

Fern Ridge School District Board of Directors

Monday, August 17, 2026 The doors will open at 6:15pm

District Administration Office, 88834 Territorial Road, Elmira, Oregon 97437

1. Call to Order: Public - 6:30 pm

We have a shared vision in the Fern Ridge School District: Provide excellence for every student so that each will reach their greatest potential.

Thank you to the members of the public who have joined us. As a reminder, School Board meetings and work sessions are meetings of the Board held in public, providing an opportunity to observe the Board's discussion and actions. In an effort to conduct official Board business, we ask that the audience be respectful and refrain from questions, comments, and unnecessary noise while the Board conducts the meeting.

There is an opportunity for citizen comment tonight, and the Board looks forward to hearing from those who signed up. I will share some reminders when we get to that portion of the meeting.

Also, please note that all Board meetings are live-streamed and posted on the School Board area of the website.

2. Flag Salute

3. Public Comment: The Fern Ridge School Board encourages public input. A person wanting to provide public comment will need to complete and submit an Intent to Speak form to the Board secretary by 1:00 pm on the day of the board meeting.

Public comment is limited to this place on the agenda not to exceed a total of 30 minutes for all commenters. A person giving public comment is limited to an established time limit of (4) four minutes. While speakers may, during public meetings, offer objective criticism of school operations and programs, the Board will not hear personal complaints concerning district personnel nor against any person connected with the school system.

Please state your name and if you are a resident of the district. If speaking for an organization, state the name of the organization. The Board reserves the right to refer the matter to the administration.

4. Monthly Items:

4.A. Approval of Minutes - Board Action

4.A.1. July 20, 2026 Regular Session

4.A.2. July 27, 2026 Board Retreat

5. **Business Office**

Presenter: Business
Manager, Quanah
Bennett

5.A. General Fund Revenue and Expenditure Report -
Board Action

5.B. June 30, 2026 Un-Audited Financial Report

5.C. Construction Excise Tax Rates

6. **Reports:**

6.A. Director of K-12 Programs

6.A.1. OSAS Presentation

6.B. Superintendent's Report

7. **Discussion Items**

7.A. Award Contract to Greensuns Construction for
the dirt movement and grass seeding - Board
Action

7.B. HCE Discussion

7.C. First Reading of Proposed Policy Updates:
(still under review 8/11)

KNA New - Immigration Enforcement on District
Property

KNA-AR(1) New - Interactions with Immigration
Enforcement

KNA-AR(2) New - Federal Immigration Enforcement
Request Log

7.D. Second Reading of Proposed Policy Updates:

CBA G1 replace-Qualifications and Duties of the
Superintendent,

CBG G1 update-Evaluation of the Superintendent,

EBB G1 update-Integrated Pest Management,

GBA G1 update-Equal Employment Opportunity,

GBA AR G1 update-Veteran and State Servicemember
Preference,

GBN_JBA G1 update-Sexual Harassment,

JBA_GBN G1 update-Sexual Harassment.

8. **Personnel**

8.A. Licensed Employees Resignations/New
Hires/Transfers/Other

8.A.1. Resignation of Arthur Corkrey Franklin,
Physical Education Teacher at Fern Ridge Middle
School, effective June 12, 2026.
Hiring of Benjamin Matthew, Elementary Teacher at
Elmira Elementary School, effective August 26,

2026.

8.B. Non-Licensed Personnel Report

9. Late Items/Closing Comments/Board Community Involvement

10. Upcoming Events

August 18, 19, 20: Returning Student Registration

August 31-September 2: Inservice Week

July 7-August 20: KITS Summer Program

Elmira Elementary:

August 18: 7am-7pm Returning Student Registration

August 19: 8am-3pm Returning Student Registration

August 20: 8am-12pm Returning Student

Registration

September 23: 6-7pm Open House

Veneta Elementary:

August 18: 7am-7pm Returning Student Registration

August 19: 8am-3pm Returning Student Registration

August 20: 8am-12pm Returning Student

Registration

September 23: 6-7pm Open House

Fern Ridge Middle School:

August 18: 7am-7pm Returning Student Registration

August 19: 8am-3pm Returning Student Registration

August 20: 8am-12pm Returning Student

Registration

September 24: Open House

Elmira High School:

August 12 : 9am-7pm New Student Registration and Picture Day

August 19: 8am-11am Seniors, 1pm-

4pm Sophomore Registration and Picture Day

August 20: 10am-1pm Juniors, 3pm-

6pm Freshman Registration and Picture Day

September 30: Open House

11. Adjournment



FERN RIDGE SCHOOL DISTRICT 28J
School Board Meeting Minutes

REGULAR MEETING of the FERN RIDGE SCHOOL BOARD

July 20, 2026

Zoom Webinar & In-Person Meeting
88834 Territorial Rd.
Elmira, Or 97437

CALL TO ORDER (Agenda Item 1): The regular meeting was called to order at 6:30 pm.

In attendance were Directors WC Grover, Brian Kirkpatrick, Lisa McCann, Mark Gent, Kathleen Pizzola and Superintendent Gary Carpenter.

We have a shared vision in the Fern Ridge School District: Provide excellence for every student so that each will reach their greatest potential.

Thank you to the members of the public who have joined us. As a reminder, School Board meetings and work sessions are meetings of the Board held in public, providing an opportunity to observe the Board's discussion and actions.

In an effort to conduct official Board business, we ask that the audience be respectful and refrain from questions, comments, and unnecessary noise while the Board conducts the meeting. There is an opportunity for citizen comment tonight, and the Board looks forward to hearing from those who signed up. I will share some reminders when we get to that portion of the meeting.

Also, please note that all Board meetings are live streamed and posted on the School Board area of the website.

FLAG SALUTE (Agenda Item 2): The flag salute was led by the Board Chair Grover.

PUBLIC COMMENT (Agenda Item 3): None at this time.

ELECTION OF BOARD CHAIR AND VICE CHAIR FOR THE 26-27 SCHOOL YEAR (Agenda Item 4): Director Kirkpatrick made a motion to discuss and vote on this topic at the retreat.

Director Kirkpatrick moved to elect the board chair and vice chair for 2026-2027 next Monday the 27th, seconded by Director Gent. There was no discussion. The motion carried with Directors Grover, Kirkpatrick, McCann, Pizzola and Gent voting yes. 5-0.

MONTHLY ITEMS (Agenda Item 5):

5. A. Approval of Minutes: The minutes of the regular school board meeting on June 15, 2026 were presented for approval.

Director McCann moved to approve the minutes from the regular meeting on June 15, 2026, seconded by Director Pizzola. There was no discussion. The motion carried with Directors Grover, Kirkpatrick, McCann, Pizzola and Gent voting yes. 5-0.

REPORTS (Agenda Item 6):

6. A. Facilities Report: Director Dan Prutzman presented a handout to outline the Maintenance and Custodial departments area of responsibilities and duties throughout the year. Director Prutzman gave an update on the bond projects and irrigation improvements.

6. B. Superintendent's Report

- Superintendent Carpenter discussed the maintenance van that is to be surplus.

Director Pizzola moved to approve the surplus of the 2016 Ford Van, seconded by Director McCann. There was no discussion. The motion carried with Directors Grover, Kirkpatrick, McCann, Pizzola and Gent voting yes. 5-0.

- Superintendent Carpenter presented slides that outlined the proposed transportation plans and no major facility changes would need to be made to fit the two age groups.
- Scott Rose gave an update on all the current bond projects and answered question of the board.
- Invited the board members to the first day of Inservice Week.
- Gave some reminders of the main topics to prepare for the Board Retreat on Monday the 27th.

6. C. West Lane Charter Annual Review: Superintendent Carpenter discussed and summarized the annual review of West Lane Charter. There were some clarifying questions and answers.

6. D. Curriculum: New-Elmira High School 10th-12th grade-World Cultures: Superintendent Carpenter presented the summary of the new curriculum for approval. Principal Cydney Vandercar answered questions and concerns.

Director Pizzola moved to approve the World Cultures Curriculum, seconded by Director Kirkpatrick. There was no discussion. The motion carried with Directors Grover, Kirkpatrick, McCann, Pizzola and Gent voting yes. 5-0.

DISCUSSION ITEMS (Agenda Item 7):

7. A. Allocate 200K for Dirt Grading behind EES: There was a request for a motion to approve anticipated leftover bond funds to fund 200K for the dirt grading work with additional seeding in the field space behind Elmira Elementary. There was a time of discussion on the layout and access plan.

Director Kirkpatrick moved to approve the allocation of, seconded by Director Pizzola. There was no discussion. The motion carried with Directors Grover, Kirkpatrick, McCann, Pizzola and Gent voting yes. 5-0.

7. B. Annual Organization Appointments for School Year 2026-2027-Resoluton #26-

27/01: The Annual Organization Resolution was presented for approval. There was a short time of discussion regarding competitor banking incentives and service.

Director McCann moved to approve the Resolution 26-27/01, seconded by Director Pizzola. There was no discussion. The motion carried with Directors Grover, Kirkpatrick, McCann, Pizzola and Gent voting yes. 5-0.

7. C. First Reading of Proposed Policy Updates: A first reading was held on the following proposed administrative rule and policy updates:

CBA delete—Qualifications and Duties of the Superintendent,

CBA G1 replace—Qualifications and Duties of the Superintendent,

CBG G1 update—Evaluation of the Superintendent,

EBB G1 update—Integrated Pest Management,

GBA G1 update—Equal Employment Opportunity,

GBA AR G1 update—Veteran and State Servicemember Preference,

GBN_JBA G1 update—Sexual Harassment,

JBA_GBN G1 update—Sexual Harassment.

7. D. Second Reading of Proposed Policy Updates: A second reading and motion for approval was held on the following proposed administrative rule and policy updates:

EEACC G1 update—Discipline Procedures for District Approved Student Transportation,

EEACC R G1 replace—Discipline Procedures for District Approved Student Transportation,

JGDA G1 update—Discipline of Students with Disabilities, and

JGDA R G1 update—Discipline of Students with Disabilities.

