



**2025-26 BOARD & STAFF**

**Board Chair**, Mackenzie Strawn **Board Vice-Chair**, Alisha Oliver  
**Board Members:** Mike Wagner, Erin Cramer, Mark Henderson, Coral Ford & Brunk Conley  
**Student Representatives to the Board**, Rylie Worcester & Amalia Bell  
**Superintendent**, Lee W. Loving  
**Director of Business & Fiscal Services**, Rhonda Allen  
**Director of Human Resources**, Danielle Blackwell  
**Director of Teaching & Learning**, Nicole Duncan  
**Director of Special Programs**, Melissa Glover  
**Director of Nutrition Services**, John Barnes  
**Director of Operations & Facilities**, Dave Parsons  
**Superintendent/School Board Executive Assistant**, Tonia Whisman

*Access to the agenda and meeting materials can be located on the District website at [www.nssd29j.org](http://www.nssd29j.org) > [Board of Directors](#) > [Agendas/Meeting Minutes](#)*

**Regular Session**

**Thursday, October 24, 2024 ~ 6:00 PM**

**NSSD District Office/Santiam Room, 1155 N 3rd Ave, Stayton, OR 97383**

**<https://youtube.com/live/jSFMclUH6M4?feature=share>**

**1. CALL REGULAR SESSION TO ORDER**

6:00-6:05 (times for agenda items are estimated)

**2. AGENDA APPROVAL**

Changes to the agenda after posting on October 18, 2024 will be acknowledged:

**Added Attachments-**

6.1-2024 - 2024 Div 22 School Board PPT

**Revised Attachments-**

17.2 - Oct 2024 Enrollment Totals2

**RECOMMENDED MOTION-AGENDA APPROVAL**

*I move that the Board approve the agenda as modified.*

**3. STUDENT BUSINESS: Lucas Joyce/Haley Butenschoen**

6:05-6:15

**4. CITY COUNCIL LIAISON REPORTS:**

6:15-6:30

This standing agenda item is for reports from the Stayton, Sublimity and Lyons City Council Liaisons:

Stayton: David Patty

Sublimity: Tass Morrison

Lyons: Mike Wagner

<b><u>5. SUPERINTENDENT'S REPORT: Lee W. Loving</u></b>	<b><u>5</u></b>
6:30-6:50	
<b><u>2023-24 SHS Data</u></b>	<b><u>5</u></b>
<b><u>6. TEACHING &amp; LEARNING REPORT: Nicole Duncan</u></b>	<b><u>6</u></b>
6:50-7:10	
As part of the report, the Director of Teaching & Learning will be asking the board to approve the district's request to postpone adopting health instructional materials until the 2025-26 school year.	
<b>RECOMMENDED MOTION-CURRICULUM ADOPTION POSTPONEMENT</b>	
<i>I move that the board approve the district's postponement of adopting health instructional materials until the 2025-26 school year.</i>	
<b><u>Teaching &amp; Learning Board Report October 2024</u></b>	<b><u>6</u></b>
<b>6.1. Division 22 Assurances Report</b>	<b>11</b>
School Districts must report compliance for the preceding school year with all state standards set forth in Oregon Administrative Rules 581-022-2305, Division 22. Before November 1, districts must present a compliance report to their school board at an open public meeting, allowing for public comment.	
Once the presentation is complete, the meeting will be open to receive public comment on the topic of Division 22 compliance only.	
<b><u>Final NSSD 2024 Compliance Report - Oregon Public School Standards PDF</u></b>	<b>11</b>
<b><u>2024 Division 22 School Board PPT</u></b>	<b>21</b>
<b><u>7. BUSINESS &amp; FISCAL SERVICES REPORT: Rhonda Allen</u></b>	<b>34</b>
7:10-7:20	
<b><u>Financial Board Report Sept2024</u></b>	<b>34</b>
<b><u>Financial Report PPT - September 2024</u></b>	<b>43</b>
<b><u>8. LICENSED/CLASSIFIED UNION REPORTS: Union Reps.</u></b>	
7:20-7:25	
<b><u>9. PUBLIC COMMENT</u></b>	
7:25-7:45	
<b><u>10. CONSENT AGENDA</u></b>	
7:45-7:50	
<b>10.1. Action: Approval of Meeting Minutes</b>	<b>53</b>
<b><u>09.19.24 minutes-DRAFT</u></b>	<b>53</b>
<b>10.2. Action: Approval of Consent Agenda</b>	
<b>RECOMMENDED MOTION-CONSENT AGENDA</b>	
<i>I move that the Board approve the Consent Agenda as [presented] [modified].</i>	
<b><u>11. STRATEGIC PLANNING UPDATE: Laura Wipper/Alisha Oliver</u></b>	<b>58</b>
7:50-8:20	
<b><u>Strategic Planning Focus-Themes</u></b>	<b>58</b>
<b><u>12. RECESS</u></b>	
8:20-8:25	
<b><u>13. POLICY UPDATES/SECOND READING</u></b>	<b>59</b>

8:25-8:35

DJC- Special Procurements & Exemptions from Competitive Bidding (**DELETE/REPLACE**) (Mackenzie)

DJCA - Personal Services Contracts- **DELETE** (Mackenzie)

IICA- Field Trips and Excursions (Alisha)

GBNAA/JHFF- Suspected Sexual Conduct with Students & Reporting Requirements (Mark)

DJC -DELETE-Bidding Reqs 9.19.24

59

DJC -New Replace-Bidding Reqs 9.19.24

61

DJCA-DELETE-Personal Services Contracts 9.19.24

66

GBNAA JHFF -Suspected Sexual Conduct with Students & Reporting 09.19.24

68

IICA -Field Trips and Excursions 9.19.24

71

**14. ADMINISTRATIVE REGULATION UPDATES**

**73**

8:35-8:45

(second readings)

DJC-AR/**DELETE**-Special Procurements & Exempt from Comp Bidding

DJC-AR/REPLACE-Exempt from Comp Bidding & Special Procurements

DJCA-AR/**DELETE**-Personal Services Contract

(first reading)

GCDA/GDDA-AR/**DELETE** - Criminal Records Checks and Fingerprinting - effective 10/24/24

JGAB-AR - Use of Physical Restraint & Seclusion - effective 11/21/24

DJC-AR-DELETE-Spec Procmnts & Exemp from Comp Bidding 9.19.24

73

DJC-AR -New Replace- Exempt from Comp Bidding Special Procrmt 9.19.24

98

DJCA-AR-DELETE-Personal Services Contract 9.19.24

104

GCDA GDDA-AR DELETE -Criminal Records Checks Fingerprinting 10.24.24

108

JGAB-AR Use of Physcial Restraint & Seclusion 10.24.24

113

**15. POLICY UPDATES/FIRST READING**

**121**

8:45-8:50

JGAB Use of Restraint or Seclusion

JGAB -Use of Restraint or Seclusion 10.24.24

121

**16. BOARD REFLECTIONS/ANNOUNCEMENTS**

8:50-9:00

**17. INFORMATION ONLY**

9:00-9:05

**17.1. Field Trip Report:**

**127**

Oct 2024 Fieldtrips Board Report

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**17.2. Student Enrollment:**

**132**

Current enrollment is listed below. Refer to the attachment for a breakdown by grade at each location and totals from previous months in the school year.

Mari-Linn: 159

Sublimity: 366

Stayton Elementary: 336

Stayton Intermediate/Middle: 486

Stayton High: 668

Locust Street Academy/GED: 47

Stayton Virtual Academy: 55

Total: 2117

**Oct 2024 Enrollment Totals2**

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**17.3. Future Agenda Items:**

134

**Agenda Items Annual Calendar rev 04.24**

134

**17.4. Upcoming Board Events & Activities:**

November 12, 2024: Veterans Day Concert

7:00 pm ~ Stayton High School Auditorium

November 21, 2024: Regular Session Board Meeting

6:00 pm ~ District Office/Santiam Meeting Room

December 6-7: SHS Fall Drama Production of Little Women

7:00 pm ~ Stayton High School Auditorium

December 18, 2024: SMS Bands Concert

7:00 pm ~ Stayton High School Auditorium

December 19, 2024: Regular Session Board Meeting

6:00 pm ~ District Office/Santiam Meeting Room

**18. ADJOURN**

9:05 (estimated)

*EQUAL OPPORTUNITY EMPLOYER*

2023-24 Data Story (SHS)

Grade/ Cohort	Students Enrolled	On-Track % EOY	# of CTE Students	College Credits Earned	Student Athletes	Extra- Curricular Clubs (ASB, NHS, Skills USA, FBLA, FFA)	Co-Curricular	CTE Pathway Completers
Grade 9 Class of 2027	168	93%	123	510 WP credits 524 Early College credits 536 College Credit Now credits	162	ASB: 29 FFA: 1 Skills: 1 FBLA: 6	Grades 9-12 Band: 93 Choir: 24 Theater: 76	N/A
Grade 10 Class of 2026	158	70%*	135		129	ASB: -- FFA: 6 Skills: 5 FBLA: 3		N/A
Grade 11 Class of 2025	140	85%	73		113	ASB: -- NHS: 19 FFA: 3 Skills: 7 FBLA: 2		N/A
Grade 12 Class of 2024	130	96%	61		62	ASB: -- NHS: 18 FFA: 6 Skills: 2 FBLA: 4		15
<b>Totals</b>	<b>596</b>	<b>*Students begin to work on credit recovery in Grade 11</b>	<b>392</b>	<b>1570 total credits earned</b>	<b>466</b>	<b>112</b>	<b>193</b>	<b>15</b>
			<b>66%</b>		<b>78%</b>	<b>19%</b>	<b>32%</b>	
				WP	Willamette Promise (OIT or WOU credit taught by SHS staff)			
				EC	Early College @ Chemeketa			
				CCN	College Credit Now (Chemeketa credit taught by SHS staff)			





# North Santiam School District 29J

Serving Lyons, Mehama, Stayton, and Sublimity

## Teaching and Learning Board Report October 2024

### Items for Board Approval:

#### **Health Instructional Materials Postponement**

The state adopted new Health Instructional materials in 2024. Districts must facilitate a process to evaluate materials within a three-year window and file for an approved postponement if they choose not to adopt within the first year. A postponement is valid for up to two school years, starting from the publisher contract year of the latest adoption, to implement the new curriculum in the fall of the designated year. NSSD has formally requested a postponement until Fall 2026, and a committee will evaluate the materials throughout the 2025-2026 academic year.

*Will the Board approve the district's postponement of adopting health instructional materials until the 2025-2026 school year?*

### Updates:

#### **Division 22 Report**

This report is part of the Division 22 Standards assurances process, which is required by statute (ORS 327.103). The assurances process is a combined local and state accountability model that acknowledges the importance of the local school board, which has broad-ranging authority under Oregon's local control model and directs reporting to ODE. Districts must report to the community in a school district board meeting and post the report on the district website. Districts must then submit assurances to ODE. For each rule, the district either certifies that the district is in compliance or states that the district is out of compliance and proposes corrective action. Compliance with the Division 22 standards ensures that every student in an Oregon public school is provided with a baseline level of service that meets the state standards. Not only are these standards monitored, but compliance is tied to state school funds.

The Division 22 standards include over 61 individual rules, which can be categorized into four large buckets: Teaching & Learning, Health & Safety, District Performance & Accountability, and Human Resources/Staffing. Within Teaching and Learning and Health and Safety, there are several sub-categories. To learn more about the specific requirements for a certain rule, the [ODE's Rules at a Glance Summary](#) provides a high-level summary of each rule and includes a link to the [Oregon Administrative Rules database](#).

2024 NSSD Division 22 [Compliance Report Attached](#)

2024 NSSD Division [PPT presentation Attached](#)

#### **SIA Report**

#### **2023-2024 Student Investment Account (SIA) Annual Report**

While SIA recipients are required by statute to review their progress through an annual report and financial audit to ODE and their local school boards, the SIA Annual report is also an opportunity for districts to reflect upon and learn from their SIA implementation during the 2023-24 school year, while practicing ongoing engagement through transparency and communication. The NSSD annual report will be posted to the district website by November 30th.

***As you review your progress markers/overall reflection responses and reflect on plan implementation, how do you see your progress contributing to the Outcomes and Strategies in your plan and your Longitudinal Performance Growth Targets (LPGT)/Local Optional Metrics (LOM)? Discuss at least one Outcome where you have seen progress in implementation.***

NSSD has made significant progress in advancing the four outcomes connected to our Student Investment Account plan, particularly regarding implementing language arts and mathematics curricula. Using integrated guidance funds, we provided K-12 teachers with dedicated time in grade-level and department teams to design scope and sequence plans and develop common assessments. Additionally, our contracted Math Consultant has played a crucial role in enhancing our understanding of mathematics standards and best practices for student engagement and discourse, thereby strengthening our curriculum delivery.

To improve data-driven decision-making, we have coordinated efforts to extract and analyze student data from our new information system and the OrData Suite. This data enables our student support teams to make informed decisions during regular meetings and assess the progress of different student populations.

One area of success has been in family and community engagement. Initiatives such as the Juntos program, translation services, and literacy nights have strengthened the relationship between families and schools, particularly for Latino families. These efforts, along with the establishment of the Equity Advisory Committee and the implementation of the Student Six initiative, have empowered student voices and fostered an inclusive school culture.

These initiatives highlight our commitment to achieving our Longitudinal Performance Growth Targets (LPGT) through thoughtful curriculum updates, data-driven decision-making, and inclusive community involvement.

***Where have you experienced barriers, challenges, or impediments to progress toward your Outcomes and Strategies in your plan that you could use support with? Discuss at least one Outcome where you have seen challenges or barriers to implementation.***

The lessons learned from our 2020-2023 SIA implementation are shaping our current Integrated Plan priorities and investments. A key insight was the importance of aligning our activities with partner feedback. Engagement from our integrated guidance team, building leaders, and collaborative steering committees kept us focused on our students' needs. We also recognized the value of continuously evaluating the effectiveness of our initiatives, confirming that our emphasis on social-emotional health, curriculum, and instruction aligns with partner priorities.

One of our most pressing priorities is to create and implement a comprehensive school behavioral and mental health system to support all students' social-emotional and behavioral learning needs. However, we have faced challenges in finding appropriate resources to achieve this goal. In particular, we have struggled to improve the coordination of services for focal group populations and provide multi-tiered support for both mental health and academic needs.

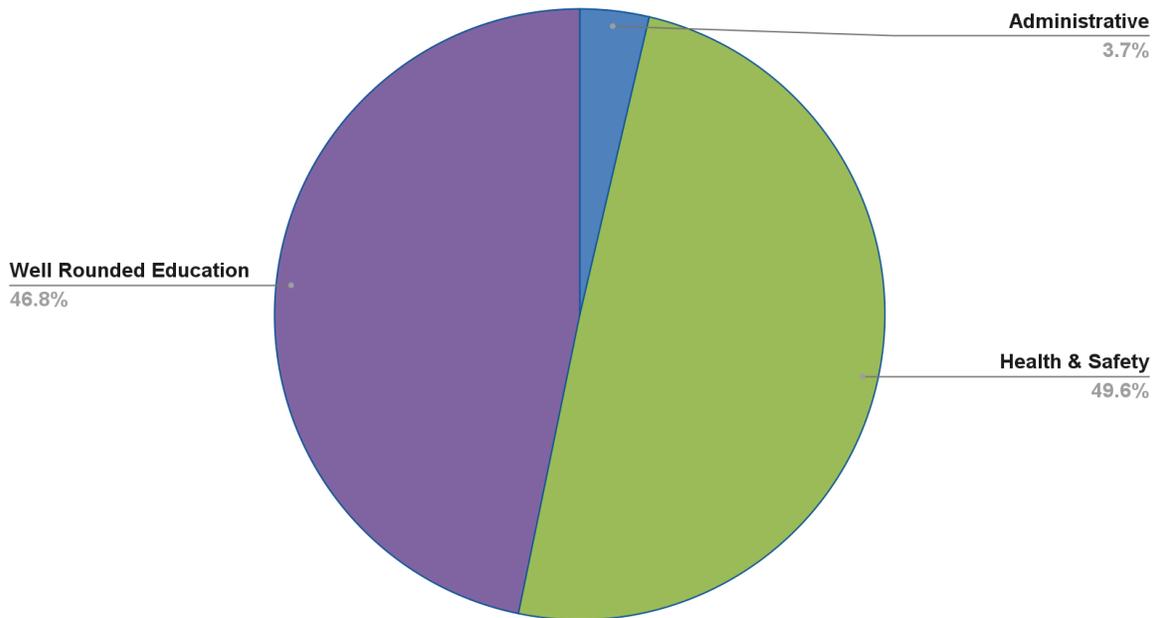
Additionally, we are working to enhance attendance interventions and expand alternative education placement opportunities for students requiring heightened academic and emotional support. We also aim to guarantee that students with disabilities and English language learners are enrolled in suitable courses, thereby increasing the number of students on track to graduate by the end of ninth grade. These areas require additional resources and coordination for full implementation.

## Financial Report:

*23-24 Grant Allocation*                    \$2,015,076.02

<i>23-24 Grant Expenditures</i>	\$ 73,700.00	Administrative
	\$ 998,481.00	Health and Safety
	\$ 942,895.02	Well-Rounded Education
	\$2,015,076.02	Total Expended

SIA Activities by Allowable Use



*The board is asked to ensure the report is open for public comment once presented.*

### Professional Development

1155 N 3<sup>rd</sup> Ave, Stayton, Oregon 97383  
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## October 11, 2024, NSSD Professional Learning Day:

Our recent district-wide in-service on October 11th was a resounding success. It brought together teachers and leaders for a day of meaningful professional development. The day focused on enhancing instructional practices and creating inclusive learning environments. Participants engaged in sessions on powerful teaching and learning, integrating educational technology, supporting social-emotional development, fostering a sense of belonging, and meeting the needs of diverse learners.

We are incredibly proud to celebrate the contributions of our teachers who stepped forward to share their expertise and best practices from their classrooms. This year, we welcomed sixteen facilitators who hadn't presented in the previous year. Their enthusiasm and fresh perspectives greatly enriched our sessions, enhancing the overall learning experience for everyone involved. We are truly proud of their commitment to leading and inspiring their colleagues. Additionally, staff with specialized roles participated in out-of-district learning opportunities tailored to their areas of expertise.

A special highlight of the day was the involvement of our math consultant, Jen Hunt, who facilitated impactful learning as she led morning sessions and an afternoon K-5 math training, both of which provided practical strategies for enhancing math instruction and fostering student growth.



### NSSD October 11th Professional Learning Day

\*All Morning Sessions at Stayton High School\*

Please bring your own device for sessions—there are limited Chromebooks available.



K-5 K-8 6-12 K-12	Powerful Teaching			Powerful Learning			EdTech	SEL, Behavior, & Belonging
	Room 122	Library	Room 121	Room 116	Room 115	Room 110	Room 109	Room 108
Session 1 7:45 - 8:35	Hacking What to Learn Jessica Roth	Three Best Practices in Math for K-5 Success Jen Hunt	Purposeful Questioning Mike Proctor & Nicole Medley	Syllable Strategies for Reading Success Shealon Cooper & Danielle Angus	Unlocking the Power of Freckle Crystal Reifschneider & Michelle Dayton	What do I DO with THIS kid? Ashley Mitchell & Christi Robinson	Integrating Seesaw Into Instructional Routines (K-5) Teal Carter	Refuel & Recharge: The Power of Self-Care for Resilient Educators Erin Hill
Session 2 8:40 - 9:30	Collaborative Study Groups Megan Schiedler	Three Best Practices in Math for K-5 Success Jen Hunt		Visualizing Success: Empowering ALL Learners Through Visual Note-Taking Shealon Cooper & Amy Erwin	BAS 101 Amanda Vinson	What do I DO with THIS kid? Ashley Mitchell & Christi Robinson	Empowering Educators: Unlocking AI for the Classroom David Holcomb & Mike Mannix	Implementing Non-Verbal Classroom Management Strategies: The 7 Gems Kaycee Torres-Umi
Session 3 9:35 - 10:05	District PLC Networking							
Session 4 10:10 - 11:00	Critical Reading Process: Exploring AVID Weekly Jessica Roth	Three Best Practices in Math for K-5 Success Jen Hunt	Literacy in Science Katelynn Carl & Kristi Flemming	Smart Classroom Management Ideas Corrie Boock	Unlocking the Power of Freckle Danielle Angus & Meghan Smatlan	Special Programs Meeting—Special Education Teachers Only Melissa Glover	Leveraging AI through Prompt Engineering David Holcomb	RULER: Creating and Using a Class Charter (K-5) Allison Hill
Lunch 11:05 - 11:40	Lunch in the SHS Cafeteria							
11:45	Depart for K-5 Math Training OR 6-12 Building PD							
Required Meetings / Training: <ul style="list-style-type: none"> <li>District PLCs: Session 3 (See room assignments on Pg. 4)</li> <li>Special Education Teachers: Session 4 (Room 110)</li> </ul>								

### After School Opportunities:

1155 N 3<sup>rd</sup> Ave, Stayton, Oregon 97383

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We remain committed to ongoing professional growth throughout the school year. We offer various after-school opportunities centered on powerful teaching and learning, social-emotional learning, mental health, and creating a sense of belonging. These will be delivered through classes, workshops, and book studies, providing staff with multiple avenues to grow their practice.

Shealon Cooper, Stayton Elementary's Dean of Students, and Amy Erwin, Stayton Elementary Kindergarten teacher and Early Literacy Coach, recently led a book study with K-3 certified and classified staff members, focusing on vocabulary development strategies to support literacy growth throughout the day. Meanwhile, our New Staff Academy continues to empower new educators with six after-school sessions centered on the four habits of powerful teaching and learning: Ready to Learn, What to Learn, Talk to Learn, and Model to Learn.

Staff who engage in after-school professional learning will continue to be compensated through our Title II/IV grants, ensuring they are supported for the time and effort they invest in their professional growth.

### **New Mentor Program Update:**

The new mentorship program is off and running, providing first—and second-year teachers with the guidance they need to thrive. Building mentors offer personalized support focused on professional practices, maintaining a healthy work-life balance, and fostering a collaborative culture with colleagues, supervisors, students, and families.

Teachers who opt into the program are paired with a building mentor for bi-weekly check-ins, creating a consistent support system that helps address emerging needs and professional goals. In addition to these regular meetings, mentors assist new staff in identifying further resources, including instructional coaches and classroom management specialists, to help them refine their teaching practice.

To strengthen the impact of this program, building mentors will participate in professional development to expand their teacher-leadership capacity. These learning opportunities align with the requirements of SB 283 and the Early Educator Mentorship Grant, ensuring mentors are well-prepared to excel in this critical role. This dual focus on supporting early educators and growing teacher-leaders helps build a stronger, more collaborative school community. This mentorship approach ensures that early career educators are well-equipped to grow professionally while feeling supported in their personal and collaborative efforts within the school community.

