, the district must provide the services directly or make arrangements for those services to be provided through other public or private programs.
- d. If the child with a disability is enrolled full time in a separate facility, the district must ensure that the child receives appropriate physical education services.

7. Public Charter Schools

- a. The district serves children with disabilities attending public charter schools located in the district in the same manner and in accordance with applicable laws and rules governing the district's provision of services to children with disabilities in its other schools.
- b. The district shall, in consultation with the student's parent, guardian or person in parental relationship, provide FAPE to the student, in accordance with Oregon Administrative Rule (OAR) OAR 581-015-2230(1), until the district implements the IEP from the previous district or develops, adopts and implements a new IEP that meets acceptable requirements. If the information received was in effect in a previous district in another state, the district will implement the IEP in accordance with OAR 581-015-2230(2).
- c. The district provides supplementary and related services onsite at a district public charter school to the same extent to which the district has a policy or practice of providing such services on the site to its other public schools.
- d. A school district in which a public charter school is located must provide Individuals with Disabilities Education Act (IDEA) funds to those public charter schools on the same basis as the school district provides those funds to other public schools in the district, including proportional distribution based on relative enrollment of children with disabilities, at the same time as funds are distributed to other public schools in the district.
- e. If a child with a disability enrolls in a public charter school, the public charter school is considered the school the child would attend if not disabled. Enrollment in any public charter school is by parent choice. Enrollment in any out-of-district public charter school does not require an interdistrict transfer agreement.

When a student enrolls in a public charter school, the district in which the public charter school is located shall:

- a. Provide written notification of the student's enrollment to the district in which the student resides;
- b. Request, in accordance with applicable confidentially provisions in state and federal laws, the records of the student, including all information related to an individualized education program developed for the student;
- c. Provide written notification to the student's parent, guardian or person in parental relationship to provide information about:
 - (1) The district's responsibility to identify, locate and evaluate to determine a student's need for special education and related services and to provide those special education services in the public charter school; and
 - (2) The methods by which the district may be contacted to answer questions or provide information related to special education and related services.

When a student no longer is enrolled in a public charter school for any reason other than graduation, the district in which the public charter school is located shall notify:

- a. The district in which the student resided to provide notice:
 - (1) That the student no longer is enrolled in the public charter school; and
 - (2) That the district will provide the student education records including all information related to the student's IEP if the student seeks enrollment or services from the district in which the student resides.
- b. The student's parent, guardian or person in parental relationship to provide information about:
 - (1) The responsibility of the school district in which the student resides to identify, locate and evaluation students and implement services;

- (2) The methods by which the student’s resident district may be contacted to answer questions or provide information about special education and related services; and
- (3) The responsibility of the district to provide student records, including information related to the student’s IEP, if the student seeks enrollment or services from another district, including the parent’s resident district.

8. Recovery of Funds for Misclassified Students

The district ensures that students identified on the special education child count under Part B of the IDEA are limited to students who:

- a. Meet eligibility requirements under OAR 581-015-2130 to -2180;
- b. Have a current IEP that is being implemented;
- c. Are receiving a FAPE;
- d. Are enrolled in the district.

9. Students with Disabilities under IDEA Enrolled in Public Benefits or Insurance

A district may use the State’s Medicaid or other public benefits or insurance programs in which a child participates to provide or pay for special education and related services required under IDEA, and permitted under the public benefits or insurance programs as specified below.

With regard to services required to provide FAPE to a child with disabilities under IDEA, a district:

- a. May not require parents to sign up for or enroll in public benefits or insurance programs in order for their child with disabilities to receive FAPE under the IDEA, but may pay the cost that the parent otherwise would be required to pay; and
- b. May not use the child’s benefits under a public insurance program if that use would:
 - (1) Decrease available lifetime coverage or any other insurance benefit;
 - (2) Result in the family paying for services that would otherwise be covered by the public benefits or insurance program, and that are required for the child outside of the time the child is in school;
 - (3) Increase premiums or lead to the discontinuation of insurance; or
 - (4) Risk loss of eligibility for home and community-based waiver, based on aggregate health-related expenditures; **and**

Prior to accessing a student’s or parent’s public benefits or insurance for the first time, and annually thereafter, the district must provide prior written notification to the student’s parents and must obtain written consent¹ that:

- a. States the personally identifiable information that may be disclosed (e.g. records or information about the services that may be provided to the student);
- b. States the purpose of the disclosure (e.g. billing for services under IDEA);
- c. Names the agency to which the disclosure may be made (e.g. Medicaid);
- d. Specifies that the parent understands and agrees that the public agency may access the parent’s or student’s public benefits or insurance to pay for services under IDEA;
- e. Acknowledges the district may not require parents to incur an out-of-pocket expense (i.e. payment of a deductible or co-payment incurred in filing a claim for special education or related services), but may pay the cost that the parent otherwise would be required to pay; and

¹ “Consent” means that the parent or adult student a) has been fully informed, in his/her native language or other mode of communication, of all information relevant to the activity for which consent is sought and b) understands and agrees in writing to the carrying out of the activity for which his/her consent is sought. Consent is voluntary of the part of the parent and meeting the requirements of consent provision for OAR 581-015-2090, IDEA and Family Education Rights and Privacy Act (FERPA).

- f. Acknowledges the district may not use the student's benefits under a public insurance program, if that use would:
 - (1) Decrease available lifetime coverage of any other insured benefit;
 - (2) Result in the family paying for services that would otherwise be covered by the public benefits or insurance program and that are required for the student outside of the time the student is in school;
 - (3) Increase premiums or lead to the discontinuation of insurance; or
 - (4) Risk loss of eligibility for home and community-based waivers, based on aggregate health-related expenditures.

10. Accessible Materials

- a. Districts must ensure the timely provision of print instructional materials, including textbooks that comply with the National Instructional Materials Accessibility Standards (NIMAS) for students who are blind or print disabled.
- b. Districts must ensure the timely provision of instructional materials in accessible formats to children who need instructional materials in accessible formats, including those children who are not blind or print disabled.

11. Extended School Year (ESY) services as per administrative regulations, Special Education - Individualized Education Program (IEP) - IGBAF-AR.

12. Assistive technology devices or services as per administrative regulations, Special Education - Individualized Education Program (IEP) - IGBAF-AR.

Corrected 2/15/23



Code: IGBAK
Adopted: 2/11/10
Revised/Readopted: 12/08/10; 11/08/17
Orig. Code: IGBAK

Special Education - Public Availability of State Application**

The superintendent will be responsible for ensuring that all documents relating to the district's eligibility for funds under Part B of the Individuals with Disabilities Education Act (IDEA) are available to parents of children with disabilities and to the general public for inspection, review and comment.

1. In complying with this requirement the district does not release or make public personally identifiable information.
2. Information available for public review includes, but is not limited to:
 - a. How the district implements policies, procedures and programs for special education, consistent with state and federal requirements;
 - b. Performance of students with disabilities on statewide assessments;
 - c. Results of the state's general supervision and monitoring of district programs for special education, including the timeliness and accuracy of required data submissions;
 - d. District achievement of performance targets established in the State Performance Plan (SPP);
 - e. Financial information related to revenue and expenditures for students with disabilities, including but not limited to, district information about:
 - (1) Identifying the excess costs of educating students with disabilities;
 - (2) Maintaining the financial support for programs and services for students with disabilities (Maintenance of Effort (MOE));
 - (3) Describing available schoolwide programs under Title I of the Elementary and Secondary Education Act (ESEA) or the Every Student Succeeds Act of 2015 (ESSA);
 - (4) Documenting the annual district application for IDEA funds; and
 - (5) Reporting of official audits, complaints and due process hearings.
 - f. District dispute resolution information, including the resolution of state complaints and due process hearings.

END OF POLICY

Legal Reference(s):

State-Administered Programs, 34 C.F.R. § 76.304 (2017).
Assistance to States for the Education of Children with Disabilities, 34 C.F.R. § 34 C.F.R. 300.212 (2017).
Every Student Succeeds Act of 2015, 20 U.S.C. §§ 1413, 1418 (2012).

Corrected 2/15/23



Code: IGBAL
 Adopted: 2/11/10
 Readopted: 12/08/10
 Orig. Code: IGBAL

Special Education - Services for Home-Schooled Students with Disabilities**

If the district receives notice that a parent intends to home school a student with a disability, the district will offer an opportunity for an individualized education program (IEP) meeting to consider providing special education and related services in conjunction with home schooling and will provide written notice to the parent that a free appropriate public education will be provided if the student enrolls in the district. This notice shall be provided annually as long as:

1. The student remains eligible for special education; and
2. The student is exempt from compulsory education as a home-schooled student; and
3. The student is not receiving special education and related services from the district.

END OF POLICY

Legal Reference(s):

ORS 339.020	OAR 581-015-2080	OAR 581-015-2315
ORS 339.030	OAR 581-015-2130 to 2190	OAR 581-021-0026 to -0029
ORS 339.035	OAR 581-015-2210	
ORS 343.165	OAR 581-015-2310	

Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1427 (2006).

Corrected 2/15/23



Code: IGBAL-AR
Revised/Reviewed: 2/11/10; 12/08/10
Orig. Code: IGBAL-AR

Special Education - Services for Home-Schooled Students with Disabilities**

1. Home Schooling for Students with Disabilities
 - a. As soon as the district learns of the parent's intent to home school or when the district is informed that a resident student with disabilities is home schooled, the district provides written notice to the parent that it stands ready to provide a free appropriate public education if the student enrolls in the district.
 - b. The district offers and documents to the parent an individualized education program (IEP) meeting to consider providing special education and related services to the student with a disability in conjunction with home schooling.
 - c. ~~The~~This district provides an annual written notice that it stands ready to provide a free appropriate public education if the student enrolls in the district as long as:
 - (1) The student remains eligible for special education;
 - (2) The student is exempt from compulsory education as a home-schooled student; and
 - (3) The student is not receiving special education and related services from the district.
 - d. To consider the provision of special education services, the district convenes the IEP team for a student with a disability if the IEP team determines that a free appropriate public education can be provided in conjunction with home schooling. Services may be provided in the home only to the extent that special education or related services would be provided in the home if the student was not home schooled.
 - e. The district develops an IEP consistent with the requirements for IEP team meetings, IEP team membership and IEP content, with the following exceptions:
 - (1) The student's parent shall be treated as both parent and regular education teacher of the student unless the parent designates another individual as the regular education teacher;
 - (2) Under "extent of nonparticipation in regular education" the IEP shall state that the student is exempt from compulsory school attendance and regular education is provided through home schooling; and
 - (3) The IEP will state how "satisfactory educational progress" will be determined for the student. A parent may use a privately developed plan (PDP) to determine satisfactory progress. If so, the IEP indicates that satisfactory progress will be determined by the PDP team, at parent request. If the student may enroll in a regular education class, pursuant to the district's policy for students who are home schooled, the IEP team includes a regular education teacher.

- f. The district ensures that:
 - (1) Students with disabilities who are home schooled are reevaluated at least every three years unless waived by mutual agreement of the parent and the district, and not more than once a year unless the parent and district agree otherwise;
 - (2) If the team determines a specific evaluation is necessary to continue eligibility or to determine appropriate special education and related services for the student's IEP, and the parent refuses consent for such evaluation, or refuses to make the student available, the district will document to the parent that the district stands ready to conduct the evaluation when the parent gives consent or makes the student available;
 - (3) If the district does not have sufficient evaluation information to determine eligibility or to develop an IEP, the district is not required to complete these activities. The district will provide prior written notice if the district terminates eligibility or services under these circumstances.

2. Testing and Reporting Requirements

- a. If a student with a disability is receiving IEP services from the district and the IEP includes a provision for IEP team assessment of satisfactory educational progress, the district:
 - (1) Completes the assessment; and
 - (2) Provides the parent with a copy of the results, including a summary statement indicating whether the student has made satisfactory educational progress in light of the student's age and disability.
- b. If a student with a disability is receiving IEP services in a core area of instruction, the district includes the student in statewide assessments, unless an exemption is requested by the parent.

3. Child Find

- a. If the district suspects that a home-schooled student has a disability, the district:
 - (1) Obtains parent consent for initial evaluation; and
 - (2) Conducts an initial evaluation and determines the student's eligibility to receive special education and related services.
- b. If the student is eligible, the district notifies the parent and offers an opportunity for an IEP meeting to consider initiation of special education and related services to the student with a disability.
- c. If the parent refuses consent, does not respond or refuses to make the student available, the district documents to the parent that the district stands ready to conduct the evaluation when the parent gives consent or makes the student available.

4. School Enrollment

- a. If the district permits partial enrollment of home-schooled students in its regular education program, the district will permit students with disabilities to participate to the same extent as nondisabled students, if appropriate, whether or not the student is receiving IEP services from the district.

- b. A student who is exempt from compulsory school attendance as a home-schooled student with a disability will continue to be considered an exempt home-schooled student by the district even though the student receives special education and related services from the district, unless these services are the equivalent of full-time enrollment in the district; or the district permits partial enrollment of home-schooled students and, pursuant to that policy, the student attends one or more regular education classes, unless partial enrollment is the equivalent of full-time enrollment in the district.

Corrected 2/15/23



Code: IGBB/~~IGBBC~~
Adopted: 8/26/20
Revised/Readopted:
Orig. Code(s): IGBB/~~IGBBC~~

Talented and Gifted Programs and/or Services**

The ~~district~~ Board is committed to an educational program that recognizes, identifies and serves the unique strengths and needs of students identified as talented and gifted students. Talented and gifted students are those who have been identified as intellectually gifted and/or academically talented demonstrate exceptional performance when compared to applicable development or learning progressions, with consideration given to variations in student's opportunity to learn and culturally relevant indicators of ability. The ~~Board~~ district is committed to ensuring that the District develops policies and procedures are developed to address ethnic, racial and socio-economic disproportionality in the identification of students as talented and gifted.

The district will develop a written plan of instruction for talented and gifted students that:

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.¹

The ~~Board~~ directs the District staff to develop procedures will include procedures to ensure access and equity in identifying intellectually gifted and academically talented students in grades K-12. This procedure is outlined published in the District's policy guide *Guidelines for Identifying Students as Intellectually Gifted and Academically Talented*.

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

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

The district shall submit such plan to the Oregon Department of Education (ODE) as directed.

The Board further directs the superintendent to develop a written plan that identifies programs or 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 of 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.

All policies and procedures are available on the Talented and Gifted page of the Reynolds School District website, and includes the name and contact information of the district's coordinators 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 Board has established an appeal process for parents or guardians 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 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, a student, 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. The complaint procedure, *IGBBC-AR – Complaints Regarding the Talented and Gifted Program*, is available at the District's administration office and on the Talented and Gifted page of the District's website.

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.

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](#)

Corrected 2/15/23; Corrected 4/18/23



Code: IGBBA/IGBBD
 Adopted: 8/26/20
 Orig. Code(s): IGBBA/IGBBD

Identification of Talented and Gifted Students – Identification, and Parent Notification and Participation**

In order to serve intellectually gifted and academically talented and gifted (“TAG”) students in grades K through -12, the district Board directs the superintendent or designee to establish a written identification process which is referenced in Reynolds School District Policy Guidethe district’s *Guidelines for Identifying Students as Intellectually Gifted and Aeademically-Talented*.