Director Gent moved to approve all of the policies as preseneted, seconded by Director Kirkpatrick. There was no discussion. The motion carried with Directors Grover, Kirkpatrick, McCann, Pizzola and Gent voting yes. 5-0.

7. E. Retreat Agenda: The draft agenda for the retreat was presented and opened for discussion.

PERSONNEL (Agenda Item 8):

8. A. Licensed Employees Resignations/New Hires/Transfers/Other:

9. A.1. On June 15, 2026 the hiring of Lyndsey Neal, 1.0 FTE ~~One-Year Temporary~~ Special Education Teacher at Fern Ridge Middle School, effective August 26, 2026, has been corrected to a regular hire.

Hiring of Sadie Tresnit, 1.0 FTE English Language Teacher at Elmira High School, effective August 26, 2026,

Resignation of Arthur "Corky" Franklin, 1.0 FTE Physical Education Teacher at Fern Ridge Middle School, effective June 12, 2026.

Director Pizzola moved to approve the licensed resignations, new hires, transfers, other as

proposed, seconded by Director Gent. There was no discussion. The motion carried with Directors Grover, Kirkpatrick, Pizzola, McCann and Gent voting yes. 5-0.

8. B. Non-Licensed Personnel Report: The non-licensed personnel report was presented for review:

Resignations/Retirements

1. None at this time.

New Hires/Transfers

1. Hiring of Randall Fox, .5 FTE Temporary Summer Grounds and Maintenance, effective August 1, 2026.
2. Hiring of Quinton Marshall, .5 FTE Temporary Summer Grounds and Maintenance, effective July 1, 2026.
3. Hiring of Brody Bothel, 1.0 FTE Temporary Summer Grounds and Maintenance, effective July 1, 2026.

Other

2. None at this time.

Coaches

1. None at this time.

LATE ITEMS/CLOSING COMMENTS/BOARD COMMUNITY INVOLVEMENT (Agenda Item 9):

- None at this time.

UPCOMING EVENTS (Agenda Item 10):

June 19: School offices are closed for the summer.
August 18, 19, 20: Returning Student Registration
August 31-September 2: Inservice Week
July 7–August 20: KITS Summer Program

Elmira Elementary:

August 12 : 7am-7pm Kinder and New Student Registration
August 18: 7am-7pm Returning Student Registration
August 19: 8am-3pm Returning Student Registration
August 20: 8am-12pm Returning Student Registration

Veneta Elementary:

August 12 : 7am-7pm Kinder and New Student Registration
August 18: 7am-7pm Returning Student Registration
August 19: 8am-3pm Returning Student Registration
August 20: 8am-12pm Returning Student Registration

Fern Ridge Middle School:

August 12 : 12-8pm New Student and Incoming 6th Graders Registration
August 18: 7am-7pm Returning Student Registration

August 19: 8am-3pm Returning Student Registration
August 20: 8am-12pm Returning Student Registration
September 24: Open House

Elmira High School:

August 12 : 9am-7pm **New** Student Registration and Picture Day
August 19: 8am-11am **Seniors**, 1pm-4pm **Sophomore** Registration and Picture Day
August 20: 10am-1pm **Juniors**, 3pm-6pm **Freshman** Registration and Picture Day

ADJOURNMENT (Agenda Item 11): Board Chair Grover adjourned the meeting at 7:50 pm.

Attest: _____
School Board Representative

Gary E. Carpenter, Jr., Superintendent



FERN RIDGE SCHOOL DISTRICT 28J
School Board Meeting Minutes

WORKSESSION of the FERN RIDGE SCHOOL BOARD

July 27th, 2025

Zoom Webinar & In-Person Meeting
88834 Territorial Rd.
Elmira, Or 97437

CALL TO ORDER (Agenda Item 1): 8:00 am The special work session is a retreat for the Board of Directors and Superintendent.

In attendance were Directors WC Grover, Kathleen Pizzola, Lisa McCann, Brian Kirkpatrick and Superintendent Gary Carpenter. Director Mark Gent arrived at 9:00 am.

ELECTION OF CHAIR AND VICE CHAIR FOR THE 26-27 SCHOOL YEAR: (Agenda Item 2):
There was a quick discussion about moving this topic to later when Director Gent arrives.

Director McCann moved to vote for the chair and vice chair when Mark arrives, seconded by Director Pizzola. There was no discussion. The motion carried with Directors Kirkpatrick, Pizzola, Grover, and McCann voting yes. 4-0.

DISCUSSION ITEMS: (Agenda Item 3)

3. A. OSBA Annual Convention: The annual OSBA convention is November 12-14. Registration opens September 10 and closes October 14. Asking board members to check calendars and confirm if they are attending.

3. B. Board Schedule and Premeetings, Work Session and Presentation Discussions: The premeetings were discussed and decided to be omitted unless necessary information needed to be covered before the meeting. The work sessions were discussed again and it was decided to schedule them as needed.

Director Kirkpatrick moved to schedule work sessions as needed, seconded by Director McCann. There was no discussion. The motion carried with Directors Kirkpatrick, Pizzola, Grover, and McCann voting yes. 4-0.

3. C. Regular Agenda Items, pare down: There was a time of discussion on the presentations that are scheduled each month to find a way to cut back the time that they commit to each meeting to 15 minutes. Request for union organization presentations to be reduced to every other month or quarterly. Data for state testing will come from Director Marshall instead of principals. Each building slides will be attached to the agenda when the meeting is publicly posted.

3. D. Administrator Monthly Reports: It was discussed they are still something that the board would like to receive. The month that the school building does their annual presentation they will skip the monthly slide as they are redundant.

3. E. Board Operating Agreement: Last years agreement was reviewed and decided to remain as is for the 2026-2027 school year.

Director Pizzola moved to approve the Board Operating Agreement as is, seconded by Director Kirkpatrick. There was no discussion. The motion carried with Directors Kirkpatrick, Pizzola, Grover, and McCann voting yes. 4-0.

3. F. UPBEAT 9:30 Zoom: It was 8:33am so this item was moved further down the agenda.

3. G. K-2 / 3-5 Reconfiguration Update Discussion: Superintendent Carpenter presented a draft agenda for the presentation for this reconfiguration. Opened a discussion to request topics or related information. It was decided to have a work session in August to cover this.

3. H. Board Goals: The 25-26 Board Goals was presented to adopt or change. There was one change on Action Plan 1. on Goal 1.

Director Grover moved to strike the words, "on a monthly basis." from goal 1 action plan 1, seconded by Director Pizzola. There was no discussion. The motion carried with Directors Kirkpatrick, Pizzola, Grover, and McCann voting yes. 4-0.

Director Grover moved to use the goals from 25-26 for 26-27, seconded by Director Pizzola. There was no discussion. The motion carried with Directors Kirkpatrick, Pizzola, Grover, and McCann voting yes. 4-0.

3. I. 26-27 Superintendent Evaluation and Superintendent Goals: Superintendent Carpenter presented the 26-27 Superintendent Goals for board approval.

Director Gent arrived 8:54am.

Director McCann moved to approve the Superintendent Goals for 26-27, seconded by Director Pizzola. There was no discussion. The motion carried with Directors Kirkpatrick, Pizzola, Grover, Gent and McCann voting yes. 5-0.

***ELECTION OF CHAIR AND VICE CHAIR FOR THE 26-27 SCHOOL YEAR: (Agenda Item 2 Continued):**

Director Pizzola moved to have Director Grover remain as the board chair, seconded by Director Gent.

There was a time of discussion about communication with regards to restrictions and lines of communication and what to fill the board in on.

The motion carried with Directors Kirkpatrick, Pizzola, Grover, Gent and McCann voting yes. 5-0.

Director McCann moved to make Kathleen the Vice Chair of Fern ridge school district school board in 2026-27, seconded by Director Gent. There was no discussion. The motion carried with Directors Kirkpatrick, Pizzola, Grover, Gent and McCann voting yes. 5-0.

3. I. 26-27 Superintendent Evaluation and Superintendent Goals (Continued):

Superintendent Carpenter reviewed the previous years plan. There was a brief discussion about not doing the survey this year and keeping the check-in meetings and evaluation.

(BREAK: 9:15-9:30)

***3. F. UPBEAT 9:30 Zoom (Continued):** The results from the 25-26 exit survey were presented.

There was some time until the next scheduled agenda item at 11:00 am. There was a time of discussion about the two proposals that were submitted to the board to facilitate the hiring of the next Superintendent. There was a time of discussion about the committees and others involved in this process.

Director Pizzola gave a brief description of the grant possibilities. There was a time of discussion regarding costs and interests.

(BREAK: 10:45-11:00)

3. J. Grant Writer / School Safety 11:00am: Nicolas Perilla presented the grant parameters and the process and timelines for each. There was a time of discussion on having a vulnerability assessment and determining the needs and what grant fits those needs.

3.K. (LUNCH: 11:30am)

3. L. Superintendent Search: Human Capitol Enterprises and McPherson and Jacobson presented their proposals to the board.

3. L.1. Human Capitol 12:30-1:00: Kathleen Rodden-Nord presented in person.

3. L.2. McPherson & Jacobson 1:15-1:45: Steven Lowder presented via Zoom.

There was a time of discussion on the two companies.

Director Pizzola moved to make Human Capital Enterprises as the Superintendent search company, seconded by Director Kirkpatrick. There was no discussion. The motion carried with Directors Kirkpatrick, Pizzola, Grover, Gent and McCann voting yes. 5-0.

LATE ITEMS (Agenda Item 4):

- K-2 / 3-5 Discussion and requests for certain topics to get more information for the final presentation in August.

ADJOURNMENT (Agenda Item 5): The retreat was adjourned at 2:06 pm.