### **Upcoming:**

**YouthTruth Survey October 28 - November 22, 2024**

**At-A-Glance Accountability and Star Assessment Report**

**9-12 Science Instructional Material Adoption**

**K-12 Social Emotional Learning Program Update**

**Comprehensive School Counseling Plan**

**Belonging Work Update**

**Integrated Guidance: Aligning for Student Success Application 25-27**

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# North Santiam School District

## Report on Compliance with Public School Standards

### 2023-24 School Year

By November 1 of each year, school district superintendents are required by [OAR 581-022-2305: District Assurances of Compliance with Public School Standards](#) to report to their community on the district's status with respect to all of the Standards for Public Elementary and Secondary Schools. The Standards are adopted by the State Board of Education and set out in Oregon Administrative Rules Chapter 581, Division 22.

The table below contains a summary of **North Santiam** School District's compliance with each of the requirements of Oregon's administrative rules found in [DIVISION 22 - STANDARDS FOR PUBLIC ELEMENTARY AND SECONDARY SCHOOLS](#) during the 2023-24 school year. For each rule reported as out of compliance, **North Santiam** School District has provided an explanation of why the school district was out of compliance and the school district's proposed corrective action plan to come into compliance. The corrective action must be approved by ODE and completed by the district by the beginning of the 2025-26 school year.

**What are the requirements of the standards?** For a general overview of what each rule/standard requires, consult this high-level [Rules at a Glance summary](#). For specific, comprehensive requirements, use the links below for each individual rule.

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## Category: Teaching & Learning

### Subcategory: Curriculum & Instruction

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
<a href="#">581-022-2030 District Curriculum</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2045 Substance Use Prevention and Intervention Plan</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
<a href="#">581-022-2050 Human Sexuality Education</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2055 Career Education</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2060 Comprehensive School Counseling</a>	<b>Implementing approved corrective action</b>	The district did not meet the deadline for completing the Comprehensive School Counseling plan.	The district has an approved extension deadline of June 27th, 2025. District team is meeting throughout the year to develop the plan.
<a href="#">581-022-2263 Physical Education Requirements</a> *Elementary Grades	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2263 Physical Education Requirements</a> *Middle Grades	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2320 Required Instructional Time</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2340 Media Programs</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2500 Programs and Services for TAG Students</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2350 Independent Adoptions of Instructional Materials</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
<a href="#">581-022-2355 Instructional Materials Adoption</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2360 Postponement of Purchase of State-Adopted Instructional Materials</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable

### Subcategory: Assessment & Reporting

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
<a href="#">581-022-2100 Administration of State Assessments</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2110 Exception of Students with Disabilities from State Assessments</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2115 Assessment of Essential Skills: Diploma Requirements</a>	<b>Waived through the end of 2027-28 school year</b>	Not applicable	Not applicable
<a href="#">581-022-2115(2) Assessment of Essential Skills: Local Performance Assessment Requirement</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable

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Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
<a href="#">581-022-2120 Essential Skill Assessments for English Language Learners</a>	<b>Waived through the end of 2027-28 school year</b>	Not applicable	Not applicable
<a href="#">581-022-2270 Individual Student Assessment, Recordkeeping and Reporting</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2445 Universal Screenings for Risk Factors of Dyslexia</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable

### Subcategory: Program & Service Requirements

14

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
<a href="#">581-022-2315 Special Education for Children with Disabilities</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2325 Identification of Academically Talented and Intellectually Gifted Students</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2330 Rights of Parents of TAG Students</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2505 Alternative Education Programs</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
<a href="#">581-022-2515 Menstrual Dignity for Students</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable

### Subcategory: High School Diploma

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
<a href="#">581-022-2000 Diploma Requirements</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2005 Veterans Diploma</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2010 Modified Diploma</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2015 Extended Diploma</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2020 Certificate of Attendance</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2025 Credit Options</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable

## Category: Health & Safety

### Subcategory: Policies & Practices

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
<a href="#">581-022-2205 Policies on Reporting of Child Abuse</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2220 Health Services</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2310 Equal Education Opportunities</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2312 Every Student Belongs</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2345 Auxiliary Services</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable

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### Subcategory: Plans & Reports

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
<a href="#">581-022-2223 Healthy and Safe Schools Plan</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2225 Emergency Plans and Safety Programs</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
<a href="#">581-022-2230 Asbestos Management Plans</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2267 Annual Report on Restraint and Seclusion</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2510 Suicide Prevention Plan</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable

### Subcategory: Athletics & Interscholastic Activities

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
<a href="#">581-022-2210 Anabolic Steroids and Performance Enhancing Substances</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2215 Safety of School Sports – Concussions</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2308 Agreements Entered Into with Voluntary Organizations</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable

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## Category: District Performance & Accountability

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
<a href="#">581-022-2250 District Improvement Plan</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2255 School and District Performance Report Criteria</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2260 Records and Reports</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2265 Report on PE Data</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2300 Standardization</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2305 District Assurances of Compliance with Public School Standards</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2370 Complaint Procedures</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable

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## Category: Human Resources/Staffing

Rule # and Title	Status	Explanation/Evidence	Corrective Action Plan & Timeline
<a href="#">581-022-2335 Daily Class Size</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2400 Personnel</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2405 Personnel Policies</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2410 Teacher and Administrator Evaluation and Support</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2415 Core Teaching Standards</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2420 Educational Leadership - Administrator Standards</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2430 Fingerprinting of Subject Individuals in Positions Not Requiring Licensure as Teachers, Administrators, Personnel Specialists, School Nurses</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable
<a href="#">581-022-2440 Teacher Training Related to Dyslexia</a>	<b>In compliance</b>	The district has met all of the requirements for this rule.	Not applicable

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# Division 22 Standards Assurances for the 2023-24 School Year

October 24, 2024

Lee Loving, Superintendent

Nicole Duncan, Director of Teaching and Learning

# Division 22 Standards & Assurances of Compliance

## “Our Why”

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- Signals our commitment to providing a high-quality educational experience and equitable opportunities for all students.
- Division 22 standards articulate the floor of the education to be provided to students, not the ceiling.
- Assurances process offers an opportunity for districts not in compliance to reflect on areas in need of attention and receive technical assistance.



# What happens if the district is out of compliance?



- ODE reviews the district's proposed corrective action plan and either approves or rejects it.
- If the plan is not approved as submitted, ODE contacts the district and provides technical assistance and support.
- Once the district has an approved plan in place, ODE specialists may continue to provide support, as needed.
- The corrective action must be complete by the beginning of the next school year.
- If a district fails to come back into compliance after an opportunity for corrective action, ODE may withhold a portion of the district's State School Fund monies.

# Report for the 2023-24 School Year

# Division 22 Waivers for 2023-24

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- [581-022-2115\(3\) Assessment of Essential Skills:](#)
  - **Essential Skills Graduation Requirements** are waived for students graduating through the end of the 2027-28 school year.
  - Note: Local Performance Assessment requirement in Section (2) remains in effect.
- [OAR 581-022-2120 Essential Skill Assessments for English Language Learners](#)
  - This related policy requirement has also been waived through the end of the 2027-28 SY.



# New Rule in Effect for the 2023-24 SY

## [OAR 581-022-2515 Menstrual Dignity for Students](#)

- Adopted by State Board of Education in October 2023.
- This is the first time districts are reporting on compliance with this rule.
- Requires free and accessible menstrual products (tampons and pads) to every K-12 student, instructions on use of menstrual products within bathrooms, and Menstrual Health education in the classroom as part of the health and sexuality education program.



# Rule Revision in Effect for the 2023-24 SY



## OAR 581-022-2220 Health Services

- New requirements were adopted by the State Board of Education in June 2023.
- Requires school districts to develop, implement, and annually update a written, prevention-oriented health services plan for all students.

# District Report on Compliance with Division 22 Standards

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Compliant with **60** of the **61** standards.

- **581-022-2060** Comprehensive School Counseling - In Corrective Action for 24-25 school year
  - This plan will be completed by June 2025
    - Committee will convene five times throughout the year
    - Facilitated by Licensed School Counselors with the Director of Teaching and Learning

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# Corrective Action Implemented

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Corrective action that was in progress/completed during the 2023-24 school year.

- **581-022-2115(2)** Assessment of Essential Skills: Local Performance Assessment Requirement
- **581-022-2267** Annual Report on Restraint and Seclusion

# Looking Ahead: Compliance for the 2024-25 SY

# New/Revised Rules & Requirements



## **OAR 581-022-2030 District Curriculum**

Beginning in 2024-25, districts must have:

- a planned K-12 instructional program for Social and Emotional Learning; and
- a planned 9-12 instructional program which includes the Personal Financial Education and Higher Education and Career Path Skills content standards.

## **OAR 581-022-2000 Diploma Requirements**

- Credit requirements for students who were first enrolled in grade 9 during the 2023-24 school year or first enrolled in grade 9 in any subsequent school year include 0.5 credit in Personal Financial Education and 0.5 credit in Higher Education & Career Path Skills (SB 3 - 2023). 31

# New/Revised Rules & Requirements



## **Modified Diploma, Extended Diploma, and Certificate of Attendance**

Districts must annually provide parents information about diploma availability and requirements, and disclosure about certificates of attendance. On-site access to all courses is required for a diploma at all high schools.

## **OAR 581-022-2045 Substance Use Prevention and Intervention Plan**

Requires a comprehensive plan for substance use prevention and intervention. Includes K-12 substance use prevention education that meets the Health Education Standards; **requires a minimum of 1 ODE Opioid Prevention Education lesson in grades 6, 7, and 8 and once in High School (SB 238 – 2023).**

# Compliance for the 2024-25 SY

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Include this slide to update the Board on any action the district has taken to meet the new requirements or recent changes in policy or practice that may take the district out of compliance with any of the Division 22 Standards during the current school year (2024-25).



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# North Santiam School District 29J

Serving Lyons, Mehama, Stayton, and Sublimity

October 11, 2024

TO: North Santiam SD Board of Directors  
FROM: Rhonda Allen, Director of Business and Fiscal Services  
RE: September 30, 2024, Financial Statements

Board Members,

Attached are the 2024-25 financial statements through September 30, 2024. These statements include the General Fund Statement of Revenues Budget vs. Actual, General Fund Statement of Expenditures Budget vs. Actual, Food Service Statement of Revenue and Expenditures Budget vs. Actual, and total Appropriations for the year.

The General Fund statements include the actual revenues and expenditures from July 1, 2024, through September 30, 2024, and projections through June 30, 2025. The estimated General Fund Ending Fund Balance is \$4,261,082. Contingency and Unappropriated Ending Fund Balance equal \$1,591,661 of the Fund Balance total.

We are closely tracking the following:

- The effects of the PERS rate increase for the 2025-2027 biennium
  - Tier One/Tier Two and OPSRP Rates with side account – an overall increase of 9.56% for North Santiam SD
  - Tier One/Tier Two and OPSRP Rates with no side account – an overall increase of 1.4%
- Upcoming changes to PERS side accounts maturing in 2028
  - More information on this topic at the OASB Fall Conference next month
- The implications of new unemployment legislation

All of these factors have a fiscal impact, making it essential to forecast their effects beyond the current fiscal year.

An [article](#) from OSBA, Oregon School Board Association, summarizes the PERS side account issue.

*Side accounts are one-way school districts have held down their PERS costs, but those ropes are fraying.*

1155 N 3<sup>rd</sup> Ave, Stayton, Oregon 97383  
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# North Santiam School District 29J

Serving Lyons, Mehama, Stayton, and Sublimity

*Side accounts are typically funded by districts selling bonds and sending the money to PERS to be invested, creating a bucket of money that PERS dips into to lower a district's rate. The more that the side account investments earn, the more money in the bucket.*

*Districts make set payments over the life of the bonds out of their own budgets. If the side account earns more than the bond payments, the district comes out ahead with a PERS payment reduction greater than the loan cost. Side account earnings have ranged from -27.8% in 2008 to +20.8% in 2021.*

*Most districts have made money on the deal over the long haul, according to Brendan Watkins, Piper Sandler vice president, but it's not a guaranteed win.*

*This biennium, district payrolls ballooned faster than predicted while investment earnings were weak. A dipperful from the side account doesn't go as far when a district has more staff to spread it over, and the investment profits aren't adding a lot to the bucket.*

*Further complicating the math, any side accounts set up before 2009, which is more than half of them, are set to finish their terms by 2027. That narrow window to spread out costs is amplifying the volatility.*

*The average contribution rate for school districts without a side account will be 27.2% of payroll, an average rate increase of 1.6 percentage points. The average rate for districts with side accounts is still considerably lower at 19.1%, but it is climbing an average of 7.8 percentage points. The base rate uses a mechanism called a rate collar to keep it from changing too rapidly, but the side accounts have no collar.*

*Individual district rates vary wildly, from practically nothing to almost a third of payroll. In addition to the side account offsets, a school's rate depends heavily on the age and pay of its employees. Employees hired before August 2003 are known as Tier 1 and Tier 2, and employees hired after are on the Oregon Public Service Retirement Plan, with different PERS calculations.*

*Seventeen community colleges and 126 school districts have side accounts, according to Milliman. Many of those districts are seeing staggering jumps.*

*"Not only is it some number that is not zero, it is some number that is well above zero," Watkins said.*

*As bad as those jumps are, more hikes are ahead if districts don't replace their side accounts. Without a side account, the average Tier 1/Tier 2 school district rate is a whopping 27.87% and the OPSRP rate is 25.03%.*

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# North Santiam School District 29J

Serving Lyons, Mehama, Stayton, and Sublimity

North Santiam's investments are held in the Local Government Investment Pool. Their assets total \$16,307,325, yielding 5.30% through September 30, 2024.

Please let me know if you have any questions or concerns regarding these statements.

1155 N 3<sup>rd</sup> Ave, Stayton, Oregon 97383

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**North Santiam School District 29J**  
**General Fund: Statement of Revenue Budget Vs. Actual**  
**Fiscal Year 2024-25, As of 09/30/2024**

	2024-25 Budget	Actual YTD Rev. 9/30/2024	Projected Revenue 6/30/2025	Total Estimated 2024-25	(Over)/Under Budget
<b>1000 Revenue From Local Sources</b>					
1111 Current Year's Taxes	7,675,000	-	7,828,500	7,828,500	(153,500)
1112 Prior Year's Taxes	150,000	27,841	119,159	147,000	3,000
1114 Payments in Lieu of Property Taxes	-	-	-	-	-
1190 Penalties and Interest on Taxes	-	-	-	-	-
1200 REV from Local Gov't Unit Other Than Districts	-	-	-	-	-
1510 Interest on Investments	500,000	227,518	397,482	625,000	(125,000)
1700 Fees	27,000	13,196	12,454	25,650	1,350
1910 Rentals	1,500	-	1,500	1,500	-
1920 Contributions and Donations	-	-	-	-	-
1960 Recovery of Prior Year Funds	-	1,278	-	1,278	(1,278)
1980 Fees Charged to Grants	100,000	-	159,814	159,814	(59,814)
1990 Miscellaneous	25,000	825	49,175	50,000	(25,000)
<b>Total Revenue From Local Sources</b>	<b>\$ 8,478,500</b>	<b>270,658</b>	<b>8,568,084</b>	<b>8,838,742</b>	<b>(360,242)</b>
<b>2000 Revenue from Intermediate Sources</b>					
2101 County School Funds	55,000	-	55,000	55,000	-
2102 General Education Service District Funds	405,573	-	405,573	405,573	-
2199 Intermediate Rev Heavy Equipment Tax	-	-	-	-	-
2800 Heavy Equipment Rent Tax	-	1,609	-	1,609	(1,609)
<b>Total Revenue from Intermediate Sources</b>	<b>\$ 460,573</b>	<b>1,609</b>	<b>460,573</b>	<b>462,182</b>	<b>(1,609)</b>
<b>3000 Revenue From State Sources</b>					
3101 State School Fund—General Support	18,292,632	6,071,631	12,145,087	18,216,718	75,914
3103 Common School Fund	290,645	-	289,192	289,192	1,453
3104 State Managed County Timber	80,000	1,301	78,699	80,000	-
3107 State School Fund High Cost Disability	150,000	-	150,000	150,000	-
<b>Total Revenue From State Sources</b>	<b>\$ 18,813,277</b>	<b>6,072,932</b>	<b>12,662,977</b>	<b>18,735,909</b>	<b>77,368</b>
<b>4000 Revenue From Federal Sources</b>					
4801 Federal Forest Fees	10,000	-	10,000	10,000	-
<b>Total Revenue From Federal Sources</b>	<b>\$ 10,000</b>	<b>-</b>	<b>10,000</b>	<b>10,000</b>	<b>-</b>
<b>5000 Revenue From Other Sources</b>					
5110 Bond Proceeds	-	-	-	-	-
5400 Beginning Fund Balance	4,300,000	5,100,000	-	5,100,000	(800,000)
<b>Total Revenue From Other Sources</b>	<b>\$ 4,300,000</b>	<b>5,100,000</b>	<b>-</b>	<b>5,100,000</b>	<b>(800,000)</b>
<b>Total Resources</b>	<b>\$ 32,062,350</b>	<b>\$ 11,445,199</b>	<b>\$ 21,701,634</b>	<b>33,146,833.19</b>	<b>(1,084,483.19)</b>
<i>Unaudited Numbers</i>				<b>\$ 28,885,751</b>	
				<b>\$ 4,261,082</b>	
				<b>\$ 1,591,661</b>	
				<b>\$ 2,669,421</b>	

**North Santiam School District 29J**  
**General Fund: Statement of Expenditures Budget Vs. Actual**  
**Fiscal Year 2024-25, As of 09/30/2024**

Expenditure Functions	2024-25 Budget	Actual YTD EXP 9/30/2024	Projected Expenditures 6/30/2025	Total Estimated 2024-25	(Over)/ Under Budget
<b>1000 Instruction</b>					
1111 Elementary, K-5 or K-6	5,455,098	419,826	4,825,219	5,245,045	210,053
1120 AVID Instruction	4,750	149	4,522	4,671	79
1121 Middle/Junior High Programs	2,971,173	230,056	2,635,841	2,865,897	105,276
1122 Middle/Junior High School Extracurricular	142,294	26,824	101,820	128,645	13,649
1127 After School Program	15,000	-	-	-	15,000
1131 High School Programs	3,520,192	262,063	3,185,252	3,447,315	72,877
1132 High School Extracurricular	712,033	127,698	545,307	673,006	39,027
1140 Pre-kindergarten Programs	-	-	-	-	-
1220 Restrictive Pgms for Students w/Disabilities	2,185,835	160,390	1,649,756	1,810,146	375,689
1250 Programs for Students w/Severe Disabilities	987,760	96,065	941,945	1,038,009	(50,249)
1271 Remediation	576,868	45,680	545,289	590,968	(14,100)
1272 Title I-A	104,318	8,170	101,364	109,534	(5,216)
1281 Alternative Education High School	85,000	6,014	78,986	85,000	-
1285 District Options Academy	547,644	35,439	512,205	547,644	-
1291 English Second Language Programs	580,000	37,757	509,175	546,931	33,069
1292 Teen Parent Program	6,100	-	-	-	6,100
1460 Summer School, Middle/Jr High	800	-	482	482	318
<b>Total Instruction</b>	<b>\$ 17,894,865</b>	<b>\$ 1,456,131</b>	<b>\$ 15,637,161</b>	<b>\$ 17,093,292</b>	<b>\$ 801,573</b>
<b>2000 Support Services</b>					
2111 Safety and Security Service Area Direction	72,203	30,990	91,205	122,195	(49,992)
2115 Student Safety	238,464	10,766	227,698	238,464	-
2120 Guidance Services	194,149	23,522	182,822	206,344	(12,195)
2134 Nurse Services	205,303	14,938	184,406	199,345	5,958
2139 Other Health Services	4,800	1,459	3,341	4,800	-
2143 Psychological Counseling Services	262,797	6,101	64,836	70,937	191,860
2152 Speech Pathology Services	126,128	11,175	114,334	125,509	619
2160 Other Student Treatment Services	-	-	-	-	-
2190 Service Direction, Student Support Services	159,416	43,894	262,145	306,039	(146,623)
2210 Improvement of Instruction Services	-	-	-	-	-
2211 Teaching and Learning Service Area Direction	277,307	69,523	228,347	297,870	(20,563)
2213 Curriculum Development	204,650	7,023	119,589	126,613	78,037
2219 Other Improvement of Instruction Svcs	234,633	15,438	219,195	234,633	-
2220 Educational Media Services	323,764	37,117	290,891	328,008	(4,244)
2230 Assessment and Testing	-	-	-	-	-
2240 Instructional Staff Development	41,844	6,906	34,938	41,844	-
2310 Board of Education Services	105,575	15,319	114,572	129,891	(24,316)
2320 Executive Administration Services	398,920	101,135	298,408	399,543	(623)
2410 Office of the Principal Services	2,622,444	569,960	2,154,116	2,724,076	(101,632)
2490 School Administration - Other Support Services	-	-	-	-	-
2510 Direction of Business Support Services	221,824	55,193	162,594	217,786	4,038
2520 Fiscal Services	403,800	103,998	299,802	403,800	-
2528 Risk Management Services	341,210	322,417	1,733	324,150	17,061

**North Santiam School District 29J**  
**General Fund: Statement of Expenditures Budget Vs. Actual**  
**Fiscal Year 2024-25, As of 09/30/2024**

<b>Expenditure Functions</b>	<b>2024-25 Budget</b>	<b>Actual YTD EXP 9/30/2024</b>	<b>Projected Expenditures 6/30/2025</b>	<b>Total Estimated 2024-25</b>	<b>(Over)/ Under Budget</b>
2541 Maintenance & Facilities Service Area Direction	257,277	63,740	196,004	259,743	(2,466)
2542 Care and Upkeep of Buildings Services	2,812,687	624,974	1,842,977	2,467,951	344,736
2543 Care and Upkeep of Grounds Services	179,325	29,665	135,490	165,156	14,169
2549 Other Operation and Maintenance Services	9,961	1,498	8,422	9,919	42
2550 Student Transportation Services	1,116,250	59,070	890,958	950,028	166,222
2558 Special Education Transportation Services	250,000	2,551	247,449	250,000	-
2630 Information Services	72,939	12,442	62,195	74,638	(1,699)
2640 Staff Services	265,659	79,524	197,148	276,672	(11,013)
2641 Human Resources Service Area Direction	218,379	55,566	163,101	218,667	(288)
2649 Human Resources Other Services	-	82	-	82	-
2660 Technology Services	867,630	209,012	403,501	612,513	255,117
2661 IT Service Area Direction	-	-	-	-	-
2680 Interpretation and Translation	-	-	-	-	-
<b>Total Support Services</b>	<b>\$ 12,489,338</b>	<b>\$ 2,584,997</b>	<b>\$ 9,202,218</b>	<b>\$ 11,787,215</b>	<b>\$ 702,205</b>
<b>3000 Enterprise and Community Services</b>					
3360 Welfare Activities Services	5,700	4,160	1,084	5,244	456
<b>Total Enterprise and Community Services</b>	<b>\$ 5,700</b>	<b>\$ 4,160</b>	<b>\$ 1,084</b>	<b>\$ 5,244</b>	<b>\$ 3,456</b>
<b>5000 Other Uses</b>					
5110 Long Term Debt Service	-	-	-	-	-
5200 Transfers of Funds	80,786	-	-	-	80,786
<b>Total Other Uses</b>	<b>\$ 80,786</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 80,786</b>
<b>6000 Contingencies</b>					
6110 Operating Contingency	661,661	-	-	-	661,661
<b>Total Contingencies</b>	<b>\$ 661,661</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 661,661</b>
<b>7000 Unappropriated Ending Fund Balance</b>					
7000 Unappropriated Ending Fund Balance	930,000	-	-	-	930,000
<b>Total Unappropriated Ending Fund Balance</b>	<b>\$ 930,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 930,000</b>
<b>GENERAL FUND EXPENDITURES GRAND TOTAL</b>	<b>\$ 32,062,350</b>	<b>\$ 4,045,288</b>	<b>\$ 24,840,463</b>	<b>\$ 28,885,751</b>	<b>\$ 3,176,680</b>