This process of identification shall include at a minimum:

1. Use of research-based best practices to identify talented and gifted students from underrepresented populations such as ethnic minorities, students with disabilities, students who are culturally and/or linguistically diverse, or economically disadvantagedevidenced-based practices 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. Testing of all students in Grade 2 to ensure equal access to the identification process and multiple opportunities after Grade 2 for students to be considered for identification. In order to circumvent the cultural and linguistic bias of assessments with verbal and quantitative components, the District will use research-based nonverbal assessments for the identification of students in Grade 2.
3. A nationally standardized test of mental ability for assistance in the identification of intellectually gifted students or other such assessment as may be appropriate.
4. A nationally standardized academic achievement test of reading or mathematics or a test of total English Language Arts/Literacy or total mathematics from the statewide assessment for assistance in identifying academically talented students.
5. Behavioral, learning and/or performance information.
- 6.3. 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.
- 7.4. 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.

8-5. 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.

9-6. 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.

~~Identified students shall score at or above the 97th percentile on one of the above tests as per Oregon Administrative Rule (OAR) 581-022-2325. Other students who demonstrate the potential to perform at the eligibility criteria, as determined through behavioral, learning and/or performance information 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 identification of their student and provide as talented and gifted. The District shall further inform parents of program or service options available and provide them an opportunity for parents to provide input to, and discuss TAG instruction proposed to participate in selecting those programs or options most appropriate 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. Written procedures for parent notification and participation are outlined published in Reynolds School District Policy Guide the district’s *Guidelines for Identifying Students as Intellectually Gifted and Academically Talented*.~~

If a parent is dissatisfied with the identification process and/or placement of their student, they may submit an appeal ~~the decision~~ through 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 State 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](#)

Corrected 2/15/23



Code: IGBBA-AR
 Revised/Reviewed: 12/08/10; 6/08/16; 8/26/20
 Orig. Code: IGBBA-AR

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

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

Informal Process

1. The parent(s) will contact the district's building TAG coordinator/teacher to request reconsideration.
2. The building TAG coordinator/teacher will confer or meet with the parent,(s) and may include any additional appropriate persons/people (e.g., principal, counselor, teacher, district TAG specialist, etc.), within 10 school days of the request). At this time, information pertinent to the selection or placement will be shared.
3. If an agreement cannot be reached, the parent(s) may initiate the Formal Process.

Formal Process

1. A parent(s) shall submit a written request for reconsideration of the identification and/or placement of their student to the district TAG specialist within 15 working school days of the conference identified above.
2. The district TAG specialist shall acknowledge in writing the receipt of the request within 15 working school days and shall forward copies of the request and acknowledgment to the district administration.
3. The designated district administrator, district TAG specialist, and other any additional appropriate administrator/people (e.g., building principal, other administrators) shall review the student's file and earlier decisions within 1520 working school days of the original request presented in the previous step. Additional data may be gathered to support or change the earlier decision. The parent(s) may be provided an opportunity to present additional evidence.
4. If deemed necessary, a formal hearing will be conducted by the district/District hearings officer utilizing the appropriate procedures.
5. A decision will be made by the district administrator within 1520 working school days after receipt/completion of the written request for reconsideration from the parent/formal hearing process. The parent(s) shall be notified of the decision in writing and the decision shall be forwarded to the superintendent.

6. The decision may be appealed to the Board through Board policy KL – Public Complaints and may begin at Step 3.
7. If the parent is(s) are still dissatisfied, the parent may file an appeal to the Deputy State Superintendent of Public Instruction under following the procedures outlined in the Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023. may be used. The district District shall provide a copy of the OARs appropriate OAR upon request.

Corrected 2/15/23



Code: IGBBC-AR
Revised/Reviewed: 10/11/17; 6/13/18; 8/26/20
Orig. Code: IGBBC-AR

Complaints Regarding the Talented and Gifted Program

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

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 district TAG specialist, building TAG coordinator/teacher, the program supervisor and a counselor.
2. The review committee shall meet within 15 working days of when the superintendent or designee received the written complaint and review all pertinent information. A recommendation from the review committee will be submitted to the superintendent within 20 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.

3. After consideration of the recommendations, if any, issued by the review committee, the Board will make a decision, and issue a decision within 15 working days of the Board meeting.
4. 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, is a parent or guardian of a student who attends school in the District, or is a person who resides in the District, remains dissatisfied and has exhausted local procedures, an appeal may be filed with the State Superintendent of Public Instruction and is subject to the appeal procedure identified in OAR 581-002-0040. The District shall provide a copy of the appropriate OAR upon request.

The complaint procedure set out above will not be longer than 90 working days from the filing date of the original complaint with the superintendent or designee. The timelines may be extended upon written agreement between both parties.

TALENTED AND GIFTED STANDARDS COMPLAINT FORM

Name _____

Address _____

Phone (Daytime) _____ (Evenings) _____

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?

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

5. Other pertinent comments _____

Signature: _____

Please return this form to the superintendent's office at the Reynolds School District Administration Building, 1204 NE 201st Ave, Fairview, OR 97024.



Code: IGBC-AR
Revised/Reviewed: 2/11/10; 12/08/10; 11/08/17
Orig. Code: IGBC-AR

Title IA/Parental and Family Involvement

A parental and family engagement policy shall be developed jointly, agreed upon with and distributed to parents of participating students. The district shall ensure:

1. Involvement of parents and family members in the joint development of the district's overall Title IA plan, and the development of support and improvement plans.
2. Coordination, technical assistance and other support necessary to assist participating schools in planning and implementing effective parent and family involvement activities to improve student academic achievement and school performance.
3. Development of activities that promote the schools' and parents' and family capacity for strong parent involvement.
4. Coordination and integration of parent and family engagement strategies with appropriate programs as provided by law.
5. Involvement of parents and family in the annual evaluation of the content and effectiveness of the policy, in improving the academic quality of schools served under Title IA.
6. Identification of barriers to participation by parents in activities who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy or are of any racial or ethnic minority.
7. Findings of annual evaluations are used to design evidence-based strategies for more effective parental involvement and to revise, if necessary, the requirements of this policy.
8. Involvement of parents in the activities of schools served under Title IA.

District Title IA Plan

The district's Title IA plan shall ensure that all children receive a high quality education and to close the achievement gaps between children meeting the challenging state academic standards and those children who are not meeting such standards. As a part of the district's overall Title IA plan, the district shall ensure effective involvement of parents and family by promoting activities that support a partnership among the schools, parents, family and the community, and that promotes the improvement of student achievement. The district Title IA plan shall describe:

1. How the district will monitor progress in meeting state academic content standards.

2. How the district will identify and address any disparities that result in low-income students and minority students being taught at higher rates than other students by ineffective, inexperienced or out-of-field teachers.
3. How the district will use effective parental involvement practices.
4. The poverty criteria to select school attendance areas for participation.
5. The services provided in both schoolwide and in targeted assisted schools, and educational services outside of those schools as appropriate (e.g., children living in local institutions or a community day school program).
6. The services provided to homeless children and youth.
7. Effective parent and family engagement strategies used by the district.
8. If applicable, how the district will support, coordinate and integrate services with early childhood education programs including transition to local elementary schools.
9. In consultation with parents, administrators, specialized instructional support personnel, how the district will select the most eligible students in need of services in targeted assisted schools.
10. How the district will implement strategies to facilitate effective transitions of students from middle school to high school, and from high school to post-secondary education.
11. How the district will support efforts to reduce the overuse of discipline practices that remove students from the classroom.
12. If appropriate, how the district supports programs that coordinate and integrate academic and career technical education, including but not limited to, work-based learning opportunities.
13. Any other information on how the district proposes to use funds to meet the purpose of the Title IA program as the district determines appropriate.

Title IA School Plan

Each Title IA school in the district shall jointly develop a plan and distribute the plan to parents and family members of participating children that:

1. Describes the convening of an annual meeting to inform parents and family members of their school's participation in Title IA and explain the requirements of Title IA.
2. Involves parents and family members in the planning, review and improvement of programs under Title IA.
3. Shall provide assistance to parents of students served by the school in understanding such topics as the State's academic standards and student academic achievement standards, Title IA plan requirements, state and local academic assessments and how to monitor a student's progress and work with educators to improve the achievement of their student.

4. Shall provide materials and training to help parents work with their student to improve their student's achievement, such as literacy training and using technology, as appropriate, to foster parental involvement.
5. Shall educate teachers, student services personnel, principals and other staff, with the assistance of parents, in the value and utility of contributions of parents, and in how to reach out to, communicate with and work with parents as equal partners, implement and coordinate parent programs and build ties between parents and the school.
6. Shall, to the extent feasible and appropriate, coordinate and integrate parent-involvement programs and activities with other Federal, State and local programs, including public preschool programs and other programs that encourage and support parents in fully participating in the education of their children.
7. Shall ensure, to the extent practicable, that information related to school and parent programs, meetings and other activities is sent to the parents of participating students in a format and language the parents can understand.
8. May involve parents in the development of training of teachers, principals and other educators to improve the effectiveness of such training.
9. May provide necessary literacy training from Title IA funds received if the district has exhausted all other reasonably available sources of funding for such training.
10. May pay reasonable and necessary expenses associated with local parental involvement activities, including transportation and child-care costs, to enable parents to participate in school-related activities (i.e., meetings and training sessions).
11. May train and support parents to enhance the involvement of other parents.
12. May arrange school meetings at a variety of times or conduct in-home conferences between teachers or other educators in order to maximize parental involvement and participation.
13. May establish a districtwide parent advisory council to provide advice on all matters related to parental involvement in Title IA programs.
14. May develop appropriate roles for community-based organizations and businesses in parental-involvement activities.
15. May adopt and implement model approaches to improving parental involvement.
16. Shall provide such other reasonable support for parental involvement activities consistent with Title IA requirements as parents may request.

School-Parent Compact

A school-parent compact shall be developed for each of the district's Title IA schools. The compact shall:

1. Describe the school's responsibility to provide high-quality curriculum and instruction in a supportive and effective learning environment that enables students to meet the State's academic achievement standards.

2. Describe the ways in which each parent will be responsible for supporting their student's learning.
3. Address the importance of ongoing communication between teachers and parents through:
 - a. Annual parent-teacher conferences at the elementary school level; and
 - b. Frequent reporting to parents on their student's progress.

The district shall provide opportunities for the participation of parents with limited English proficiency, parents with disabilities, parents of homeless students and parents of migratory students, to volunteer and participate in their student's class and observe classroom activities. Information and school reports, to the extent practicable, will be provided in a format and language parents can understand.

Corrected 2/15/23



Code: IGBHA
Adopted: 1/04/07
Revised/Readopted: 12/08/10; 10/11/17
Orig. Code: IGBHA

Alternative Education Programs**

The Board is dedicated to providing educational options for all students. It is recognized there will be students in the district whose needs and interests are best served by participation in an alternative education program.

“Alternative education program” means a school or separate class group designed to best serve students’ educational needs and interests and assist students in achieving the academic standards of the school district and the state.

A list of alternative education programs will be approved by the Board annually. The superintendent may provide for the involvement of staff, parents or guardians and the community in recommending alternative education programs for Board approval, and in the development of related Board policy and an administrative regulation. Annual evaluation of alternative education programs will be made in accordance with Oregon Revised Statute (ORS) 336.655 and Oregon Administrative Rule (OAR) 581-022-2505. The superintendent will develop administrative regulations as necessary to evaluate the district’s alternative education programs ~~implement this requirement.~~

Alternative education programs will consist of instruction or instruction combined with counseling. These programs may be public or private. ~~A private~~ Private alternative education program programs shall be registered with the Oregon Department of Education. Alternative education programs must meet all the requirements set forth in ~~state law~~ ORS 336.625, 336.631 and 336.637, rules, and federal law, as applicable.

Students, after consultation with ~~upon~~ parent or guardian request, may be placed in an alternative education program if the district determines that the placement serves the student’s educational needs and interests, and assists the student in achieving district and state academic content standards. Such placement must have the approval of the student’s resident district and, as appropriate, the attending district. The district will also consider and propose alternative education programs for students prior to expulsion or leaving school as required by law.

The district shall pay the actual ~~cost of an~~ alternative education program ~~cost~~ or an amount equal to 80 percent of the district’s estimated current year’s average per-student net operating expenditure, whichever is less. ~~When contracting~~ The district will enter into a written contract with a private ~~district approved~~ alternative education program, the district’s contract will meet the requirements of law ~~programs.~~

END OF POLICY

Legal Reference(s):

[ORS 329.485](#)
[ORS 332.072](#)
[ORS 336.014](#)
[ORS 336.175](#)
[ORS 336.615](#) - 336.665
[ORS 339.030](#)

[ORS 339.250](#)
[OAR 581-021-0045](#)
[OAR 581-021-0065](#)
[OAR 581-021-0070](#)
[OAR 581-021-0071](#)

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

Corrected 2/15/23



Code: IGBHA-AR(1)
Revised/Reviewed: 1/04/07; 12/08/10
Orig. Code: IGBHA-AR(1)

Evaluation of Outside Vendor's Alternative Education Programs

Date _____

Dear Alternative Education Program Coordinator:

In accordance with Oregon Administrative Rule (OAR) 581-022-2505-1350, the district is required to evaluate alternative education programs annually. Please provide the documentation required below and return to the Reynolds School District office at 1204 NE 201st AV, Fairview, Oregon, 97024 no later than April 1. Please include the program name, program coordinator and telephone number. A copy of the district's written evaluation shall be provided to the program coordinator.

Staff

1. Have criminal records checks requirements been met?
 - * Provide list of individuals subject to criminal records checks and copy of Form 581-2283-M from the Oregon Department of Education (ODE).

Curriculum

1. Are students receiving instruction in the state academic content standards and earning to earn diploma credits?
 - * Attach supportive documentation including such evidence as program overview, curriculum guide, course syllabi or other material that demonstrates that program curriculum is aligned with standards.
2. Are statewide assessments Oregon Statewide Assessments administered and the results reported annually to students, parents and the district?
 - * Attach copy of summary report and sample of information reported to student, parents and the district.
3. Are students receiving, at least annually, a report of academic progress?
 - * Attach copy of report used.
4. Does the program meet the physical education requirements of Oregon Revised Statute (ORS) 329.496?

- * Attach the document that supports the physical education requirements.

Student Outcomes

1. Are students meeting outcomes as indicated in contract or program description?

- * Attach copy of documentation addressing student outcomes.

Discrimination

2. Does the program comply with nondiscrimination requirements of law (Program—program does not discriminate based on age, disability, national origin, sexual orientation, gender identity, race, color, marital status, religion, sexual orientation or sex)?

- * Attach student enrollment/withdrawal summary based on above criteria.

Registration (Private alternative education programs only)

1. Is the program registered with the ODE Oregon Department of Education?

- * Attach copy of the registration application and approval from ODE (including the institution identification number assigned by ODE).

Site Evaluation

1. Does the program comply with health and safety statutes and rules?

- * Attach copy of appropriate documentation, including first aid, and emergency procedures plan, healthy and safe schools plan, radon testing plan, such as staff/student handbooks, in-service agenda, plans, fire marshal's report, safety inspection reports, etc.

Tuition and Fees (non-district programs only)

1. Does the program comply with Oregon Revised Statutes regarding tuition and fees (ORS 337.150, 339.141, 339.147, 339.155)?