Attest: _____
School Board Representative

Gary E. Carpenter, Jr., Superintendent

FERN RIDGE SCHOOL DISTRICT 28J

General Fund Revenue and Expenditures

July 31, 2026	ADOPTED 26-27 BUDGET	JULY	2026-2027 AUG	SEPT	TOTAL YTD	REMAINING BALANCE
Beginning Fund Balance	5,480,551	-	-		-	5,480,551
OPERATING REVENUE:						
PROPERTY TAXES	6,015,416	16,606	-	-	16,606	5,998,810
TRANSPORTATION FEES	2,100	-	-	-	-	2,100
EARNINGS ON INVESTMENTS	327,828	35,205	-	-	35,205	292,623
EXTRACURRICULAR ACTIVITIES	1,943	-	-	-	-	1,943
RENTALS/DONATIONS/LEASES / PY REV / GRANT FEES / MISC	31,703	3,220	-	-	3,220	28,483
COUNTY SCHOOL FUND / ESD	277,426	-	-	-	-	277,426
OTHER INTERMEDIATE SOURCES	-	-	-	-	-	-
STATE SCHOOL FUND	13,556,968	2,373,967	-	-	2,373,967	11,183,001
COMMON SCHOOL FUND	196,510	-	-	-	-	196,510
STATE MANAGED COUNTY TIMBER	-	-	-	-	-	-
RESTRICTED GRANTS-IN-AID	-	-	-	-	-	-
RESTRICTED FR FED/GOV ST	-	-	-	-	-	-
FEDERAL FOREST FEES	58,000	-	-	-	-	58,000
INTERFUND TRANSFERS	-	-	-	-	-	-
SALE OF FIXED ASSETS	-	-	-	-	-	-
TOTAL OPERATING REVENUE	20,467,894	2,428,999	-	-	2,428,999	18,038,895

**TOTAL BUDGETED REVENUE (INCLUDES
BEGINNING FUND BALANCE)**

25,948,445

12%
2,428,999

OPERATING EXPENDITURES:						
SALARIES	8,830,757	167,878	-	-	167,878	8,662,879
BENEFITS	6,530,666	113,219	-	-	113,219	6,417,447
PURCHASED SERVICES	4,706,674	102,697	-	-	102,697	4,603,977
SUPPLIES & MATERIALS	570,656	69,723	-	-	69,723	500,933
CAPITAL OUTLAY	-	-	-	-	-	-
OTHER	327,585	303,256	-	-	303,256	24,329
TOTAL OPERATING EXPENDITURES	20,966,338	756,773	-	-	756,773	20,209,565

4%

NON-OPERATING EXPENDITURES						
INTERFUND TRANSFERS	718,500	-	-	-	-	718,500
CONTINGENCY	4,263,607	-	-	-	-	4,263,607
TOTAL NON-OPERATING EXPENDITURES	4,982,107	-	-	-	-	4,982,107

TOTAL BUDGETED EXPENDITURES

25,948,445

756,773

FERN RIDGE SCHOOL DISTRICT 28J

General Fund Revenue and Expenditures

June 30, 2026 - UNAUDITED	ADOPTED 25-26 BUDGET	TOTAL YTD	REMAINING BALANCE
Beginning Fund Balance	3,342,741	5,511,992	(2,169,251)
OPERATING REVENUE:			
PROPERTY TAXES	5,750,283	5,872,113	(121,830)
TRANSPORTATION FEES	2,100	-	2,100
EARNINGS ON INVESTMENTS	342,641	390,964	(48,323)
EXTRACURRICULAR ACTIVITIES	4,626	1,659	2,967
RENTALS/DONATIONS/LEASES / PY REV / GRANT FEES / MISC	147,154	92,284	54,870
COUNTY SCHOOL FUND / ESD	188,000	502,737	(314,737)
OTHER INTERMEDIATE SOURCES	5,500	7,470	(1,970)
STATE SCHOOL FUND	12,751,881	13,263,552	(511,671)
COMMON SCHOOL FUND	199,740	239,353	(39,613)
STATE MANAGED COUNTY TIMBER	-	88,783	(88,783)
RESTRICTED GRANTS-IN-AID	-	-	-
RESTRICTED FR FED/GOV ST	-	1,084	(1,084)
FEDERAL FOREST FEES	58,620	106,950	(48,330)
INTERFUND TRANSFERS	7,360	-	7,360
SALE OF FIXED ASSETS	-	-	-
TOTAL OPERATING REVENUE	19,457,905	20,566,948	(1,109,043)

106%

**TOTAL BUDGETED REVENUE (INCLUDES
BEGINNING FUND BALANCE)**

22,800,646 26,078,940 (3,278,294)

OPERATING EXPENDITURES:			
SALARIES	8,442,595	8,062,310	380,285
BENEFITS	6,558,782	5,773,714	785,068
PURCHASED SERVICES	4,343,999	4,007,676	336,323
SUPPLIES & MATERIALS	477,310	427,079	50,231
CAPITAL OUTLAY	-	-	-
OTHER	292,515	311,752	(19,237)
TOTAL OPERATING EXPENDITURES	20,115,201	18,582,532	1,532,669

92%

NON-OPERATING EXPENDITURES			
INTERFUND TRANSFERS	533,500	531,300	2,200
CONTINGENCY	2,151,945	-	2,151,945
TOTAL NON-OPERATING EXPENDITURES	2,685,445	531,300	2,154,145

TOTAL BUDGETED EXPENDITURES

2,444,460 19,113,832 (16,669,372)

ESTIMATED END FUND BALANCE

6,965,107

PARTICIPATING SCHOOL DISTRICTS AND RATES AS OF 07/01/2023

RESIDENTIAL: \$1.05 per Sq. Ft. **COMMERCIAL: \$ 0.53 per Sq. Ft**

CRESWELL
LOWELL
MCKENZIE
MONROE
OAKRIDGE

RESIDENTIAL: \$1.23 per Sq. Ft. **COMMERCIAL: \$ 0.61 per Sq. Ft**

BETHEL
FERN RIDGE

RESIDENTIAL: \$1.26 per Sq. Ft. **COMMERCIAL: \$ 0.63 per Sq. Ft**

SOUTH LANE

RESIDENTIAL: \$1.35 per Sq. Ft. **COMMERCIAL: \$ 0.67 per Sq. Ft**

SIUSLAW

RESIDENTIAL: \$1.56 per Sq. Ft. **COMMERCIAL: \$ 0.78 per Sq. Ft**

JUNCTION CITY

****Maximum Residential rate for 26-27 is \$1.70 and Commercial is \$.85****

FRSD DATA & ASSESSMENT

August 2026



WHAT DATA IS COLLECTED

Informal

- Classroom conversations
- Observations
- Work review

Formal

- Attendance
- Behavior
- Grades
- Test scores - Benchmark, formative, summative, etc.



ASSESSMENTS & ACCOUNTABILITY REQUIREMENTS REQUIRED BY ODE



- Oregon Statewide Assessment System--- OSAS
- Local Performance Assessments--- Work samples
- Interim (Benchmark) Assessments--- STAR
- Performance Growth Targets

Local Performance Growth Targets (PGTs)

K-2 Attendance

The percentage of students in grades K-2 attending more than 90% of their enrolled school days

8th Grade Math

The percentage of students proficient on statewide mathematics assessments in eighth grade.

5 Year Completion

The percentage of students earning a regular, modified, extended, or adult high school diploma, or a GED within five years of entering high school.

K-12 Attendance

The percentage of students in grades K-12 attending more than 90% of their enrolled school days.

9th Grade On-Track

The percentage of students earning at least one quarter of their graduation credits by the end of the summer following their ninth-grade year.

5th Grade Science

An indexed measure of student achievement in science using the Oregon Statewide Summative Assessment System (OSAS).

3rd Grade ELA

The percentage of students proficient on statewide English Language Arts (ELA) assessments in third grade.

4 Year Graduation

The percentage of students earning a regular or modified diploma within four years of entering high school.

Similar District Clusters

Districts are first grouped by enrollment size and geographic locale, then statistically clustered based on student demographics and community characteristics, including poverty, English learner status, racial/ethnic diversity, student mobility, and proximity to

OSAS 25-26 PERFORMANCE 3RD-5TH

Preliminary data

READING	3rd OSAS STATE	4th OSAS STATE	5th OSAS STATE
EES	42%	41%	48%
VES	37%	54%	38%
DISTRICT	39%	47%	42%
STATE	42%	44%	48%

MATH	3rd OSAS STATE	4th OSAS STATE	5th OSAS STATE
EES	38%	34%	23%
VES	47%	43%	28%
DISTRICT	44%	38%	26%
STATE	42%	39%	33%

OSAS 25-26 PERFORMANCE 6th-8th

Preliminary data

READING	6th OSAS STATE	7th OSAS STATE	8th OSAS STATE
FRMS	37%	50%	47%
STATE	42%	46%	42%

MATH	6th OSAS STATE	7th OSAS STATE	8th OSAS STATE
FRMS	26%	35%	21%
State	30%	34%	30%

Science	5th	8th
EES	24%	
VES	20%	
District	21%	32%
State	31%	27%



OSAS 25-26 PERFORMANCE 11TH

Preliminary data

	MATH	ELA	Science
EHS	30%	67%	48%
State	24%	48%	33%



26-27 Focus Points

- **K-12 MTSS**
 - Using key performance (attendance, behavior, academics) indicators to support students sooner and with more intention
- **Student-Learning at the forefront of decision making**
 - Aligning our decision making (meetings, schedules, initiatives, etc.) with how it will impact students
- **Supporting staff with high quality professional development**
 - Instruction, engagement, and student learning





THANK YOU



Recommendation for award of Elmira Field Development

Request:

To award the Elmira Field Development project to Greensuns, Inc. for \$202,500.

Rationale:

This project includes the clearing, grubbing, rough and fine grading of approximately 6 acres of district-owned land located between Elmira High School and Elmira Elementary School for the create of natural grass fields to support baseball, softball, and soccer. It also includes a gravel staging area for the contractor that will remain after they demobilize to support other uses by the district.