**North Santiam School District 29J**  
**Food Service Fund: Statement of Revenues and Expenditures Budget Vs. Actual**  
**Fiscal Year 2024-25, As of 09/30/2024**

	2024-25 Budget	Actual as of 9/30/2024	Encumbered as of 9/30/2024	Total Estimated 2024-25	(Over)/Under Budget
<b>REVENUE</b>					
1610/1620 Daily Sales	100,000	10,909	99,072	109,981	(9,981)
1630 Special Functions	-	-	-	-	-
1940 Services Provided Other LEA's	6,200	7,030	8,025	15,055	(8,855)
1960 Recovery of Prior Year Funds	-	-	-	-	-
1990 Miscellaneous Revenue	8,000	763	7,237	8,000	-
3299 State Breakfast/Lunch SSA	100,000	-	100,000	100,000	-
4500 Farm to School Grant	-	-	-	-	-
4511 State Breakfast	-	-	-	-	-
4512 State Lunch	-	-	-	-	-
4513 NSLP Breakfast	295,000	-	206,500	206,500	88,500
4515 NSLP Lunch	870,000	64,171	631,829	696,000	174,000
4518 NSLP Snack Program	-	-	-	-	-
4519 Farm to School	15,000	-	15,000	15,000	-
4525 Summer Lunch	20,000	7,525	-	7,525	12,475
4526 Federal Revenue Summer Lunch	1,500	-	-	-	1,500
4910 USDA Commodities	90,000	-	90,000	90,000	-
5200 Interfund Transfers	-	-	-	-	-
5400 Beginning Fund Balance	170,000	22,215	-	22,215	147,785
<b>TOTAL REVENUE</b>	<b>\$ 1,675,700</b>	<b>\$ 112,614</b>	<b>\$ 1,157,663</b>	<b>\$ 1,270,277</b>	<b>\$ 405,424</b>
<b>EXPENDITURES</b>					
<b>Enterprise and Community Services</b>					
3100-100 Salaries	450,611	61,728	379,996	441,724	8,887
3100-200 Payroll Costs	385,995	40,357	301,812	342,169	43,826
3100-300 Contracted Services	21,500	-	1,048	1,048	20,452
3100-410 Supplies and Materials	41,500	7,844	36,625	44,469	(2,969)
3100-411 Fuel	1,000	59	941	1,000	-
3100-415 USDA Commodities	90,000	-	-	-	90,000
3100-450 Food	629,747	84,276	282,269	366,545	263,202
3100-460 Non-Consumable	29,240	5,146	8,366	13,512	15,728
3100-470 Computer Software	4,695	3,155	-	3,155	1,540
3100-480 Computer Hardware	1,500	-	-	-	1,500
3100-540 Equipment Replacement	10,662	-	-	-	10,662
3100-640 Dues and Fees	9,250	9,222	-	9,222	28
<b>TOTAL EXPENDITURES</b>	<b>1,675,700</b>	<b>\$ 211,787</b>	<b>\$ 1,011,056</b>	<b>\$ 1,222,843</b>	<b>\$ 452,857</b>

**FOOD SERVICE EST EFB \$ 47,433**

**North Santiam School District 29J**  
**Appropriations: Budget Vs. Actual**  
**Fiscal Year 2024-25, As of 09/30/2024**

<b>General Fund (100)</b>	<b>Appropriations</b>	<b>YTD</b>	<b>Encumbrances</b>	<b>Totals</b>	<b>Resolutions</b>	<b>(Over)/Under Budget</b>
1000 Instruction	17,894,865	1,456,131	14,221,285	15,677,416		2,217,449
2000 Support Services	12,489,338	2,584,997	8,123,567	10,708,564		1,780,774
3000 Community Services	5,700	4,160	1,084	5,244		456
5200 Transfers	80,786	-	-	-		80,786
6000 Contingency	661,661	-	-	-		661,661
<b>Sub Total</b>	<b>\$ 31,132,350</b>	<b>\$ 4,045,288</b>	<b>\$ 22,345,935</b>	<b>\$ 26,391,223</b>	<b>\$ -</b>	<b>\$ 4,741,127</b>
<b>Special Revenue Funds (200)</b>						
1000 Instruction	3,357,615	325,461	1,369,431	1,694,892		1,662,723
2000 Support Services	4,705,226	867,925	1,152,045	2,019,969		2,685,257
3000 Community Services	108,253	11,423	38,162	49,585		58,668
4000 Facilities Acquisition	200,000	-	-	-		200,000
5200 Transfers	258,425	-	-	-		258,425
5300 Apportionment of Funds by ESD	14,952	-	-	-		14,952
6000 Contingency	2,313,022	-	-	-		2,313,022
<b>Sub Total</b>	<b>\$ 10,957,493</b>	<b>\$ 1,204,808</b>	<b>\$ 2,559,638</b>	<b>\$ 3,764,447</b>	<b>\$ -</b>	<b>\$ 7,193,046</b>
<b>Food Service Funds (299)</b>						
3000 Community Services	1,675,700	211,787	1,011,056	1,222,843	-	452,857
<b>Sub Total</b>	<b>\$ 1,675,700</b>	<b>\$ 211,787</b>	<b>\$ 1,011,056</b>	<b>\$ 1,222,843</b>	<b>\$ -</b>	<b>\$ 452,857</b>
<b>PERS Bond Debt Service (310.321.375)</b>						
5100 Debt Service	5,125,000	-	5,123,297	5,123,297	-	41,703
6000 Contingency	1,882,155	-	-	-	-	1,882,155
<b>Sub Total</b>	<b>\$ 7,007,155</b>	<b>\$ -</b>	<b>\$ 5,123,297</b>	<b>\$ 5,123,297</b>	<b>\$ -</b>	<b>\$ 1,883,858</b>
<b>Facilities (400,401,420,425,426,430,448)</b>						
1000 Instruction Services	100,000	5,982	-	5,982		94,018
2000 Support Services	410,010	120,425	34,253	154,679		255,331
4000 Facilities Acquisition	2,551,654	94,463	-	94,463		2,457,191
5110 Debt Service	41,500	20,266	20,118	40,384		1,117
5200 Transfers	-	-	-	-		-
6000 Contingency	1,308,266	-	-	-		1,308,266
<b>Sub Total</b>	<b>\$ 4,411,430</b>	<b>\$ 241,136</b>	<b>\$ 54,371</b>	<b>\$ 295,507</b>	<b>\$ -</b>	<b>\$ 4,115,923</b>
<b>Internal Service Funds (600)</b>						
2000 Support Services	251,200	9,366	420	9,786		241,414
6000 Contingency	589,379	-	-	-		589,379
<b>Sub Total</b>	<b>\$ 840,579</b>	<b>\$ 9,366</b>	<b>\$ 420</b>	<b>\$ 9,786</b>	<b>\$ -</b>	<b>\$ 830,793</b>
<b>Trust and Agency Fund (700)</b>						
2000 Support Services	48,542	4,500	-	4,500	-	44,042
<b>Sub Total</b>	<b>\$ 48,542</b>	<b>\$ 4,500</b>	<b>\$ -</b>	<b>\$ 4,500</b>	<b>\$ -</b>	<b>\$ 44,042</b>
<b>Total Appropriations</b>	56,073,249	5,716,885	31,094,718	36,811,603	-	19,261,646
<b>Total Unappropriated</b>	930,000	-	-	-	-	930,000
<b>APPROPRIATION TOTAL</b>	<b>\$ 57,003,249</b>	<b>\$ 5,716,884.89</b>	<b>\$ 31,094,717.81</b>	<b>\$ 36,811,602.70</b>	<b>\$ -</b>	<b>\$ 20,191,646</b>

**North Santiam School District 29J**  
**Special Revenue Funds**  
**Fiscal Year 2024-25, As of 09/30/2024**

Special Revenue Funds: MISC	Allocation	Beginning Fund Bal	YTD Revenue	YTD Exp/Enc	Fund Balance
201: Board Reserve	\$ -	\$ 1,001,791	\$ -	\$ -	\$ 1,001,791
202: Textbook Reserve	\$ -	\$ 1,006,350	\$ -	\$ -	\$ 1,006,350
205: CTE Construction House	\$ -	\$ 47,915	\$ -	\$ 4,210	\$ 43,705
206: CTE SHS Grants	\$ -	\$ -	\$ -	\$ -	\$ -
211: United Way	\$ -	\$ -	\$ -	\$ -	\$ -
216: Misc Grants	\$ -	\$ 8,426	\$ -	\$ 8,426	\$ 0
230: Technology Services	\$ -	\$ 12,836	\$ -	\$ -	\$ 12,836
231: After School Grant	\$ -	\$ 11,763	\$ -	\$ -	\$ 11,763
240: E-Rate Category 1	\$ -	\$ 87,848	\$ -	\$ -	\$ 87,848
241: Nike Grant	\$ -	\$ -	\$ -	\$ -	\$ -
243: District Grants	\$ -	\$ 1,619	\$ -	\$ -	\$ 1,619
244: E-Rate Category 2	\$ -	\$ -	\$ -	\$ 50,219	\$ (50,219)
249: SB 1149	\$ -	\$ 138,610	\$ 12,731	\$ -	\$ 151,341
278: Communication/Community Engagement	\$ -	\$ 41,539	\$ -	\$ 4,916	\$ 36,623
280: Homeless Support	\$ -	\$ -	\$ -	\$ -	\$ -
281: PERS Increase Reserve	\$ -	\$ 775,000	\$ -	\$ -	\$ 775,000
284: SHS Athletic Improvement Fund	\$ -	\$ 19,072	\$ 3,377	\$ 3,500	\$ 18,949
<b>TOTALS</b>	<b>\$ -</b>	<b>\$ 3,152,769</b>	<b>\$ 16,108</b>	<b>\$ 71,271</b>	<b>\$ 3,097,606</b>

Special Revenue Funds: GRANTS	Allocation	Beginning Fund Bal	YTD Revenue	YTD Exp/Enc	Grant Balance
204: ARP HCY I	\$ 5,546	\$ -	\$ 5,546	\$ 5,546	\$ -
209: ESSER III	\$ 43,096	\$ -	\$ 43,096	\$ 43,096	\$ -
215: Title IV	\$ 38,192	\$ -	\$ -	\$ 7,029	\$ 31,163
219: Title III	\$ 14,649	\$ -	\$ -	\$ -	\$ 14,649
221: IDEA 611	\$ 915,999	\$ -	\$ 81,848	\$ 610,764	\$ 305,234
222: Carl Perkins CTE	\$ -	\$ -	\$ -	\$ -	\$ -
224: HB3499 EL Transformation	\$ 125,000	\$ -	\$ -	\$ 77,844	\$ 47,156
225: IDEA 611 ARP	\$ -	\$ -	\$ -	\$ -	\$ -
227: Title I-A	\$ 573,631	\$ -	\$ 34,524	\$ 372,799	\$ 200,832
228: Title II-A	\$ 134,752	\$ -	\$ 2,338	\$ 24,472	\$ 110,281
232: Outdoor School	\$ -	\$ -	\$ -	\$ 43,729	\$ (43,729)
247: IDEA 619	\$ 6,244	\$ -	\$ -	\$ -	\$ 6,244
251: Student Investment Act	\$ 2,948,160	\$ -	\$ 707,241	\$ 1,544,575	\$ 1,403,585
252: High School Success	\$ 808,661	\$ -	\$ 85,783	\$ 373,317	\$ 435,345
255: Preschool Promise	\$ 652,116	\$ -	\$ 47,577	\$ 375,598	\$ 276,518
259: Career Pathways Program	\$ 15,793	\$ -	\$ -	\$ -	\$ 15,793
274: SIA - EIS	\$ 6,139	\$ -	\$ -	\$ -	\$ 6,139
275: Oregon Community Foundation	\$ -	\$ -	\$ -	\$ -	\$ -
276: OSU Grant	\$ -	\$ -	\$ -	\$ -	\$ -
277: TAP Grants	\$ 72,350	\$ -	\$ -	\$ -	\$ 72,350
279: Early Literacy Grant	\$ 207,526	\$ -	\$ 52,016	\$ 115,313	\$ 92,214
282: Oregon Extended Assessment	\$ -	\$ -	\$ -	\$ -	\$ -
283: PEEK Grant	\$ 65,000	\$ -	\$ -	\$ -	\$ 65,000
285: SB283 Mentorship	\$ 40,000	\$ -	\$ -	\$ -	\$ 40,000
299: Breakfast After the Bell	\$ -	\$ -	\$ -	\$ -	\$ -
299: Farm to CNP Base AY25	\$ -	\$ -	\$ -	\$ -	\$ -
299: Local Food for Schools (LFS)	\$ -	\$ -	\$ -	\$ -	\$ -
<b>TOTALS</b>	<b>\$ 6,672,855</b>	<b>\$ -</b>	<b>\$ 1,059,969</b>	<b>\$ 3,594,081</b>	<b>\$ 3,078,774</b>

General Fund  
Period Ending September 30, 2024

General Fund - Projections

Revenue	\$ 33,146,833
Expenditures	\$ 28,885,751
<b>Balance</b>	<b>\$ 4,261,082<sup>43</sup></b>
Less Contingency/UEFB	\$ 1,591,661
<b>Estimated Fund Balance</b>	<b><u>\$ 2,669,421</u></b>



# General Fund

## Period Ending September 30, 2024

### SSF - 49/51 Split

**23-24 SSF Grant**

**\$17,690,225**

**24-25 SSF Grant**

**\$18,216,715**

44

**2% increase from 23-24 to 24-25  
Equates to \$526,490**



# General Fund

## Period Ending September 30, 2024

### 23-25 Payroll Increase

23-24	24-25
Salaries: \$13,401,282	Salaries: \$14,912,611
ER Costs: \$ 7,846,512	ER Costs: \$ 8,334,592 <sup>45</sup>
TOTAL: \$21,247,794	TOTAL: \$23,247,203

**8% increase from 23-24 to 24-25  
Equates to \$1,999,409**



# General Fund

## Period Ending September 30, 2024

### Summary

SSF Revenue Increase (2%) = \$ 526,490  
Property Tax Increase (3%) = \$ 390,625  
\$ 917,115

46

Salary/PR Costs Inc (8%) = \$ 1,999,409

Revenue to Expenditure Deficit = \$1,082,294



General Fund  
Period Ending September 30, 2024

Ending Fund Balance

Revenue to Expenditure Deficit = \$1,082,294

23-24 Est. Ending Fund Bal: \$5,155,863  
(Unaudited Number) 47

24-25 Est. Ending Fund Bal: \$4,261,082

Difference: (-\$894,781)



General Fund  
Period Ending September 30, 2024

EFB Policy - DBDB

*The Board directs the superintendent to have as a goal – to utilize the budgeting process to build an ending fund cash balance in the general fund<sup>48</sup> of at least **7 percent** of total adopted revenues.*



# General Fund

## Period Ending September 30, 2024

Total Est. General Fund Revenue = \$33,146,833

Estimated Ending Fund Balance = \$ 2,669,421  
(minus contingency & unappropriated)

49

Percentage of Adopted Revenue = 8%



# Special Revenue Funds

## Period Ending September 30, 2024

<u>GRANT</u>	<u>ALLOCATION</u>	
ARP HCY 1	\$5,546	
ESSER III	\$43,096	
TITLE I-A*	\$573,631	50
TITLE II-A*	\$134,752	
TITLE III*	\$14,649	
TITLE IV	\$38,192	

*\*Includes Carryover*



# Special Revenue Funds

## Period Ending September 30, 2024

<u>GRANT</u>	<u>ALLOCATION</u>
IDEA 611*	\$915,999
IDEA 619*	\$6,244
HB3499 EL TRANSFORMATION	\$125,000
STUDENT INVESTMENT ACCT *	\$2,948,160
M98 HS SUCCESS *	\$808,661

51

*\*Includes Carryover*



# Special Revenue Funds

## Period Ending September 30, 2024

<u>GRANT</u>	<u>ALLOCATION</u>
PRESCHOOL PROMISE*	\$652,116
EARLY LITERACY*	\$207,526
SB283 MENTORSHIP	\$40,000
PEEK GRANT	\$65,000
CAREER PATHWAYS	\$15,793

52

*\*Includes Carryover*





North Santiam School District  
1155 N 3rd Ave - Stayton, OR 97383  
[www.nssd29j.org](http://www.nssd29j.org)

### **2024-25 Board of Directors**

**Board Chair**, Erin Cramer    **Board Vice-Chair**, Mackenzie Strawn  
**Board Members**: Mike Wagner, Laura Wipper, Mark Henderson, Coral Ford & Alisha Oliver  
**Student Representatives to the Board**, Lucas Joyce & Haley Butenschoen  
**Superintendent**, Lee W. Loving  
**Director of Business & Fiscal Services**, Rhonda Allen  
**Director of Human Resources**, Danielle Blackwell  
**Director of Teaching & Learning**, Nicole Duncan  
**Director of Special Programs**, Melissa Glover  
**Director of Nutrition Services**, John Barnes  
**Director of Safety, Security and Health Services**, Gary Rychard  
**Director of Facilities**, Dave Parsons  
**Superintendent/School Board Executive Assistant**, Tonia Whisman

*Access to the agenda and meeting materials can be located on the District website at  
[www.nssd29j.org](http://www.nssd29j.org) > [Board of Directors](#) > [Agendas/Meeting Minutes](#)*

**Thursday, September 19, 2024 Regular Session**  
**NSSD District Office/Santiam Room, 1155 N 3rd Ave, Stayton, OR 97383 ~ 6:00 PM**  
[https://www.youtube.com/live/imRkAT9Bi24?si=2\\_K44RCKIbjzBQfn](https://www.youtube.com/live/imRkAT9Bi24?si=2_K44RCKIbjzBQfn)

### **MINUTES - DRAFT**

#### **1. CALL REGULAR SESSION TO ORDER**

The Board Chair called the meeting to order at 6:00 pm. He noted that Mark Henderson was attending online, Mackenzie Strawn was expected shortly and the remainder of the board was present. He then led everyone in the pledge of allegiance.

#### **2. AGENDA APPROVAL**

Changes to the agenda after posting on September 13, 2024 were acknowledged:

##### **Added Attachments-**

\*11.2-Sept 2024 Licensed Staff Report

\*14.0-DJC-AR -New\_Replace- Exempt from Comp Bidding Special Procrmt 9.19.24

\*18.2- Sept. 2024 Enrollment Totals 9.13.24

##### **MOTION-AGENDA APPROVAL**

**Motion that the Board approve the agenda as modified.**

**Motion Made By: Alisha Oliver**

**Vote: 6-0, motion passed**

*Mackenzie Strawn arrived at 6:03 pm.*

**3. STUDENT BUSINESS: Lucas Joyce**

Highlights included:

- plans for Homecoming Week
- fall sports recap
- co-curricular activity kickoffs
- Ty Hart Fitness Center Ribbon Cutting
- Hispanic Heritage Night - October 8th

**4. CITY COUNCIL LIAISON REPORTS:**

There were no reports from council liaisons.

**5. SUPERINTENDENT'S REPORT: Lee W. Loving**

Key points included:

- enrollment is up across the district by approximately 30 students
- potential opportunity for the district to advocate that the legislature provides more funding for Special Education students (across the state).
- plans to sunrise a “future education” planning committee. It was previously known as the Long Range Facilities Master Planning Committee (and may continue to be)
- Youth Truth survey dates are being adjusted by ODE with plans to open it on Oct. 28, 2024, for feedback from students, staff, and community members (survey closes Nov. 22, 2024)
- Building/Dept/Supt. goals for 2024-25 will be provided to the board for review in coming weeks
- ongoing quarterly meetings with district administrators and the city of Stayton admin. staff
- Hispanic Heritage Month is being observed at Stayton HS with a special event on Oct. 8th

**6. BUSINESS & FISCAL SERVICES REPORT: (written report only)**

[Board Financial Report\\_Aug2024](#)

**7. SECURITY REPORT: Gary Rychard**

Director Rychard reviewed recent projects related to safety and Title IV compliance. The presentation can be viewed at the link below.

[Sept. Safety Month](#)

**8. FACILITIES REPORT: Dave Parsons**

Director Parson reviewed recent facility projects on campuses across the district. The presentation can be viewed at the link below.

[Facilities 2024 Summer Projects](#)

**9. LICENSED/CLASSIFIED UNION REPORTS: Union Reps.**

There were no reports from union representatives.

**10. PUBLIC COMMENT**

There was no comment from the public.

**11. CONSENT AGENDA**

**11.1. *Action: Approval of Meeting Minutes***

[08.22.24 Meeting Minutes-DRAFT](#)

**11.2. *Action: Approval of New Hires***

**New Hires (Board Action Required)**

Emily Sears - SHS/ELA

[Sept 2024 Licensed staff report](#)

**11.3. *Action: Approval of Consent Agenda***

**MOTION-CONSENT AGENDA**

*Motion that the Board approve the Consent Agenda as presented.*

**Motion Made By: Laura Wipper**

**Vote: 7-0, motion passed**

**12. APPROVAL OF TRANSPORTATION CONTRACT: Lee Loving**

The board was asked to approve a contract renewal for transportation services with Mid-Columbia Bus Company through June 2029. There was a discussion about cost comparisons, the amount of time students are on the bus, and why it was not necessary to obtain RFPs. The contract may be viewed at the link below.

**MOTION-CONTRACT APPROVAL**

*Motion that the board approve the contract for student transportation services with Mid-Columbia Bus Company for July 1, 2024 - June 30, 2029, as submitted.*

**Motion Made By: Coral Ford**

**Vote: 7-0, motion passed**

[MidCo\\_North Santiam SD 29J Contract Unsigned 01Jul2024-30Jun2029](#)

**13. POLICY UPDATES/SECOND READING**

The following policies were approved.

**GCDA/GDDA -Criminal Records Checks & Fingerprinting**

*Motion to approve GCDA/GDDA as submitted.*

**Motion Made By: Alisha Oliver**

**Vote: 7-0, motion passed**

There was a brief review of the changes made to the policy after the first reading. It was noted that the recommendation was to take a few paragraphs from JEA-AR, add them to JEA, and then delete JEA-AR. This is a result of changes in legislation that no longer allow parents/guardians to be cited into court for failure to ensure their student is attending school regularly.

The Board Chair then called for a brief recess at 7:05 pm to allow board members to read the updated version and take a break if needed. He called the meeting back to order at 7:11 pm.