- * Attach list of any fees required and explanation.

Contract

1. The program complies with any statute, rule or district policy specified in the contract with the [non-district public or] private alternative education program.

- * Attach as applicable.

2. Does the contract with the [non-district public or] private alternative education program state that noncompliance with a rule or statute may result in termination of the contract?

- * Contract on file with district and program, as applicable.

Expenditures

1. Does the program district comply with Oregon Revised Statutes regarding expenditures (ORS 336.635(4-2))?

* Attach annual statement of expenditures.

Advertising

1. Does the program meet the advertising requirements of ORS 339.122?

* Attach a copy of the program description. Is it a virtual public school and is it advertised as such?

Superintendent

Dated

* Compliance indicators are intended as examples only. District may modify, as appropriate.

Corrected 3/01/23



Code: IGBHA-AR(2)
Revised/Reviewed: 12/08/10
Orig. Code: IGBHA-AR(2)

Evaluation of Outside Vendor’s Alternative Education Programs - District Summary

(for district use only)

The district’s ~~director of student services~~ designated administrative staff shall complete the following and file with materials submitted by the alternative education program coordinator.

Program Name _____ Date _____

Program Coordinator _____

Staff

1. Meets criteria Does not meet criteria

Comments: _____

Curriculum

1. Meets criteria Does not meet criteria

Comments: _____

2. Meets criteria Does not meet criteria

Comments: _____

3. Meets criteria Does not meet criteria

Comments: _____

Student Outcomes

1. Meets criteria Does not meet criteria

Comments: _____

Discrimination

1. Meets criteria Does not meet criteria

Comments: _____

Registration (Private alternative education programs only)

1. Meets criteria Does not meet criteria

Comments: _____

Site Evaluation

1. Meets criteria Does not meet criteria

Comments: _____

Tuition and Fees

1. Meets criteria Does not meet criteria

Comments: _____

Contract

1. Meets criteria Does not meet criteria

Comments: _____

2. Meets criteria Does not meet criteria

Comments: _____

Expenditures

1. Meets criteria Does not meet criteria

Comments: _____



Code: IGBHB
Adopted: 12/08/10
Revised/Readopted: 10/11/17
Orig. Code: IGBHB

Establishment of Alternative Education Programs

The superintendent will develop alternative education program options in compliance with Oregon law. ~~Administrative Rules and Oregon Revised Statutes:~~

1. For students who are unable to succeed in the regular programs because of erratic attendance or behavioral problems;
2. For students who have not met or who have exceeded all of Oregon's academic content standards;
3. When necessary to meet a student's educational needs and interests;
4. To assist students in achieving district and state academic content standards;
5. When a public or private alternative education program is not readily available or accessible.

Alternative education programs implemented by the district are to maintain learning options that are flexible with regard to environment, time, structure and pedagogy.

The examples ~~Examples~~ of alternative education program options available could include:

1. A separate school;
2. Evening classes;
3. Tutorial instruction;
4. Small group instruction;
5. Large group instruction;
6. Personal growth and development instruction;
7. Counseling and guidance;
8. Computer-assisted instruction;
9. ~~Professional technical programs~~ Career Technical Education ;
10. Cooperative work experience and/or supervised work experience, in accordance with the student's educational goals;

11. Instructional activities provided by institutions accredited by the Northwest Accreditation Commission;
12. Supervised community service activities performed as part of the instructional program;
13. Supervised independent study in accordance with a student’s educational goals; and
14. The district’s Expanded Options Program.

The superintendent or designee will develop an administrative regulation to establish regulations for establishing alternative education programs.

END OF POLICY

Legal Reference(s):

[ORS 329.485](#)
[ORS 332.072](#)
[ORS 336.175](#)
[ORS 336.615 to -336.665](#)
[ORS 339.250](#)

[ORS Chapter 340](#)
[OAR 581-021-0045](#)
[OAR 581-021-0065](#)
[OAR 581-021-0070](#)

[OAR 581-021-0071](#)
[OAR 581-022-2320](#)
[OAR 581-022-2505](#)
[OAR 581-023-0006](#)
[OAR 581-023-0008](#)

Corrected 3/01/23



Code: IGBHB-AR
Revised/Reviewed: 12/08/10
Orig. Code: IGBHB-AR

Establishment of Alternative Education Programs

Proposals from students or parents or guardians of students for the establishment of an alternative education program shall be submitted in writing to the superintendent or designee.

“Alternative education program” means a school or separate class group designed to best serve students’ educational needs and interests and assist students in achieving the academic content standards of the district and the state.

Proposals for alternative education programs shall include the following:

1. Goals;
2. Criteria for enrollment;
3. Proposed budget;
4. Staffing;
5. Location;
6. Assurance of nondiscrimination;
7. Statement on how the program aligns with the district’s strategic plan;
8. Equity-focused statement; and
9. Statement on how the program will be communicated to underserved populations of students.

Proposals must be submitted to the superintendent or designee prior to November 1 for programs to be implemented the following school year.

The superintendent or designee will establish an evaluation committee to review proposals based on district criteria. The committee shall provide a written report to the superintendent or designee by January 10 stating why the proposal should be accepted, rejected or modified.

The superintendent’s recommendation to accept, reject or accept with modifications will be presented to the Board for consideration at the February board meeting. The superintendent will provide notification of the Board’s final decision.

Corrected 3/01/23



Code: IGBHC
Adopted: 12/08/10
Orig. Code: IGBHC

Alternative Education Notification**

General notification of the alternative education program law and the availability of existing programs and the procedures to request the establishment of new alternative education programs shall be included in the *Students' Rights and Responsibilities* handbook or course catalog or may be noticed by a letter to the parent or guardian distributed each year.

Individual notification, in accordance with law¹, to students and parents or guardians regarding the availability of alternative education programs will be given semiannually or when new programs become available under the following situations, as appropriate:

1. When two or more severe disciplinary problems occur within a three-year period (~~Severe~~ ~~Disciplinary problems~~ consequences will be defined outlined in the code of conduct *Student Rights and Responsibilities*.);
2. When attendance is so erratic the student is not benefitting from the educational program (Erratic attendance will be defined on a case-by-case basis.);
3. When a student's parent or guardian or emancipated student applies for exemption from compulsory attendance on a semiannual basis;
4. When an expulsion is being considered as a disciplinary alternative for reasons other than a weapons policy violation;
5. When a student is expelled for reasons other than a weapons policy violation.

A written individual notification shall be **hand delivered** or sent by certified mail. Parents or guardians shall receive individual notification prior to an actual expulsion.

The written notification shall include, but is not limited to:

1. The student's action which is the basis for consideration of alternative education;
2. A list of the alternative education programs for this student;
3. The program recommendations for the student based upon the student's learning styles and needs;

¹ "Notification" means written notice, by personal service or certified mail, to the parent or guardian and student as required by ORS 339.250(6). (OAR 581-021-0071(1)(b))

4. Procedures for enrolling the student in the recommended program.

The notice will be provided in a language the parents or guardians can understand.

The superintendent will develop notification procedures in accordance with Oregon Revised Statutes.

END OF POLICY

Legal Reference(s):

[ORS 332.072](#)
[ORS 336.175](#)
[ORS 336.615 to -336.665](#)
[ORS 339.250](#)

[OAR 581-021-0045](#)
[OAR 581-021-0065](#)
[OAR 581-021-0070](#)
[OAR 581-021-0071](#)

[OAR 581-021-0076](#)
[OAR 581-022-2320](#)
[OAR 581-022-2505](#)
[OAR 581-023-0006](#)
[OAR 581-023-0008](#)

Corrected 2/15/23; Corrected 3/01/23



Code: IGBHC-AR
Revised/Reviewed: 12/08/10
Orig. Code: IGBHC-AR

Alternative Education Notification

Date _____

To: Parent or Guardian of _____

From: _____

Re: Notification of Alternative Education

Your student qualifies for ~~We are notifying you of the availability of alternative education program for your student~~ as a result of the following student action:

Alternative education program(s) available for your student at this time consist of: _____

Program contact information: _____

Program contact information: _____

The recommendation of district staff members for your student is: _____

The procedures for enrolling your student in the recommended program are as follows: _____

Signature [Principal]

Corrected 3/01/23



Code: IGBHD
Adopted: 12/08/10
Orig. Code: IGBHD

Program Exemptions**

The Board may ~~shall~~ excuse students from a state-required program or learning activity for reasons of religion, disability¹ or other reasons deemed appropriate by the district. Requests for excusal or accommodation must be in writing and must include the reasons for the request and a proposed alternative for an individualized learning activity which substitutes for the period of time exempt from the program and meets the goals of the learning activity or course being exempt. Requests may be filed by the student’s parent or guardian, or by a student who is 18 years of age or older. Requests must be submitted to the teacher or building principal to gain approval. The district may use a district-appointed committee to assist in decision-making of whether a student is exempted.

~~An alternative program for credit may be provided.~~
The district will determine if credit will be granted for any alternative activity.

END OF POLICY

Legal Reference(s):

- | | | |
|--------------------------------|----------------------------------|----------------------------------|
| ORS 336.035(2) | ORS 336.635 | OAR 581-021-0071 |
| ORS 336.465 | | OAR 581-022-2050 |
| ORS 336.615 | OAR 581-002-0035 | OAR 581-022-2110 |
| ORS 336.625 | OAR 581-021-0009 | OAR 581-022-2505 |

Corrected 2/15/23; Corrected 3/01/23

¹ If the district receives a request for a disability accommodation, the district should consider its obligations under the Individuals with Disabilities in Education Act and Section 504 of the Rehabilitation Act.



Code: IGBHE
Adopted: 9/14/11
Revised/Readopted: 10/11/17; 6/13/18
Orig. Code: IGBHE

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; he/she:~~

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, ~~or a modified diploma.~~ A student who has graduated from high school may not participate; and
5. Is not ~~an~~ a foreign exchange student enrolled in a school under a cultural exchange program.

Student Notification

Prior to February 15 of each year, ~~the~~ the district shall notify via the student handbook, 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 student returning to high school after dropping out of school ~~drop out~~, 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~~time lines 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;~~
- 9.7. ~~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~~his/her intent to enroll in eligible post-secondary courses during the following school year. A high school transfer student or a student returning to high school after dropping out of school~~drop out~~ 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 the board's 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 ($450 \times 0.33 = 148.5$). (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 superintendent or designee.

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 (i.e. technology), textbooks, equipment and materials.

Waiver

A district may request an EOP^a waiver from the Superintendent of Public Instruction¹ if compliance with the EOP:

1. Compliance would adversely impact the finances of the district; or if all conditions identified in ORS 340.083(1)(b)² exist.
2. ~~Accelerated programs are offered by the district (i.e., 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 student).~~

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

¹ Oregon Department of Education

² 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.

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. 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).

Corrected 3/01/23



Code: IGBHE-AR
Revised/Reviewed: 6/13/18
Orig. Code: IGBHE-AR

Annual Expanded Options Program Notification

Reynolds School District
1204 NE 201st Ave
Fairview, Oregon 97024
Phone: (503) 661-7200

Date: _____

Student/Parent(s) or Guardian(s): _____

Address: _____

Dear _____,
(Student/Parent(s))

This notice is required by law to notify you of potential opportunities under the Expanded Options Program (EOP) for your student. Your student may qualify as an eligible student to participate in the EOP for the following school year if your student meets the criteria below.

Your student may be permitted to participate if ~~he/she is~~ they are an eligible student applying to an eligible post-secondary institution for an eligible post-secondary course. An “eligible student” means a student enrolled in a public school and who:

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 as described in Board policy IGBHE - Expanded Options Program;
4. Has not successfully completed the requirements for a high school diploma ~~or a modified diploma~~; and
5. Is not an exchange student enrolled in a school under a cultural exchange program.

An “eligible post-secondary institution” means:

1. A community college;
2. A public university listed in ORS 352.002; and

3. The Oregon Health and Science University.

An “eligible post-secondary course” means any nonsectarian course or program offered through an eligible post-secondary institution if the course or program may lead to high school completion, a certificate, professional certification, associate degree or baccalaureate degree. It includes academic courses, career and technical education courses and distance education courses. It does not include a duplicate course, which is defined as “a course with a scope that is identical to the scope of another course.”

Purpose

The purpose of this program is to:

1. Allow eligible students who participate in the EOP to enroll full-time or part-time in an eligible post-secondary institution; and
2. Provide public funding to the eligible post-secondary institutions for educational services to eligible students to offset the cost of tuition, fees, textbooks, equipment and materials for students who participate in the EOP.

Graduation and Course Credit

Participating in the EOP will not adversely affect your student’s ability to graduate because credit received from successfully completing an eligible post-secondary course may be applied toward high school graduation requirements. If, however, your student does not receive a passing grade in the eligible post-secondary course, your student may not receive credit toward high school graduation.

Selection

An eligible student may apply for the EOP, but an eligible student who applies may not be accepted because of space limitations. Enrollment in the EOP may be limited because of caps on total credit hours that will be awarded by the high school. Unless notified otherwise, the total number of credits awarded under the EOP by each high school equals one-third of its enrollment in grades 9 through 12. (For example, if high school enrollment in grades 9 through 12 is 1,000 students, the high school may award no more than 330 credit hours for all students in the EOP.) If qualified applications to the EOP exceed space limitations, the district will establish a process that gives priority to “at-risk students”.

Enrollment and Participation

To be eligible, participation in the EOP depends on your student’s acceptance by an eligible post-secondary institution to take an eligible post-secondary course. Your student will not be eligible for state financial aid. Your student will have all costs paid for by the district in the same manner as if your student was attending the public high school. The district will pay for textbooks, fees, equipment or materials and any other cost associated with enrollment. You will be responsible for providing transportation to the eligible post-secondary institution. The district and the eligible post-secondary institution may be able to arrange transportation services, although this service may not always be available, depending on circumstances. If your student receives special education services, the district will continue to provide special education services under an individualized education program (IEP).

Your student is expected to comply with the same behavior and attendance standards as if the student was attending the public high school. Failure to successfully complete an eligible post-secondary course or make satisfactory progress in the course may result in no credit received toward graduation, removal from the EOP, disciplinary action or referral to law enforcement.

Your student may participate in the EOP for no more than two years. After two years, your student is no longer eligible. If your student is in grade 12 when he or she first enrolls, ~~he/she~~ the student may participate no more than the equivalent of one academic year in the EOP. If your student is enrolled in high school full-time and ~~he/she~~ is taking a post-secondary course, ~~he/she~~ they will not be awarded credit for that course under the EOP. 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.

If your student intends to enroll in a course that is already offered by the district, *i.e.*, a duplicate course, your student will not be eligible to participate in the EOP. You will be notified within 20 business days after the student has submitted the list of intended courses if a specific course is denied and is considered a duplicate course. A “duplicate course” is one with a scope that is identical to the scope of another course. Your child should consider district-provided, educational alternative programs that offer post-secondary level courses.

If you disagree with the district’s assessment that a course is a duplicate course as determined by the district, you may appeal the decision under the procedures outlined below.

Contested Decisions/Appeal

If you disagree with the district’s determination that a course is a duplicate course, you may appeal to the Board. Your appeal must be in writing and contain at a minimum the following information: (1) name of student; (2) name of post-secondary course; (3) detailed description of post-secondary course; (4) name of duplicate course offered by high school; (5) detailed description of duplicate course offered by high school; and (6) reasons why you believe course is not a duplicate. You must initiate your appeal within five days of receiving notification that the post-secondary course is a duplicate.