The Fern Ridge School District publicly advertised this project on 7/8/26. The design package was generated by kpff Engineering. A pre-bid walk was conducted on 7/13/26. Multiple contractors attended. Bids were received and opened on 7/23/26. Nine bids were received as follows:

<u>Bidder</u>	<u>Signed Bid</u>	<u>Addenda Acknowledged</u>	<u>Subcontractor Disclosure:</u>	<u>Bid Bond</u>	<u>Base Bid</u>
Civil West Construction	X	X	X	X	\$283,628.78
Classic Design & Construction	X	X	X	X	\$435,806.00
D2 Excavation	X	X	X	X	\$292,031.99
Delta Construction	X	X	X	X	\$319,900.00
Durbin Excavating	X	X		X	\$339,803.30
Greensuns	X	X	X	X	\$202,500.00
Pacific Excavation	X	X	X	X	\$338,332.00
Riverbend Construction	X	X	X	X	\$318,000.00
Wildish Construction	X	X	X	X	\$475,203.00

The rough estimate for this work was \$200,000. 8 of the 9 bids were found to be responsive.

Greensuns, Inc. is a small family-owned and operated business and has been in place for at least 30 years in Eugene, Oregon. They have performed work on multiple projects very similar to this as they are primarily an excavation and dirt moving contractor. The engineer, kpff, has worked with them on other projects and says they do good work.

Funding / Schedule:

Funding for this work comes from the project budget for Work Package #4 – Site Work Renovations (Multi-Site) and is allowed within the bond that identified the “addition of sports fields” so continues to meet the bond promises to the voters. The Board pre-approved \$200,000 in July. The low bid came in slightly higher than that estimate.

Recommendation:

The Board of Directors approves the award to Greensuns, Inc. for the Elmira Field Development Project for a total of \$202,500.

Board Meeting: August 17, 2026

OSBA Model Sample Policy

Code: KNA
Adopted:

Immigration Enforcement on District Property

{House Bill 4079 (2026) requires districts to “adopt a policy for providing notice when a federal immigration authority is confirmed to have entered school property for immigration enforcement.” This policy must be “consistent with applicable model policies published by the Attorney General as provided by ORS 180.810.”}

The district complies with state and federal law, including Oregon Revised Statute (ORS) 180.805 and ORS 181.826, and this policy and accompanying administrative regulations KNA-AR(1) – Interactions with Immigration Enforcement and KNA-AR(2) – Federal Immigration Enforcement Request Log when responding to requests from federal immigration authorities regarding immigration enforcement. [Absent a judicially authorized subpoena, warrant or court order, district staff must not allow federal immigration authorities access to the district’s records or facilities not open to the public for the purposes of immigration enforcement and must verify the validity of any subpoena, warrant or court order involving immigration enforcement presented to them by federal immigration authorities to ensure it is judicially authorized. Examples of judicial and administrative warrants and subpoenas can be found in the Oregon Attorney General’s Model Public School Policies.¹ The superintendent or designee must review and approve any response to a request involving immigration enforcement. The district will provide ongoing training to designated staff to ensure compliance with this policy.]

This policy will be made available in the student handbook and on the district’s website². [The district will ensure a copy of the Oregon Attorney General’s Model Public School Policies³ and this policy and accompanying administrative regulations are provided to staff.]

Designation of Primary Point of Contact

The [position{⁴}] is the primary point of contact for coordinating interactions with federal immigration authorities occurring in the district (“immigration liaison”{⁵}). The [alternate position] shall serve as an alternative point of contact during the immigration liaison’s absence or unavailability (“alternate immigration liaison”).

The immigration liaison’s responsibilities include:

¹ <https://www.doj.state.or.us/wp-content/uploads/2026/06/Attorney-Generals-Model-Public-School-Policies-in-Compliance-with-SB-1538.pdf>

² Must be provided in culturally appropriate languages that are used to communicate effectively with parents and guardians of students in the district, as determined by the Board. {The district is encouraged to evaluate language needs in the district in order to effectively communicate with all parents and guardians.}

³ <https://www.doj.state.or.us/wp-content/uploads/2026/06/Attorney-Generals-Model-Public-School-Policies-in-Compliance-with-SB-1538.pdf>

⁴ {House Bill 4079 (2026) requires the policy to “identify at least one administrator” for this purpose. The Board should consider whether a single administrator is sufficient for the district, or whether multiple administrators should be designated.}

⁵ {The district can choose any title to use for this individual and should use it throughout this policy.}

1. Serving as the district's representative during encounters with federal immigration authorities;
2. Confirming when federal immigration authorities have entered school property for immigration enforcement purposes;
3. Ensuring federal immigration authorities engaging in enforcement activities at the district have notice of relevant district policies: JO/IGBAB – Education Records/Records of Students with Disabilities, JOA – Directory Information, JOB – Personally Identifiable Information and this policy;
4. Assisting staff in performing their duties in response to immigration enforcement efforts, including ensuring compliance with all district policies and procedures related to interactions with federal immigration authorities and immigration enforcement efforts;
5. Reviewing and responding to requests from federal immigration authorities, in coordination with, and under the direction of, the superintendent or designee;
6. Facilitating the district's compliance with lawful immigration enforcement efforts in a manner that does not unnecessarily disrupt the school environment or invade the privacy of students, staff, or volunteers;
7. Providing notice as required in this policy when a federal immigration authority has been confirmed to have entered school property for immigration enforcement.

Required Notice

When a federal immigration authority is reported to have entered school property for the purpose of immigration enforcement the immigration liaison shall confirm whether federal immigration authorities have entered school property for immigration enforcement and when confirmed, shall provide notice as follows:

1. Notice must be provided to:
 - a. Students who attend the school where the federal immigration authority is confirmed to be on school property for immigration enforcement and who are in grades [7] and above;
 - b. Parents or guardians of students attending the school where the federal immigration authority is confirmed to be on school property for immigration enforcement;
 - c. Staff of the school where the federal immigration authority is confirmed to be on school property for immigration enforcement; and
 - d. Community-based service providers that have requested to receive notice when a federal immigration authority is confirmed to be on school property for immigration enforcement. Community-based service providers can request to receive such notifications by contacting [the immigration liaison at the district office].
2. Notice must include:
 - a. The general location of the federal immigration authority; and
 - b. Whether classes or school operations were affected by the presence of the federal immigration authority. [{Districts may include resources available to those impacted by immigration enforcement actions.}]

3. Notice must not disclose:

- a. Personally identifiable information;
- b. Other information that may not be legally disclosed; or
- c. Other information when the disclosure may threaten the health or safety of students or staff of the district or is prohibited by a court order.

The required notice will be provided as expediently as possible using [insert communication methods the district will use] [existing methods used for providing electronic communications].

Unless otherwise prohibited by law or court order, the district will make reasonable efforts to provide notice to a student, or to the parent of guardian of a student, when the district has provided information related to the student to a federal immigration authority.

[Confidentiality of School Records]

Except when required by a judicially authorized warrant, subpoena, or order, Oregon law prohibits the district from disclosing protected information to federal immigration authorities for the purpose of enforcing federal immigration laws. Protected information includes information relating to a person's:

1. Address;
2. Workplace or hours of work;
3. School or school hours;
4. Contact information, including telephone number, electronic mail address or social media account information;
5. Known associates or relatives; and
6. Date, time or location of the person's hearings, proceedings or appointments with a public body that are not matters of public record.

Oregon law also prohibits sharing any of the above information about a person's relatives or known associates with federal authorities for immigration enforcement purposes.

Oregon law generally prohibits the district from sharing or disclosing citizenship or immigration status or country of birth information⁶ that the district collects, unless one of the following exceptions applies:

1. The disclosure is required by state or federal law (other than federal immigration law);
2. The disclosure is required by a judicially authorized warrant, order, or subpoena;
3. The information being shared with a person concerns only that person or their dependents; or

⁶ Citizenship or immigration status or country of birth information is any information concerning:

1. Where a person was born; or
2. Whether a person is a citizen of the United States; or
3. Whether a person has lawful authority to be present in the United States.

4. The information is aggregated and not personally identifiable.

In addition to the prohibitions described above, federal and state laws make records and information related to students confidential and permit disclosure only in limited circumstances. The district's policies with respect to student records can be found in Board policies JO/IGBAB – Education Records/Records of Students with Disabilities, JOA – Directory Information and JOB – Personally Identifiable Information. To ensure compliance with applicable federal and state law, the district's staff shall not disclose any school records or information to federal immigration authorities except as provided in these policies.

Staff must also maintain the confidentiality of school records and other information about students, staff, and volunteers when communicating with other students, parents, or community members about immigration enforcement activities involving students, staff, or volunteers of the district or occurring on district property. Staff should direct anyone with questions about immigration enforcement activities occurring on district property to the immigration liaison.]]

Training

The district will provide the immigration liaison and alternate immigration liaison with training as follows:

1. The training must include information on the requirements of House Bill 4079 (2026), any applicable model policies published by the Attorney General, and this policy; and
2. The training must be provided at the time of designation and at least once every two years thereafter.

[{⁷}Upon the adoption of this policy and not less than once every two years thereafter, the district will provide training to all current district staff of one hour or more regarding federal and state laws, and the district's policies, relating to interacting with federal immigration authorities and responding to immigration enforcement efforts. The district will provide the required training to all new staff within 30 days of beginning employment.]]

END OF POLICY

Legal Reference(s):

[ORS 180.810](#)
[ORS 180.805](#)

[ORS 181.826](#)
[OAR 581-021-0371](#)

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).

[Oregon Attorney General's K12 School Model Policy](#)

Senate Bill 1538 (2026).

Senate Bill 1594 (2026).

House Bill 4079 (2026).

⁷ {This language is included in the Attorney General's *K12 School Model Policy*. House Bill (HB) 4079 (2026) requires that districts adopt policies that are "consistent with applicable model policies published by the Attorney General as provided by ORS 180.810."}

OSBA Model Sample Administrative Regulation

Code: KNA-AR(1)
Revised/Reviewed:

Interactions with Immigration Enforcement

The [position] is designated as the “immigration liaison.”