**JEA -Compulsory Attendance**

*Motion to approve JEA as submitted.*

**Motion Made By: Mackenzie Strawn**

**Vote: 7-0, motion passed**

**14. ADMINISTRATIVE REGULATION UPDATES**

The following ARs were submitted for board review. All ARs except JEA-AR will go into effect in October once the associated policies are approved by the board. The ARs can be viewed by clicking on the links below.

**DJC-AR/DELETE-Special Procurements & Exempt from Comp Bidding**  
**DJR-AR/REPLACE-Exempt from Comp Bidding & Special Procurements**  
**DJCA-AR/DELETE-Personal Services Contract**  
**JEA-AR/DELETE Compulsory Attendance Notices and Citations**

[DJC-AR-DELETE-Spec Procmnts & Exemp from Comp Bidding 9.19.24](#)  
[DJC-AR -New Replace- Exempt from Comp Bidding Special Procrmt 9.19.24](#)  
[DJCA-AR-DELETE-Personal Services Contract 9.19.24](#)  
[JEA-AR -DELETE-Compulsory Attendance Notices and Citations 09.19.24](#)

## 15. POLICY UPDATES/FIRST READING

These policies were presented for a first reading and will be brought back in the following month for a second reading and possible adoption.

**DJC- Special Procurements & Exemptions from Competitive Bidding (DELETE/REPLACE)**  
**(Mackenzie)**

**DJCA - Personal Services Contracts- DELETE (Mackenzie)**

**IICA- Field Trips and Excursions (Alisha)**

**IKF- Graduation Requirements (Erin)**

Board members asked a number of questions regarding the district's philosophy for having an Oregon diploma and a Stayton High (SHS) diploma and the circumstances under which a waiver is granted to opt out of the SHS diploma since it requires two additional credits. Supt. Loving suggested creating a Supt. Sub-Committee to potentially make recommendations to the policy before it is approved.

**GBNAA/JHFF- Suspected Sexual Conduct with Students & Reporting Requirements (Mark)**

[DJC -DELETE-Bidding Reqs 9.19.24](#)

[DJC -New Replace-Bidding Reqs 9.19.24](#)

[DJCA-DELETE-Personal Services Contracts 9.19.24](#)

[GBNAA\\_JHFF -Suspected Sexual Conduct with Students & Reporting 09.19.24](#)

[IICA -Field Trips and Excursions 9.19.24](#)

[IKF-Graduation Requirements 09.19.24](#)

## 16. STRATEGIC PLANNING UPDATE: Laura Wipper/Alisha Oliver

Work on the project is continuing and they hope to have a draft ready for the October meeting.

## 17. BOARD REFLECTIONS/ANNOUNCEMENTS

- update regarding board subcommittee for legislative priorities
- appreciation for the new pathway (dental health) at Willamette Career Academy

## 18. INFORMATION ONLY

### 18.1. Field Trip Report:

[Sept 2024 Fieldtrips Board Report 9.12.24](#)

### 18.2. Student Enrollment:

Enrollment as of 9/13/24 was 2101 in grades K-12. Refer to the attachment for a breakdown by grade at each location and totals from previous months in the school year.

Mari-Linn: 156

Sublimity: 365  
Stayton Elementary: 327 (not including PreK)  
Stayton Intermediate/Middle: 486  
Stayton High: 669  
Locust Street Academy: 48  
Stayton Virtual Academy:50  
Total: 2101

[Sept 2024 Enrollment Totals 09.13.24](#)

**18.3. Future Agenda Items:**

[Agenda Items Annual Calendar rev 04.24](#)

**18.4. Upcoming Events & Activities:**

(included in meeting materials)

**19. ADJOURN**

The Board Chair adjourned the meeting at 7:44 pm.

*EQUAL OPPORTUNITY EMPLOYER*

THEME	Future Ready Students	Legacy - Thriving Communities	Teaching & Learning	Fiscal Stewardship	Quality Staff
Strategic Focuses	Next Step Readiness	Collaborate & Engage with Communities	Rigor with High Expectations and Follow Through	Balanced Budget	Hiring
	Co-Curricular & Extracurricular Opportunities	Promoting Service in Communities	Developing Competency, Mastery & Confidence	Provide & Maintain Quality Learning Spaces & Facilities (including Tech)	Retention
	Career-Connected Learning Opportunities & Work Skills	Encouraging Civic Involvement	Developing Healthy Tech Habits - Using Tech Responsibly	Safety & Security	Professional Growth
	Social-Emotional Readiness & Resiliency				District & Building Support

Year 1 **2024-25**

Year 2 **2025-26**

Year 3 **2026-27**

Year 4 **2027-28**

Year 5 **2028-29**

**Summary**

OSBA recommends deleting the current versions of DJC – Bidding Requirements, DJC-AR – Exemptions from Competitive Bidding and Special Procurements, DJCA – Personal Service Contracts and DJCA-AR – Personal Service Contracts, and replacing them with the new proposed versions of DJC and DJC-AR.

The proposed DJC outlines the procurement requirements for Small Procurement, Intermediate Procurement, Regular Procurement, Emergency Procurement, Sole-Source Procurement and Personal Services Contracts. Additionally, the proposed policy DJC – Bidding Requirements, reflects the new amounts for the procurement levels passed in House Bill 1047 (2023) and went into effect January 1, 2024. The policy also defines “public improvements” for purposes of the procurement levels, defines “community benefit contract” and the “Construction Manager/General Contractor procurement.”

The proposed administrative regulation, DJC-AR – Exemptions from Competitive Bidding and Special Procurements, has been updated and continues to provide guidance for procurements which are exempt from competitive bidding or are special procurements.

**DELETE - DELETE - DELETE - DELETE - DELETE - DELETE**

**North Santiam School District**

Code: DJC  
Adopted: 7/01/96  
Revised/Readopted: 1997; 1998; 2000; 3/17/11;  
2/21/13; 6/15/17; 10/20/22  
Orig. Code: DJC

**Bidding Requirements**  
(delete and replace with new version)

The Board is the Local Contract Review Board (LCRB) for the district. All public contracts shall be invited in accordance with applicable competitive procurement provisions of the Oregon Revised Statutes and the adopted public contracting rules.

The Board, acting as its own LCRB, adopts its own rules of procedure that will govern district purchasing. Consequently, the model rules adopted by the Attorney General shall not apply to the district. The district’s rules may include portions of the *Oregon Attorney General’s Model Public Contract Rules* OAR Chapter 137, Divisions 046 through 049 in effect at the time this policy is adopted.

The district shall procure the construction manager/general contractor services in accordance with model rules the Attorney General adopts under Oregon Revised Statute (ORS) 279A.065(3).

Additionally, the Board may include as part of its rules portions of the Oregon Department of Administrative Services rules governing Public Contract Exemptions, OAR Chapter 125, Divisions 246-249 in effect at the time this policy is adopted.

The Board may make the written findings required by law for exemptions from competitive bidding. Such findings shall be maintained by the district and made available on request.

The district shall review its rules each time the Attorney General adopts a modification of the model rules, as required by ORS 279A.065(6)(b), to determine whether any modifications need to be made to district rules to ensure compliance with statutory changes. New rules, as necessary, shall be adopted by the Board. In the event it is unnecessary to adopt new rules, Board minutes will reflect that the review process was completed as required.

The Board, acting as the LCRB, may enact a resolution that authorizes the district to designate a public improvement as a community benefit contract per the requirements included in ORS 279C.300 to 279C.470.

Procurements for services estimated to be in excess of \$250,000 shall go through the cost analysis and feasibility process described in ORS 279B.

END OF POLICY

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**Legal Reference(s):**

[ORS Chapter 279](#)  
[ORS Chapter 279A](#)  
[ORS Chapter 279B](#)

[ORS Chapter 279C](#)  
[ORS 670.600](#)  
[OAR Chapter 125](#), Divisions 246 - 249

[OAR Chapter 137](#), Divisions 045 - 049  
[OAR 459-005-0020](#)

[OREGON PROCUREMENT MANUAL](#), Oregon Department of Administrative Services.

**Cross Reference(s):**

DJ - School District  
DJCA - School District  
DJG - School District

## Summary

OSBA recommends deleting the current versions of DJC – Bidding Requirements, DJC-AR – Exemptions from Competitive Bidding and Special Procurements, DJCA – Personal Service Contracts and DJCA-AR – Personal Service Contracts, and replacing them with the new proposed versions of DJC and DJC-AR.

The proposed DJC outlines the procurement requirements for Small Procurement, Intermediate Procurement, Regular Procurement, Emergency Procurement, Sole-Source Procurement and Personal Services Contracts. Additionally, the proposed policy DJC – Bidding Requirements, reflects the new amounts for the procurement levels passed in House Bill 1047 (2023) and went into effect January 1, 2024. The policy also defines “public improvements” for purposes of the procurement levels, defines “community benefit contract” and the “Construction Manager/General Contractor procurement.”

The proposed administrative regulation, DJC-AR – Exemptions from Competitive Bidding and Special Procurements, has been updated and continues to provide guidance for procurements which are exempt from competitive bidding or are special procurements.

## PROPOSED NEW TO REPLACE OLD POLICY

### North Santiam School District

Code: DJC  
Adopted:

#### Bidding Requirements

The Board is the Local Contract Review Board (LCRB) for the district. The LCRB has adopted its own rules of procedure that will govern district purchasing. Consequently, the model rules<sup>1</sup> adopted by the Attorney General shall not apply to the district. The district shall review its rules each time the Attorney General adopts a modification of the model rules to determine whether any modifications need to be made to district rules, as required by ORS 279A.065(6)(b). New rules, as necessary, shall be adopted by the LCRB. In the event it is unnecessary to adopt new rules, Board minutes will reflect that the review process was completed as required.

Additionally, the district may include as part of its procedures portions of the Oregon Department of Administrative Services administrative rules governing Public Contract Exemptions, OAR Chapter 125, Divisions 246 - 249.

The LCRB may make the written findings required by law for exemptions from competitive bidding. Such findings shall be maintained by the district and made available on request.

The district may not artificially divide or fragment a procurement to reduce the procurement requirements.

The superintendent may develop administrative regulations or procedures to assist with the implementation of this policy and applicable procurement rules.

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<sup>1</sup> Oregon Administrative Rules (OAR) 137-045 - 049

## Goods and Services

The district will purchase goods and services through the following procedures, unless an exception applies:

1. **Small Procurement.** For purchases of goods and services with a contract price not exceeding \$25,000, the district can use any manner deemed practical or convenient, including direct selection or award. Amendments to a contract awarded through small procurement must be in accordance with OAR 137-047-0800.
2. **Intermediate Procurement.** For purchases of goods and services with a contract price exceeding \$25,000, but not exceeding \$250,000, the district shall seek at least three informally solicited competitive price quotes or competitive proposals from prospective contractors. The district will keep record of the request and quotes. If three quotes are not reasonably available, fewer will suffice, but the district will make a written record of the effort made. The district may negotiate with a prospective contractor to clarify the quote or offer, or to effect modifications. Amendments to a contract awarded through intermediate procurement must be in accordance with OAR 137-047-0800.
3. **Regular Procurement.** For purchases exceeding \$250,000, the district will use competitive sealed bids (OAR 137-047-0255) or competitive sealed proposals (OAR 137-047-0260). Amendments to contracts awarded through regular procurement must be in accordance with OAR 137-047-0800.
4. **Emergency Procurements.** In situations of emergency<sup>2</sup>, the LCRB or designee may authorize an emergency procurement. In an emergency procurement, the district is not required to follow general procurement requirements. The district must ensure competition for the contract that is reasonable and appropriate under the circumstances. The district must document the nature of the emergency and the method used for the selection of the contractor.
5. **Sole-source Procurements.** If the LCRB or designee determines that the goods or services are available from only one source, the district may award a contract without competition. To the extent reasonably practicable, the district shall negotiate with the sole source to obtain contract terms that are advantageous to the district. The determination of sole source must be based on written findings and may include:
  - a. That the efficient utilization of existing goods requires acquiring compatible goods or services;
  - b. That the goods or services required to exchange software or data with other public or private agencies are available from only one source;
  - c. That the goods or services are for use in a pilot or experimental project; or
  - d. Other findings that support the conclusion that the goods or services are available from only one source.<sup>3</sup>

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<sup>2</sup> “Emergency” means circumstances that:

7. Could not have been foreseen;
8. Create a substantial risk of loss, damage or interruption of services or a substantial threat to property, public health, welfare or safety; and
9. Require prompt execution of a contract to remedy the condition.

<sup>3</sup> If the contract does not exceed \$250,000, using intermediate procurement is likely less burdensome than sole source.

6. Special Procurements. “Special procurement” means a contract or class of contracts that use a contracting procedure other than competitive sealed proposals, competitive sealed bidding, small procurement or intermediate procurement. Special procurements require LCRB approval and will be conducted in accordance with ORS 279B.085, OAR 137-047-0285, and this policy and administrative regulation DJC-AR - Exemptions from Competitive Bidding and Special Procurement.
7. Personal Services Contracts. “Personal services contract,” as used in this policy, means a contract whose primary purpose is to acquire specialized skills, knowledge and resources in the application of technical or scientific expertise, or the exercise of professional, artistic or management discretion or judgment.<sup>4</sup> Unless otherwise designated by the LCRB, personal services contracts will be procured in accordance with applicable procurement laws. The LCRB may designate certain service contracts or classes of service contracts as personal services contracts and exempt them from competitive bidding. All personal services contracts shall be based on demonstrated qualifications and competence to perform the required services, encourage competition, discourage favoritism and obtain services at a fair and reasonable price. Personal service contractors may be required to qualify as independent contractors in accordance with applicable laws.<sup>5</sup>

Procurements for services estimated to be in excess of \$250,000 shall go through the cost analysis and feasibility process in accordance with ORS 279B.030.

## **Public Improvements**

“Public improvement” means a project for construction, reconstruction or major renovation on real property by or for the district.<sup>6</sup> The district will contract for public improvements using the following procedures, unless an exception applies.

1. Public improvements contracts with a value of less than \$25,000 are exempt from competitive bidding.
2. Intermediate Procurements. For public improvement contracts not exceeding \$100,000, the district may utilize three quotes<sup>7</sup>:

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<sup>4</sup> This includes, but is not limited to, contracts for the services of an accountant, physician or dentist, educator, consultant (including a provider under an Architectural and Engineering Service Contract), broadcaster, or artist (including a photographer, filmmaker, painter, weaver or sculptor (OAR 137-045-0010(19))). Also includes architectural, engineering, photogrammetric mapping, transportation planning or land surveying services procured under ORS 279C.105 (ORS 279C.100) and related services procured under ORS 279C.120 (ORS 279C.100(5)).

<sup>5</sup> See ORS 670.600 and OAR 459-005-0020.

<sup>6</sup> Public improvement does not include:

1. Projects for which no funds of the district are directly or indirectly used, except for participation that is incidental or related primarily to project design or inspection; or
2. Emergency work, minor alternation, ordinary repair or maintenance necessary to preserve a public improvement.

<sup>7</sup> If three quotes are not reasonably available, the district shall make a written record of the effort made to obtain these quotes.

- a. The request for the quotes shall be in writing (unless not reasonably practicable)<sup>8</sup>;
- b. The request for quotes shall include the selection criteria and if the criteria are not of equal value, their relative value or ranking.

The district shall award the contract to the prospective contractor whose quote will best serve the interest of the district, based on the selection criteria. If the award is not made to the offeror and quote with the lowest price, the district will make a written record of the basis for the award. Amendments to a contract awarded via intermediate procurement may be increased in accordance with OAR 137-049-0160(6)-(7).

3. Regular Procurements. For purchases exceeding \$100,000, the district will use invitation to bid or request for proposals except as otherwise allowed by law. See OAR 137-049-0130 and OAR 137-049-0640. Amendments to contracts awarded through regular procurement must be in accordance with OAR 137-049-0910.
4. Emergency Procurements. Emergency contracts for construction services are not considered public improvement contracts and will be procured in accordance with OAR 137-049-0140 and OAR 137-049-0150.
5. Community Benefit Contracts. “Community benefit contract” means a public improvement contract that includes, but is not limited to, terms and conditions that require the contractor to:
  - a. Qualify as a training agent, as defined in ORS 660.010, or provide apprenticeship training that meets applicable federal and state standards for apprenticeship training;
  - b. Employ apprentices to perform a specified percentage of work hours that workers in apprenticeable occupations perform on the community benefit project;
  - c. Provide employer -paid family health insurance; and
  - d. Meet any other requirements that the LCRB sets forth.

Community benefits contracts may be procured in accordance with ORS 279C.308.

6. Construction Manager/General Contractor (CM/GC) Procurement. The district shall procure CM/GC services in accordance with model rules the Attorney General adopts under Oregon Revised Statute (ORS) 279A.065(3) and OAR 137-049-0690, which requires “the assistance of legal counsel with substantial experience and necessary expertise in using the CM/GC Method, as well as knowledgeable staff, consultants or both staff and consultants who have demonstrated capability of managing the CM/GC process in the necessary disciplines of engineering, construction scheduling and cost control, accounting, legal, Public Contracting and project management.”

END OF POLICY

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**Legal Reference(s):**

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<sup>8</sup> For Public Works Contracts, oral quotations may only be utilized in the event that written copies of prevailing wage rates are not required by the Bureau of Labor and Industries.

[ORS Chapter 279](#)  
[ORS Chapter 279A](#)  
[ORS Chapter 279B](#)  
[ORS Chapter 279C](#)

[ORS 670.600](#)  
[OAR Chapter 125](#), Divisions 246 -  
249

[OAR Chapter 137](#), Divisions 045 -  
049  
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[OREGON PROCUREMENT MANUAL](#), Oregon Department of Administrative Services.

**Summary**

**OSBA recommends deleting the current versions of DJC – Bidding Requirements, DJC-AR – Exemptions from Competitive Bidding and Special Procurements, DJCA – Personal Service Contracts and DJCA-AR – Personal Service Contracts, and replacing them with the new proposed versions of DJC and DJC-AR.**

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**DELETE - DELETE - DELETE - DELETE - DELETE - DELETE**

**North Santiam School District**

Code: DJCA  
Adopted: 12/17/09  
Readopted: 6/15/17  
Orig. Code: DJCA

**Personal Services Contracts**

*(Personal services contract language has been moved to policy DJC/DJC-AR so it can be deleted if those changes are approved)*

The district may enter into personal services contracts with qualified professionals as provided by Oregon Revised Statute (ORS) 279A.055. “Personal services contracts,” as used in this policy, means contracts for specialized skills, knowledge and resources in the application of highly technical or scientific expertise or the exercise of professional, artistic or management discretion or judgment. The district may enter into a personal services contract with a current district employee only when the individual meets independent contractor status in accordance with state, Public Employees Retirement System (PERS) and Internal Revenue Service (IRS) requirements.

Selection of a personal services contractor will be based primarily on qualifications and performance history, expertise, knowledge and creativity and the ability to exercise sound professional judgment.

All personal services contracts shall be based on demonstrated qualifications and competence to perform the required services, encourage competition, discourage favoritism and obtain services at a fair and reasonable price.

Contracts for personal services in excess of \$150,000 shall require prior Board approval.

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

END OF POLICY

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**Legal Reference(s):**

[ORS Chapters 279](#)

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

[ORS 332.107](#)

[ORS 670.600](#)

[OAR 459-010-0030](#)

INTERNAL REVENUE SERVICE, PUBLICATION 1779: INDEPENDENT CONTRACTOR OR EMPLOYEE (Rev. 3-2012).

**Cross Reference(s):**

DJC - Bidding Requirements

# North Santiam School District

Code: GBNAA/JHFF  
Adopted: 2/16/23  
Orig. Code: JHFF

## Suspected Sexual Conduct with Students and Reporting Requirements

Sexual conduct by district employees, contractors<sup>1</sup>, agents<sup>2</sup>, and volunteers<sup>3</sup> is prohibited and will not be tolerated. All district employees, contractors, agents, and volunteers are subject to this policy. Students are also subject to this policy if they are acting as an employee, contractor, agent or volunteer.

<sup>4</sup>“Sexual conduct,” means verbal or physical conduct or verbal, written or electronic communications by a school employee, a contractor, an agent or a volunteer that involve a student and that are sexual advances or requests for sexual favors directed toward the student, or of a sexual nature that are directed toward the student or that have the effect of unreasonably interfering with a student’s educational performance, or of creating an intimidating or hostile educational environment. “Sexual conduct” does not include touching or other physical contact that is necessitated by the nature of the school employee’s job duties or by the services required to be provided by the contractor, agent or volunteer, and for which there is no sexual intent; verbal, written or electronic communications that are provided as part of an education program that meets state educational standards or a policy approved by the Board; or conduct or communications described in the definition of sexual conduct herein if the school employee, contractor, agent or volunteer is also a student and the conduct or communications arise out of a consensual relationship between students, do not create an intimidating or hostile educational environment and are not prohibited by law, any policies of the district or any applicable employment agreements.

“Student” means any person who is in any grade from prekindergarten through grade 12 or 21 years of age or younger and receiving educational or related services from the district that is not a post-secondary institution of education, or who was previously known as a student by the person engaging in sexual conduct and who left school or graduated from high school within ~~90 days~~ one year prior to the sexual conduct.

The district will post in each school building the names and contact information of the employees designated for the respective school buildings to receive reports of suspected sexual conduct and the procedures the designee will follow upon receipt of the report.

<sup>1</sup> “Contractor” means a person providing services to the district under a contract in a manner that requires the person to have direct, unsupervised contact with students.

<sup>2</sup> “Agent” means a person acting as an agent for the district in a manner that requires the person to have direct, unsupervised contact with students.

<sup>3</sup> “Volunteer” means a person acting as a volunteer for the district in a manner that requires the person to have direct, unsupervised contact with students.

<sup>4</sup> This definition of “sexual conduct” affects all conduct that occurs before, on or after June 23, 2021, for purposes of reports that are made, investigations that are initiated, or a collective bargaining agreement, an employment contract, an agreement for resignation or termination, a severance agreement or any similar contract or agreement entered into, on or after June 23, 2021.

Any district employee, contractor, agent or volunteer who has reasonable cause to believe that a student has been subjected to sexual conduct by another district employee, contractor, agent or volunteer, or that another district employee, contractor, agent or volunteer has engaged in sexual conduct with a student shall immediately report such suspected sexual conduct to the designated licensed administrator or the alternate designated licensed administrator, in the event the designated administrator is the suspected perpetrator, for their school building. If the conduct also constitutes child abuse, the employee must make mandatory reports in accordance with Board policy GBNAB/JHFE – Suspected Abuse of a Child Reporting Requirements.

If the superintendent is the alleged perpetrator, the report shall be submitted to the Director of Human Resources who shall report the suspected sexual conduct to the Board chair.

If an employee fails to report suspected sexual conduct or maintain confidentiality of records, the employee will be disciplined up to and including dismissal.

When a designated licensed administrator receives a report of suspected sexual conduct by a district employee, contractor, agent or volunteer, the administrator will follow procedures established by the district and set forth in the district's administrative regulation GBNA/JHFF-AR - Suspected Sexual Conduct Report Procedures and Form. All such reports will be reported to the Oregon Department of Education (ODE) or Teacher Standards and Practices Commission (TSPC) in accordance with such administrative regulation. The agency receiving a report will complete an investigation regardless of any changes in the relationship or duties of the person who is the alleged perpetrator.