The Board will issue a written decision on the appeal within 30 business days of receipt of the appeal.

If dissatisfied with the Board’s decision, you may appeal the decision to the Superintendent of Public Instruction or designee under Oregon Revised Statute (ORS) 340.030.

Student Notification to District

If you have questions, please call the district office. Please respond to this notice before May 15 if your student intends to enroll in an eligible post-secondary course during the following school year. If your student decides to enroll in an eligible post-secondary course, we will schedule a meeting with your advisory support team to develop an educational learning plan that addresses your student’s short-term and long-term academic and career goals. Thank you for your cooperation.

Sincerely,

[Superintendent or designee] [Principal]

Corrected 3/01/23



Code: IGBI
Adopted: 12/08/10
Orig. Code: IGBI

Bilingual Education English Learner**

Students whose primary language is a language other than English will be provided appropriate assistance until they are able to support use of English in a manner that allows effective, relevant participation in regular classroom instruction and other educational activities.

Parents who are not able to use English in a manner that allows effective, relevant participation in educational planning for their student will be provided with relevant written, verbal or signed communication in a language they can understand.

END OF POLICY

Legal Reference(s):

[ORS 336.079](#)

[OAR 581-021-0046](#)

[OAR 581-022-2310](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).
Every Student Succeeds Act of 2015, 20 U.S.C. §§ 6801-7014 (2018).

Corrected 3/01/23



Code: IGD
 Adopted: 1/04/07
 Readopted: 12/08/10
 Orig. Code: IGD

Activities and Athletics

(Version 1)

(See policy IGDJ. See proposed policy IGD – Cocurricular/Extracurricular Activities)

Philosophy

The district will maintain an activities and athletics program which is appropriate to the maturity levels of its students and which is as varied as staff, facilities and resources permit. In the district, activities and athletics are considered a complement to the regular academic program.

All students, regardless of their skill levels or ability to pay, should be encouraged to participate in activities or athletics as part of their overall personal, social, intellectual and physical development. Because activities and athletics foster learning which complements the school’s primary mission of providing a strong basic and academic education, care will be taken to ensure that the appropriate balance exists.

Definition of Activities and Athletics

1. Action that takes place beyond the normal school day, and/or
2. Action outside the classroom which is associated or related to school, and/or
3. Action where the members are representatives of the district.

Responsibilities

Administrators, coaches, advisors, student participants and others associated with the district’s activities or athletics programs and events shall conduct themselves in a manner that is consistent with the letter and spirit of district and, where appropriate, Oregon School Activities Association (OSAA) policies, rules and regulations and the fundamental values of sportsmanship.

The district will provide comparable interscholastic athletic competition for male and female students in the sports that are offered. The superintendent shall be responsible for the regular review and updating, as necessary, of all district rules governing student participation.

The superintendent is directed to develop administrative regulations or procedures as necessary to ensure an effective hiring, volunteer approval and evaluation program is in place for all district activities. Procedures shall include a process to ensure the accurate certification regarding the eligibility of students, verification that coaches have been certified prior to assuming duties as required, and that all allegations of

student ineligibility, staff recruiting violations or conduct that may violate Board policy, administrative regulations and/or OSAA rules and regulations are promptly investigated and reported.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)
[ORS 339.240](#)

[ORS 339.250](#)

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

Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988).

Bethel Sch. Dist. v. Fraser, 478 U.S. 675 (1986).

Havercamp v. Unified Sch. Dist. No. 380, 689 F. Supp. 1055 (D. Kan. 1986)

Westside Cmty. Bd. of Educ. v. Mergens, 496 U.S. 226 (1990).

Equal Access Act, 20 U.S.C. §§ 4071-4074 (2012).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2012); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2017).

Corrected 3/01/23

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Code: IGDA-AR
Revised/Reviewed: 4/13/11
Orig. Code: IGDA-AR

Student Organizations

All members of the school community including staff, administrators and the Board are responsible for the activities that are conducted in the schools. It is important, therefore, to the orderly use of district facilities that the use of all space be approved and planned in advance. An attempt shall be made to present a balance of viewpoints.

Students may be permitted to hold meetings on district property before or after the regular student school day under the following conditions:

1. The meeting shall be scheduled in advance following Board policy KG - Community Use of District Facilities;
2. All meetings must be approved by the principal or designee;
3. The meeting may be sponsored by school officials, official school clubs or organizations and nonschool organizations.

In addition to the requirements of Board policy, the following restrictions shall apply:

1. Normal class activities shall not be interrupted;
2. The meeting shall not incite hazard to person or property;
3. No group which encourages or advocates the violation of federal laws, state laws or school rules and policies shall be granted use of district facilities;
4. No speaker who encourages or advocates breaking the law, policies or rules shall be invited to speak;
5. Students involved in student groups shall not violate the student code of conduct.

If a crowd is anticipated, a crowd control plan shall be filed in the building administration office two days in advance of the meeting for final approval.

Students may have the right to gather informally during the regular student school day provided they meet the following criteria:

1. Students gathered informally shall not disrupt the orderly operation of the educational process;
2. Students gathered informally shall not infringe upon the rights of others to pursue their activities.

Student organizations may be curriculum related or voluntary student-initiated clubs that are not curriculum related.

“Curriculum-related” student organizations must meet one of the following:

1. Group’s subject matter is actually taught (or will soon be taught) in a regularly offered course;
2. Group’s subject matter concerns the body of courses as a whole; or
3. Participation in the group is required for a particular course or results in academic credit.

“Voluntary student-initiated clubs” must:

1. Be voluntary and student initiated;
2. Not be sponsored by the school, the government or its agents or employees;
3. Not materially and substantially interfere with the orderly conduct of educational activities within the school;
4. Not be directed, controlled, ~~or~~ conducted or regularly attended by “nonschool” persons.

Definitions:

1. “Noninstructional time” ~~means time~~—Time set aside by the school before actual classroom instruction begins or after actual classroom instruction ends;
2. “Sponsorship” ~~means an act~~—Act of promoting, leading or participating in a meeting. The assignment of a teacher, administrator or other school employee to a meeting for **custodial** purposes does not constitute sponsorship of the meeting.

The Equal Access Act preserves the authority of the school, its agents and employees to maintain order and discipline on district premises, to protect the well-being of students and staff and to assure that their attendance at meetings is voluntary.

Schools may prohibit meetings which would materially and substantially interfere with the orderly conduct of educational activities within the school.

In a “limited open forum” situation, schools may not deny equal access of fair opportunity to, or discriminate against student-initiated clubs on the basis of religious, political, philosophical or other content of the speech at such meetings.

If the meetings are religious, the school may not influence the form of any religious activity, outside health and safety activities.

Corrected 3/01/23



Code: IGDB-AR
Revised/Reviewed: 10/11/17
Orig. Code: IGDB-AR

Student Publications

Student publications subject to review by school administrators include those which are:

1. School sponsored (i.e., supported by district funds, equipment, etc.);
2. Part of the established curriculum;
3. Of benefit primarily to those who compile, edit and publish them;
4. Not by policy or practice, open for indiscriminate use by the general public or students individually or as a group; or
5. Activities which students, parents and members of the public might reasonably perceive to bear the sanction or approval of the district.

Student publications will be reviewed by staff advisers and may be reviewed by other district administrators prior to printing and distribution. Materials may be modified or removed from publications for legitimate educational concerns. Such concerns include:

1. The material is or may be defamatory;
2. The material is inappropriate based on the age, grade level and/or maturity of the reading audience;
3. The material is poorly written, inadequately researched or biased or prejudiced;
4. Whether there is an opportunity for a named individual or named individuals to make a response;
5. Whether specific individuals may be identified even though the material does not use or give names; or
6. The material is or may be otherwise generally disruptive to the school environment. Such disruption may occur, for example, if the material uses, advocates or condones the use of profane language or advocates or condones the commission of unlawful acts.

Modifications or removal of items may be appealed in writing to the superintendent. The superintendent shall schedule a meeting within three school days of receiving the written appeal. Those present at the meeting shall include the individual(s) making the appeal, the individual(s) who made the decision to modify or remove materials and the superintendent. At the superintendent's discretion, the district's legal counsel may also attend the meeting. The superintendent shall make his/her/their decision within three school days of the meeting. The superintendent's decision shall be final and binding on all parties.

Corrected 3/01/23



Code: IGDF
 Adopted: 1/04/07
 Revised/Readopted: 12/08/10; 6/08/16; 10/11/17
 Orig. Code: IGDF

Student Fund-Raising Activities

Students may carry out fund-raising activities in which no outside fund-raising agency or contract is utilized, with permission of the principal and under the direct supervision of the appropriate adviser(s). Where funds are to be raised through an outside agency or contracted activity, the activity must receive prior approval from the superintendent or designee.

Activities that include fund raising for charitable or other causes not relating to school activities, must obtain prior approval from the principal and the superintendent.

All web-based fund raising, whether by students, staff or others, will require prior approval from the superintendent or designee.

Fund-raising projects involving the sale of products must also be approved by the activity sponsor and by the principal, before the activity is initiated. Solicitation of funds is expressly prohibited without consent from the superintendent or designee.

If fund raising consists of selling food and beverage items to students during the regular or extended school day, the food and beverage items must comply with state and federal nutrition standards, rules and laws. This does not apply to food and beverage items sold at school-related or nonschool-related events for which parents and other adults are a significant part of the audience.

END OF POLICY

Legal Reference(s):

[ORS 336.423](#) [OAR 137-025-0020 to -0530](#)
[ORS 339.880](#) [OAR 581-022-2260\(2\)](#)

Federal Smart Snacks in School Rules, 7 C.F.R. Part 210.11 (2017).

Corrected 3/01/23



Code: IGDF-AR
Revised/Reviewed: 6/08/16
Orig. Code: IGDF-AR

Student Fund-Raising Activity Request and Verification

Please fill out all sections and return to the principal or designee 30 days prior to initiating the fund-raising activity.

Date: _____

Name of individual, group or activity making this fund-raising activity request: _____

Reason for the fund raiser (please be specific): _____

Description of fund raiser¹ (i.e., what is the product, when will it be sold, where will it be sold, who will it be sold to, etc.): _____

Start and end dates for the fund raiser: _____

Anticipated revenue: _____

If this is a joint fund raiser, write down the name(s) of the partner(s): _____

Signature of Individual

Signature - Representative of Organization

Approved – Date: _____

Not Approved – Date: _____

Reason for Denial: _____

Signature of Principal or Designee

Date

Signature of Superintendent

Date

¹ If fund raising consists of selling food and beverage items to students during the regular or extended school day, the food and beverage items must comply with state and federal nutrition standards, rules and laws. This does not apply to food and beverage items sold at school-related or nonschool-related events for which parents and other adults are a significant part of the audience. (ORS 336.423)

Reynolds School District
Student Fund-Raising Activity Verification Form

Date: _____

To Whom it May Concern:

The Reynolds School District does hereby authorize:

(Name of Individual or Group Receiving Authorization)

to sell _____,
(Name of Product/Item for Sale)

for the purpose of raising funds for _____,
(Funds to be Used for)

from (dates) _____ to _____.

Signature of Person Authorizing Sales

Date

Signature of Fund-Raising Coordinator

Date

Any questions regarding this fund-raising activity should be directed to the person authorizing sales.

Corrected 3/01/23



Code: IGDG
Adopted: 1/04/07
Readopted: 12/08/10
Orig. Code: IGDG

Student Activity Funds Management

~~Student Activity Funds Management~~

The Board hereby authorizes the establishment and maintenance of a Student Body Account at each of the elementary schools, middle schools and high school of the district. The principal of the school shall be responsible for the proper administration of the financial activities of each Student Body Account in accord with the provisions of state law and appropriate accounting practices and procedures. All monies collected shall be deposited in the Student Body Account at a local bank. All payments made from the Student Body Account shall have the approval of the administrator responsible for the Student Body Account.

The annual district audit shall include an audit of the high school and middle school student organization funds. The elementary schools will be audited at least once every two years during the annual audit. Each fund should be reviewed annually by the business office in accordance with established district guidelines.

END OF POLICY

Legal Reference(s):

[ORS 294.305 to -294.565](#)

[ORS 328.441 to -328.470](#)

[OAR 581-022-2260\(2\)](#)

Corrected 3/01/23



Code: IGDJ
Adopted: 6/13/18
Orig. Code: IGDJ

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 any associated voluntary organization³ of the Oregon School Activities Association (OSAA) and the fundamental values of sportsmanship. 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 voluntary 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

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.

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

The district will evaluate each of its activities to ensure compliance with the above requirements for voluntary organizations as described herein, annually.

The district shall allow homeschooled students that reside in the district, students eligible to attend school and enrolled in a high school equivalency program⁴ that reside in the district, and students attending a public charter school which does not provide interscholastic activities and who reside in the district, the opportunity to participate in available interscholastic activities when the requirements found in Oregon in compliance with state law are met. Interscholastic activities, when provided by the district, will comply with Title IX and other nondiscrimination laws.

District employees, students, parents, alumni, and activity volunteers are prohibited from inducing contact or attempting otherwise causing contact to induce a student to attend a district school for interscholastic activity purposes of suggesting or encouraging the student and/or family to maintain or change residency for activities-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 been certified through the National Federation of High School Coaches Certification program prior to assuming their coaching 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 the OSAA 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 if OSAA as required.

An employee determined to have violated Board policies and/or rules and regulations of the associated voluntary organization OSAA 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 his/her interscholastic activity or

⁴ “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.

program, suspension and/or expulsion from school. Volunteers in violation of Board policies and/or the 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 such policies, OSA rules and/or regulations may be required to remunerate the district in the event of fines are assessed by OSA as a result of their actions.

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.

END OF POLICY

Legal Reference(s):

[ORS 326.051](#)
[ORS 332.075\(1\)\(e\)](#)
[ORS 332.107](#)
[ORS 339.450 - 339.460](#)

[OAR 581-015-2255](#)
[OAR 581-021-0045 – 0049](#)
[OAR 581-022-2308\(2\)](#)
[OAR 581-026-0005](#)

[OAR 581-026-0700](#)
[OAR 581-026-0705](#)
[OAR 581-026-0710](#)

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).
Montgomery v. Bd. of Educ., 188 Or. App. 63 (2003).
Senate Bill 1522 (2022).

Corrected 3/01/23; Corrected 3/02/23



Code: IGDK
 Adopted: 1/04/07
 Revised/Readopted: 12/08/10
 Orig. Code: IGDK

Non-School-Sponsored Study and Athletic Tours/Trips/Competitions

The district does not sponsor, endorse or financially contribute to the variety of outside-sponsored study and athletic tours/trips/competitions available to students.

The district does not recruit for, or have input into, the selection of programs, many some of which are not open to all students. Such tours, trips and competitions are under the sole guidanceauspice and control of the sponsoring organizations/groups.

Students who raise funds for their personal participation in such activities may not raise moneys for such travel as a representative of the school. The district or individual school name may not be used unless the communication clearly identifies the sponsor as a group other than the school, and includes a disclaimer of district involvement. Students may not use school supplies, materials or facilities in conjunction with such trips or their related fund raising.