1. Staff[, contractors and volunteers] shall adhere to all district policies when interacting with federal immigration authorities and the following administrative regulations:
 - a. Unless expressly authorized by the superintendent or designee, or by the immigration liaison on behalf of the superintendent or designee, staff shall not:
 - (1) Provide federal immigration authorities with records or information about students, staff, or volunteers;
 - (2) Confirm whether a student, staff member, or volunteer is present or make the student, staff member, or volunteer available;
 - (3) Allow access to non-public areas of the district’s facilities or property;
 - (4) Sign documents presented by federal immigration authorities; or
 - (5) Give consent to any immigration enforcement action.
 - b. Staff may not interfere with lawful immigration enforcement actions or physically obstruct federal immigration authorities in any manner. However, staff should immediately report to the immigration liaison if they observe any conduct or enforcement activities by federal immigration authorities that violate state or federal law, or district policies, or that otherwise present a security threat or potential danger to students, staff, volunteers, or visitors.
 - c. Staff who receive a request related to immigration enforcement must immediately notify the immigration liaison. The immigration liaison is responsible for interacting with the federal immigration authorities until the matter is concluded or the federal immigration authorities have been referred to the superintendent or designee.
 - d. The immigration liaison or alternate immigration liaison should meet the federal immigration authorities at the school door or other area designated by the superintendent or designee for this purpose.
 - e. The immigration liaison shall provide federal immigration authorities with a copy of this policy and explain that school staff are required to follow these steps in this policy. The immigration liaison should inform the immigration authorities that school staff must contact the office of the superintendent or designee for guidance before providing access to school facilities, records, or other information.
 - f. The immigration liaison should direct another staff member to contact the superintendent or designee while the immigration liaison remains with the federal immigration authorities.
 - g. The immigration liaison must document the request from federal immigration authorities to the fullest extent possible under the circumstances. At a minimum, the documentation shall include the following information, if available:
 - (1) The name, badge number, and agency of the law enforcement officer making the request;
 - (2) The number of officers present;

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- (3) Time, date, and location of the request;
- (4) The nature of the request;
- (5) The source of authority for the request, including whether the request is administratively or judicially authorized;
- (6) Whether the request requires an immediate response;
- (7) The identification of witnesses present; and
- (8) How the encounter concluded.

- h. The immigration liaison shall direct another staff member to transmit copies, photos, or other documentation provided by federal immigration authorities to the superintendent or designee, along with other information documented pursuant to this policy. The superintendent or designee must approve any response to a law enforcement request related to immigration enforcement as provided in Section 3 of this administrative regulation.

2. Determination of Validity of Judicial Warrant, Subpoena or Order

- a. If presented with a warrant, subpoena or order by federal immigration authorities, the immigration liaison shall verify the validity of the warrant, subpoena or order by determining whether the warrant, subpoena or order is judicially authorized. An administrative warrant, subpoena, order or other legal process that has not been authorized by a judicial officer does not authorize the district to provide law enforcement with access to records or information, or facilities for purposes of immigration enforcement.

A judicially authorized warrant, subpoena or order contains the following key features:

- (1) A caption, near the top of the document, identifying the court that issued the order (typically the federal district court for the District of Oregon);
- (2) A signature block, near the end of the document, including the name of the person who signed the order, and identifying that individual as a judge, magistrate, clerk of court, or other person signing on behalf of a judge or magistrate, and the date of the signature; and
- (3) An indication that the warrant, subpoena or order has not expired.

Examples of warrants and subpoenas are available in the Attorney General's model policies¹.

- b. The immigration liaison shall notify the superintendent or designee of the warrant, subpoena or order and whether the warrant, subpoena or order appears on its face to be judicially authorized.
- c. The immigration liaison should request a copy of the warrant, subpoena or order and transmit a copy of the warrant, subpoena or order for review by the superintendent or designee, or legal counsel.
- d. The superintendent or designee shall make the final determination regarding the validity of any warrant, subpoena or order and whether, and to what extent, federal immigration will have access to district records or information, or facilities. If the superintendent or designee is uncertain as to the validity or scope of the warrant, subpoena or order, the superintendent or

¹ <https://www.doj.state.or.us/wp-content/uploads/2026/06/Attorney-Generals-Model-Public-School-Policies-in-Compliance-with-SB-1538.pdf>

designee should immediately consult legal counsel or a statewide or regional education organization.

3. Approval of Response by Superintendent

- a. The immigration liaison shall notify the superintendent or designee of a request related to immigration enforcement prior to responding to the request. The superintendent or designee will only honor requests from immigration enforcement officers or other agencies enforcing federal immigration laws if the request is judicially authorized. If the superintendent or designee is uncertain as to the lawfulness or scope of the request, the superintendent or designee should immediately consult legal counsel or a statewide or regional education organization prior to approving a response.
- b. If the superintendent or designee determines that a response is not authorized by a judicial subpoena issued as part of a court proceeding or by another compulsory court-issued legal process, such as a warrant, the superintendent or designee shall direct the immigration liaison to decline the request.

Upon direction of the superintendent or designee, the immigration liaison shall decline the request, refer the federal immigration enforcement authorities to the superintendent or designee, and request that they leave the premises.

The immigration liaison shall ensure that the information documented pursuant to this administrative regulation is submitted to the Oregon Criminal Justice Commission as provided in ORS 181A.826.

- c. If the request is accompanied by a subpoena, warrant or order that appears on its face to be judicially authorized, the superintendent or designee must review and approve the immigration liaison of district's response to the request.

The superintendent or designee shall ensure that the district's response provides no greater access to records or information, or facilities, than that required by the subpoena, warrant or order.

- d. If the request involves a warrant that appears to be valid and authorizes the arrest of a particular person, the superintendent shall direct the immigration liaison to request that the arrest be conducted in a manner that is the least disruptive to the school environment and to the person's wellbeing, which may include bringing the arrestee to the federal immigration authorities.

4. [School-Sponsored Events]

If federal immigration authorities appear at a school-sponsored event open to the general public (e.g., field trip, athletic event, band event), staff should document their observations, notify the immigration liaison and follow any guidance provided by the immigration liaison. When alerted to the presence of federal immigration authorities at a school-sponsored event, the immigration liaison shall notify the superintendent or designee.]

5. [School Transportation/Buses]

If federal immigration authorities request to board a school bus or other vehicle transportation, the driver should ask them to wait outside the bus/vehicle, close the doors, and immediately call the immigration liaison and follow any guidance provided by the immigration liaison. The immigration liaison shall notify the superintendent or designee and coordinate an approved response as outlined in this policy.]

6. [Volunteers

The district will determine which volunteers need to receive training or materials regarding this administrative regulation.]

OSBA Model Sample Administrative Regulation

Code: KNA-AR(2)
Revised/Reviewed:

Federal Immigration Enforcement Request Log

School site: _____

Person Receiving Request: _____ Title: _____

1. Requesting Officer Information

Officer name: _____ Badge #: _____

Agency: _____

Contact information: _____

2. Number of officers present: _____

3. Time, date and location of request: _____

4. Nature of the request:

- | | |
|---|---|
| ☐ Request to enter school property | ☐ Request to access school facilities or buildings |
| ☐ Request to interview a student | ☐ Request to interview staff member |
| ☐ Request to locate a student | ☐ Request to obtain student records |
| ☐ Request to detain or take custody of an individual | |
| ☐ Other (describe): _____ | |

5. Source of Authority for the request

Authority cited by officer(s):

- | | |
|---|--|
| ☐ Administrative Warrant | ☐ Administrative Subpoena |
| ☐ Judicial Warrant | ☐ Judicial Subpoena |
| ☐ Court Order | ☐ Other Authority (describe): _____ |

Document Presented? ☐ Yes ☐ No

If yes, identify the document and any identifying numbers: _____

Copy obtained? ☐ Yes ☐ No

6. Does the request require an immediate response? ☐ Yes ☐ No

Superintendent or Designee Review and Approval

The superintendent or designee must review the request and approve any response to a law enforcement request related to immigration enforcement.

Review Conducted By:

☐ Superintendent

☐ Superintendent's Designee

Name: _____

Title: _____

Date and Time of Review: _____

Response Authorized:

☐ Yes

☐ No

☐ Additional Legal Review Required

☐ Pending Further Information

Witnesses Present

Name	Title or Role	Contact Information
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Name	Title or Role	Contact Information
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Name	Title or Role	Contact Information
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How the Encounter Concluded

☐ Access to school property granted

☐ Referred to School Administrator

☐ Access denied pending legal review

☐ Officers left without further action

☐ Referred to Superintendent or Designee

☐ Other (describe): _____

Detailed summary of outcome:

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Additional notes:

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Follow-Up Actions

- ☐ Legal counsel notified
- ☐ Superintendent notified and copies, photographs, or other documentation transmitted to the superintendent or designee.
- ☐ Law enforcement documentation copied and retained

Completed By: _____ (print name)

Title: _____

Signature: _____

Date: _____

Time Completed: _____

OSBA Model Sample Policy

Code: CBA
Adopted:

Qualifications and Duties of the Superintendent

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

1. A current license that qualifies the individual to serve as superintendent of the district^{1};
2. A master's degree or higher in the field of education, preferably in educational administration;
3. Successful teaching experience at the elementary or secondary school level;
4. Service as a superintendent or administrative experience in the central administration of a school system.

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.

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.

^{1} Please contact the Teacher Standards Practices Commission (TSPC) with questions regarding licensure.}

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.