When there is reasonable cause to support the report, a district employee suspected of sexual conduct shall be placed on paid administrative leave pending an investigation and the district will take necessary actions to ensure the student's safety.

When there is reasonable cause to support the report, a district contractor, agent or volunteer suspected of sexual conduct shall be removed from providing services to the district and the district will take necessary actions to ensure the student's safety.

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

A district employee, contractor or agent will not assist another district employee, contractor or agent in obtaining a new job if the individual knows, or has reasonable cause to believe the district employee, contractor or agent engaged in sexual conduct. Nothing in this policy prevents the district from disclosing information required by law or providing the routine transmission of administrative and personnel files pursuant to law.

The initiation of a report in good faith about suspected sexual conduct may not adversely affect any terms or conditions of employment or the work environment of the person who initiated the report or who may have been subject to sexual conduct. If a student initiates a report of suspected sexual conduct by a district employee, contractor, agent or volunteer in good faith, the student will not be disciplined by the district or any district employee, contractor, agent or volunteer.

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

1. A description of conduct that may constitute sexual conduct;
2. A description of the investigatory process and possible consequences if a report of suspected sexual conduct is substantiated; and
3. A description of the prohibitions imposed on district employees, contractors and agents when they attempt to obtain a new job, pursuant to ORS 339.378(2).

All district employees are subject to Board policy GCAB - Personal Electronic Devices and Social Media - Staff regarding appropriate electronic communications with students.

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

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

END OF POLICY

**Legal Reference(s):**

[ORS 332.107](#)

[ORS 339.370 - 339.400](#)

[ORS 419B.005 - 419B.045](#)

Every Student Succeeds Act, 20 U.S.C. § 7926 (2018).

House Bill 2136 (2021).

Senate Bill 51 (2021).

**Cross Reference(s):**

GBN/JBA - Sexual Harassment

GCAB - Personal Electronic Devices and Social Media - Staff

IIBGA - Electronic Communications System

JFCF - Harassment/Intimidation/Bullying/Cyberbullying/Teen Dating Violence/Domestic Violence – Student

JHFE - Reporting of Suspected Abuse of a Child

JHFF/GBNAA - Suspected Sexual Conduct with Students and Reporting Requirements

**This update is to clarify language and to change the stipulations for supt. approval and board notice.**

## **North Santiam School District**

Code: **IICA**

Adopted: 7/01/96

Readopted: 5/21/98; 10/19/17

Orig. Code(s): IIC/IICA

### **Field Trips and Excursions**

The district recognizes the value of special activities to the total school program. Further, students need to be allowed to participate in and profit from carefully planned learning experiences which fall outside of the normal school program/day.

Field trips and other curricular/cocurricular activities involving travel may be authorized by the superintendent or designee when such trips or activities contribute to the achievement of desirable educational/social/cultural goals.

In planning and authorizing such trips, primary consideration will be given to the educational values derived, the safety and welfare of students involved, community standards of conduct and behavior on the part of all participants and the selection of appropriate adult supervision, either from within the school staff or from the parent and community volunteer pool.

Written parental permission must be obtained for each trip. The signed form showing parental approval and acknowledgment of student conduct guidelines will be maintained on file for a period of one year.

The administration is directed to develop rules to ensure that both students and adult supervisors are acquainted with the standards for conduct ~~when which~~ representing the district. Such rules will reinforce district policy in areas such as alcohol, tobacco, marijuana, and unlawful drug use, procedures to be utilized in case of illness or accident, and methods for communicating with administrators/parents in discipline and emergency situations. Volunteers and adult supervisors will refrain from the use of tobacco, alcohol, marijuana, and other unlawful drug use during the duration of the trip.

All out-of-state travel and ~~that travel which~~ extends ~~ing~~ more than one school day ~~or more than two nights~~ ~~(one night away from home) or beyond a 300 mile radius~~ must have prior superintendent approval, with notification to Board prior to event. Such approval being predicated on an acceptable plan for travel arrangements, parental involvement, orientation of students and supervisors and support of the appropriate administrator(s).

END OF POLICY

**Legal Reference(s):**

[ORS 332.107](#)  
[ORS 336.014](#)

[ORS 339.155](#)  
[ORS 339.240](#) to -[339.250](#)

**Cross Reference(s):**

EEAE - Student Transportation in Private Vehicle  
KK - Visitors to District Facilities

**Summary**

OSBA recommends deleting the current versions of DJC – Bidding Requirements, DJC-AR – Exemptions from Competitive Bidding and Special Procurements, DJCA – Personal Service Contracts and DJCA-AR – Personal Service Contracts, and replacing them with the new proposed versions of DJC and DJC-AR.

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The proposed administrative regulation, DJC-AR – Exemptions from Competitive Bidding and Special Procurements, has been updated and continues to provide guidance for procurements which are exempt from competitive bidding or are special procurements.

**DELETE - DELETE - DELETE - DELETE - DELETE - DELETE**

**North Santiam School District**

Code: DJC-AR  
Revised/Reviewed: 2/21/13; 4/18/13; 6/15/17  
Orig. Code: DJC-AR

**Special Procurements and Exemptions from Competitive Bidding**

(delete and replace with new version)

***SPECIAL PROCUREMENTS***

The district shall submit a written request to the Board, acting as the Local Contract Review Board (LCRB), that describes the contracting procedure, the goods and services or class of goods and services that are the subject of the special procurement and circumstances that justify the use of a special procurement under the standards as follows: the special procurement is unlikely to encourage favoritism in the awarding of public contract or to substantially diminish competition for public contracts and, (A) is reasonably expected to result in substantial cost savings to the district or to the public, or (B) otherwise substantially promote the public interest in a matter that could not practicably be realized by complying with requirements that are applicable under ORS 279B.055, 279B.060, 279B.065, 279B.070 or under any related rules. Public notice of the approval of a special procurement must be given in the same manner as provided in ORS 279B.055(4). If the district intends to award a contract through special procurements that calls for competition among prospective contractors, the district shall award the contract to the contractor it determines to be most advantageous to the district. When the LCRB approves a class special procurement the district may award contracts to acquire goods and services within the class of goods and services in accordance with the terms of the approval without making a subsequent request for a special procurement.

- 1. {Level1}Brand Names or Products, “Or Equal,” Single Seller and Sole Source

- a. The district may purchase brand names or products from a single seller or sole source without competitive bidding subject to the limitations of this rule.
- b. Solicitation specifications for public contracts of the district shall not expressly or implicitly require any product of any particular manufacturer or seller except as expressly authorized in subsections c. and d. of this rule.
- c. The district may specify a particular brand name or equal specification when the use of a brand name or equal specification is advantageous to the district, because the brand name describes the standard of quality, performance, functionality and other characteristics of the product needed by the district.
  - (1) The district is entitled to determine what constitutes a product that is equal or superior to the product specified, and any such determination is final;
  - (2) The district is not prohibited from specifying one or more comparable products as examples of the quality, performance, functionality or other characteristics of the product needed by the district;
  - (3) A brand name specification may be prepared and used only if the district determines for a solicitation or class of solicitations that only the identified brand name specification will meet the needs of the district based on one or more of the following written determinations:
    - (a) The use of a brand name specification is unlikely to encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts; or
    - (b) Specification of the brand name, mark or product would result in cost savings to the district; or
    - (c) There is only one manufacturer or seller of the product of the quality, performance or functionality required; or
    - (d) The efficient utilization of existing goods requires the acquisition of compatible goods and services.
- d. The district may award a contract for goods or services without competition when the LCRB determines in writing that the goods or services, or the class of goods or services, are available from only one source. The determination of the source must be based upon written findings that shall include:
  - (1) A brief description of the contract or contracts to be covered, including contemplated future purchases;
  - (2) Description of the product or service to be purchased; and
  - (3) The reasons the district is seeking this procurement method, which shall include any of the following:
    - (a) That the efficient utilization of existing goods requires the acquisition of compatible goods or services; or
    - (b) That the goods or services required for the exchange of software or data with other public or private agencies are available from only one source; or
    - (c) That the goods or services are for use in a pilot or an experimental project; or
    - (d) To the extent reasonably practical, the contracting agency shall negotiate with the sole source to obtain contract terms advantageous to the contracting agency.

- e. The district may specify a product or service available from only one manufacturer but available through multiple sellers after complying with subsection c. above documenting the procurement file with the following information:
  - (1) If the total purchase is over \$10,000 but does not exceed \$150,000, and a comparable product or service is not available under an existing Mandatory Use Contract, the district must obtain informal competitive quotes, bids or proposals and document this process in the procurement file;
  - (2) If the purchase does not exceed \$150,000, and the supplies or services are not available under an existing price agreement for information technology with competing products or Mandatory Use Contract, the district must first request and obtain prior written authorization from the LCRB to proceed with the acquisition.
- f. If the district intends to make several purchases of brand name-specific supplies and services from a particular manufacturer or seller for a period not to exceed five years, the district must so state this in the procurement file and in the solicitation document, if any, or a public notice of a solicitation. If the total purchase amount is estimated to exceed \$150,000, this shall be stated in the advertisement for bids or proposals.

**Findings of Fact/Conclusion of Compliance with Law (OAR 125-247-0275)**

The district shall submit a written request to the local contract review board that describes the contracting procedure, goods and services subject of the special procurement and the circumstances that justify the use of the special procurement.

- a. It is unlikely that this special procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts and is reasonably expected to result in substantial cost savings to the district which could not be realized under ORS 279B.055, 279B.060, 279B.065 or 279B.070 as required by ORS 279B.085(4).
- b. Public notice of the approval must be given in the same manner as provided in ORS 279B.055(4).
- c. This rule requires the districts to make a good faith effort to determine that no other sources are available for the specified products.
- d. The district maintains open lists from which vendors are contacted for quotations and utilizes electronic means of determining new vendors on an ongoing basis.
- e. The awarding of a contract as described in this special procurement should result in substantial cost savings by virtue of the ability to reduce solicitation costs when it is known that comparable products are not available, or when specifying another product solely to meet a competition requirement might lead to lower initial cost but longer lifetime cost.
- f. When the local review board approves a class special procurement the district may award contracts to acquire goods and services within the class of goods and services in accordance with the terms of the approval without making a subsequent request for procurement.

2. {Level1} Advertising Contracts, Purchase of

- a. The district may purchase advertising in any media, regardless of dollar amount, without competitive bidding.

- b. The Board acting as the LCRB of the district must use competitive methods whenever possible to achieve best value and must document in the procurement file the reasons why a competitive process was deemed impractical and the resulting contract must be in writing.
- c. If the anticipated purchase exceeds \$10,000 and a competitive method is used, the district must post notice on the Oregon Procurement Information Network (ORPIN).

### **Findings of Fact**

The district traditionally purchases advertising in newspapers. The following findings relate primarily to newspapers and written publications; however, the district may also purchase advertising for student activities or educational programs in other media, such as radio or television, where these findings apply:

- a. By their nature, media sources are generally unique. Advertisements are placed in a particular source because of the specific audience that source serves;
- b. Competition to furnish advertising space in daily newspapers of general, trade or business circulation in the vicinity of the district is limited;
- c. Cost savings are difficult to quantify where the sources are unique and not interchangeable;
- d. Advertisements may be placed to satisfy legal notice or Board policy requirements;
- e. Other published advertisements or notices, such as routine public notices, personnel recruitment information, etc., are placed in one or more of the publications of general circulation in the local area and other publications, as appropriate;
- f. The communities served by the district rely upon its use of the local daily newspaper as a central source of news and information regarding district activities;
- g. It is unknown whether contracts for advertisements placed with radio, television or other broadcast media are going to result in cost savings if not placed for competitive bid or request for proposal (RFP). If possible savings could be obtained through competitive means, the district would attempt to obtain competitive quotes or bids, as appropriate.

### **Conclusion of Compliance with Law**

Due to limited competition and unique nature of sources, it is unlikely that this class special procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts. Further, any contracts awarded under this class special procurement would result in a cost savings available to the district where the district can achieve volume savings through contracts for advertising with a particular media source, or otherwise substantially promote the public interest.

### 3. {Level1} Advertising Contracts, Sale of

The district may sell advertising for district publications and activities, regardless of dollar amount, without competitive bidding, including school newspapers, yearbooks, athletic programs, drama or music programs and the like.

### **Findings of Fact**

Sales of advertising for student activities are generally other fund revenues, where student groups solicit advertisements from local businesses to help with the cost of the activity itself. A common example is the sale of advertising in school newspapers and yearbooks. The circulation of the newspaper and yearbook is limited to the students, teachers, parents and interested members of the community associated with the

activities of that particular school. Due to the limited circulation and audience, the businesses that participate by purchasing advertising do so partly in the spirit of good will. Any business is welcome to place an advertisement in the school newspaper or yearbook; all it needs to do is to contact any district school department which publishes one. The district itself would not achieve any increased revenue to the General Fund by seeking competitive bids or proposals for such advertising. This holds true for other student activities, such as athletics, drama or music events and the like.

### **Conclusion of Compliance with Law**

These findings indicate that it is unlikely that this special procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts. Any business or individual who wishes to advertise in this manner may do so by simply contacting the student group responsible for the activity.

The sale of advertising for student activities such as school newspapers, yearbooks, athletic, drama or music programs would not benefit from competitive procurement. Such a requirement would place an unnecessary burden on the student group's activity and there is no financial advantage to the district in doing so. Consequently, the cost savings test is not an issue.

#### 4. {Level1} Equipment Repair and Overhaul

- a. The district may enter into a public contract for equipment repair or overhaul without competitive bidding, subject to the following conditions:
  - (1) Service or parts required are unknown and the cost cannot be determined without extensive preliminary dismantling or testing; or
  - (2) Service or parts required are for sophisticated equipment for which specially trained personnel are required and such personnel are available from only one source; and
  - (3) The purchase is made within the limits and pursuant to the methods in subsection b. of this rule.
- b. The following limitations apply to this rule:
  - (1) If the contract is less than or equal to \$150,000, the school or department shall submit in writing to the superintendent or designee the reasons why competitive bids or quotes are deemed to be impractical. The superintendent or designee will accordingly document in its procurement file and may enter directly into the contract;
  - (2) If the school or department official thinks the contract may exceed \$150,000, he/she shall submit in writing to the superintendent or designee the reasons why competitive bidding is deemed to be impractical and a description of the cost savings to be obtained by an special procurement. The superintendent or designee may prepare a specific request for the anticipated contract to be obtained through special procurement procedures to submit to the LCRB for approval.

### **Findings of Fact**

- a. The need for equipment repair or overhaul cannot be anticipated by district staff. If a piece of equipment is broken or not working properly, the district incurs cost of downtime, possible replacement equipment rental fees, staff time and other inconveniences or liabilities to its programs.
- b. Generally, there are a limited number of vendors who are able to perform repair or overhaul on a particular piece of equipment because of its make or manufacture. Sophisticated equipment may require specially trained personnel available from only one source. Often, a piece of equipment will have a partial warranty in place which will guarantee some savings to the district in the parts and/or labor needed to do the repair or overhaul. This warranty savings may only be achieved if the original manufacturer or provider of the equipment performs the necessary repair or overhaul.
- c. The dollar limits on the use of this special procurement procedure ensure that when the cost of the equipment repair or overhaul is expected to exceed \$150,000, the district will either seek formal competitive bids or, if that is not practical or cost effective, obtain a specific special procurement procedure from the LCRB to proceed with the purchase of the needed repair or overhaul.

### **Conclusion of Compliance with Law**

It is unlikely that this special procurement procedure will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts because the dollar limits incorporated into this special procurement when the anticipated costs exceed \$150,000, insure the district will seek formal competitive bids and proposals. If the formal process is not practical, the district will obtain a specific exemption from the LCRB to proceed with the purchase of the needed repair or overhaul.

The awarding of public contracts under this special procurement will result in a cost savings to the district, as required by ORS 279B.085, because the district incurs direct and indirect costs from the moment equipment breaks down or becomes unusable. This special procurement only applies to equipment already owned by the district and does not provide for the purchase of new equipment. The district must be able to purchase necessary services and parts as quickly as possible in order to minimize equipment downtime and potential costs during that downtime.

### 5. {Level1} Copyrighted Materials

The district may, without competitive bidding and regardless of a dollar amount, purchase copyrighted materials where there is only one known supplier available for such goods. Examples of copyrighted materials covered by this special procurement procedure may include, but are not necessarily limited to, newly adopted textbooks/instructional materials, workbooks, curriculum kits, reference materials, audio and visual media and non-mass-marketed software from a particular publisher or their designated distributor.

### **Findings of Fact**

- a. By their nature, copyrighted materials are protected for the use of a single owner. Copyrighted materials may not be duplicated by others without the copyright owner's permission or license. Copyrights are established and regulated under federal law.
- b. Often, copyrighted materials are produced by only one supplier who may be the owner of the copyright or his/her licensee. Textbooks/Instructional materials are examples of copyrighted materials that the district purchases through a sole source. Textbooks/Instructional materials are adopted through a statewide process under the authority of the Oregon Department of

Education. A textbook/instructional material adoption defines the various materials which the district will purchase for use in its educational programs.

The district purchases its textbooks/instructional materials through the Northwest Textbook Depository. This practice enables the regional textbook depository to purchase and warehouse textbooks/instructional materials in conformance with adoptions made in the states of their region. The result is that savings are achieved through the depository's combined purchases on behalf of member districts. Freight costs for individual districts are reduced by the bulk purchases of the depository and the depository takes on the cost of stocking and warehousing enough to meet each member district's needs.

The system of textbook/instructional materials distribution enables the district to participate in the largest possible bulk purchasing activity of adopted textbooks/instructional materials in the region. This ensures a cost savings to the district. A savings that would be jeopardized if the district was to act as an individual purchaser.

### **Conclusion of Compliance with Law**

This special procurement will not encourage favoritism or substantially diminish competition in the awarding of public contracts. The production and distribution of copyrighted materials is controlled by the owner of the copyright and may only be permitted through a sole source. The district has no control over this.

The awarding of contracts pursuant to this special procurement will result in a cost savings to the district when it needs to purchase copyrighted materials and there is only one known supplier for such goods, or otherwise substantially promote the public interest.

#### **6. {Level1} Product Prequalification**

- a. When specific design or performance specifications must be met or such specifications are impractical to create or reproduce for a type of product to be purchased, the district may specify a list of approved or qualified products by reference to the prequalified product(s) of particular manufacturers or vendors in accordance with the following product prequalification procedure:
  - (1) The district will make reasonable efforts to notify all known manufacturers and vendors of competing products of the district's intent to compile a list of prequalified products. The notice will explain the opportunity manufacturers and vendors of competing products will have to apply to have their product(s) included on the district's list of prequalified products. At its discretion, the district may provide notice by advertisement in a trade paper of general statewide circulation or other appropriate trade publication; or instead of advertising, the district may provide written notice to those manufacturers and vendors appearing on the appropriate list maintained by the district; and
  - (2) The district will accept manufacturer and vendor applications to include products in the district's list of prequalified products up to 15 calendar days prior to the initial advertisement for bids or proposals for the type of product to be purchased, unless otherwise specified in the advertisement or in the district's written notice.

- b. If the district denies an application for including a product on a list of prequalified products, the district shall promptly provide the applicant with a written notice of the denial and include the reason for denial. The applicant may submit a written appeal within 7 calendar days to the district business manager to request review and reconsideration of the denial.

### **Findings of Fact**

a. There are occasions when the district needs to establish a list of prequalified products before it invites bids or proposals to furnish the products. The district may have a specific performance or design need, but it is impractical for the district to create a specification for the type of products to be purchased. An example is audiovisual equipment. There is a tremendous variety of audiovisual products offered in the market. The equipment technology is complex and constantly changing. It would be very burdensome and time consuming for the district to generate nonbrand name, generic performance specifications for such equipment every time it wants to make a purchase.

Also, competition would be poorly served because bidders and proposers would not know in advance whether their offered product would meet the general specification substantially enough to be considered a responsive offer. The decision to make an award would be slow, because each product offered would have to be analyzed against the district's specification. Slowdown in the award process affects both bidders, who are asked to hold their bids open until award is made, and district programs, because staff are not able to order the equipment they need until the contract is awarded.

In this case, it might be more cost effective and efficient for the district to prequalify products and establish a list of approved products before invitations to bid are sent out. The prequalification process can be done some time before the need for a new contract. Once the prequalified product list is established, the bidding and contract award process can go quickly and smoothly.

b. A second occasion when prequalification of products will be useful is when the specific design or performance specifications for a product are so exacting that the district must have time to carefully consider what is offered in the market that may or may not meet the specifications and, if necessary, reconsider its options before issuing an invitation to bid.

c. This rule sets out a process of prequalification which requires the use of advertisement or other appropriate means to notify vendors of competing products of their opportunity to submit items for prequalification. The district maintains vendor mailing lists which are open to all interested vendors. The district uses these lists routinely to notify vendors of its intentions to prequalify products or to invite bids on products.

d. This includes a 15-day time limit between the closure of a prequalification list and a related invitation to bid. This time factor ensures that vendors have a reasonable time to apply to include their products on a prequalified product list.

e. Subsection b., of this rule provides vendors with an appeal process to follow if their application for prequalification is denied.

### **Conclusion of Compliance with Law**

Where prequalification of products is appropriate, it is unlikely that this special procurement will encourage favoritism in the awarding of public contracts or diminish competition for such contracts. There are several safeguards in the rule to prevent this, including notice, advertising, time and appeal process requirements to ensure that vendors are given a fair and open opportunity to participate in the prequalification process.

The prequalification of products process is a time-consuming effort for the district. It is not a shortcut procurement method. The district would use this method only after balancing cost-saving considerations, such as the ability of the district to create or generate nonbrand name generic specifications for types of products or the need for lengthy product evaluation prior to contract award. If the prequalification method is chosen, it will result in a cost savings to the district because the normal method of product selection is too cumbersome and costly to pursue, or otherwise substantially promote the public interest.

**7. Requirements Contracts (Blanket Purchase Orders, Price Agreements)<sup>1</sup>**

- a. {Level1} The business manager, on behalf of the district, may establish requirements contracts for the purposes of minimizing paperwork, achieving continuity of product, securing a source of supply, reducing inventory, combining district requirements for volume discounts, standardization among school and departments and reducing lead time for ordering.
- b. The district may enter into a requirements contract (also known as a blanket purchase order or price agreement) whereby it is agreed to purchase goods or services for an anticipated need at a predetermined price or price discount from a price list, provided the contract is led by a competitive procurement process pursuant to the requirements of the public contracting code and these rules.
- c. Once a requirements contract is established, schools and departments may purchase the goods and services from the awarded contractor without first undertaking additional competitive solicitation.
- d. School and departments shall use requirements contracts established by the district, unless otherwise specified in the contract, allowed by law or these rules or specifically authorized by the superintendent or designee.
- e. Under the authority of ORS 279A.025 and 279B.085, the district may use the requirements contract entered into by another Oregon public agency when:
  - (1) The original contract met the requirements of public contracting code; and
  - (2) The original contract allows other public agency usage of the contract; and
  - (3) The original public contracting agency concurs and this is documented by a written interagency agreement between the district and the agency.
- f. The term of any district requirements contract, including renewals, shall not exceed five years unless otherwise permitted under the public contracting code.