Staff members are prohibited from using their contact with students to advertise or recruit for summer or other holiday travel which involves their supervision of students. StaffSchool staff will not advise parents regarding selection of such trips or tours for their childrenyoungsters. The counseling center may contain pamphlets which will assist parents who have questions about selection of such a tour.

Parents are advised to consider carefully the sponsors and the activities that are available to their children. Parents have an obligation to ensure that patrons of the district do students and should not assume such activities are school sponsored or funded.

END OF POLICY

Legal Reference(s):

[ORS 244.040](#)
[ORS 332.107](#)

[ORS 339.880](#)

[OAR 581-021-0045](#)

Davidson v. Or. Gov't Ethics Comm'n, 300 Or. 415 (1985).

Corrected 3/01/23



Code: IHGA
 Adopted: 12/08/10
 Orig. Code: IHGA

Alternative Instructional Programs

(See IGBHA, etc.)

In addition to the regular curriculum and courses offered, it is possible for students, with prior administrative approval, to obtain credit from the alternative instructional programs and activities. These programs and activities may include, but not limited to:

1. Community college courses;
2. Correspondence courses;
3. Outdoor school;
4. Educational travel;
5. Challenge tests;
6. Independent study;
7. Online courses;
8. The Expanded Options Program;
9. Others approved by the board.

END OF POLICY

Legal Reference(s):

[ORS 332.072](#)
[ORS 336.135 - 336.183](#)
[ORS 336.615 - 336.665](#)
[ORS 336.790 - 336.815](#)
[ORS Chapter 340](#)

[OAR 581-021-0045](#)
[OAR 581-021-0065](#)
[OAR 581-021-0070](#)
[OAR 581-021-0071](#)
[OAR 581-022-1130](#)

[OAR 581-022-1350](#)
[OAR 581-022-1620](#)
[OAR 581-023-0006](#)
[OAR 581-023-0008](#)

Corrected 3/01/23



Code: IIA
Adopted: 12/08/10
Revised/Readopted: 9/10/14
Orig. Code(s): IIA

Instructional Resources/Instructional Materials

While the Board retains the authority to approve district instructional materials adoptions, it designates the superintendent is responsible for the implementing procedures governing selection of instructional materials. The Board delegates to Such procedures will include district professional personnel the authority for the selection of instructional and library materials in accordance with the policy below.

Selection Objectives

When reviewing and selecting instructional materials, the objectives will be:

1. To select materials that will provide improvements in content, organization and teaching methods;
2. To ensure accurate and up-to-date content that includes new concepts, insights and facts;
3. To provide for sequential growth from level to level;
4. To provide a fair representation of the many religious, ethnic and cultural groups and their contributions to our American heritage;
5. To complete a technology assessment of such materials;
6. There will be no discrimination or bias or prejudice toward sex, sexual orientation, gender identity, race, religion, national origin, marital status, disability or age.

The district will review instructional materials in accordance with the State Board of Education adoption cycle. Each instructional program and basic instructional materials will be reviewed on a seven-year cycle and recommendations for appropriate instructional materials will be made.

The district will establish a process and timeline for regularly determining and considering whether the textbooks and other instructional materials are available through online resources that enable students with print disabilities to receive textbooks and instructional materials free of charge.

Textbooks and other instructional materials adopted by the Board shall be selected by the appropriate professional personnel, which includes staff from the district's technology department, in consultation with parents and citizens school community. The input of staff and students will be encouraged. Final decisions on purchase will rest with the superintendent or designee, subject to official adoption by the Board in the case of textbooks and other instructional materials.

Selection Criteria

All materials selected will be consistent with the following principles:

1. Materials that enrich and support the curriculum, taking into consideration the varied interests, abilities and maturity levels of the students served and include equity and cultural responsiveness;
2. Materials that stimulate growth in factual knowledge, literary appreciation, aesthetic values and ethical standards;
3. A background of information which will enable students to make intelligent judgments in their daily lives;
4. Materials on opposing sides of controversial issues, so that young ~~citizens~~ people may develop, under guidance, the practice of analytical reading and thinking;
5. Materials which support expanded learning opportunities through technology;
6. Materials representative of the many religious, ethnic and cultural groups, showing their contributions to our heritage.

The above principles will serve as a guide in the selection of all instructional and library materials.

All basic instructional materials recommended for adoption need to be approved for use by the Board. Prior to Board approval, parents, students and interested district patrons will have the opportunity to review the recommended instructional materials and be encouraged to provide opinions about them and their use in the classrooms.

All supplementary materials and library media center will be selected cooperatively by teachers, principals, librarians and sometimes with the assistance of students and parents. Recommended supplementary materials and library media center will also be free of racial, color, national origin, religious, disability, age, marital status, gender identity, sexual orientation or sexual bias. The instructional materials will contain appropriate readability levels, support the district's adopted curriculum content, provide for ease of teacher use, be attractive and durable and be purchased at a reasonable cost.

To be in compliance with the requirements of federal law, the Board directs the superintendent to distribute curriculum materials and instructional supplies to district schools in such a manner that ensures all schools receive equivalent materials.

Any resident or employee may challenge the appropriateness of the district's instructional materials. The district will provide a procedure to process such challenges.

END OF POLICY

Legal Reference(s):

[ORS 336.035](#)
[ORS 336.840](#)
[ORS 337.120](#)
[ORS 337.141](#)
[ORS 337.150](#)
[ORS 337.260](#)

[ORS 337.511](#)
[ORS 339.155](#)
[OAR 581-011-0050 - 0117](#)
[OAR 581-021-0045](#)
[OAR 581-021-0046](#)

[OAR 581-022-2310](#)
[OAR 581-022-2340](#)
[OAR 581-022-2350](#)
[OAR 581-022-2355](#)

Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2018).
House Bill 3041 (2021).

Corrected 3/01/23



Code: IIA-AR(1)
Revised/Reviewed: 12/08/10
Orig. Code: IIA-AR(1)

Instructional Materials/Program Adoption Procedure

Section I - Selection

The director of curriculum, ~~and~~ instruction and innovation will see that each subject area specialist appoints a committee with a representative from each grade level and each building and a staff member from the technology department to serve as a selection committee.

The instructional materials committee will review all new instructional materials of their subject and in consideration of input from staff and teachers of all grade levels, parents and citizens school community members, will recommend the titles for district adoption.

The director of curriculum, ~~and~~ instruction and innovation may conduct in-service meetings for employees to explain the materials and answer questions. In-service may consist of techniques such as:

1. Staff meetings at individual schools;
2. Resource teacher meetings;
3. Summer school demonstration class;
4. Available materials may be left at the school as long as time permits and until all those concerned have had an opportunity to review.

The teaching staff, ~~and~~ principal of each school and a district staff member from the technology department will review and select the instructional materials and quantities needed to fulfill the needs of the students. Each principal will submit to the superintendent or designee a written request for the selected materials.

The principals and director of curriculum, ~~and~~ instruction and innovation will meet and review each school's selection of instructional materials.

The requests for each school are consolidated by the superintendent/director of curriculum, instruction and innovation into a district composite requisition.

Instructional materials are adopted for a period of not less than two years nor more than five years after the date of first use.

A yearly October report of all basic instructional materials adopted by the district is submitted to the superintendent by the director of curriculum and instruction. The report contains:

1. A list of course and/or curriculum areas;
2. Title of the instructional materials adopted for each course and/or area;
3. Grade(s) in which the materials are used;
4. Name of publisher and/or author;
5. Copyright date;
6. Year the material was first adopted by the district.

Section II - Recommendation For Adoption

Title _____

Author _____

Publisher _____

Date of Copyright _____ List Price _____

(Check one) Basic Text Supplemental Text Paperback

Reason for recommendation _____

Head of Department _____ Date: _____

Other comments: _____

Date approved by superintendent _____

Signature of superintendent _____

Corrected 3/01/23



Code: IIA-AR(2)
Revised/Reviewed: 12/08/10
Orig. Code: IIA-AR(2)

Challenge of Instructional Materials

1. Inquiries

- a. Any inquiry made to an administrator regarding instructional material by any person(s) shall be made known to the staff member(s) using the material. The staff member(s) shall be made aware of the person(s) making the inquiry.
- b. The administrator shall then arrange for the person(s) making the inquiry to meet with the staff member(s) using the material in an effort to resolve the issue informally.
- c. The administrator shall inform the person(s) making the inquiry that if they are not satisfied with the outcome of the informal process, they may file a formal written challenge.

2. Challenges

- a. All formal challenges shall be in writing on the district form prepared for this purpose and must be submitted to the superintendent or designee.
- b. Upon receipt of a written challenge, the superintendent or designee shall, within 10 student contact days, appoint a review committee and provide a copy of the written challenge to the staff member(s) involved.
- c. The review committee shall consider the challenge within 10 student contact days of the committee's appointment by the superintendent or designee.
- d. The review committee, shall recommend to the superintendent or designee whether or not the challenged material should be withdrawn from use during the review process. The superintendent or designee may withdraw challenged material following receipt of the recommendation from the review committee until final resolution is reached by the Board.
- e. Following a review of the challenged material, the review committee shall submit its report and recommendation to the superintendent for presentation to the Board at the next business meeting. Copies of the recommendation shall be provided to the person(s) filing the challenge and to the staff member(s) involved.
- f. The Board shall review the recommendation and make its decision at the next Board meeting following submission of the committee's recommendation. If the Board's decision is contrary to the recommendation of the review committee, the reasons will be communicated, in writing, to the review committee.
- g. The review committee shall be appointed by the superintendent or designee consisting of both district staff and district patrons.

- (1) At least three of the district employees shall be licensed teachers. Members shall be selected from a list of people having expressed their willingness to serve on this committee;
- (2) Members will serve terms of two years on a rotating basis with the initial terms set by the superintendent or designee (one-half shall serve one year and one-half shall serve two years);
- (3) The review committee shall be chaired by an administrator appointed by the superintendent and shall be a non-voting member of the committee;
- (4) The committee chair shall be responsible for documenting all proceedings, for adherence to established procedures and guidelines and for preparing and presenting the report and

recommendation to the Board based on the minutes of the meeting(s). Additionally, the chair will send copies of the committee's report and recommendation to the person(s) filing the challenge and the staff member(s) involved.

3. Procedures to be followed by the review committee:
 - a. Review "Challenge of Instructional Material" administrative regulation;
 - b. Establish a calendar for the review of the challenged material;
 - c. Review the challenged material considering the theme, concept, vocabulary, and illustrations as they apply to:
 - (1) The appropriateness of the material for the instructional objectives established for the lesson(s) in which it was used, including its presentation and follow-up;
 - (2) The appropriateness of the material's level of difficulty; and
 - (3) The appropriateness of the material for the age group(s) with which it was used.
 - d. Request that the staff member(s) involved submit a written explanation of their use of the challenged material, specifically addressing its relationship to the established curriculum and course objectives;
 - e. An opportunity will be provided to person(s) filing the challenge, staff member(s) involved, outside consultants, lay people, other staff members or other individuals to offer oral or written testimony on the challenge within such procedures and limitations as may be established by the chair with the consensus of the committee;
 - f. Review and discuss possible options for recommendation, including:
 - (1) Continued use of the material as used, with no reservations;
 - (2) Restricted or modified use of the material in terms of subject area, grade level, etc.;
 - (3) No further use of the material as a part of the regular or support curriculum in the district.
 - g. Procedures for voting:
 - (1) A quorum (one-half the committee membership plus one) shall be present to act upon any business to come before the committee;
 - (2) All motions and votes shall be recorded and reported in the minutes of the meeting(s);
 - (3) Votes will be recorded from only the members present at the time of the vote;
 - (4) A simple majority of those present is required for a motion to pass;
 - (5) Roll call votes may be taken.
 - h. Following the discussion and review of possible options for recommendation, a committee member may offer a motion outlining the committee's recommendation. Action shall be taken on that motion and any subsequent motions within the procedures outlined in section 3.g. above and consistent with parliamentary procedure;
 - i. All meetings of the review committee are subject to the Public Meetings Law pursuant to ORS 192.610 to 192.690.

CHALLENGE REQUEST FORM FOR INSTRUCTIONAL MATERIAL

(Submit to superintendent)

(this form has been moved to IIA-AR(3))

Book or Other Printed Material if Applicable:

Author _____ Hardcover _____ Paperback _____ Other _____
Title _____ Publisher _____ Date of pub. _____

Digital media, if applicable:

Title _____ Producer/Source (if known) _____

Type of digital media (video, etc.) _____

Request initiated by _____ Telephone _____
Address _____ City _____ Zip _____

Person making the request represents

Self _____ (Print name)

Group or organization

Name of Group _____

1. ~~To what in the item do you object? (Please be specific, cite pages, frames, etc.)~~

2. ~~In your opinion what harmful effects upon students might result from use of this item?~~

3. ~~Do you perceive any instructional value in the use of this item?~~

4. ~~Did you review the entire item? If not, what sections did you review?~~

5. ~~Should the opinion of any additional experts in the field be considered? Yes No~~

~~Please list suggestions if any: _____~~

6. ~~What would you like the school to do about this material?~~

~~Do not use it with my student.~~

~~Withdraw it from use.~~

~~Send it back to the selector or selectors for evaluation.~~

~~Other _____.~~

7. In place of this item would you care to recommend other material which you consider to be of equal or superior quality for the purpose intended? _____

8. Do you wish to make an oral presentation to the Review Committee? Yes No
If yes, please call the district office at _____.

Signature _____ Date _____

References:

Corrected 3/01/23



Code: IIA-AR(3)
Revised/Reviewed: 12/08/10
Orig. Code: IIA-AR(2)

Challenge Request Form for Instructional Material
(Submit to superintendent or designee)

Book or other ~~Printed~~ material if applicable:

Author _____ Hardcover Paperback Other
Title _____ Publisher _____ Date of pub. _____

Digital media, if applicable:

Title _____ Producer/Source (if known) _____

Type of digital media (video, etc.) _____

Request initiated by _____ Telephone _____

Address _____ City _____ Zip _____

Person making the request represents

Self _____ (Print name)

Group or organization

Name of Group _____

1. To what in the item do you object? (Please be specific, cite pages, frames, etc.)

2. In your opinion what harmful effects upon students might result from use of this item?

3. Do you perceive any instructional value in the use of this item?

4. Did you review the entire item? If not, what sections did you review?

5. Should the opinion of any additional experts in the field be considered? Yes No

Please list suggestions if any: _____

6. What would you like the school to do about this material?

- Do not use it with my student.
- Withdraw it from use.
- Send it back to the selector or selectors for evaluation.
- Other _____.

7. In place of this item would you care to recommend other material which you consider to be of equal or superior quality for the purpose intended? _____

8. Do you wish to make an oral presentation to the Review Committee? Yes No
If yes, please call the district office at _____.

Signature

Date

References:

Corrected 3/01/23



Code: IIABB
Adopted: 9/10/14
Orig. Code: IIABB

Use of Feature Films/, Videos or Other Media**

The Board recognizes the showing of commercially produced and rated feature films and videos may have a legitimate purpose in a school's educational program. Since the content of these feature films or videos customarily is designed for general audience viewing, the Board feels certain precautions should be taken to ensure the showing of a particular films or videos film is consistent with the educational values espoused by the district.