Specific Functions

The superintendent will have the duty and authority to perform the following specific functions:

1. Review data regularly and lead the district in enacting equitable changes to improve educational outcomes for every student;
2. Serve as educational leader to the Board, staff and community;
3. Act as the district's chief administrative officer;
4. Serve as district school clerk, performing such duties as required by law or by the Board;
5. Support the Board with scheduling meeting places, providing for required notices, and ensuring any required recordings or minutes are created for all Board meetings and for all committee meetings authorized by the Board, as appropriate;
6. Attend all regular and special meetings of the Board, except when excused;
7. Serve as executive officer of the budget committee and prepare an educational plan that is the basis for formulating the district's budget;
8. Administer adopted Board policies;
9. Regularly review adopted Board policies and make recommendations for needed changes;
10. Advise, inform and make recommendations to the Board on matters of policy and other required action(s), and inform the Board on all phases of district operation;
11. Provide an ongoing program of communication to and from the community, staff and Board concerning district programs and activities;
12. Assess trends and changing procedures in salary negotiations and assist the Board in collective bargaining and salary consultation with district employee groups;
13. Serve as a member of the Board's salary consultation and negotiations teams, and make recommendations to the Board on all issues;
14. Direct the implementation and administration of all agreements resulting from the consultation or negotiation process;
15. Develop and file a complete list of position descriptions, with job descriptions within each classification for all classes of personnel; review and change those descriptions as needed or directed by the Board;
16. Formulate and recommend for Board adoption such personnel policies as may be necessary for efficient functioning of the district staff;
17. Make rules and reasonable regulations to govern routine matters and see that such rules and regulations are communicated to employees concerned;
18. Resolve problems of operations and settle disputes referred through administrative channels;

19. Work with staff organizations and committees in the development of sound personnel practices and procedures and provide for their implementation;
20. Assume responsibility for the development, maintenance and operation of a constructive program of in-service, training and education for all school system employees. For this responsibility, the superintendent may employ lecturers, grant temporary leave from work, approve reimbursement for extension or college courses and develop professional library facilities as required, subject to Board approval;
21. Recommend to the Board, the appointment, renewal, contract extension, contract nonrenewal, contract non-extension or dismissal of licensed district employees in accordance with state law, Board policy and the employee's collective bargaining agreement, as applicable;
22. Appoint, promote, demote or discharge classified and non-represented employees as provided by state law, Board policy, collective bargaining agreements and meet and confer agreements, as applicable;
23. Assign or transfer all district employees in accordance with state law, Board policy and the employee's collective bargaining agreement, as applicable;
24. Evaluate 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;
25. Provide for performance evaluations of licensed and classified personnel in accordance with state law, Board policy and the employee's collective bargaining agreement, as applicable;
26. Assign and control the promotion of students;
27. Maintain a continuous inventory of all district property, furniture, material and supplies;
28. Recommend plans for repairs to district property and for new construction and see that all plans adopted by the Board are properly executed;
29. Establish procedures to involve teachers, principals, supervisory personnel and representatives from student and community groups in the preparation and selection of courses of study and other instructional materials;
30. Recommend instructional materials, instructional supplies and school equipment to be purchased by the district;
31. Direct the preparation of the budget, prepare the budget message for presentation to the budget committee, supervise the administration of all fiscal policies of the district and serve as custodian of all district funds;
32. Develop and recommend to the Board long-range plans for educational programs, facilities and financial resources that are consistent with population trends, district goals and community needs;
33. Direct the district in its relationships with federal, state and local government agencies;
34. Cooperate with universities and colleges in their student-teacher training programs;
35. Attend local, state and national meetings, conferences and workshops as deemed beneficial to the interests of the district;

36. Visit, as may be required, all district schools as a regular part of a schedule and institute and carry out such regulations, as may be necessary, to attain their efficient operation;
37. Direct the administrative staff in establishing and changing, as needed, school attendance area boundaries subject to Board approval;
38. In cases of matters not specifically covered by Board policies, take appropriate action and report such action to the Board no later than the next regular Board meeting;
39. Have other power and duties as may be approved by the Board, and as may be necessary to fulfill the functions of the office of superintendent.

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](#)

OSBA Model Sample Policy

Code: CBG
Adopted:

Evaluation of the Superintendent

{Required policy. OAR 581-022-2405 requires districts to “adopt and implement personnel policies which address...evaluation procedures.” Review the superintendent contract before adopting to ensure there is no conflicting language; modify policy as needed.}

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

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

The Board’s discussion and conferences with and about the superintendent and their performance will be conducted in an executive session, unless the superintendent requests a session open to the public.¹ Such an executive session will not include a general evaluation of any district goal, objective or operation or of any directive to personnel concerning district goals, objectives, operations or programs. Results of the evaluation will be written and placed in the superintendent’s personnel file.

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

END OF POLICY

Legal Reference(s):

[ORS 192.660](#)
[ORS 332.107](#)
[ORS 332.505](#)

[OAR 199-040-0027](#)
[OAR 199-040-0030](#)

[OAR 581-022-2405](#)

¹ Notice must be provided to the superintendent in accordance with OAR 199-0040-0030. The superintendent must receive written notice of the meeting no less than one business day or 24 hours, whichever is greater, in advance of the meeting. The notice must include:

- a. Identification of the Board;
- b. The time, date and location of the meeting;
- c. The purpose for which the Board proposes to convene the executive session, including the citation to the applicable section of ORS 192.660 and the fact that the Board will be reviewing and evaluating the performance of the superintendent; and
- d. Information on how the superintendent may make a request for an open hearing.

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

OSBA Model Sample Policy

Code: EBB
Adopted:

Integrated Pest Management

{ORS 634.740 requires boards to adopt policies regarding pest management.}

To ensure the health and safety concerns of student, staff and community members, the Board shall adopt an integrated pest management plan (IPM)^{1} which emphasizes the least possible risk to students, staff and community members and shall adopt a list² of low-impact pesticides for use with the IPM plan. The IPM plan and list shall be available to the public through the district's website³.

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;

¹ {See Integrated Pest Management Program for Oregon Schools at <http://blogs.oregonstate.edu/schoolipm/>. The program includes access to Resources & Forms including Model plans for large school districts and small school districts.}

² See ORS 634.705(5).

³ Inclusion of the list and IPM in the district's Healthy and Safe Schools Plan satisfies this requirement as long as it is posted on the district's website.

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;
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 Director of Facilities and Maintenance is designated as the Integrated Pest Management Plan Coordinator and has the authority for overall implementation and evaluation of the IPM plan.

Integrated Pest Management Plan Coordinator

The IPM Plan Coordinator 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;
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 pest condition that prompted the application;
 - e. The approximate amount and concentration of pesticide applied;
 - f. The location and description of the area where the pesticide was applied;
 - g. The type of application and whether the application was effective;
 - h. The name(s) of the person(s) applying the pesticide;

- i. The pesticide applicator's license numbers and pesticide trainee or certificate numbers of the person applying the pesticide;
 - j. The dates and times for the placement and removal of warning signs; and
 - k. Copies of all required notices given, including the dates the IPM Coordinator(s) gave the notices.
9. Respond to inquiries about the IPM plan and refer complainants to Board policy KL - Public Complaints; and
10. Conduct outreach to district staff about the district's IPM plan.

At least once every five years, the Board shall review the IPM plan, make any necessary updates and readopt the IPM plan.⁴ The final IPM plan shall include the day, month and year the Board adopted or readopted the plan.

END OF POLICY

Legal Reference(s):

[ORS 634.116](#)

[ORS 634.700 - 634.750](#)

⁴ For IPMs adopted prior to January 1, 2026, the Board shall review, update and readopt the IPM no later than January 1, 2027, or five years from the date of the most recent approval of the plan, whichever is later.

OSBA Model Sample Policy

Code: GBA
Adopted:

Equal Employment Opportunity

{OAR 581-022-2405 requires districts to have personnel policies which address affirmative action and equal employment opportunity.}

Equal employment opportunity and treatment shall be practiced by the district regardless of race¹, color, religion, sex, sexual orientation, gender identity, national origin, marital status, pregnancy, childbirth or a related medical condition, age, veterans' status, service in a uniformed service, familial status, genetic information, an individual's juvenile record that has been expunged, and disability if the employee, with or without reasonable accommodation, is able to perform the essential functions of the position.

The district administers preference in hiring or promotion decisions in accordance with Oregon law for applicants claiming preference as a veteran, disabled veteran, state servicemember or former state servicemember.

The superintendent will appoint an employee to serve as the officer in charge of compliance with the Americans with Disabilities Act and the Americans with Disabilities Act Amendments Act (ADA), and Section 504 of the Rehabilitation Act. The superintendent will also designate a Title IX coordinator to comply with the requirements of Title IX of the Education Amendments. The Title IX coordinator will investigate complaints communicated to the district alleging noncompliance with Title IX. The name, address and telephone number of the Title IX coordinator will be communicated to all students, parents of students and employees through handbooks and will be published on the district website.

The superintendent will develop other specific recruitment, interview and evaluation procedures necessary to implement this policy. These procedures will seek to provide an equal employment opportunity and eliminate the effects of past and present discrimination, intended or unintended, on the basis of race, religion, national origin, age, sex, marital status or physical or mental disabilities.

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)
[05](#)
[ORS 326.051](#)
[ORS 332.505](#)
[ORS 408.225 – 408.237](#)
[ORS 652.210 - 652.220](#)
[ORS 659.850](#)

[ORS 659A.003](#)
[ORS 659A.006](#)
[ORS 659A.009](#)
[ORS 659A.029](#)
[ORS 659A.030](#)
[ORS 659A.082](#)
[ORS 659A.109](#)

[ORS 659A.112](#)
[ORS 659A.147](#)
[ORS 659A.820](#)

[OAR 581-021-0045](#)
[OAR 581-022-2405](#)
[OAR 839-006-0435 - 0480](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2024).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e, et. seq. (2024).

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

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-634 (2024); 29 C.F.R. Part 1626 (2025).
Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2024).
Equal Pay Act of 1963, 29 U.S.C. § 206(d) (2024).
Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 794 (2024); 34 C.F.R. Part 104 (2025).
Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2024); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2020).
Americans with Disabilities Act/Americans with Disabilities Act Amendments Act, 42 U.S.C. §§ 12101-12213 (2024); 29 C.F.R. Part 1630 (2025); 28 C.F.R. Part 35 (2025).
The Vietnam Era Veterans' Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (2024).
Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (2024).
Uniformed Services Employment and Reemployment Rights Act of 1994, 38 U.S.C. §§ 4301-4303, 4311 (2024).

OSBA Model Sample Administrative Regulation

Code: GBA-AR
Revised/Reviewed:

Veteran and State Servicemember Preference

Oregon law requires the district to grant a preference to qualified and eligible veterans, disabled veterans, state servicemembers and former state servicemembers at each stage during the hiring or promotion process who claim a preference. To be **qualified** for preference, an applicant must meet the minimum qualifications and any other special qualifications required for the position sought. To be **eligible** for preference¹ an applicant must provide certification they are a veteran, disabled veteran, state servicemember or former state servicemember as defined by Oregon law².