**Findings of Fact**

- a. This rule permits the district to enter into a requirements contract, in which the vendor agrees to provide specified goods and services over the term of the contract at the bid price or discount rate. A requirements contract is useful when the purchase of the goods or services are routine and repetitive. For

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<sup>1</sup> The Oregon Procurement Information Network (ORPIN) allows authorized members to utilize the state's price agreement/contracts to purchase goods and services. Authorized ORCPP members can legally attach to a state price agreement and forego the competitive bid process. Access to hundreds of competitive price contracts for a wide variety of goods and services: vehicles, computers, furniture, copiers, fax machines, travel, pharmaceuticals, office products, etc., is available. Counties, cities, schools, municipalities or their public corporate entities having local governing authority, a United States governmental agency or American Indian tribe or agency are eligible to participate.

example, school, office, custodial and facilities maintenance supplies are customarily purchased through requirements contracts.

- b. Requirements contracts are a common method of minimizing paperwork, achieving continuity of product, securing a source of supply, reducing inventory, obtaining volume discounts, standardizing usage among schools and departments and reducing lead time for ordering.
- c. The district establishes requirements contracts as a result of open competitive bidding or RFP processes, unless otherwise permitted under the public contracting code.
- d. The district limits the term of requirements contracts, including all renewal options, to a maximum of five years before competitive rebidding must be done, unless otherwise permitted under the public contracting code.
- e. The district may use the requirements contracts established by other public agencies, subject to certain conditions of state law, Board policy and administrative regulation.

### **Conclusion of Compliance with Law**

It is unlikely that this special procurement will result in favoritism in the awarding of public contracts or diminish competition for such contracts. The district will only enter into requirements contracts which result from open competitive bidding processes. This condition applies also to the use of requirements contracts established by other public contracting agencies.

The awarding of district requirements contracts will result in a cost savings to the district, or otherwise substantially promote the public interest. It would be costly and inefficient to make routine, repetitive purchases of goods and services through individual transactions. Also, the guaranteed volume of a requirements contract allows the district to get better prices from bidders.

### **8. Used Personal Property or Equipment, Purchase<sup>2</sup>**

- a. {Level1 } Subject to the provisions of this rule, the district may purchase used property or equipment without obtaining competitive bids or quotes, if the district has determined that the purchase will result in cost savings to the district and will not diminish competition or encourage favoritism. “Used personal property or equipment” is property or equipment which has been placed in its intended use by a previous owner or user for a period of time recognized in the relevant trade or industry as qualifying the personal property or equipment as “used” at the time of district purchase. Used personal property or equipment generally does not include property or equipment if the district was the previous user, whether under a lease, as part of a demonstration, trial or pilot project or similar arrangement.
- b. For purchases of used personal property or equipment costing less than or equal to \$150,000, the district shall, where feasible, obtain three competitive quotes unless the district has determined and documented that a purchase without obtaining competitive quotes will result in cost savings to the district and will not diminish competition or encourage favoritism.
- c. For purchases of used personal property or equipment totaling \$150,000 or more, the district shall attempt to obtain three competitive quotes. The district will keep a written record of the source and amount of quotes received. If three quotes are not available, a written record must be made of the attempt to obtain quotes.

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<sup>2</sup> When contracting with another governmental entity, a district has a statutory exception under ORS 279A.025. The district may purchase state/federal surplus property through the Department of Administrative Services, State Services Division for Surplus Property. For more information on this program, contact DAS at 503-378-4714.

## Findings of Fact

- a. The district is responsible to manage expenditures in the best interests of the public. Cost savings can be achieved through the procurement of used property and equipment. The district purchases used property and equipment when it meets the district's needs and is cost effective. Considerations include type, quality, quantity and estimated useful life of the used item.
- b. Used equipment and property becomes available sporadically and without notice. Used equipment and property is generally sold on a first-come, first-served basis. When used property or equipment does become available, the district must be able to respond immediately in order to obtain the property or equipment.
- c. Some types of property or equipment may not be readily available in the new goods market. The district may have to look for used items to fill the need.
- d. Competition to provide used property and equipment may be very limited and inconsistent, depending on the type of product.
- e. The district maintains vendor lists which include information on whether a vendor provides used property or equipment. These lists are open to all vendors.

## Conclusion of Compliance with Law

It is unlikely that this special procurement will encourage favoritism in the award of public contracts or substantially diminish competition for such contracts. The purchase of used property or equipment depends on an inconsistent, sporadic market. When a used item is available, there is often little competition available. Sources for used items of the type, quality and quantity required by the district are inconsistent. This rule requires the district to attempt to obtain and document quotes as appropriate to the dollar amount of the purchase. If the anticipated purchase is over \$150,000, the district will advertise its need.

The use of this special procurement will result in a cost savings to the district, or otherwise substantially promote the public interest. The cost of used equipment or property is generally substantially less than that of new. Savings of 20 percent to 50 percent are not uncommon. Used equipment can provide good value to the district and help ensure the continuation of district services and programs.

### 9. {Level1} Information Technology Contracts

The district may enter into a contract to acquire information technology hardware and software without competitive bidding subject to the following conditions:

- a. If the contract amount does not exceed \$150,000, the district shall attempt to obtain three competitive quotes pursuant to the rules governing Intermediate Procurements. The district shall keep a written record of the sources of the quotes or proposals received. If three quotes or proposals are not reasonably available, fewer will suffice, but the district shall make a written record of the effort made to obtain the quotes or proposals.
- b. If the contract amount exceeds \$150,000, the district shall determine and use the best procurement method, pursuant to the public contracting code and these rules, and shall solicit written proposals in accordance with the requirements of the *Attorney General's Model Public Contract Rules*. The district shall document the evaluation and award process, which will be part of the public record justifying the award;

- c. If the amount of the contract is estimated to exceed \$150,000, the district shall provide proposers an opportunity to review the evaluation of their proposals before final selection is made.

### **Findings of Fact**

- a. Rapid changes in technology make it necessary for the district to be able to purchase needed computer equipment quickly.
- b. Pricing for high-technology equipment also changes rapidly. It is frequently possible to take advantage of frequent price changes in the marketplace in the purchase of computer equipment.
- c. There is generally sufficient competition among vendors of information technology hardware and software for district business.
- d. The district will follow rules governing special procurements and obtain at least three informally solicited quotes for purchases less than or equal to \$150,000.
- e. If the district requires a brand name or sole source product, the district will follow its rule governing Brand Names or Products, "Or Equal," Single Seller and Sole Source, Section 1. under Special Procurements, to procure it.

### **Conclusion of Compliance with Law**

It is unlikely that this special procurement will encourage favoritism in the award of district contracts or substantially diminish competition for district contracts. The purchase of information technology hardware and software will be made in accordance with other competitive bidding rules contained in this administrative regulation. If the anticipated purchase is over \$150,000, the district will advertise its need. The use of this special procurement will result in a cost savings to the district, or otherwise substantially promote the public interest. Competition will be encouraged at all dollar levels of purchase of information technology hardware and software. This rule gives the district some flexibility in selecting the method of competitive procurement but requires adherence to the rule on brand name or sole source acquisitions if those situations occur.

#### 10. {Level1} Telecommunications Systems - Hardware and Software Contracts

- a. The district may enter into a contract to acquire telecommunications system hardware and software, without competitive bidding, subject to the following conditions:
  - (1) If the contract amount does not exceed \$150,000, the district shall attempt to obtain three competitive quotes pursuant to the rules governing Intermediate Procurements. The district shall keep a written record of the sources of the quotes or proposals received. If three quotes or proposals are not reasonably available, fewer will suffice, but the district shall make a written record of the effort made to obtain the quotes or proposals.
  - (2) If the contract amount exceeds \$150,000, the district shall determine and use the best procurement method, pursuant to the public contracting code and these rules and shall solicit written proposals in accordance with the requirements of Chapter 137, Divisions 047 and 049 of the *Attorney General's Model Public Contract Rules*. The district shall document the evaluation and award process, which will be part of the public record justifying the award.
- b. The telecommunications solicitation authorized in subsection 10.a.(1) of these rules shall:

- (1) State the contractual requirements in the solicitation document;
- (2) State the evaluation criteria to be applied in awarding the contract and the role of any evaluation committee. Criteria that would be used to identify the proposal that best meets the district's needs may include, but are not limited to, cost, quality, service and support, compatibility, product or system reliability, vendor viability and financial stability, operating efficiency and expansion potential;
- (3) State the provisions made for bidders or proposers to comment on any specifications which they feel limit competition.

### **Findings of Fact**

- a. Rapid changes in technology make it necessary for the district to be able to purchase needed telecommunications hardware and software quickly.
- b. Since deregulation, there is generally adequate competition among vendors of telecommunication hardware and software to allow the district to make competitive purchases.
- c. Pricing for telecommunications hardware and software also changes frequently. It is important for the district to take advantage of price competition in the marketplace.
- d. The district will follow procedures governing special procurements and document reasonable efforts to obtain at least three informally solicited quotes for purchases over \$ 10,000 but less than or equal to \$150,000.
- e. If a purchase of telecommunications hardware or software is expected to cost more than \$150,000, the district will use a formal competitive bidding or proposal process in accordance with these rules and the *Attorney General's Model Public Contract Rules*.
- f. There are also times when the district needs to purchase specific items that are compatible with current equipment. On these occasions, the district will follow its rule governing Brand Names or Products, "Or Equal," Single Seller and Sole Source, Section 1. under Special Procurements, to make the purchase.

### **Conclusion of Compliance with Law**

It is unlikely that this special procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts. The purchase of telecommunications hardware and software will be made in accordance with other competitive bidding rules herein. If the anticipated purchase is over \$150,000, the district will advertise its need.

The use of this special procurement will result in a cost savings to the district, or otherwise substantially promote the public interest. Competition will be encouraged at all dollar levels of purchase of telecommunications hardware and software. This rule gives the district some flexibility in selecting the method of competitive procurement but requires adherence to the rule on brand name or sole source acquisitions if those situations occur.

#### 11. {Level1} Telecommunications Services

- a. The district shall secure the most competitive, cost-effective telecommunications services of the quality needed to meet all service performance requirements while minimizing administrative and service delivery costs. The district will use routine purchasing procedures whenever possible, but if necessary, the district can consider alternative procurement methods in accordance with this rule.

The district will generally follow the normal competitive procurement processes in obtaining telecommunications services. This process will only be used if necessary where there is a lack of sufficient competition to furnish needed services.

- b. In determining the appropriate procurement method for telecommunications services, the district shall comply with the requirements of ORS 291.038 and determine whether competition exists. In determining whether competition exists, the district may consider the following factors:
  - (1) The extent to which alternative providers exist in the relevant geographic and service market; the greater area of Linn, Marion and Polk Counties;
  - (2) The extent to which alternative services offered are comparable or substitutable in technology, service provided and performance. For example, if the district requires digital services, analog services are not comparable or substitutable. If the district requires fiber optic technology, then copper, microwave or satellite transmission technology may not be comparable or substitutable;
  - (3) The extent to which alternative providers can respond to the district's interest in consistency and continuity of services throughout its service area, volume discounts, equitable service for all users, centralized management and limiting district liability. For example, to be considered as the district's long-distance service provider, any long-distance service vendor must be able to meet, support and interface with the district's centralized automated billing requirements. The district must document for the record its findings on these factors or any other factors used in determining whether competition exists. In developing its findings, the district may solicit the information either through informal telephone or written contacts or through a formal solicitation such as an RFP.
- c. If the district determines that competition does not exist in the area for the relevant service, the district may proceed to secure the service on a sole source basis, as described in the district's rule governing Brand Names or Products, "Or Equal," Single Seller and Sole Source, Section 1. under Special Procurements.

### **Findings of Fact**

- a. Since deregulation, there is generally adequate competition among vendors of telecommunication services to allow the district to make competitive procurements.
- b. Since there is competition, price competition exists in the marketplace. It is important for the district to take advantage of existing competition.
- c. The district will follow its rules governing special procurements and document reasonable efforts to obtain at least three informally solicited quotes for purchases less than or equal to \$150,000. The district shall keep a written record of the sources of the quotes or proposals received. If three quotes or proposals are not reasonably available, fewer will suffice, but the district shall make a written record of the effort made to obtain the quotes or proposals.
- d. If a purchase of service is expected to cost more than \$150,000, the district will use a formal competitive bidding or proposal process in accordance with these rules and the *Attorney General's Model Public Contract Rules*.
- e. There may be occasions where there is limited competition that can furnish telecommunications services of the quality and extent required by district operations. In such instances, the district will follow

this rule and also its rule governing Brand Names or Products, “Or Equal,” Single Seller and Sole Source, Section 1. under Special Procurements, to procure needed services from the sole source.

### **Conclusion of Compliance with Law**

It is unlikely that this special procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts. Routinely, the purchase of telecommunications services will be made in accordance with other competitive bidding rules contained in this administrative regulation. If the anticipated purchase is over \$150,000, the district will advertise its need, issue a written solicitation document and invite written bids or proposals to be furnished in response.

There may be circumstances, however, where sufficient competition does not exist in the relevant geographic and service market area. In such cases, the district will follow this rule in determining whether sufficient competition exists to make a competitive procurement.

The use of this special procurement will result in a cost savings to the district, or otherwise substantially promote the public interest. Competition will be encouraged at all dollar levels of purchase of telecommunications hardware and software. This rule gives the district some flexibility in selecting the method of competitive procurement but requires adherence to the rule on brand name or sole source acquisitions if those situations occur. The rule also states the steps to be taken to document situations where sufficient competition may not exist and a sole source purchase needs to be made.

### **12. Hazardous Material Removal; Oil Cleanup**

- a. The district may enter into public contracts without competitive bidding, regardless of dollar amount, when ordered to clean up oil or hazardous waste pursuant to the authority granted to the Oregon Department of Environmental Quality (DEQ) under ORS Chapter 466, especially ORS 466.605 through 466.680. In exercising its authority under this exemption, the district shall:
  - (1) To the extent reasonable under the circumstances, encourage competition by attempting to make informal solicitations or to obtain informal quotes from potential suppliers of goods and services;
  - (2) Make written findings describing the circumstances that require the cleanup or maintain a copy of the DEQ order for the cleanup;
  - (3) Record the measures taken under a.1. of this rule to encourage competition, the amount of the quotes or proposals obtained, if any, and the reason for selecting the contractor to whom award is made.
- b. The district shall not contract pursuant to this special procurement in the absence of an order from the DEQ to clean up a site which includes a time limit that would not allow the district to hire a contractor under normal competitive bidding procedures. Goods and services to perform other hazardous material removal or cleanup will be purchased in accordance with normal competitive bidding procedures as described in Board policy with this administrative regulation.

### **Findings of Fact**

- a. When the DEQ orders a public agency to remove or clean up hazardous material or oil, the public agency must respond within a very short time, which is stated in the DEQ order. This time period does not generally allow the agency to take the time necessary to solicit written bids or proposals for the work to be performed. The district would be liable for any delay in responding to DEQ orders to perform hazardous material removal or cleanup.
- b. This exemption will not be used in those situations where there is no DEQ order to remedy the situation. Routine competitive procurement methods will be used where there is no DEQ order to act immediately. The district maintains open lists of vendors who are interested in providing hazardous material removal and cleanup services. Whenever it needs hazardous material removal or disposal, the district makes use of these lists to solicit quotes, bids or proposals as needed, in addition to advertising the procurement as required.
- c. Cost savings are achieved through this exemption because the district can be liable for DEQ penalties and fines if it does not timely remove hazardous materials or oil as ordered. There is also serious risk in these situations that property damage or personal injury could result if the district is slow to act.

### **Conclusions of Compliance with Law**

It is unlikely that this special procurement will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts as required by ORS 279B.085 (3)(a). If it is under DEQ order to act immediately, the district will still attempt to obtain competitive quotes for the work to be performed as it has the ability and time to do so. Unless the district is faced with the quasi-emergency situation of a DEQ order to remove or clean up hazardous waste or oil, it will follow normal competitive procedures to obtain these services.

The award of public contracts pursuant to this special procurement will result in a cost savings to the district in these situations, as required by ORS 279B.085 (3)(b), because the district must comply with the law and avoid and minimize risk to persons and property. Where possible, it will seek competitive quotes for the work to be performed and will award the contract to the lowest, responsive and responsible bidder.

### 13. {Level1} Renegotiation of Existing Contracts with Incumbent Contractors

- a. The district may amend or renegotiate contracts with existing vendors, service providers or other parties subject to the limitations of this rule.
- b. The district has determined that value engineering, specialized expertise required, public safety and technical complexity, generally do not apply to this special procurement procedure.
- c. The renegotiated contract falls within a current special procurement procedure, but if not the LCRB must approve a separate special procurement.
- d. The district may renegotiate certain terms, but they must not unreasonably alter the scope of the original contract.

### **Findings of Fact**

- a. The LCRB may amend contracts when it is in the best interest of the district. The superintendent and/or other designee, acting on behalf of the LCRB, may renegotiate certain provisions, including:
  - (1) Price;
  - (2) Term;
  - (3) Delivery and shipping;

- (4) Order size;
- (5) Substitution;
- (6) Warranties;
- (7) Online ordering systems;
- (8) Price adjustments;
- (9) Product availability;
- (10) Product quality; or
- (11) Reporting requirements; or
- (12) Discounts.

Any contract amendment will be supported by legal consideration when necessary to validate the amended provision.

b. The amended terms must be within a reasonable scope of the original contract, but not fundamentally alter the agreement or nature of goods or services. Districts may, however, request functionally equivalent substitutes for goods or services in the original contract.

c. The contract as a whole must be more favorable to the individual needs of the district to justify renegotiation. Cost may be a factor in determining what is a favorable change to the original contract, but the district may use factors other than cost that demonstrate that the amended contract is more favorable to the unique needs of the district.

### **Conclusion of Compliance with Law**

This special procurement will not encourage favoritism or substantially diminish competition in awarding public contracts because it already exists as a contract awarded in compliance with the district’s special procurement and public contracting code.

The awarding of contracts under this special procurement will result in cost savings to the district when it need to renew its original contract with vendors, service providers or other parties, or otherwise substantially promote the public interest.

### ***EXEMPTIONS FROM COMPETITIVE BIDDING***

All public contracts shall be based upon competitive bids or proposals, except the following:

- 14. Contracts which have been specifically exempted under ORS 279A.025 and 279C.335; and
- 15. Contracts covered by the class exemptions in the following set of rules developed pursuant to ORS 279C.335 (2) and (5) and based on Oregon Administrative Rules, Chapter 137, Divisions 46 through 49.

The Board, acting as the LCRB for the district, has made the findings required by ORS 279C.330, ORS 279C.335 and ORS 279C.345, and determined that awarding a contract under this exemption is unlikely to encourage favoritism or substantially diminish competition for the public contract and will likely result in a substantial cost savings and other substantial benefits to the district.

In approving a finding under this section, the local contract review board shall consider the type, cost and amount of the contract and, to the extent applicable to the particular public improvement contract or class of public improvement contracts, the following:

16. How many persons are available to bid;
17. The construction budget and the projected operating costs for the completed public improvements;
18. Public benefits that may result from granting the exemption;
19. Whether value engineering techniques may decrease the cost of the public improvement;
20. The cost and availability of specialized expertise that is necessary for the public improvement;
21. Any likely increases in public safety;
22. Whether granting the exemption may reduce risks to the district or the public that are related to the public improvement;
23. Whether granting the exemption will affect the sources of funding for the public improvement;
24. Whether granting the exemption will better enable the district to control the impact that market conditions may have on the cost of and time necessary to complete the public improvement;
25. Whether granting the exemption will better enable the district to address the size and technical complexity of the public improvement;
26. Whether the public improvements involves new construction or renovates or remodels an existing structure;
27. Whether the public improvement will be occupied or unoccupied during construction;
28. Whether the public improvement will require a single phase of construction work or multiple phases of construction work to address specific project conditions; and
29. Whether the district has or has retained under contract, and will use district personnel, consultants and legal counsel that have necessary expertise and substantial experience in alternative contracting methods to assist in developing the alternative contracting method that the district will use to award the public improvement contract and to help negotiate, administer and enforce the terms of the public improvement contract.

Only these findings are required for each class or individual contract exemption, unless the LCRB specifically excludes a finding or includes an additional finding.

Promulgation of these exemptions can only occur after public notification and a public hearing to receive testimony pertaining to the draft exemptions and findings, pursuant to ORS 279C.355.

30. {Level1} Brand Names or Products, “Or Equal,” Single Seller and Sole Source
  - a. The district may purchase brand names or products from a single seller or sole source without competitive bidding subject to the limitations of this rule.

- b. The district has determined that value engineering, specialized expertise required, public safety and technical complexity, generally do not apply to this exemption.
- c. Solicitation specifications for public contracts of the district shall not expressly or implicitly require any product of any particular manufacturer or seller except as expressly authorized in subsections d. and e. of this rule.
- d. The district may specify a particular brand name, make or product suffixed by “or equal,” “or approved equal,” “or equivalent,” “or approved equivalent” or similar language if there is no other practical method of specification after documenting the procurement file with the following:
  - (1) A brief description of the solicitation(s) to be covered, including contemplated future purchases;
  - (2) Description of the brand name, mark or product to be specified; and
  - (3) A brand name specification may be prepared and used only if the district determines for a solicitation or class of solicitations that only the identified brand name specification will meet the needs of the district based on one or more of the following written determinations:
    - (a) The use of the brand name specification is unlikely to encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts; or
    - (b) Specification of the brand name, mark or product would result in substantial cost savings to the district; or
    - (c) There is only one manufacturer or seller of the product of the quality, performance or functionality required; or
    - (d) The efficient utilization of existing goods requires the acquisition of compatible goods and services.
  - (4) The district shall make reasonable effort to notify all known suppliers of the specified product and invite such vendors to submit competitive bids or proposals.
- e. The district may purchase a particular product or service available from only one source, after documenting the procurement file with the district’s findings of current market research to support the determination that the product is available from only one seller or source. The district’s findings shall include:
  - (1) A brief description of the contract or contracts to be covered, including contemplated future purchases;
  - (2) Description of the product or service to be purchased; and
  - (3) The reasons the district is seeking this procurement method, which shall include any of the following:
    - (a) That the efficient utilization of existing equipment, supplies or services requires the acquisition of compatible equipment, supplies or services; or
    - (b) That the goods or services required for the exchange of software or data with other public or private agencies are available for only one source; or
    - (c) That the goods or services are for use in a pilot or an experimental project; or

- (d) Other findings that support the conclusion that the goods or services are available from only one source.
- (4) To the extent reasonably practical, the contracting agency shall negotiate with the sole source to obtain contract terms advantageous to the contracting agency.
- f. The district may specify a product or service available from only one manufacturer but available through multiple sellers, after documenting the procurement file with the following information:
  - (1) If the total purchase is over \$ 10,000 but does not exceed \$100,000, and a comparable product or service is not available under an existing state cooperative purchasing contract, competitive quotes shall be obtained by the district and retained in the procurement file; or
  - (2) If the amount of the purchase exceeds \$100,000, the product or service shall be obtained through competitive bidding unless a specific exemption is granted by the LCRB.
- g. If the district intends to make several purchases of the product of a particular manufacturer or seller for a period not to exceed five years, the district will so state in the solicitation file and in the solicitation document, if any. Such documentation shall be sufficient notice as to subsequent purchases. If the total purchase amount is estimated to exceed \$100,000, this shall be stated in the advertisement for bids or proposals.