Only films rated G, PG or PG-13 or other non-rated media may be shown as part of the school program. The Board directs procedures be developed to accomplish this objective, including the provision that a parent has the opportunity to preview a film when practicably possible and that a parent must give prior consent before his/her their student may view a film rated PG or PG-13.

All copyright laws must be followed.

Any media materials that are not rated are subject to the approval of the administrator prior to viewing.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

Corrected 3/01/23



Code: IIABB-AR
Revised/Reviewed: 9/10/14
Orig. Code: IIABB-AR

Use of Feature Films, Videos or Other Media in the Schools**

Prior to showing a feature film and videos or other non-rated media in a school, the instructor must seek the written approval of the principal. At least five days prior to the showing, the instructor shall submit to the principal (in writing) the following information on the particular films, videos or other media:

1. Title and brief description;
2. Purpose for the showing;
3. Match with course objectives;
4. Proposed date of showing;
5. When and how parents or guardians will be notified, or if necessary, grant consent;
6. Audience rating (G, PG, PG-13).

The showing of all feature films or videos with a G rating requires only prior notice to parents or guardians from the instructor, who will summarize in writing the information in the above points 1., 2., 4. and 6.

Additionally, for feature films or videos with a PG or PG-13 rating, or other non-rated media, will require prior parental consent from parents or guardians will be required before a student views the film, video or other non-rated media.

Instructors are required to preview all films, videos or other non-rated media before showing to students.

Only films or videos rated G, PG, or PG-13 or other nonrated media may be shown as part of the school program. Parents or guardians A parent may have the opportunity to preview films, videos or other non-rated media a film when practicably possible and that parents or guardians parent must give prior consent before their his/her student views may view a film rated PG or PG-13 or other non-rated media.

Edited or non-rated unrated films or videos will be shown at the discretion of the administrator.

The Parental notification to parents or guardians for the showing of G movies at the secondary level will be at the discretion of the administrator.

Corrected 3/01/23



Code: IJ
 Adopted: 12/08/10
 Orig. Code: IJ

Guidance School Counseling Program

The district's coordinated comprehensive school counseling and guidance program supports the academic, career, social-emotional, and community involvement development focuses on the developmental needs of all students. Each school will have a comprehensive counseling program for students in all grades, which will be , K-12, based on the Oregon Department of Education's *Oregon's Framework for Comprehensive School Guidance and Counseling Programs*.¹ ~~for Pre-kindergarten through Twelfth Grade.~~

The district's comprehensive school counseling program may include a child development specialist program for grades K-8 students and families who reside in the attendance areas of district schools.

The district will adopt program goals, which will assist students to:

~~Counselors demonstrate respect for each individual's dignity and worth and encourage each student to develop individual responsibility and decision-making skills. Counselors coordinate the school guidance program and involve all staff members in designing and implementing plans to meet four major goals:~~

- ~~1. Educational Development— Students will develop an education plan and portfolio that utilizes educational opportunities and alternatives consistent with academic standards and their career aspirations;~~
- ~~2. Personal/Social Development— Students will develop appropriate interpersonal and communication skills for a variety of social and work settings; students will develop self-advocacy and decision-making skills, and confidence in their own abilities;~~
- ~~3. Career Development— Students in grades K-12 will develop career options consistent with their interests, abilities and values. Career development includes focus on vocation, avocation, family life, and citizenship.~~
- ~~4. Community involvement— Students will demonstrate the importance of making an individual contribution to the community.~~

~~Counselors of students in grades 7-12 will develop and annually review an educational plan which creates education, career and life goals, identifies learning goals and activities.~~

1. Understand and utilize the educational opportunities and alternatives available to them;
2. Meet academic standards;

¹ Oregon Department of Education - [Comprehensive School Counseling](#)

3. Establish tentative career and educational goals;
4. Create and maintain an education plan and education portfolio;
5. Demonstrate the ability to utilize personal qualities, education and training, in the world of work;
6. Develop decision-making skills;
7. Obtain information about self;
8. Accept increasing responsibility for their own actions, including the development of self-advocacy skills;
9. Develop skills in interpersonal relations, including the use of effective and receptive communication;
10. Utilize school and community resources;
11. Demonstrate and discuss personal contributions to the larger community; and
12. Know where and how to utilize personal skills in making contributions to the community.

Materials used in the counseling program will be free of content that may discriminate on the basis of race, color, national origin, religion, sex, sexual orientation, gender identity, age, disability, or marital status, or that which permits or requires different treatment of students on such basis unless such differences cover the same occupation and interest areas and the use of such different material is shown to be essential to the elimination of discrimination.

~~Within the framework of the counseling and guidance goals, specific student and curricular objectives will be developed.~~

~~Within the areas of counseling and guidance responsibility, the counselor enters into professional relationships with three segments of the school community: students, school personnel and parents. Consistent with individual rights and the counselor's obligations as a professional, the counseling relationship and resulting information may be, in most instances, protected as privileged communications by Oregon law.² When appropriate, counselors will be responsible for explaining the ramifications of confidentiality to students.~~

END OF POLICY

Legal Reference(s):

[ORS 40.245](#)
[ORS 174.100](#)
[ORS 326.565](#)
[ORS 326.575](#)
[ORS 329.603](#)

[ORS 332.107](#)
[ORS 336.187](#)
[OAR 581-021-0013](#)
[OAR 581-021-0046](#)

[OAR 581-022-2030](#)
[OAR 581-022-2055](#)
[OAR 581-022-2060](#)
[OAR 581-022-2250](#)

² See ORS 40.245.

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).
Protection of Pupil Rights, 20 U.S.C. § 1232h (2018); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2019).
[House Bill 3041 (2021).]

Corrected 3/01/23



Code: IK
Adopted: 3/09/07
Revised/Readopted: 12/08/10; 8/14/13; 10/11/17
Orig. Code: IK

Academic Achievement**

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

The district shall ensure that all students have the opportunity to demonstrate progress toward mastery 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 ~~education~~ or public school options.

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

1. Parents and students will 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 extended application ~~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 ~~also will show whether the student is achieving course requirements at~~ provide a realistic appraisal of the student's current grade level; ~~standing in relation to his/her peers.~~
6. The staff will take particular care to explain to ~~students~~ parents 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](#)

Corrected 3/01/23



Code: IKAAA/GCCB/GDCB
Adopted: 6/12/13
Revised/Readopted: 10/11/17
Orig. Code: IKAAA/GCCB/GDCB

District Equity Policy

(Revisions submitted by district 12/19/22.)

Reynolds School District is dedicated to closing the opportunity gap and creating learning communities that provide support and academic enrichment programs for all students. Additionally, the district believes that it is the right of every student to have an equitable educational experience within the Reynolds School District.

The concept of educational equity goes beyond formal equality where all students are treated the same. Educational equity fosters a barrier-free environment in which all students, regardless of race, ethnicity, class, or other personal characteristics such as creed, color, religion, ancestry, national origin, primary language, age, economic status, immigration status, sex, gender identity, gender expression, sexual orientation, including but not limited to gender expression or identity, pregnancy status, marital status, criminal history, physical appearance, the presence of any sensory, mental or physical disability, or the use of a service animal by a person with a disability, have the opportunity to benefit equally.

Equity requires differentiating resource allocation, within budgetary limitations, to meet the needs of students who need additional supports and opportunities to succeed socially, emotionally and academically.

A student, whose history and heritage are appreciated and celebrated, may enjoy higher levels of learning and success, than a student who is forced to overcome cultural barriers.

The Reynolds School District will work toward:

1. Raising the achievement of all students while narrowing the gap between the lowest and highest performing students;
2. Systematically using districtwide, school-level and classroom level data disaggregated by Oregon Department of Education data sets (e.g., race/ethnicity, national origin, language, qualification for special education services, gender, non-binary, socioeconomic or immigration status and mobility) to inform District decision making;
3. Eliminating the racial predictability and disproportionality in all aspects of education and its administration (e.g., the disproportionate over-application of discipline to students of color, their over-representation in special education and their under-representation in various advanced learning programs);
4. Supporting all students, regardless of race or class, to graduate from Reynolds School District ready to succeed in a racially and culturally diverse local, national, and global community.

In order to achieve educational equity for each and every student, the district shall embrace the following:

1. Equitable Access – The district shall provide every student with equitable access to a high quality curriculum, socio-emotional and academic supports, facilities and other educational resources, even when this means differentiating resource allocation;

2. Racial Equity Analysis – The district shall review existing policies, programs, professional development and procedures to ensure the promotion of racial equity, and all applicable new policies, programs and procedures will be developed ~~using a racial equity analysis tool to ensure the~~ promotion of racial equity;
3. Workforce Equity – The district shall actively work to have the teacher and administrator workforce be balanced and reflect the diversity of the student body. The district ~~shall intend to~~ recruit, employ, support and retain a workforce that includes racial, gender, and linguistic diversity, as well as culturally competent administrative, instructional and support personnel;
4. Professional Development – The district shall provide professional development to strengthen employees’ knowledge and skills for ~~identifying eliminating~~ opportunity gaps and other disparities in achievement and using various strategies for eliminating them;
5. Welcoming School Environments – The district ~~shall support envisions that each school in~~ ~~creates a~~ welcoming ~~culture~~ and inclusive environments that reflects and supports the diversity of the district’s student population, their families, and communities;
6. Partnerships – The district ~~shall~~ will include other partners who have demonstrated culturally specific expertise – including families, government agencies, institutes of higher learning, early childhood education organizations, community-based organizations, businesses, and the community in general – in meeting our high goals for educational outcomes;
7. Multiple Pathways to Success – The district shall provide multiple pathways to success in order to meet the needs of the diverse student body, and shall actively encourage, support and expect high academic achievement for all students;
8. Recognizing Diversity – Consistent with state regulations and district policy and within budgetary considerations, the district shall provide materials and assessments that reflect the diversity of students and staff, and which are geared towards the understanding and appreciation of culture, class, language, ethnicity and other differences that contribute to the uniqueness of each student and staff member.

The superintendent is authorized to develop procedures to implement this policy, including an action plan with clear accountability and metrics. At least annually the superintendent shall report to the ~~h~~Board on the progress toward achieving the goals outlined in this policy. The report shall be based on the district’s annual goals ~~of the district’s Equity Leadership Team~~, which are ~~set~~ developed in partnership with the superintendent and the ~~h~~Board.

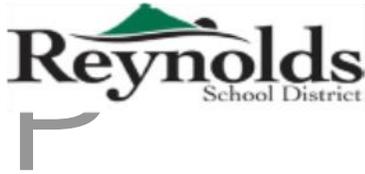
END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 342.437 - 342.449](#)

Corrected 12/19/22



Code: IKAC
Adopted:

R High School Classes for Pre-Grade 9 Students

The district encourages students to perform at the highest level possible in their course work. Recognizing that some middle school age students are able to master existing high school curriculum, it is the policy of the district to allow grade 8 students, who are qualified, to take designated high school classes/courses. High school credit may be granted, if students taking pregrade 9 courses, are required to meet performance criteria that are equivalent to the performance criteria for students taking the same high school classes.

The district may allow the granting of such credit to be used to reduce the units of credit required to be completed in grades 9 through 12 for high school graduation.

END OF POLICY

Legal Reference(s):

[OAR 581-022-2000](#)

[OAR 581-022-2270](#)

Corrected 3/15/23



Code: IKAD
Adopted: 12/08/10
Orig. Code: IKAD

Grade Reduction/Credit Denial

Grade reduction or credit denial determinations may include student attendance. Student attendance may not be a sole criterion. If attendance is a factor, **prior** to a grade reduction or credit denial, the following shall occur:

1. The teacher will identify how the attendance and class participation is related to the instructional goals of the subject or course;
2. Parents and students will be informed;
3. Due process procedures are available to the student when the grade is reduced or credit denied for attendance rather than academic reasons;
4. Reasons for nonattendance are considered and the grade is not reduced or credit denied based upon absences due to:
 - a. Religious reasons;
 - b. A student’s disability; or
 - c. An excused absence, as determined by the district’s policy.

END OF POLICY

Legal Reference(s):

[ORS 339.280](#)

Corrected 3/15/23



Code: IKFA
 Adopted: 4/13/11
 Revised/Readopted: 9/14/11
 Orig. Code: IKFA

Early Graduation**

A student who wishes to graduate from high school in less than four years may apply for Early Graduation. Through assistance with the High School Guidance Department counseling department, the student and parent/guardian will submit an application packet to the principal or designees. Students approved for Early Graduation will develop an appropriate graduation plan and timeline which includes all elements necessary for graduation. Students completing early graduation will be allowed to participate in graduation ceremonies.

Students denied Early Graduation may appeal to the superintendent or designee.

END OF POLICY

Legal Reference(s):

~~ORS 329.447~~repealed
~~ORS 329.465~~repealed
[ORS 339.030](#)
[ORS 339.115](#)

[ORS 343.295](#)
[OAR 581-022-0102\(18\)](#)
[OAR 581-022-11302000](#)

[OAR 581-022-12102030](#)
[OAR 581-022-13502505](#)

Corrected 3/15/23



Code: IL
Adopted: 12/08/10
Revised/Readopted: 3/13/13; 4/13/16; 6/08/16
Orig. Code: IL

Assessment Program**

The district's assessment program shall be designed for the purpose of determining district and school program improvement and individual student needs including the requirements of the Oregon Administrative Rules. Each year the district shall determine each student's progress toward achieving federal, state and local achievement requirements.

Assessments shall be used to measure the academic content standards and ~~Essential Skills and~~ to identify students who meet or exceed the performance standards and ~~Essential Skills~~ adopted by the State Board of Education.

Accordingly, the district shall maintain the following assessment program:

1. Criterion-reference assessments, including performance-based assessments, content-based assessments and other valid methods as may be required by state and federal requirements;
- ~~2. Assessment of Essential Skills;~~
- ~~3.2.~~ Individual diagnostic and ability evaluations in all grades when students have been referred and parental permission obtained;
- ~~4.3.~~ Assessments by individual teachers;
- ~~5.4.~~ ~~Other Optional~~ schoolwide and grade levelwide assessments, as recommended by the superintendent and as approved by the Board.

It is the intent of the Board that ~~individual~~ progress be measured in a manner that clearly enables the student and parents to know whether the student is making progress toward meeting or exceeding academic content standards and ~~Essential Skills~~. District, and school and individual results shall be reported to the Board, parents and the community, as prescribed by law.

The district shall make additional services or alternative educational or public school options available to any student who has not met or has exceeded all of the state-required academic content standards. Additionally, students in schools receiving Title I moneys that have been identified by the Oregon Department of Education (ODE), ~~as in need of improvement, corrective action or restructuring by ODE~~ will be provided supplemental services and public school options as required by law.

The district shall not discriminate in the methods, practices and materials used for assessment, evaluating and counseling students on the basis of race, color, national origin, religion, sex, sexual orientation, ~~gender identity~~, age, disability or marital status. Discrimination complaints shall be processed in accordance with established procedures.

Staff will receive in-service education in the use of designated assessments and interpretation of assessment results.