The district is not obligated to hire or promote a qualified and eligible veteran, disabled veteran, state servicemember or former state servicemember. The district is obligated to interview all minimally qualified veterans or disabled veterans, and is also obligated to hire or promote a qualified or eligible veteran, disabled veteran, state servicemember or former state servicemember if the individual is equal to or better than the top candidate after the preference has been applied.

Recruitment Procedures

All job postings or announcements will include a concise list of minimum qualifications and any special qualifications required for the position. Job postings will include a statement that the district's policy is to provide a preference as required by Oregon law and the job posting will require applicants to provide certification³ of eligibility for preference, in addition to other requested materials.

Selection Procedures^{4}

¹ See Oregon Revised Statute (ORS) 408.235.

² See Oregon Revised Statute (ORS) 408.225 for definitions of veteran, disabled veteran, state servicemember and former state servicemember.

³ An applicant claiming veteran's or disabled veteran's preference will submit a copy of their Certificate of Release or Discharge from Active Duty (DD Form 214 or 215) or a certification that the veteran is expected to be discharged or released from active duty under honorable conditions not later than 120 days after the submission of the certification. A disabled veteran may also submit a copy of their letter from the U.S. Department of Veterans Affairs, unless the information is included in the DD Form 214/215 or a certification that the veteran is expected to be medically separated from active duty under honorable conditions not later than 120 days after the submission of the certification. (OAR 839-006-0465) An applicant claiming to be a former state servicemember must meet the definition of "former state servicemember." An applicant is treated as a former state servicemember if they meet the definition, except for the requirement that the applicant was discharged or released under honorable conditions and submits certification that the individual is expected to be discharged or released from Oregon National Guard under honorable conditions no later than 120 days after the submission of the certification. (ORS 408.235)

⁴ {If the district chooses not to use a scored system the law requires that the district give special consideration in the district's hiring decision to veterans, disabled veterans, state servicemembers and former state servicemembers and the district will need to be able to demonstrate the method used for providing special consideration. ORS 408.230(2)(c).}

- Step 1: Before the review of any applications the Superintendent or his/her designee will establish an evaluation scoring guide based on the minimum qualifications and any special qualifications listed in the job posting.
- Step 2: The Superintendent or his/her designee will review the application materials using the evaluation scoring guide to determine which applicants meet the minimum and any special qualifications listed in the job posting. In assessing the applicant materials of a veteran or disabled veteran the Superintendent or his/her designee shall evaluate whether the skill experience obtained in service are transferable skills to the posted position. Any applicants that do not meet the minimum and any special qualifications shall be removed from the applicant pool.
- Step 3: Based on Step 2, the Superintendent or his/her designee determines who will be interviewed. All qualified and eligible veterans or disabled veterans shall be given an opportunity to interview.
- Step 4: Interview questions and scoring sheets will be developed and each scoring sheet must be completed after each interview by the interviewers.
- Step 5: Following completion of the interviews, the Superintendent or his/her designee shall complete the selection matrix and score the applicants based on the scoring sheets completed during interviews. Preference shall be applied by adding 5 percentage points to an eligible veteran, state servicemember or former state servicemember and 10 percentage points to an eligible disabled veteran.
- Step 6: The district will appoint an otherwise qualified applicant claiming preference to the position if the applicant's results of their application examination, when combined with the preference, are equal to or better than the results for the top candidate.
- The district may base a decision not to appoint the applicant claiming preference solely on the applicant's merits or qualifications with respect to the position.

In the event the district chooses not to appoint an applicant covered by this administrative regulation, the district shall provide the reasons it chose not to appoint the applicant for the position upon a written request from the applicant.

Filing a Complaint

A veteran, disabled veteran, state servicemember or former state servicemember is encouraged to contact the Superintendent or his/her designee if there are any concerns or questions concerning the application of or the process used for preference.

An applicant claiming to be aggrieved by a violation of Board policy GBA - Equal Employment Opportunity or this administrative regulation, may file a written complaint with the Civil Rights Division of the Bureau of Labor and Industries (BOLI) in accordance with Oregon Revised Statute (ORS) 659A.820.

OSBA Model Sample Policy

Code: GBN/JBA
Adopted:

Sexual Harassment

{Required policy. The requirement for this policy comes from ORS 342.700 et. al., OAR 581-021-0038 and federal Title IX laws.}

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

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

General Procedures

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

OREGON DEFINITION AND PROCEDURES

Oregon Definition

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

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

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

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

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

c. Creates an intimidating, offensive, or hostile environment.

3. Assault when sexual contact occurs without consent⁴.^{5}

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

Examples of sexual harassment may include, but not be limited to, [⁶] physical touching or graffiti of a sexual nature; displaying or distributing of sexually explicit drawings; pictures and written materials; sexual gestures or obscene jokes; touching oneself sexually or talking about one's sexual behaviors in front of others; or spreading rumors about or rating other students or others as to appearance, sexual activity or performance].

Oregon Procedures

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

^{7} **Michelle Marshall**, Director of K-12 Programs at: 541-935-2253 or mmarshall@fernridge.k12.or.us

This individual is responsible for accepting and managing complaints of sexual harassment. Persons wishing to report should contact them using the above information. This person is also designated as the Title IX coordinator.^{8} See JBA/GBN-AR(1) - Sexual Harassment Complaint Procedure.

Response

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

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

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

⁵ {The statutory definition (ORS 342.704) for sexual harassment includes separate definitions with slightly different language for students, staff members and third parties. The language used in this policy comes from OAR 581-021-0038(1). If the district would like to include the full statutory definition, it can do so.}

⁶ {OAR 581-021-0038 requires that the policy include a "examples of harassing behaviors covered by policy". The bracketed list in this policy reflects OSBA's recommendations. The district has discretion in what is included in this list. If listing behaviors not reflected in OSBA recommendations, please have the list reviewed by the district's legal counsel.}

⁷ {The district must designate person(s) to receive reports or complaints regarding sexual harassment. More than one staff member may be designated to receive reports or complaints of sexual harassment.}

⁸ {This must be communicated elsewhere, but it is a good reason to specify it here as well.}

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

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

Investigation

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

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

The district will use a reasonable person standard when determining whether a hostile environment exists. A hostile environment exists if a reasonable person with similar characteristics and under similar circumstances would consider the conduct to be so severe as to create a hostile environment. ^{9}

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

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

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

⁹ {OSBA strongly recommends that the Board receive input from district administration prior to adopting a standard here. Of note, Title IX's definition of sexual harassment includes "unwelcome conduct determined by a reasonable person to be..." 34 CFR 106.30(a), emphasis added. It is important to consider the different definitions under Oregon law and Title IX when determining which standards will apply for the Oregon process.}

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

No Retaliation

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

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

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

Notices

When a person¹⁰ who may have been affected by this policy files a complaint or otherwise reports behavior that may violate the policy, the district shall provide written notification to the following:

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

The written notification must include¹¹:

¹⁰ Student, staff member, or third party, or if applicable, the student or third party's parent. If the person is a minor, the district should consider when to contact the person's parent.

¹¹ Remember confidentiality laws when providing any information.

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

The notice must:

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

Additionally, notice must be provided to the person who initiated the complaint and, if applicable, the person's parents, when an investigation is initiated and when it is concluded. The notification at the conclusion of the investigation must include whether a violation of the policy was found to have occurred, to the extent allowable under state and federal student confidentiality laws.

Oregon Department of Education (ODE) Support

The ODE will provide technical assistance and training upon request.

FEDERAL DEFINITION AND PROCEDURES

Federal Definition

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

1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity¹²;
3. "Sexual assault": an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
4. "Dating violence": violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship;
5. "Domestic violence": felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or
6. "Stalking": engaging in a course of conduct directed at a specific person that would cause a reasonable person fear for the person's own safety or the safety of others, or suffer substantial emotional distress.

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

Federal Procedures

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

Reporting

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

Michelle Marshall is designated as the Title IX coordinator and can be contacted at **541-935-2253**. The Title IX coordinator will coordinate the district's efforts to comply with its responsibilities related to this

¹² "Education program or activity" includes locations, events, or circumstances over which the recipient exercised substantial control over both the respondent and the context in which the sexual harassment occurs." (Title 34 C.F.R. § 106.44(a))

policy. The district prominently will display the contact information for the Title IX coordinator on the district website and in each handbook.^{13}

Response

The district will promptly respond to information, allegations or reports of sexual harassment when there is actual knowledge of such harassment, even if a formal complaint has not been filed.¹⁴ The district shall treat complainants and respondents equitably by providing supportive measures¹⁵ to the complainant and by following a grievance procedure¹⁶ prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX coordinator is responsible for coordinating the effective implementation of supportive measures.

The Title IX coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes, with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.¹⁷

If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place.¹⁸ The district must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. A non-student employee may also be placed on non-disciplinary administrative leave pending the grievance process.

Notice

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

1. The name or title, office address, electronic mail address, and telephone number of the Title IX coordinator(s);
2. That the district does not discriminate on the basis of sex in the education program or activity that it operates, as required by Title IX. This includes admissions and employment; and

¹³ {Note the difference in requirements for Title IX and Oregon law. It makes sense to align these requirements.}

¹⁴ (Title 34 C.F.R. § 106.44(a)) Response cannot be deliberately indifferent. A recipient is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

¹⁵ (Title 34 C.F.R. § 106.44(a)) Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district's educational environment, or deter sexual harassment.¹⁵ The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures. (Title 34 C.F.R. § 99.30(a))

¹⁶ This grievance procedure must meet the requirements of Title 34 C.F.R. § 106.45 (included in accompanying administrative regulation, *see* GBN/JBA-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure).

¹⁷ The Title IX coordinator may also discuss that the Title IX coordinator has the ability to file a formal complaint.

¹⁸ The district may still have obligations under Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the American with Disabilities Act (ADA). (Title 34 C.F.R. § 106.44(c))

3. The grievance procedure and process, how to file a formal complaint of sex discrimination or sexual harassment, and how the district will respond.

Inquiries about the application to Title IX and its requirements may be referred to the Title IX coordinator or the Assistant Secretary¹⁹, or both.