**Findings of Fact/Conclusion of Compliance with Law**

It is unlikely that this process will encourage favoritism in the award of public contracts or substantially diminish competition for such contracts, as required by ORS 279C.335 (2)(a).

This class exemption applies only to contracts under a limited dollar amount, and then, only after efforts to obtain competitive quotes are made, or other methods have been employed to ensure that competitive means are used if available. The district maintains open lists from which vendors are contracted for quotations. In addition, as required by ORS 279C.335 (2)(b) award of a public contract subject to the above described exemption should likely result in substantial cost savings or other substantial benefits to the district by virtue of the ability to reduce solicitation costs when it is known that comparable products are not available, or when specifying another product solely to meet a competition requirement might lead to lower initial cost but longer lifetime cost.

31. {Level1}Product Prequalification

- a. When specific design or performance specifications must be met or such specifications are impractical to create or reproduce for a type of product to be purchased, the district may specify a list of approved or qualified products by reference to the prequalified product(s) of particular manufacturers or vendors in accordance with the following product prequalification procedure:
  - (1) The district will make reasonable efforts to notify all known manufacturers and vendors of competing products of the district’s intent to compile a list of prequalified products. The notice will explain the opportunity manufacturers and vendors of competing

products will have to apply to have their product(s) included on the district's list of prequalified products. At its discretion, the district may provide notice by advertisement in a trade paper of general statewide circulation or other appropriate trade publication; or instead of advertising, the district may provide written notice to those manufacturers and vendors appearing on the appropriate list maintained by the district; and

- (2) The district will accept manufacturer and vendor applications to include products in the district's list of prequalified products up to 15 calendar days prior to the initial advertisement for bids or proposals for the type of product to be purchased, unless otherwise specified in the advertisement or in the district's written notice.
- b. The district has determined that special expertise required, generally, does not apply to this rule.
  - c. If the district denies an application for inclusion of a product on its list of prequalified products, the district shall promptly provide the applicant with a written notice of the denial and include the reason for denial. The applicant may submit a written appeal within 7 calendar days to the district business manager to request review and reconsideration of the denial.

### **Findings of Fact**

a. There are occasions when the district needs to establish a list of prequalified products before it invites bids or proposals to furnish the products. The district may have a specific performance or design need, but it is impractical for the district to create a specification for the type of products to be purchased. An example is audiovisual equipment. There is a tremendous variety of audiovisual products offered in the market. The equipment technology is complex and constantly changing. It would be very burdensome and time consuming for the district to generate nonbrand name, generic performance specifications for such equipment every time it wants to make a purchase.

Also, competition would be poorly served because bidders and proposers would not know in advance whether their offered product would meet the general specification substantially enough to be considered a responsive offer. The decision to make an award would be slow, because each product offered would have to be analyzed against the district's specification. Slowdown in the award process affects both bidders, who are asked to hold their bids open until award is made, and district programs, because staff are not able to order the equipment they need until the contract is awarded.

In this case, it might be more cost effective and efficient for the district to prequalify products and establish a list of approved products before invitations to bid are sent out. The prequalification process can be done some time before the need for a new contract. Once the prequalified product list is established, the bidding and contract award process can go quickly and smoothly.

b. A second occasion when prequalification of products will be useful is when the specific design or performance specifications for a product are so exacting that the district must have time to carefully consider what is offered in the market that may or may not meet the specifications and, if necessary, reconsider its options before issuing an invitation to bid.

c. This rule sets out a process of prequalification which requires the use of advertisement or other appropriate means to notify vendors of competing products of their opportunity to submit items for prequalification. The district maintains vendor mailing lists which are open to all interested vendors. The district uses these lists routinely to notify vendors of its intentions to prequalify products or to invite bids on products.

- d. This includes a 15-day time limit between the closure of a prequalification list and a related invitation to bid. This time factor ensures that vendors have a reasonable time to apply to include their products on a prequalified product list.
- e. Subsection c. of this rule provides vendors with an appeal process to follow if their application for prequalification is denied.

### **Conclusion of Compliance with Law**

Where prequalification of products is appropriate, it is unlikely that this exemption will encourage favoritism in the awarding of public contracts or diminish competition for such contracts as required by ORS 279C.335 (2)(a). There are several safeguards in the rule to prevent this, including notice, advertising, time and appeal process requirements to ensure that vendors are given a fair and open opportunity to participate in the prequalification process.

The prequalification of products process is a time-consuming effort for the district. It is not a shortcut procurement method. The district would use this method only after balancing cost-saving considerations, such as the ability of the district to create or generate nonbrand name generic specifications for types of products or the need for lengthy product evaluation prior to contract award. If the prequalification method is chosen, it will likely result in a substantial cost savings and other substantial benefits to the district as required by ORS 279C.335 (2)(b) because the normal method of product selection is too cumbersome and costly to pursue.

### **32. Requirements Contracts (Blanket Purchase Orders, Price)<sup>3</sup>**

- a. {Level1 } The business manager, on behalf of the district, may establish requirements contracts for the purposes of minimizing paperwork, achieving continuity of product, securing a source of supply, reducing inventory, combining district requirements for volume discounts, standardization among schools and departments and reducing lead time for ordering.
- b. The district has determined that value engineering, specialized expertise required and technical complexity, generally, do not apply to this rule.
- c. The district may enter into a requirements contract (also known as a blanket purchase order or price agreement) whereby it is agreed to purchase goods or services for an anticipated need at a predetermined price or price discount from a price list, provided the contract is let by a competitive procurement process pursuant to the requirements of the public contracting code and these rules.
- d. Once a requirements contract is established, schools and departments may purchase the goods and services from the awarded contractor without first undertaking additional competitive solicitation.
- e. Schools and departments shall use requirements contracts established by the district, unless otherwise specified in the contract, allowed by law or these rules or specifically authorized by the superintendent, president or designee.
- f. Under the authority of ORS 279A.025 and 279C.335, the district may use the requirements contract entered into by another Oregon public agency when:

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<sup>3</sup> The state of Oregon's Smart Buy Program (ORSBP) allows authorized members to utilize the state's price agreement/contracts to purchase goods and services. Authorized ORCPP members can legally attach to a state price agreement and forego the competitive bid process. Access to hundreds of competitive price contracts for a wide variety of goods and services: vehicles, computers, furniture, copiers, fax machines, travel, pharmaceuticals, office products, etc., is available.

- (1) The original contract met the requirements of the public contracting code; and
  - (2) The original contract allows other public agency usage of the contract; and
  - (3) The original public contracting agency concurs and this is documented by a written interagency agreement between the district and the agency.
- g. The term of any district requirements contract, including renewals, shall not exceed five years unless otherwise exempted pursuant to ORS 279C.335.

### **Findings of Fact**

- a. This rule permits the district to enter into requirements contracts, in which the vendor agrees to provide specified goods and services over the term of the contract at the bid price or discount rate. A requirements contract is useful when the purchase of the goods or services are routine and repetitive. For example, school, building, office, custodial and facilities maintenance supplies are customarily purchased through requirements contracts.
- b. Requirements contracts are a common method of minimizing paperwork, achieving continuity of product, securing a source of supply, reducing inventory, obtaining volume discounts, standardizing usage among school, buildings and departments and reducing lead time for ordering.
- c. The district establishes requirements contracts as a result of open competitive bidding or RFP processes, unless otherwise exempted.
- d. The district limits the term of requirements contracts, including all renewal options, to a maximum of five years before competitive rebidding must be done, unless otherwise exempted.
- e. The district may use the requirements contracts established by other public agencies, subject to certain conditions of state law, Board policy and administrative regulation.

### **Conclusion of Compliance with Law**

It is unlikely that this exemption will result in favoritism in the awarding of public contracts or diminish competition for such contracts, as required by ORS 279C.335 (2)(a). The district will only enter into requirements contracts which result from open competitive bidding processes. This condition applies also to the use of requirements contracts established by other public contracting agencies.

The awarding of district requirements contracts will likely result in a substantial cost savings and other substantial benefits to the district, as required by ORS 279C.335 (2)(b). It would be costly and inefficient to make routine, repetitive purchases of goods and services through individual transactions. Also, the guaranteed volume of a requirements contract allows the district to get better prices from bidders.

### **33. {Level1} Waiver of Bid Security Requirements (Public Improvement Contracts under \$100,000)**

The LCRB may, at its discretion, waive the bid security requirements of ORS 279C.390, if the amount of the contract for the public improvement is less than \$100,000. Although the bid security requirements of ORS 279C.390 are waived for public improvement contracts under \$100,000, the district may impose a bid or quote security requirements for projects under \$100,000, when deemed to be in the best interest of the district.

### **Findings of Fact/Conclusion of Compliance with Law**

This rule allows the LCRB to waive bid security requirements for certain public improvement contracts. Waiver of the bid security is provided for by statute without a requirement for findings.

34. {Level1} Waiver of Performance and Payment Security Requirements (Public Improvement Contracts under \$100,000)

The LCRB may, at its discretion, waive the performance/payment security requirements of ORS 279C.390 if the amount of the contract for the public improvement is less than \$100,000. Although the performance/payment security requirements of ORS 279C.390 are waived for public improvement contracts less than \$100,000, the district may impose a performance/payment security requirement for projects less than \$100,000 when deemed to be in the best interest of the district.

**Findings of Fact/Conclusion of Compliance with Law**

This rule allows the LCRB to waive performance/payment security requirements for certain public improvement contracts. Waiver of the performance/payment security is provided for by statute without a requirement for findings.

**35. Projects with Complex Systems or Components**

- a. For contracts for public improvements with significant components that are inherently complex and are also complex to procure through competitive bid, the district may, at its discretion, use RFP competitive procurement methods subject to the conditions described in ORS 279C.400 and conditions enumerated in this exemption.
- b. Definitions. For purposes of this exemption only: “Complex Systems” are defined as those systems which incorporate the procurement of materials or other components which are difficult, if not impossible, to create in an “equal” specifications basis for competitive bid. Examples of such systems include but are not limited to, contracts for supplying and installing computerized controls for building heating, venting, air conditioning systems; and contracts for artificial surface outdoor multipurpose athletic fields. “Significant” is intended to mean something more than de minimus, but not necessarily the majority of the project as determined by cost.

**Finding of Fact/Conclusion of Compliance with the Law**

It is unlikely that this exemption will encourage favoritism in the awarding of the public contracts or substantially diminish competition for such contracts as required by ORS 279C.335 (2)(a). Contracts for public improvements occasionally incorporate the procurement of systems, materials, or other components (complex systems) for which it is extremely difficult to design bid specifications. In these situations, utilization of an RFP process where each of the systems can be evaluated utilizing a number of factors, in addition to price, will likely result in substantial cost savings and other substantial benefits to the district as required by ORS 279C.335 (2)(b).

ORS 279C.400 enumerates how RFP’s are to be used if authorized by the LCRB. This criteria, ensures that competitive means will be used and selection will be fair and impartial. As a result, it is unlikely that this process will encourage favoritism in the awarding of public contracts or substantially diminish competition for such contracts as required by ORS 279C.335 (2)(a). The awarding of contracts pursuant to this process

will result in optimal value to the district based on selection by the district of the best competitive proposal that meets the stated evaluative criteria.

This class exemption is intended to be used for the types of procurements describe in the findings, where the specific system, materials or components represent a significant portion of the project. This class exemption **is not** intended to be used for construction manager/general contractor (CM/GC) projects or other methods of alternative procurement unless these projects meet the requirements of this class exemption. The CM/GC and others, not meeting the requirements of this class exemption, may still be procured by RFP, provided that a project or contract specific exemption is promulgated by the LCRB.

## Summary

OSBA recommends deleting the current versions of DJC – Bidding Requirements, DJC-AR – Exemptions from Competitive Bidding and Special Procurements, DJCA – Personal Service Contracts and DJCA-AR – Personal Service Contracts, and replacing them with the new proposed versions of DJC and DJC-AR.

The proposed DJC outlines the procurement requirements for Small Procurement, Intermediate Procurement, Regular Procurement, Emergency Procurement, Sole-Source Procurement and Personal Services Contracts. Additionally, the proposed policy DJC – Bidding Requirements, reflects the new amounts for the procurement levels passed in House Bill 1047 (2023) and went into effect January 1, 2024. The policy also defines “public improvements” for purposes of the procurement levels, defines “community benefit contract” and the “Construction Manager/General Contractor procurement.”

The proposed administrative regulation, DJC-AR – Exemptions from Competitive Bidding and Special Procurements, has been updated and continues to provide guidance for procurements which are exempt from competitive bidding or are special procurements.

## PROPOSED NEW TO REPLACE OLD POLICY

### North Santiam School District

Code: DJC-AR

Revised/Reviewed:

#### Exemptions from Competitive Bidding and Special Procurements

{This optional administrative regulation is intended to provide guidance for the district in preparing a request for special procurement to the Local Contract Review Board (LCRB). This administrative regulation is not intended as procurement rules in place of the *Attorney General's Model Public Contracting Rules* or rules adopted by the LCRB.}

All public contracts shall be based upon competitive bids or proposals, except the following:

1. Contracts below threshold levels in accordance with ORS 279B.065 (small procurements for goods and services), 279B.070 (intermediate procurements for goods and services) and 279C.412 (intermediate procurements for public improvements);
2. Special procurements for goods and services in accordance with ORS 279B.085 and OAR 137-047-0285;<sup>1</sup>
3. Contracts which have been exempted under ORS 279A.025 and 279C.335; and
4. Any other contract exempted by law.

#### SPECIAL PROCUREMENTS FOR GOODS AND SERVICES

To proceed with a special procurement, the district shall submit a written request to the Board, acting as the Local Contract Review Board (LCRB). This request shall describe the contracting procedure, the

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<sup>1</sup> Procurement law for goods and services uses the term “special procurement.” Procurement law for public improvement contracts does not use the term “special procurement,” but a comparable exemption is allowed under ORS 279C.335.

goods and services or class of goods and services that are the subject of the special procurement, and circumstances that justify the use of a special procurement.

The special procurement must be unlikely to encourage favoritism in the awarding of a public contract or to substantially diminish competition for public contracts; and (A) must be reasonably expected to result in substantial cost savings to the district or to the public; or (B) must substantially promote the public interest in a matter that could not practicably be realized by complying with requirements that are applicable under ORS 279B.055, 279B.060, 279B.065, 279B.070 or any related rules.

After LCRB approval, the district may proceed with a special procurement. Public notice of the approval of a special procurement must be given in the same manner as provided in ORS 279B.055(4). If the district intends to award a contract through special procurements that calls for competition among prospective contractors, the district shall award the contract to the contractor it determines to be most advantageous to the district.

When the LCRB approves a class special procurement the district may award contracts to acquire goods and services within the class of goods and services in accordance with the terms of the approval without making a subsequent request for a special procurement.

The following are additional considerations and requirements for specific types of special procurements. The request submitted to the LCRB should address these provisions and satisfy any requirements.

### **Brand Names or Equal<sup>2</sup>**

1. “Brand name or equal specification” means a specification that uses one or more manufacturers’ names, makes, catalog numbers or similar identifying characteristics needed to meet the district’s requirements and that authorizes bidders or proposers to offer goods or services that are equivalent or superior to those named or described in the specification.
2. “Brand name specification” means a specification limited to one or more products, brand names, makes, manufacturer’s names, catalog numbers or similar identifying characteristics.”
3. “Specification” means any description of the physical or functional characteristics of, or of the nature of, goods or services to be procured by a contracting agency.<sup>3</sup>

A brand name or equal specification may be used when the use of a brand name or equal specification is advantageous to the district because the brand name describes the standard of quality, performance, functionality and other characteristics of the product needed by the district. The district is entitled to determine what constitutes a product that is equal or superior to the product specified, and any such determination is final. Nothing in the law or this administrative regulation may be construed as prohibiting the district from specifying one or more comparable products as examples of the quality, performance, functionality or other characteristics of the product needed by the contracting agency.

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<sup>2</sup> For additional guidance, see OAR 125-247-0691.

<sup>3</sup> Specification may include a description of any requirement for inspecting, testing or preparing goods or services for delivery.

A brand name specification may be prepared and used only if the district determines for a solicitation or class of solicitations that only the identified brand name specification will meet the needs of the district based on one or more of the following written determinations:

1. That use of the brand name specification is unlikely to encourage favoritism in the awarding of public contracts or substantially diminish competition for public contracts;
2. That use of a brand name specification would result in substantial cost savings to the contracting agency;
3. That there is only one manufacturer or seller of the product of the quality, performance or functionality required; or
4. That efficient utilization of existing goods requires the acquisition of compatible goods or services.

#### **Advertising Contracts, Purchase of<sup>4</sup>**

The district traditionally purchases advertising in newspapers, however, the district may also purchase advertising in other media, such as radio, television or the internet. Advertising contracts may be procured without competitive procurement based on findings of:

1. Advertisements are placed in a particular source because of the specific audience that source serves;
2. Competition to furnish advertising space in daily newspapers of general, trade or business circulation in the vicinity of the district is limited;
3. Cost savings are difficult to quantify where the sources are unique and not interchangeable;
4. Advertisements may be placed to satisfy legal notice or Board policy requirements;
5. Other published advertisements or notices, such as routine public notices, personnel recruitment information, etc., are placed in one or more of the publications of general circulation in the local area and other publications, as appropriate;
6. The communities served by the district rely upon its use of the local daily newspaper as a central source of news and information regarding district activities; or
7. It is unknown whether contracts for advertisements placed with radio, television, the internet or other media are going to result in cost savings if not placed for competitive bid or request for proposal (RFP). If possible, savings could be obtained through competitive means, the district would attempt to obtain competitive quotes or bids, as appropriate.

#### **Advertising Contracts, Sale of**

The district may sell advertising for district publications and activities, regardless of a dollar amount, without competitive bidding, including school newspapers, yearbooks, athletic programs, drama or music programs and the like.

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<sup>4</sup> See OAR 125-247-0288(5) for additional guidance.

Sales of advertising for student activities are generally other fund revenues, where student groups solicit advertisements from local businesses to help with the cost of the activity itself. A common example is the sale of advertising in school newspapers and yearbooks. The district itself would not achieve any increased revenue to the General Fund by seeking competitive bids or proposals for such advertising. This holds true for other student activities, such as athletics, drama or music events and the like.

### **Equipment Repair and Overhaul<sup>5</sup>**

The district may enter into a public contract for equipment repair or overhaul without competitive bidding when competitive procurement is not practical. This may include when service or parts required are unknown and the cost cannot be determined without extensive preliminary dismantling or testing, or service or parts required are for sophisticated equipment for which specially trained personnel are required and such personnel are available from only one source. The district will use a competitive procedure to the extent practicable.

If the repair or overhaul qualifies as an emergency, the district may use emergency procurement procedures.

### **Copyrighted Materials**

Contracts for the procurement or distribution of textbooks are exempt from public procurement requirements. Purchase of copyrighted materials available from only one source may be procured through the sole source procedures. Requests for special procurement approval for the purchase of other copyrighted materials may be submitted to the LCRB with supporting information.

### **Used Personal Property or Equipment, Purchase<sup>6</sup>**

The district may purchase used property or equipment without obtaining competitive bids or quotes, if at the time of purchase, the LCRB has determined that the purchase will result in substantial cost savings to the district or promote the public interest and will unlikely diminish competition or encourage favoritism. “Used personal property or equipment” is property or equipment which has been placed in its intended use by a previous owner or user for a period of time recognized in the relevant trade or industry as qualifying the personal property or equipment as “used,” at the time of district purchase.

### **Information Technology and Telecommunication Contracts<sup>7</sup>**

The district may enter into a contract to acquire information technology hardware and software and services (including telecommunications) without competitive bidding if, the LCRB has determined that the purchase will result in substantial cost savings to the district or promote the public interest and will unlikely diminish competition or encourage favoritism.

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<sup>5</sup> For additional guidance, see OAR 127-247-0288(6).

<sup>6</sup> For additional guidance, see OAR 125-247-0288(10). When contracting with another governmental entity, a district has a statutory exception under ORS 279A.025. The district may purchase state/federal surplus property through the Department of Administrative Services, State Services Division for Surplus Property. For more information on this program, contact DAS at 503-378-4714.

<sup>7</sup> For additional guidance, see OAR 127-247-0185.

## **Renegotiation of Existing Contracts with Incumbent Contractors**

The district may amend or renegotiate contracts with existing vendors, service providers or other parties in accordance with OAR 137-047-0800.

### **EXEMPTIONS FOR PUBLIC IMPROVEMENT CONTRACTS**

Oregon law<sup>8</sup> allows for exceptions to competitive bidding for public improvement contracts or classes of contracts when the LCRB approves findings that:

1. The exemption is unlikely to encourage favoritism in awarding public improvement contracts or substantially diminish competition for public improvement contracts; and
2. Awarding a public improvement contract under the exemption will likely result in substantial cost savings and other substantial benefits to the district.

In approving a finding, the LCRB shall consider the type, cost and amount of the contract and, to the extent applicable to the particular public improvement contract or class of public improvement contracts, the following:

1. How many persons are available to bid;
2. The construction budget and the projected operating costs for the completed public improvement;
3. Public benefits that may result from granting the exemption;
4. Whether value engineering techniques may decrease the cost of the public improvement;
5. The cost and availability of specialized expertise that is necessary for the public improvement;
6. Any likely increases in public safety;
7. Whether granting the exemption may reduce risks to the contracting agency, the state agency or the public that are related to the public improvement;
8. Whether granting the exemption will affect the sources of funding for the public improvement;
9. Whether granting the exemption will better enable the contracting agency to control the impact that market conditions may have on the cost of and time necessary to complete the public improvement;
10. Whether granting the exemption will better enable the contracting agency to address the size and technical complexity of the public improvement;
11. Whether the public improvement involves new construction or renovates or remodels an existing structure;
12. Whether the public improvement will be occupied or unoccupied during construction;

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<sup>8</sup> See ORS 279C.335.

13. Whether the public improvement will require a single phase of construction work or multiple phases of construction work to address specific project conditions; and
14. Whether the contracting agency or state agency has, or has retained under contract, and will use contracting agency or state agency personnel, consultants and legal counsel that have necessary expertise and substantial experience in alternative contracting methods to assist in developing the alternative contracting method that the contracting agency or state agency will use to award the public improvement contract and to help negotiate, administer and enforce the terms of the public improvement contract.

In granting this exemption, the LCRB shall:

1. If appropriate, direct the use of alternative contracting methods that take account of market realities and modern practices and are consistent with the public policy of encouraging competition;
2. Require and approve or disapprove written findings by the district that support awarding a particular public improvement contract or a class of public improvement contracts, without the competitive bidding requirements. The findings must show that the exemption complies with the requirements outlined in this administrative regulation; and
3. If the procurement involves construction manager/general contractor services, require the district conduct the procurement in accordance with OAR 137-049-0690.