A parent on behalf of their student or an adult student may annually opt-out of taking a statewide summative assessments¹ by completing the Smarter Balanced and submitting ODE's opt-out form²/or alternate Oregon Extended Assessments in English language arts and mathematics as provided in state law. The district shall provide the required notice and necessary forms to the school student. The district shall provide supervised study time for students who are excused from participating in the assessment. A student may be excused from the Oregon Statewide Assessment Program for disability or religious reasons. Parents and adult students will be provided the required notices³ and access to forms by the district that include a time frame in which statewide assessments will take place, and an adult student's or parent's right to request an exemption from taking the statewide summative assessments.

~~A student may be excused from other Oregon statewide assessments for disability or religious reasons.~~

The act of ~~district shall establish conduct and discipline consequences~~ for 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.

The superintendent shall ensure a periodic review and evaluation of the district's assessment program is conducted.

END OF POLICY

Legal Reference(s):

[ORS 40.245](#)
[ORS 326.565](#)
[ORS 326.575](#)
[ORS 329.479](#)
[ORS 329.485](#)
[ORS 336.187](#)
[ORS 659.850](#)

[OAR 581-021-0009](#)
[OAR 581-021-0030](#)
[OAR 581-022-2030](#)
[OAR 581-022-2060](#)
[OAR 581-022-2100](#)
[OAR 581-022-2110](#)
[OAR 581-022-2115](#)

[OAR 581-022-2250](#)
[OAR 581-022-2270](#)
[OAR 581-022-2310](#)
House Bill 3041 (2021)
Senate Bill 602 (2021)

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 (2021).
Protection of Pupil Rights, 20 U.S.C. § 1232h (2018); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2021).
Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400-1419 (2018).
Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2018).

Corrected 3/15/23

¹ For language arts and mathematics.

² Oregon Department of Education page for: [30-day notice and opt-out form](#)

³ Districts are required to provide notice twice each year: once at the beginning of the year; and second time at least 30 days prior to the administration of the test. ~~The 30-day notice must first be provided during the 2015-2016 school year. The beginning of the year notice must first be provided during the 2016-2017 school year.~~



Code: IM
 Adopted: 12/08/10
 Orig. Code: IM

Evaluation of Instructional Programs

The purpose of evaluation of instruction will be to identify school and district needs for improvement of student achievement at the district and school levels.

The Board will rely on the administration to provide continuous evaluation of the educational program and instructional processes. The input of staff, students, parents and the community will be encouraged. A self-evaluation will be conducted to include a review of test results and other evaluative information. The Board may participate in such evaluation. It may also arrange for evaluations to be conducted by outside agencies.

The self-evaluation will be used as a basis for the development and implementation of a written district improvement plan. The district self-evaluation and improvement plan will meet the requirements of applicable Oregon Revised Statutes and Oregon Administrative Rules and may include, but not be limited to, realignment of curriculum, staff development and reallocation of staff and other special academic programs.

Appropriate research studies will be periodically reviewed to determine recent trends and developments in self-evaluation techniques.

The district improvement plan will be revised and updated on an annual basis. The superintendent will annually review and report test results and district improvement plan progress to the community. The plan will be made available to the public and submitted to the Oregon Department of Education upon request.

END OF POLICY

Legal Reference(s):

[ORS 329.095](#)
[ORS 329.155](#)

[OAR 581-022-0606](#)
[OAR 581-022-1020](#)
[OAR 581-022-1130](#)

[OAR 581-022-1210](#)
[OAR 581-022-1340](#)



Corrected 3/15/23



Code: IMB
Adopted:

R District Improvement Program

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. The district will accomplish this through 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 in the district's goal setting and continuous 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 district will, in striving for continuous improvement, 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.

END OF POLICY

Legal Reference(s):

[ORS 329.095](#)

[ORS 332.107](#)

[OAR 581-022-2250](#)

Corrected 3/15/23



Code: INB
Adopted: 12/08/10
Orig. Code: INB

Studying Controversial Issues

The Board supports the inclusion of controversial issues as part of students' education. The presentation and discussion of controversial issues will be informative. The development of ability to meet issues without prejudice and to withhold judgments while facts are being collected, assembled and weighed and to see relationships before drawing inferences or conclusions are among the most valuable outcomes of a free educational system.

Teachers will present an overall view of controversial issues and will guard against giving personal opinions until students have had an opportunity to:

1. Find, collect and assemble factual material on the subject;
2. Interpret the data without prejudice;
3. Reconsider assumptions and claims and to reach their own conclusions.

By refraining from expressing personal views before and during the period of research and study, the teacher will encourage students to search after truth and to think for themselves.

Before beginning a class in the study of an obviously controversial topic, a teacher will discuss with the principal:

1. Its appropriateness to the course;
2. Its appropriateness for the students' maturity level;
3. The approach to instruction;
4. The instructional materials to be used.

END OF POLICY

Legal Reference(s):

[ORS 336.067](#)

[OAR 581-021-0009](#)

U.S. CONST. amend. I.
OR. CONST., art. I.

Corrected 3/15/23



Code: INC
Adopted: 3/09/07
Revised/Readopted: 12/08/10; 10/11/17
Orig. Code: INC

Guest Speakers

Teachers are expected to help students investigate controversial issues which fall within the areas they are employed to teach. Discussion of controversial issues will help students learn to analyze problems, gather and sort facts, use discrimination in assessing facts and opinions, and draw conclusions.

A teacher who invites any resource speaker to appear before his/her class shall give notice of the invitation to the principal prior to the date of the scheduled appearance, in order so that the principal may exercise judgment concerning the effect of the speaker on all aspects of the school program which come within his/her the principal's responsibility. The principal may require a conference with the teacher and/or speaker to discuss the overall aspects of the presentation.

If the teacher feels a topic or speaker is controversial, and believes the topic or speaker may bring about repercussions harmful to the school or district, the teacher shall request a conference with the principal to decide the matter before the invitation is extended.

The administration is expected to exercise judgment and to investigate fully those proposed resource speakers about whom questions may arise.

Teachers/Club sponsors should encourage the use of resource speakers representing various approaches and points of view on a given topic or issue in order to afford students a more comprehensive understanding of the topic/issue.

An appropriate record shall be made of each resource person/speaker used and of his/her the speaker's presentation.

The ideas presented and the speaker invited to present them shall have a demonstrable relation to the instruction or cocurricular activity in which participating students are involved.

Prior to his/her participation, the speaker shall be given in writing and shall agree to abide by the following regulations:

1. Profanity, vulgarity and lewd comments are prohibited;
2. ~~Tobacco use~~ Use of tobacco products or inhalant delivery systems is prohibited;
3. ~~Remarks which are, including but not limited to, S~~ sexist, discriminatory, derogatory or racial remarks or derogation of toward any group or individual is prohibited;

4. The teacher, club sponsor or member of the administration responsible for inviting the speaker has the right and obligation to interrupt or suspend the presentation if the conduct or content being presented by the speaker is judged to be in poor taste or endangers the health and safety of the students/ or staff.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 336.067](#)

Corrected 3/15/23



Code: INDB
 Adopted: 1/11/12
 Revised/Readopted: 2/12/14; 4/13/16
 Orig. Code: INDB

Flag Displays and Salutes

A United States (U.S.) flag and an Oregon State flag shall be displayed on or near each school building under the control of the Board or used by the district, during school hours, except in unsuitable weather and at any other time the Board deems proper.

A National League of Families’ POW/MIA flag of appropriate size shall be displayed on or near each school building when required by state law¹ and in the same manner as a U.S. and Oregon State flag.

The district shall obtain and display a U.S. United States flag of an appropriate size for each classroom.

Students shall receive instruction in respect for the national flag, and be provided an opportunity to salute the U.S. United States flag at least once each week during the school year by reciting *The Pledge of Allegiance*.

A flag salute may be implemented at assemblies, before or after school, at lunch, special events, home room class, athletic contests or at other times deemed appropriate by the principal. Individual staff members and students who do not participate in the salute must maintain a respectful silence during the salute.

Upon request from an Oregon Sovereign tribal government, a flag representing the sovereign tribal government must be displayed on, near, or within a school building during school hours. The location of the flag will be determined by the district in consultation with the requesting sovereign tribal government.

END OF POLICY

Legal Reference(s):

[ORS 186.110](#)
[ORS 332.107](#)

[ORS 336.067](#)
[ORS 339.875](#)

[OAR 581-021-0043](#)

W. Va. St. Bd. of Educ. v. Barnette, 319 U.S. 624 (1943).

Corrected 3/15/23

¹ The National League of Families’ POW/MIA flag must only be displayed on or near buildings that have existing flagpoles or other infrastructure installed to properly display the U.S., Oregon State, and National League of Families’ POW/MIA flags simultaneously.



Code: ING
 Adopted: 12/08/10
 Revised/Readopted: 2/12/14; 10/11/17
 Orig. Code: ING

Animals in District Facilities

Animals are only permitted in district facilities under the following circumstances:

1. ~~Only s~~Service animals¹ serving persons with a disability; ~~and~~
2. ~~a~~Animals approved by the human resource director or designee that are part of an approved district curriculum or cocurricular activity ~~are allowed in district facilities;~~ and
3. *Therapy dogs to support social emotional learning by invitation of, or with permission from the district's building principal.*

Approved animals must be adequately cared for and appropriately secured. Only the teacher or students designated by the teacher are to handle the animals. If animals are to be kept in the classroom on days when classes are not in session, arrangements must be made for their care.

Animals, except those service animals serving persons with a disability, may not be transported on a school bus.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)
[ORS 659A.400](#)

[OAR 581-053-0010](#)
[OAR 581-053-0230\(9\)\(j\)](#)
[OAR 581-053-0330\(1\)\(q\)](#)

[OAR 581-053-0430\(16\)](#)
[OAR 581-053-0531\(15\)](#)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213 (2012); 28 CFR §§ 35.104, 35.136 (2017).
 Americans with Disabilities Act Amendments Act of 2008.

Revised/Amended 1/25/23

¹ The American with Disabilities Act definition of “service animal” means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. Companion and comfort animals are not considered service animals. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual’s disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition. The law and its regulations also make an allowance for miniature horses.



Code: ING-AR(1)
Revised/Reviewed: 3/09/07; 12/08/10; 9/10/14
Orig. Code: ING

Animals in District Facilities

~~In order to protect both students and animals the following guidelines are adopted for use in all schools in the district.~~

- ~~1. Permission must be obtained from the principal before animals are brought into the school.~~
- ~~2. The only animals allowed to be housed in a classroom must be for a specific and appropriate educational purpose and shall be allowed only for the amount of time necessary to achieve the educational goal.~~
- ~~3. All animals must be in good physical condition and vaccinated, when appropriate, against transmittable diseases.~~
- ~~4. Special consideration should be given to the effect of furred and feathered animals on allergic children, before bringing the animals into the classroom.~~
- ~~5. The teacher will be responsible for the proper control of animals brought to school for instructional purposes, including the effective protection of children when animals are in the school. This will include keeping the animal in an appropriate cage or container that prevents contact with fecal material and instruction in adequate hand washing after handling animals.~~
- ~~6. No animals are to be allowed to run freely in the classrooms, food areas, or activity areas.~~
- ~~7. All fecal material must be cleaned from the cage of any mammal or rodent on a daily basis and an appropriate sanitizer used. Reptiles, fish, and insects must be cared for in a manner to minimize odor and maintain health.~~
- ~~8. No poisonous animals shall be brought into the school.~~

~~The principal shall be advised of any animals to be housed in the classroom. At the Pprincipal's discretion, permission to keep the animal may be denied based on these considerations: (1) the purpose for the animal's presence; (2) the ability of the teacher to control the animal; and (3) the past practice in the classroom.~~

~~Animals serving persons with a disability would be an exception to this administrative regulation.~~

Service Animals in Schools

9.1. Service Animal Defined

A “service animal” means an animal which is trained to do a task or service directly related to a disability. Service animals must be individually trained to do work or perform tasks. Service animal includes service animals in training.

Service animals do not include “emotional support animals” or “professional therapy animals” which are animals that provide a sense of safety, companionship, and comfort as these animals are not trained to perform a specific task for their handlers.

10.2. Procedures for Service Animal Access

- a. The service animal must be under the control of a handler at all times and be harnessed, leashed or tethered, unless the devices interfere with the service animal’s work or the individual’s disability prevents the individual from using these devices. Individuals who cannot use such devices must maintain control of the animal through voice, signal or other effective controls.
- b. Access by the Public
 - (1) Individuals with disabilities are permitted to be accompanied by their service animal in all areas of district property where members of the public, students and employees are allowed to go.
 - (2) When an individual with a disability brings a service animal onto district property, the district shall not ask about the nature or extent of a person’s disability, but may make the following two inquiries to determine whether the animal qualifies as a service animal:
 - (a) If the animal is required because of a disability; and
 - (b) What work or task the animal has been trained to perform.

See form in administrative regulation ING-AR(2) to complete for such questions.
- c. The district shall not make such inquiries of an individual when it is readily apparent that an animal is trained to do work or perform tasks for an individual with a disability.
- d. An individual with a disability may not be required to provide documentation such as proof that the animal has been certified, trained or licensed as a service animal.

11.3. Access by Employees or Students

- a. An employee who may require the assistance of a service animal should contact human capital management to make arrangements for such assistance.
- b. Students who may require the assistance of a service animal should contact their building principal to make arrangements for such assistance.
- c. Employees and students using service animals should proactively collaborate with school staff members to make arrangements for the service animal at school. The following are examples of arrangements that may be considered, as necessary:
 - (1) A rest place and rest time for the service animal.
 - (2) Appropriate areas and times of the day for the service animal to relieve itself.

- (3) Information, as needed, for employees and students about the services animal.
- (4) Clarification, as needed, of emergency procedures.

12.4. Parents or Animal Handlers

Third-party service animal handlers who will be regularly present in school for the purpose of assisting a student with the student's service animal will be subjected to the same requirements and standards of conduct that apply to other school volunteers.

13.5. Handling Conflicting Needs

If the district is or becomes aware of another individual who is adversely affected by the service animal (e.g. an allergy or anxiety disorder), the district will collect necessary information from the parties and determine how best to address the needs of both individuals. The district will provide notice to all parties of the resolution of the situation.

14.6. Removal or Exclusion of a Service Animal from School or School Property

The district may ask an individual to remove a service animal from district property if any one of the following circumstances occurs:

- a. The animal is out of control and the animal's handler does not take effective action to control it.
- b. The animal is not housebroken.
- c. The animal's presence would fundamentally alter the nature of the service, program or activity.
- d. The animal is found not be performing a task or a service directly related to a disability.

If the district excludes an animal, it will provide the individual with a disability the opportunity to participate in the service, program or activity without having the service animal on the premises.

A person whose service animal has been excluded or removed may appeal the decision using the discrimination complaint process found in Board policy AC – Nondiscrimination and its accompanying administrative regulation.

15.7. Responsibility/Liability

Neither the district, nor its employees, are responsible for the cost, care, or supervision of the service animal. The owner/handler of the service animal is responsible for any and all damage caused by the service animal at school, on school premises or at school activities.

Professional Therapy Dogs

1. Therapy Dog Defined

“Therapy Dog” means a dog that is selected, trained and has graduated from a program that is a member of Therapy Dogs International or a similar nonprofit organization that trains the dog to provide specific physical or therapeutic functions, under the direction and control of a qualified handler.

A therapy dog performs its tasks by permission or invitation. They are not accorded the same rights as service animals as defined by the Americans with Disabilities Act. An animal that does not meet the definition of therapy dog or service animal as defined in this regulation shall be subject to the conditions set for an animal visitor referenced below.