No Retaliation

Neither the district or any person may retaliate²⁰ against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. The district must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act (FERPA), as required by law, or to carry out the proceedings herein. Complaints of retaliation may be filed using these procedures.

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

Publication

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

END OF POLICY

Legal Reference(s):

[ORS 243.706](#)
[ORS 332.107](#)
[ORS 342.700](#)
[ORS 342.704](#)
[ORS 342.708](#)

[ORS 342.850](#)
[ORS 342.865](#)
[ORS 659.850](#)
[ORS 659A.006](#)
[ORS 659A.029](#)

[ORS 659A.030](#)
[OAR 581-021-0038](#)
[OAR 584-020-0040](#)
[OAR 584-020-0041](#)

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

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

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

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

Davis v. Monroe County Bd. of Educ., 526 U.S. 629 (1999).

Gebser v. Lago Vista Indep. Sch. Dist., 524 U.S. 274 (1998).

¹⁹ Of the United States Department of Education.

²⁰ Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

OSBA Model Sample Policy

Code: JBA/GBN
Adopted:

Sexual Harassment

{Required policy. The requirement for this policy comes from ORS 342.700 et. al., OAR 581-021-0038 and federal Title IX laws.}

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

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

General Procedures

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

OREGON DEFINITION AND PROCEDURES

Oregon Definition

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

1. A demand or request for sexual favors in exchange for benefits;

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

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

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

2. Unwelcome conduct of a sexual nature that is physical, verbal, or nonverbal and that:
 - a. Interferes with a student’s educational activity or program;
 - b. Interferes with a school or district staff member’s ability to perform their job; or
 - c. Creates an intimidating, offensive, or hostile environment.
3. Assault when sexual contact occurs without consent⁴.^{5}

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

Examples of sexual harassment may include, but not be limited to, ^{6}physical touching or graffiti of a sexual nature; displaying or distributing of sexually explicit drawings; pictures and written materials; sexual gestures or obscene jokes; touching oneself sexually or talking about one’s sexual behaviors in front of others; or spreading rumors about or rating other students or others as to appearance, sexual activity or performance.

Oregon Procedures

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

^{7}**Michelle Marshall**, Director of K-12 Programs at: 541-935-2253 or mmarshall@fernridge.k12.or.us

This individual is responsible for accepting and managing complaints of sexual harassment. Persons wishing to report should contact them using the above information. This person is also designated as the Title IX coordinator.^{8} See JBA/GBN-AR(1) - Sexual Harassment Complaint Procedure.

Response

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

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

⁵ {The statutory definition (ORS 342.704) for sexual harassment includes separate definitions with slightly different language for students, staff members and third parties. The language used in this policy comes from OAR 581-021-0038(1). If the district would like to include the full statutory definition, it can do so.}

⁶ {OAR 581-021-0038 requires that the policy include a “examples of harassing behaviors covered by policy.” The bracketed list in this policy reflects OSBA’s recommendations. The district has discretion in what is included in this list. If listing behaviors not reflected in OSBA recommendations, please have the list reviewed by the district’s legal counsel.}

⁷ {The district must designate person(s) to receive reports or complaints regarding sexual harassment. More than one staff member may be designated to receive reports or complaints of sexual harassment.}

⁸ {This must be communicated elsewhere, but it is a good reason to specify it here as well.}

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

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

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

Investigation

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

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

The district will use a reasonable person standard when determining whether a hostile environment exists. A hostile environment exists if a reasonable person with similar characteristics and under similar circumstances would consider the conduct to be so severe as to create a hostile environment. ^{9}

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

1. Discipline of staff and students engaging in sexual harassment;
2. Removal of third parties engaged in sexual harassment;
3. Additional supervision in activities;

⁹ {OSBA strongly recommends that the Board receive input from district administration prior to adopting a standard here. Of note, Title IX's definition of sexual harassment includes "unwelcome conduct determined by a reasonable person to be..." 34 CFR 106.30(a), emphasis added. It is important to consider the different definitions under Oregon law and Title IX when determining which standards will apply for the Oregon process.}

4. Additional controls for district electronic systems;
5. Trainings and education for staff and students; and
6. Increased notifications regarding district procedures and resources.

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

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

No Retaliation

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

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

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

Notices

When a person¹⁰ who may have been affected by this policy files a complaint or otherwise reports behavior that may violate the policy, the district shall provide written notification to the following:

¹⁰ Student, staff member, or third party, or if applicable, the student or third party's parent. If the person is a minor, the district should consider when to contact the person's parent.

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

The written notification must include¹¹:

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

¹¹ Remember confidentiality laws when providing any information.

The notice must:

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

Additionally, notice must be provided to the person who initiated the complaint and, if applicable, the person's parents, when an investigation is initiated and when it is concluded. The notification at the conclusion of the investigation must include whether a violation of the policy was found to have occurred, to the extent allowable under state and federal student confidentiality laws.

Oregon Department of Education (ODE) Support

The ODE will provide technical assistance and training upon request.

FEDERAL DEFINITION AND PROCEDURES

Federal Definition

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

1. An employee of the district conditioning the provision of an aid, benefit, or service of the district on an individual's participation in unwelcome sexual conduct;
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the district's education program or activity¹²;
3. "Sexual assault": an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
4. "Dating violence": violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and where the existence of such a relationship shall be determined based on a consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship;
5. "Domestic violence": felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction; or

¹² "Education program or activity" includes locations, events, or circumstances over which the recipient exercised substantial control over both the respondent and the context in which the sexual harassment occurs." (Title 34 C.F.R. § 106.44(a))

6. “Stalking”: engaging in a course of conduct directed at a specific person that would cause a reasonable person fear for the person’s own safety or the safety of others, or suffer substantial emotional distress.

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

Federal Procedures

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

Reporting

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

Michelle Marshall is designated as the Title IX coordinator and can be contacted at **541-935-2253**. The Title IX coordinator will coordinate the district’s efforts to comply with its responsibilities related to this policy. The district prominently will display the contact information for the Title IX coordinator on the district website and in each handbook. ^{13}

Response

The district will promptly respond to information, allegations or reports of sexual harassment when there is actual knowledge of such harassment, even if a formal complaint has not been filed.¹⁴ The district shall treat complainants and respondents equitably by providing supportive measures¹⁵ to the complainant and by following a grievance procedure¹⁶ prior to imposing any disciplinary sanctions or other actions that are not supportive measures against a respondent. The Title IX coordinator is responsible for coordinating the effective implementation of supportive measures.

¹³ {Note the difference in requirements for Title IX and Oregon law. It makes sense to align these requirements.}

¹⁴ (Title 34 C.F.R. § 106.44(a)) Response cannot be deliberately indifferent. A recipient is deliberately indifferent only if its response to sexual harassment is clearly unreasonable in light of the known circumstances.

¹⁵ (Title 34 C.F.R. § 106.44(a)) Supportive measures means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the district’s educational environment, or deter sexual harassment.¹⁵ The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide supportive measures. (Title 34 C.F.R. § 99.30(a))

¹⁶ This grievance procedure must meet the requirements of Title 34 C.F.R. § 106.45 (included in accompanying administrative regulation, *see* JBA/GBN-AR(2) - Federal Law (Title IX) Sexual Harassment Complaint Procedure).

The Title IX coordinator must promptly contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes, with respect to supportive measures, inform the complainant of the availability of supportive measures with or without the filing of a formal complaint, and explain to the complainant the process for filing a formal complaint.¹⁷

If after an individualized safety and risk analysis, it is determined that there is an immediate threat to the physical health or safety of any person, an emergency removal of the respondent can take place.¹⁸ The district must provide the respondent with notice and an opportunity to challenge the decision immediately following the removal. A non-student employee may also be placed on non-disciplinary administrative leave pending the grievance process.

Notice

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

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

Inquiries about the application to Title IX and its requirements may be referred to the Title IX coordinator or the Assistant Secretary¹⁹, or both.

No Retaliation

Neither the district or any person may retaliate²⁰ against an individual for reporting, testifying, providing evidence, being a complainant, otherwise participating or refusing to participate in any investigation or process in accordance with this procedure. The district must keep confidential the identity of parties and participating persons, except as disclosure is allowed under Family Educational Rights and Privacy Act (FERPA), as required by law, or to carry out the proceedings herein. Complaints of retaliation may be filed using these procedures.

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

¹⁷ The Title IX coordinator may also discuss that the Title IX coordinator has the ability to file a formal complaint.

¹⁸ The district may still have obligations under Individuals with Disabilities Education Act (IDEA), Section 504 of the Rehabilitation Act of 1973 or the American with Disabilities Act (ADA). (Title 34 C.F.R. § 106.44(c))

¹⁹ Of the United States Department of Education.

²⁰ Retaliation includes, but is not limited to, intimidation, threats, coercion, and discrimination.

Publication

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

END OF POLICY

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[ORS 332.107](#)
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Fern Ridge School District 28J

Gary E. Carpenter Jr.
Superintendent

88834 Territorial Road, Elmira, OR 97437
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Fax: (541) 935-8222

Classified/Confidential/Manager/Coach Employees Resignations/New Hires/Transfers/Other Report August 17, 2026

Resignations/Retirements

1. Resignation of Owen Lounsbury, District wide Custodian, effective August 7, 2026.
2. Resignation of Robin Younger, 6.5 Special Education Instructional Assistant at Fern Ridge Middle School, effective July 17, 2026.

New Hires/Transfers

1. None at this time.

Other

1. None at this time.

Coaches

1. Resignation of Rindy Spicer, Head Softball Coach at Elmira High School, effective July 17, 2026.
2. Resignation of Katy Miller, Assistant Track and Field Sprints Coach at Elmira High School, effective June 12, 2026.
3. Resignation of James Duty, Assistant JV Boys Basketball Coach at Elmira High School, effective August 2, 2026.
4. Resignation of Tessa Slager, Assistant Track and Field Throws Coach at Elmira High School, effective July 24, 2026.
5. Hiring of Gilbert Lucero, Assistant Football Coach at Elmira High School, effective August 17, 2026.