2. Therapy Dog Handler Defined

“Therapy dog handler” means an employee of the district or a volunteer who has received training and/or certification from Therapy Dogs International or a similar nonprofit organization for handling a specific therapy dog and who will be handling or overseeing care of that specific therapy dog for the entire time the dog is on district property.

3. Approval Process for the Use of a Therapy Dog on District Property

District staff who wish to have therapy dogs made available to students shall submit a plan to the building principal. The proposal shall address all of the following areas:

- a. A detailed schedule outlining the location, times, details of when and how the therapy dog will be used in the school and expected duration of use in the school (e.g. month, school year). The schedule should include a timetable with built-in break and rest periods for the animal.
- b. The certification the proposed therapy dog has received, including the training required to receive the certification.
- c. The credentials of the certification provider.
- d. An up-to-date vaccination certificate for the dog.
- e. Proof of liability insurance for both the handler and the therapy dog.
- f. The student(s) whom the therapy dog is intended to serve.
- g. The anticipated goals for use of the therapy dog.
- h. The proposed training to be provided to students on the appropriate behavior and treatment of the therapy dog and the consequences for inappropriate treatment of the therapy dog.

The building principal shall submit any proposal meeting with their approval to the superintendent or designee for final review and approval. The superintendent or designee must approve the proposal in writing prior to the therapy dog entering district property. A letter must be sent home to the students in any classes where the therapy dog will be present, prior to the dog being allowed on site, to elicit information concerning allergies, extreme phobias, or religious considerations from the students and/or parents or guardians.

A therapy dog proposal may be rejected if:

- a. The proposal does not meet the requirements of this regulation.
- b. The principal, superintendent or designee does not perceive any educational benefit to be achieved based on the information contained in the proposal.
- c. The principal, superintendent or designee believes that the time required to meet the needs of the therapy dog are inconsistent with the assigned duties of the school employee(s) proposed as the therapy dog’s handler(s).
- d. The proposal is otherwise inconsistent with the needs of the school or school building.
- e. A parent, student, or staff member raises legitimate concerns regarding documented allergies, extreme phobias, or religious considerations.

Approved therapy dogs:

- a. Must be at least one year old.
- b. Must be house-broken.
- c. Must be current on all vaccinations and immunizations.
- d. Needs to reside with the handler a minimum of six months before initiating work with the school.
- e. Zero bite policy – any therapy dog that bites, or attempts to bite, a person or an animal will not be allowed back on any district property.
- f. Must always be on a leash and/or under the control of the handler.
- g. Injured or sick animals (within the last 24 hours) will NOT be brought on district property.
- h. Must be clean and well groomed, including teeth and nails.
- i. Must have appropriate identification identifying it as a therapy dog at all times while on district property.

Any approved therapy dog may have its approval suspended or curtailed, at any time, for any reason. District employees shall not receive any additional pay, stipend or compensation for providing the therapy dog or for being the handler and/or owner of the therapy dog. The supervision and care of the approved therapy dog is solely the responsibility of the therapy dog handler when the therapy dog is on district property. The therapy dog handler will assume full responsibility and liability for any damage to district property or injury to district staff, students, or others while the therapy dog is on district property.

This administrative regulation is not intended to, and does not allow students, parents or staff to bring emotional support animals onto district property. Individuals who bring an animal onto district property that does not meet the definition of a service animal or therapy dog approved pursuant to this regulation will be required to remove the animal from district property immediately. Repeated violations may result in disciplinary and/or trespass action.

4. Responsibility/Liability

Neither the district, nor its employees, are responsible for the cost, care or supervision of the therapy dog. The owner/handler of the therapy dog is responsible for any and all damage caused by the dog at school, on school premises or at school activities.

All Other Animals on District Property

The district recognizes that under proper conditions animals can be an effective teaching aid. At the same time, the presence of animals can result in problems with allergies, indoor air quality, noise, sanitation and hygiene. Therefore, domesticated animals are not allowed on district property and will not be brought on district grounds, into schools or transported on district buses. This includes but is not limited to horses, dogs, cats, rabbits, rodents, birds, amphibians, reptiles and other encaged, aquatic or farm animals.

1. Requests for Animal Visitors

- a. All requests to have animal visitors (student or staff “Show and Tell,” for example) in the classroom or on school property during school hours must be submitted to the principal or designee in advance and in writing.
- b. Included in the request should be a description of the activity, type of animal, educational purpose/benefit, length of activity and a plan for the care of the animal. Additionally, if

applicable, the request should include verification that the animal is properly and currently licensed with the appropriate inoculations. The principal or designee has the discretion to permit or deny the presence of any animal visitor in the school.

- c. Prior to approving the request, the principal or designee shall determine whether any child has a health condition (such as allergies) that could be exacerbated by exposure to animals. Parents must be notified of the plans to have an animal in the classroom so that accommodations may be made for their student.
- d. Animals will be permitted in classrooms only for a specified and appropriate educational purpose and for the time necessary to achieve the educational goal. This exception is not intended to allow long-term, regular or continuous animal visitors.

2. Teacher Responsibilities for Animal Visitors

- a. Teachers must assume primary responsibility for the proper treatment of animals in the classroom. If animals are to be kept in the classroom on days when classes are not in session, the teacher must make arrangements for their care and safety.
- b. All fecal material must be cleaned from the cage of any mammal or rodent on a regular basis and an appropriate sanitizer used. Reptiles, fish and insects must be cared for in a manner to minimize odor and maintain health.
- c. All animal food will be stored in metal containers with tight-fitting lids for pest prevention.
- d. Teachers are responsible for maintaining the living space for animals. Spilled food and/or bedding materials must be cleaned up daily. Cleaning of cages, habitats, dog beds and disposal of animal waste will be performed by the teacher, not custodial staff.
- e. Animal waste must be disposed of in an outside dumpster.

3. Owner/Handler Responsibilities for Animal Visitors

Owners shall be solely responsible for the care/safety of their animals and for injuries sustained to the animal or to people due to the presence of the animals at the school.

4. Limitations

- a. No poisonous animals shall be brought into the school.
- b. No wild animals including skunks, raccoons, bats, squirrels, monkeys, amphibians or birds shall be allowed unless under the control of an individual trained in the care and management of the animals (i.e. zookeepers, veterinarians, etc.)
- c. No animals will be allowed free range in the facility or grounds.
- d. Horseback riding, pony rides and donkey basketball on school grounds or school parking lots is prohibited.
- e. Animals will remain in cages unless removed for short periods of time by individuals who have been trained to handle the animal. Students will be instructed in the care and handling of the animal.
- f. Children will not clean cages, aquariums, terrariums or litter boxes, without parental permission and sanitation training.
- g. Dogs must be kept off all play areas, as well as student arrival and dismissal areas. All dogs must be kept on a leash with a maximum length of eight feet and must be kept under the owner's control at all times.
- h. District facilities will not be modified to accommodate an animal without Maintenance Department approval.

Exception to this Administrative Regulation

Under the Emergency Management Memorandum of Understanding with Multnomah County, kenneled pets may be allowed on campuses when they are being utilized as an emergency shelter. Livestock are not permitted. Pet owners are responsible for pick-up and disposal of any pet waste.

Revised/Amended 1/25/23



Code: ING-AR(2)
Revised/Reviewed: 12/08/10; 10/11/17
Orig. Code: ING-AR(2)

Animals in District Facilities

If the animal is a service animal¹, please answer the following questions:

1. Is the service animal required due to a disability? _____

2. What work or task has the service animal been trained to perform²?

If an animal is not a service animal, the district staff may request emergency contact information.

Reviewed 1/25/23

¹ The American with Disabilities Act definition of “service animal” means any dog that is individually trained to do work or perform tasks for the benefit of an individual with a disability, including a physical, sensory, psychiatric, intellectual or other mental disability. Companion and comfort animals are not considered service animals. Other species of animals, whether wild or domestic, trained or untrained, are not service animals for the purposes of this definition. The work or tasks performed by a service animal must be directly related to the individual’s disability. Examples of work or tasks include, but are not limited to, assisting individuals who are blind or have low vision with navigation and other tasks, alerting individuals who are deaf or hard of hearing to the presence of people or sounds, providing non-violent protection or rescue work, pulling a wheelchair, assisting an individual during a seizure, alerting individuals to the presence of allergens, retrieving items such as medicine or the telephone, providing physical support and assistance with balance and stability to individuals with mobility disabilities, and helping persons with psychiatric and neurological disabilities by preventing or interrupting impulsive or destructive behaviors. The crime deterrent effects of an animal’s presence and the provision of emotional support, well-being, comfort, or companionship do not constitute work or tasks for the purposes of this definition. The law and its regulations also make an allowance for miniature horses.

² The district may request this information if the nature of the work or task the assistance animal is trained, or is being trained to do or perform, is not readily apparent.



Code: INI
Adopted: 12/08/10
Orig. Code: INI

Animal Dissection**

District students in grades K through 12 may refuse to dissect any vertebrate or invertebrate animal. In addition, the student's parents may refuse to allow the student to dissect the animal.

The district shall allow the student to participate in an alternative dissection exercise to demonstrate competency in the coursework. This exercise may include virtual dissection software or application, videos, DVDs, CD-Roms, films, computer programs, models, books, clay modeling or transparencies.

A teacher may not discriminate against or lower the grade of a student for not participating in the dissection exercise.

The district shall notify students who have dissection as part of their coursework and the parents of those students about the provisions of this policy.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)

[ORS 337.300](#)

Corrected 3/15/23



As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To: Board of Directors

From: Wade Bakley, Chief Operations Officer

Subject: Authorization to Spend in Excess of \$500,000 for Demolition & Backfill at Edgefield Campus

Type: Action Item Report / Presentation

Policy: DJC: Bidding Requirements

Date: August 9, 2023

Connection to Strategic Plan Goal Topics:

- | | |
|--|---|
| <input type="checkbox"/> Marginalized Students | <input type="checkbox"/> Culturally Responsive Teaching |
| <input checked="" type="checkbox"/> Student and Staff Wellness | <input type="checkbox"/> Professional Development |

Summary / Background:

The district contracted with O'Malley Brothers Corporation for demolition work on the Edgefield campus. The estimated cost of the project has increased. The new scope of services per this Construction Change Directive (CCD) are based on a percentage of modified demolition and backfill costs. The scope of work includes demolition of building F and backfill of the basement and site after demo. This CCD and identified work within the contractors change order proposal 005, dated July 7, 2023, shall be inclusive of all related hard and soft costs (PWR/Certified payroll), field supervision, OH&P, general conditions, taxes, fees, insurances, bonds, disposal costs, transportation/fuel, equipment, and materials/supplies. The updated contract amendment will not exceed an additional \$374,162.50.

Previous Board Action:

Not Applicable.

Financial Implications:

Increased cost than previously identified.

The contract sum prior to this change directive was: \$439,986.91
Work performed under this new directive shall not exceed: \$374,162.50
Grand total shall not exceed: \$814,149.41

Motion:

- A. Motion Made by Board Member:
 - a. I move that the Board authorize an expenditure in excess of \$500,000 for the demolition and backfill of Building F at the Edgefield Campus.

- B. Motion Seconded by Another Board Member
- C. Points of Clarification / Discussion
- D. Call for Board Vote



CONSTRUCTION CHANGE DIRECTIVE

No. 2

Project Name:	<u>Demolish Buildings B and F at the Edgefield Campus</u>	Project #:	<u>RSD 2223.343</u>
		P.O.#	
Contractor:	<u>O'Malley Brothers Corporation</u>	Contract Date:	<u>4/4/2023</u>
		Contract Type:	<u>Small Construction Projects</u>

The Contractor is directed to proceed as described below:

The scope of services per this Construction Change Directive are based on some percentage of modified demolition and backfill costs. Scope of work, not limited to, demolition of building F and backfill of the basement and site after demo. This CCD and identified work within the contractors change order proposal 005, dated 7.7.23, shall be inclusive of all related hard and soft costs (PWR/Certified payroll), field supervision, OH&P, general conditions, taxes, fees, insurances, bonds, disposal costs, transportation/fuel, equipment, materials/supplies, not limited to. Contractor and subcontractor shall document daily, and provide daily observation reports at the completion of the work, for the referenced work; for days/hours associated work occurred, manpower, photos, disposal tickets with weight/volume for quantity and costs, etc. not limited to. Details expressed herein will be utilized to establish a final cost of the work, inclusive, Time and Materials, Not to exceed \$374,162.50.

Contract Summary:

The original Contract sum was:	\$370,230.00
Net change by previous authorized Change Order 02:	\$1,368.91
Net change by previous authorized Change Order 03:	\$9,500.00
Net change by previous authorized Construction Change Directive 01: (CCD1 still needs final accounting and may adjust the total contract value reflected, upon final acceptance.)	\$58,888.00
The Contract Sum prior to this Change Directive was:	\$439,986.91
WORK PERFORMED UNDER THIS DIRECTIVE SHALL NOT EXCEED: (This is NOT an estimate or budget for the work. All work must be justified)	\$374,162.50

The Contract Time will be changed by: (Not-To-Exceed) (calendar days)	54 Days
Date of Notice To Proceed	7/17/2023
The date of Substantial Completion as of the date of this Change Directive therefore is:	9/8/2023
The date of Final Completion as of the date of this Change Directive therefore will be:	9/8/2023

This Change Directive is issued Pursuant to the General Conditions of the original contract, or whereas made addition to the present contract by this instrument, and signatures of binding parties. Upon completion of the change in the Work, the Contractor shall submit an itemized account and supporting data necessary to substantiate cost and time adjustments to the Contract for preparation of a Change Order. The total Not to Exceed amount of this Change Directive includes all applicable taxes, insurance, bonds, delivery, supervision, overhead, profit, labor, material, delays, acceleration and inefficiency, or any claim therefore, and the Contractor hereby waives any and all claims for such items associated with or related to the Work covered by this Change Directive. This Change Directive and the Work contemplated herein is, except as otherwise specifically provided herein, subject to all the terms and conditions of the Contract including, without limitation, those concerning payment. Unless amended, all other terms and conditions of the Contract shall remain in full force and effect.

Not valid until signed by both Owner and Contractor. (Signature by Architect/Engineer optional).

Architect/Engineer

Contractor
 O'Malley Brothers Corporation
 7842 SE 282nd Ave
 Gresham, OR 97080

Owner
 Reynolds School District NO.7
 1204 201st Ave.
 Fairview, OR 97024

By: _____

By: _____

Project Manager: _____

Date: _____

Date: _____

Date: _____

Cost Center Authority: _____

Date: _____

District Purchasing: _____

Date: _____



As a community, we prepare lifelong learners to achieve their full potential in a complex and interconnected world.

To: Board of Directors

From: Frank Caropelo, Superintendent

Subject: Adjournment of Meeting

Type: Action Item Report / Presentation

Policy: BD/BDA: Board Meetings; BDDF: Conduct of Board Meetings

Date: August 9, 2023

Connection to Strategic Plan Goal Topics:

Marginalized Students

Culturally Responsive Teaching

Student and Staff Wellness

Professional Development

Summary / Background:

The Board Chair will adjourn the meeting.

Previous Board Action:

Not Applicable.

Financial Implications:

Not Applicable.

Motion:

Not Applicable.