Notification of a proposed exemption under this section must be published in at least one trade newspaper of general statewide circulation a minimum of 14 days before the date on which the LCRB intends to take action to approve or disapprove the exemption. The notice must state that in response to a written request, the district will hold a public hearing for the purpose of taking comments on the draft findings for an exemption from the competitive bidding requirement.<sup>9</sup> If a hearing is held, the district shall offer an opportunity for any interested party to appear and comments. If the district must act promptly because of circumstances beyond the district's control that do not constitute an emergency, notification of the proposed exemption may be published simultaneously with the district's solicitation of contractors, as long as responses to the solicitation are due at least five days after the agency intends to take action to approve or disapprove the proposed exemption.

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<sup>9</sup> The district may hold a hearing even if there is no written request.

## Summary

OSBA recommends deleting the current versions of DJC – Bidding Requirements, DJC-AR – Exemptions from Competitive Bidding and Special Procurements, DJCA – Personal Service Contracts and DJCA-AR – Personal Service Contracts, and replacing them with the new proposed versions of DJC and DJC-AR.

The proposed DJC outlines the procurement requirements for Small Procurement, Intermediate Procurement, Regular Procurement, Emergency Procurement, Sole-Source Procurement and Personal Services Contracts. Additionally, the proposed policy DJC – Bidding Requirements, reflects the new amounts for the procurement levels passed in House Bill 1047 (2023) and went into effect January 1, 2024. The policy also defines “public improvements” for purposes of the procurement levels, defines “community benefit contract” and the “Construction Manager/General Contractor procurement.”

The proposed administrative regulation, DJC-AR – Exemptions from Competitive Bidding and Special Procurements, has been updated and continues to provide guidance for procurements which are exempt from competitive bidding or are special procurements.

**DELETE - DELETE - DELETE - DELETE - DELETE - DELETE**

## North Santiam School District

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Code: DJCA-AR  
Revised/Reviewed: 1/23/14; 6/15/17  
Orig. Code: DJCA-AR

### Personal Services Contracts

*(Personal services contract language has been moved to policy DJC/DJC-AR so it can be deleted if those changes are approved)*

#### 1. Personal Services Contracts Defined

- a. Personal services contracts include, but are not limited to: a contract or member of a class of contracts, that the local contracting agency’s Local Contract Review Board (LCRB) has designated as a personal services contract pursuant to Oregon Revised Statute (ORS) 279A.055. Personal services include, but are not limited to, the following:
  - (1) Contracts for services performed as an independent contractor in a professional capacity (e.g., services of an accountant, attorney, data processing consultant, etc.);
  - (2) Contracts for services as an artist in the performing or fine arts (e.g., photographer, painter, etc.);
  - (3) Contracts for services that are specialized, creative and research oriented;
  - (4) Contracts for services as a consultant as defined by Oregon Administrative Rule (OAR) 137-048-0110(1);
  - (5) Contracts for educational consulting services;
  - (6) Contracts for food service management.

#### 2. Eligibility

The district will follow ORS 670.600, Public Employees Retirement System (PERS) rules OAR 459-010-0030 and Internal Revenue Service (IRS) Ruling 87-41 in determining whether the individual or business entity qualifies as an independent contractor or is an employee of the district. A valid independent contractor must meet all eight of the following points:

a. State requirements<sup>1</sup>:

- (1) The contractor must be free from the direction and the control of the employer;
- (2) The contractor must obtain required business licenses;
- (3) The contractor must furnish necessary tools and equipment;
- (4) The contractor has authority to hire and fire employees;
- (5) The contractor is paid on completion of portions of projects or on a retainer basis;
- (6) The construction contractor must be registered under ORS Chapter 701. (For more information call the Construction Contractors Board at 503-378-4621 in Salem.);
- (7) The contractor must file appropriate business tax returns;
- (8) The contractor must represent to the public that the labor or services are provided by an independent business.

b. PERS requirements:

In determining whether an individual is an employee or independent contractor for PERS contribution purposes, the district will consider the following factors:

- (1) Instructions. An employee must comply with instructions about when, where and how to work. Even if no instructions are given, the control factor is present if the employer has the right to control how the work results are achieved;
- (2) Training. An employee may be trained to perform services in a particular manner. Independent contractors ordinarily use their own methods and receive no training from the purchasers of their services;
- (3) Integration. An employee's services are usually integrated into the business operations because the services are important to the success or continuation of the business. This shows that the employee is subject to direction and control;
- (4) Services rendered personally. An employee renders services personally. This shows that the employer is interested in the methods as well as the results;
- (5) Hiring, supervising and paying assistants. An employee works for an employer who hires, supervises and pays workers. An independent contractor can hire, supervise and pay assistants under a contract that requires him/her to provide materials and labor and to be responsible only for the result;
- (6) Continuing relationship. An employee generally has a continuing relationship with an employer. A continuing relationship may exist even if work is performed at recurring although irregular intervals;
- (7) Set hours of work. An employee usually has set hours of work established by an employer. An independent contractor generally can set his/her own work hours;
- (8) Full-time required. An employee may be required to work or be available full-time. This indicates control by the employer. An independent contractor can work when and for whom he/she chooses;

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<sup>1</sup> See ORS 670.600 for complete listing.

- (9) Doing work on employer's premises. An employee usually works on the premises of an employer, or works on a route or at a location designated by an employer;
- (10) Order or sequence set. An employee may be required to perform services in the order or sequence set by an employer. This shows that the employee is subject to direction and control;
- (11) Oral or written reports. An employee may be required to submit reports to an employer. This shows that the employer maintains a degree of control;
- (12) Payment by hour, week, month. An employee is generally paid by the hour, week or month. An independent contractor is usually paid by the job or on a straight commission;
- (13) Payment of business and/or traveling expenses. An employee's business and travel expenses are generally paid by an employer. This shows that the employee is subject to regulation and control;
- (14) Furnishing of tools and materials. An employee is normally furnished significant tools, materials and other equipment by an employer;
- (15) Significant investment. An independent contractor has a significant investment in the facilities he/she uses in performing services for someone else;
- (16) Realization of profit or loss. An independent contractor can make a profit or suffer a loss;
- (17) Working for more than one employer at a time. An independent contractor is generally free to provide his/her services to two or more unrelated persons or firms at the same time;
- (18) Making service available to general public. An independent contractor makes his/her services available to the general public;
- (19) Right to discharge. An employee can be fired by an employer. An independent contractor cannot be fired so long as he/she produces a result that meets the specifications of the contract;
- (20) Right to terminate. An employee can quit his/her job at any time without incurring liability. An independent contractor usually agrees to complete a specific job and is responsible for its satisfactory completion, or is legally obligated to make good for failure to complete it.

c. IRS requirements:

Additionally, in determining employee or independent contract status for purposes of the Federal Insurance Contributions Act (FICA), the Federal Unemployment Tax Act (FUTA) or for federal income tax withholding from wages, the district will consider:

- (1) Behavioral control. A worker is an employee when the district has the right to direct and control the worker;
- (2) Financial control. A worker is an independent contractor if he/she can realize a profit or incur a loss. The individual may also be an independent contractor if he/she is not reimbursed for some or all business expenses, especially if those expenses are high or if he/she has a significant investment in his/her work;
- (3) Relationship of the parties. Facts weighed by the district will include any written contracts describing the relationship the parties intended to create; the extent to which the worker is available to perform services for other similar businesses; whether the district provides the worker with employee-type benefits, such as insurance, vacation pay or sick pay; and the permanency of the relationship.

3. Personal Services Contracts - Procurement Requirements

The district contracts follow ORS Chapter 279, Public Contracts and Purchasing.

4. ITB/RFP Requirements

- a. The district contracts follow ORS Chapter 279, Public Contracts and Purchasing.
- b. Unless otherwise specified in rules adopted pursuant to ORS 279A.065, the LCRB will give notice at least seven days before the solicitation closing date.
- c. All advertisements shall describe at minimum the requirements under OAR 137-047-0300 (3):
  - (1) Where, when, how and for how long the solicitation document may be obtained;
  - (2) A general description of the goods or services to be acquired;
  - (3) The interval between the first date of notice and closing, which will be at least seven days, unless a shorter period is in the public interest and it will not substantially affect competition;
  - (4) The date that persons must file applications for prequalification if prequalification is a requirement and the class of goods or services is one for which persons must be prequalified;
  - (5) The office where contract terms, conditions and specifications may be reviewed;
  - (6) The name, title and address of the individual authorized by the contracting agency to receive offers;
  - (7) The scheduled opening; and
  - (8) Any other information the contracting agency deems appropriate.

5. Screening and Selection Procedures

The district contracts follow ORS Chapter 279, Public Contracts and Purchasing.

6. Documentation

Documentation providing evidence of competition shall be maintained by the district for all contracts entered into by the district.

7. Fingerprinting

If the scope of the work performed by a contractor(s) or his/her employee(s) may result in direct, unsupervised contact with students, he/she will be required to submit to fingerprinting and criminal records checks as required by law.

8. Payment

Payment will be made only upon completion of the performance of specific portions of the project or on the basis of an annual or periodic retainer as specified by the district in the personal services contract.

## Summary

To clean up duplicate language, a new version of policy GCDA/GDDA – Criminal Records Checks and Fingerprinting was developed. It was approved by the NSSD board on 9/19/24 thus eliminating the need for an administrative regulation.

## North Santiam School District

Code: GCDA/GDDA-AR  
Revised/Reviewed: 10/16/08; 5/15/14; 10/19/17;  
3/16/23  
Orig. Code: GCDA/GDDA-AR

### **Criminal Records Checks/Fingerprinting**

*(Delete in lieu of the new version of required model policy GCDA/GDDA.)*

#### **Requirements**

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

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

5. Any community college faculty member providing instruction at the site of an early childhood education program, a school site as part of an early childhood program or at a grade K through 12

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

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

school site during the regular school day, shall be required to undergo a criminal records check and fingerprinting.

6. Any individual who is an employee of a public charter school not requiring licensure under ORS 342.223 shall be required to undergo a criminal records check and fingerprinting.
7. A volunteer allowed by the district into a position that has direct, unsupervised contact with students shall undergo an in-state criminal records check.
8. A volunteer that is not likely to have direct, unsupervised contact with students may not be required to undergo an in-state criminal records check.

### **Exceptions**

A newly hired employee<sup>3</sup> is not subject to fingerprinting if:

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

### **Notification**

1. The district will provide the following notification to individuals subject to criminal records checks and/or fingerprinting:
  - a. Such criminal records checks and/or fingerprinting are required by law or Board policy;
  - b. Any action resulting from such checks completed by the ODE that impact employment, contract or volunteering may be appealed as a contested case to ODE;
  - c. All employment or contract offers or the ability to volunteer are contingent upon the results of such checks;
  - d. A refusal to consent to a required criminal records check and/or fingerprinting shall result in immediate termination from employment or contract status or the ability to volunteer in the district;
  - e. An individual determined to have knowingly made a false statement as to the conviction of any crime on district employment applications, contracts or ODE forms (written or electronic) may result in immediate termination from employment or contract status;
  - f. An individual determined to have been convicted of any crime that would prohibit employment or contract will be immediately terminated from employment or contract status;

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<sup>3</sup> Any individual hired within the last three months.

g. A volunteer candidate who knowingly made a false statement or has a conviction of the crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number result in immediate termination from the ability to volunteer in the district. The district may remove the volunteer from the position allowing direct, unsupervised contact with students.

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

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## Processing and Reporting Procedures

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

## Fees

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

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

1. A subject individual required to submit to a criminal records check and/or fingerprinting in accordance with law and/or Board policy will be terminated from employment or contract status, or withdrawal of offer of employment or contract will be made by the district upon:
  - a. Refusal to consent to a criminal records check and/or fingerprinting; or
  - b. Notification<sup>5</sup> from the Superintendent of Public Instruction that the employee has a conviction of any crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the

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<sup>4</sup> A person hired as or by a contractor and their employees may not be required to submit to fingerprinting until the contractor has been offered a contract by the district.

<sup>5</sup> Prior to making a determination that results in this notification and opportunity for a hearing, the Superintendent of Public Instruction may cause an investigation pursuant to OAR 581-021-0511; involved parties shall cooperate with the investigation pursuant to law.

conviction occurred in another jurisdiction or in Oregon under a different statutory name or number.

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

### **Appeals**

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

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

## Summary

The procedures for responding to an incident of restraint or seclusion are found in ORS 339.294 and were amended by [Senate Bill 1024](#) (2023; see Section 3 which begins on page 5 of the SB). These amended procedures are represented in the recommended changes to model administrative regulation, JGAB-AR – Use of Restraint or Seclusion\*\* and policy JGAB – Use of Restraint or Seclusion\*\*. There are several changes to highlight of which two are: 1) addition of immediate notice to the parent or guardian of any existing record, including audio or video, of the incident (which will be preserved in the original format without alternation), and 2) such record shall be reviewed at the debriefing meeting, to which parents shall be invited.

Additional information regarding the preservation and disclosure of such records, which have record retention and disclosure implications, are outlined in the new [SB](#), subsection 9 and 10.

The changes are a result of the adopted language from the bill and related, revised OARs recently adopted by the State Board.

A change to ORS 161.205 on issues of corporal punishment was put into effect by Senate Bill 577; also effective now.

## North Santiam School District

Code: JGAB-AR  
Adopted: 7/19/07  
Revised/Readopted: 4/15/10; 9/15/11; 6/19/14;  
10/19/17; 10/19/23; 2/22/24  
Orig. Code: JGAB-AR

### Use of Physical Restraint and Seclusion

#### Procedure

#### Procedures

1. If restraint or seclusion continues for more than 30 minutes, school staff will attempt to immediately notify parents or guardians verbally or electronically.
2. Following an incident involving the use of restraint or seclusion, school staff will provide parents or guardians of the student the following:
  - a. Verbal or electronic notice of the incident by the end of the school day when the incident occurred.
  - b. Written documentation of the incident within 24 hours that provides:
    - (1) A description of the restraint or seclusion including:
      - (a) The date of the restraint or seclusion;
      - (b) The times the restraint or seclusion began and ended; and
      - (c) The location of the incident.
    - (2) A description of the student's activity that prompted the use of restraint or seclusion.

- (3) The efforts used to de-escalate the situation and the alternatives to restraint or seclusion that were attempted.;
- (4) The names of staff of the district who administered the restraint or seclusion.;
- (5) A description of the training status of the staff of the district who administered the restraint or seclusion, including any information that may need to be provided to the parent or guardian. ~~and~~
- (6) Timely notification of a debriefing meeting to be held and of the parent's or guardian's right to attend the meeting.

c. Immediate<sup>1</sup>, written notification of the existence of any records<sup>{2}</sup> related to an incident of restraint or seclusion (including photos or audio or video recording).

3. If the restraint or seclusion was administered by a person without training, the administrator will ensure written notice is issued to the parent or guardian of the student which ~~that~~ includes notice of the lack of training; and the reason restraint or seclusion was administered by ~~why~~ a person without training ~~administered the restraint or seclusion~~. The administrator will ensure written notice of the same to the superintendent.
4. An administrator will be notified as soon as practicable whenever restraint or seclusion has been used.
5. If restraint or seclusion continues for more than 30 minutes the student must be provided with adequate access to bathroom and water every 30 minutes. If restraint or seclusion continues for more than 30 minutes, every 15 minutes after the first 30 minutes, an administrator for the district must provide written authorization for the continuation of the restraint or seclusion, including providing documentation for the reason the restraint or seclusion must be continued. Whenever restraint or seclusion extends beyond 30 minutes, staff of the district will immediately attempt to verbally or electronically notify a parent or guardian.
6. A district Restraint and/or Seclusion Incident Report must be completed and copies provided to those attending the debriefing meeting for review and comment. The completed Restraint and/or Seclusion Incident Report Form shall include the following:
  - a. Name of the student;
  - b. Name of staff member(s) administering the restraint or seclusion;
  - c. Date of the restraint or seclusion and the time the restraint or seclusion began and ended;
  - d. Location of the restraint or seclusion;
  - e. A description of the restraint or seclusion;
  - f. A description of the student's activity immediately preceding the behavior that prompted the use of restraint or seclusion;
  - g. A description of the behavior that prompted the use of restraint or seclusion;
  - h. Efforts to de-escalate the situation and alternatives to restraint or seclusion that were attempted;

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

<sup>2</sup> {Such records shall be maintained in accordance with ORS 339.294(9).}

- i. Information documenting parent or guardian contact and notification.
7. A documented debriefing meeting must be held within two school days after the use of **physical** restraint or seclusion. The parent or guardian of the student must be invited to attend the meeting<sup>3</sup>, and the meeting will include; staff members involved in the intervention and any other appropriate personnel. ~~must be included in the meeting.~~ The debriefing team shall include an administrator. At the debriefing meeting, the district shall review, in its entirety, any audio or video recording<sup>[4]</sup> preserved as a record of the incident involving restraint or seclusion in accordance with law. Written notes shall be taken and a copy of the written notes shall be provided to the parent or guardian of the student.

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

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

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

<sup>3</sup> “Meeting” means the debriefing meeting at which the audio or video recording will be viewed. (OAR 581-021-0556(9))

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

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

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

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

**Policy JGAB directs those wishing to submit a complaint to use policy KL which negates the need for the following complaint form. Furthermore, it is recommended to remove the incident report form and debrief form from the AR and utilize a form of them internally.**

**COMPLAINT FORM**

**PHYSICAL RESTRAINT OR STUDENT SECLUSION**

Person Initiating Complaint: \_\_\_\_\_

Phone: \_\_\_\_\_

Date Form Received: \_\_\_\_\_

Nature of Complaint: \_\_\_\_\_

District Employees with Whom You Have Discussed Complaint: \_\_\_\_\_  
\_\_\_\_\_

Your Desired Solution: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Other Pertinent Information: \_\_\_\_\_  
\_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Resolution of complaint attached.

**North Santiam School District**  
**Physical Restraint and/or Seclusion Incident Report Form**

A Physical Restraint and/or Seclusion Incident Report form shall be completed within 24 hours to document the use of any physical restraint or seclusion intervention used on a student. Timely notification of the time and place of a debriefing meeting and of the parent's or guardian's right to attend shall be provided.

The definition of seclusion: The involuntary confinement of a student alone in a room from which the same student is prevented from leaving. Seclusion does not include "timeout," which means removing a student for a short period of time to provide the student with an opportunity to regain self-control, in a setting from which the student is not physically prevented from leaving. OAR 581-021-0062 (1) (b-c)

Student Name: \_\_\_\_\_ Grade: \_\_\_\_\_ Age: \_\_\_\_\_

SSID#: \_\_\_\_\_ IEP \_\_\_\_\_ 504 plan \_\_\_\_\_ BIP \_\_\_\_\_ School: \_\_\_\_\_

Staff Member Administering Physical Restraint/Seclusion: \_\_\_\_\_

Date of Incident: \_\_\_\_\_ Time of Physical Restraint/Seclusion started: \_\_\_\_\_ (am/pm)  
Ended: \_\_\_\_\_

Location of Physical Restraint/Seclusion: \_\_\_\_\_ Location of incident: \_\_\_\_\_

Detailed description of incident (describe the behavior in observable and measurable terms. Report only what was seen or heard. Avoid evaluation/judgment and/or opinions. Include description of physical intervention/physical restraint that was used. Describe student activity preceding incident that prompted physical restraint/seclusion (attach additional sheets if needed). \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

De-escalation methods used: \_\_\_\_\_  
\_\_\_\_\_

Did injury occur to staff?  Yes  No

If yes, complete required accident report(s). SAIF/Building Accident Report — See HR department for forms

Did injury occur to student?  Yes  No

If yes, complete building accident report/notify building administrator and district safety officer

Did property damage occur?  Yes  No

If yes, please notify building administrator and facilities director

Name of Parent/Guardian: \_\_\_\_\_ Notification method: \_\_\_\_\_

Date/Time of Notification: \_\_\_\_\_ Staff Contact: \_\_\_\_\_

Signature of Reporting Staff \_\_\_\_\_ Date \_\_\_\_\_

**A summary of the debriefing (form and notes) with a copy of this form will be delivered to:  
1) Student File/Principal; 2) District Safety Officer; 3) Instructional Student Services; and 4)  
Parent/Guardian**

**NORTH SANTIAM SCHOOL DISTRICT  
PHYSICAL RESTRAINT AND/OR SECLUSION INCIDENT DEBRIEF FORM**

A physical restraint and seclusion incident debrief form is completed by the safety security officer, Director of Special Services, or superintendent's designee.

Is the staff member Mandt certified?  Yes  No

Was the physical restraint an Mandt sanctioned move?  Yes  No

Is the student on an IEP (Individualized Education Program)?  Yes  No

Is there a current FBA (Functional Behavior Assessment)?  Yes  No

Is there a current BSP (Behavior Support Plan)?  Yes  No

Building Administrator's reflection: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Staff member's reflection: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Based on findings, this qualifies as a restraint incident.  Yes  No

Based on findings, this qualifies as a seclusion incident.  Yes  No

If no, provide reasoning: \_\_\_\_\_  
\_\_\_\_\_

What is the plan to support the student in the future? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Recommendations: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date of debrief: \_\_\_\_\_ Time: \_\_\_\_\_

Signature of person completing form: \_\_\_\_\_

Signature of staff member: \_\_\_\_\_

**Copies of this form with any additional notes to be distributed to:**

- 1) Student File/Principal; 2) District Safety Officer; 3) Instructional Student Services; and**
- 4) Parent/Guardian**

## Summary

The procedures for responding to an incident of restraint or seclusion are found in ORS 339.294 and were amended by [Senate Bill 1024](#) (2023; see Section 3 which begins on page 5 of the SB). These amended procedures are represented in the recommended changes to model administrative regulation, JGAB-AR Use of Restraint or Seclusion\*\* and policy JGAB Use of Restraint or Seclusion\*\*. There are several changes to highlight of which two are: 1) addition of immediate notice to the parent or guardian of any existing record, including audio or video, of the incident (which will be preserved in the original format without alternation), and 2) such record shall be reviewed at the debriefing meeting, to which parents shall be invited.

Additional information regarding the preservation and disclosure of such records, which have record retention and disclosure implications, are outlined in the new SB, subsection 9 and 10.

The changes are a result of the adopted language from the bill and related, revised OARs recently adopted by the State Board.

A change to ORS 161.205 on issues of corporal punishment was put into effect by Senate Bill 577; also effective now.

## North Santiam School District

Code: JGAB  
Adopted: 7/19/07  
Revised/Readopted: 7/17/14; 10/19/17; 3/01/18;  
11/16/23  
Orig. Code: JGAB

### Use of Restraint or Seclusion

The Board is dedicated to the development and application of best practices within the district's public educational/behavioral programs. The Board establishes this policy and its administrative regulation to define the circumstances that must exist and the requirements that must be met prior to, during, and after the use of restraint or seclusion as an intervention with district students.

The use of the following types of restraint on a student in the district is prohibited:

1. Chemical restraint.
2. Mechanical restraint.
3. Prone restraint.
4. Supine restraint.

5. Any restraint that involves the intentional and nonincidental use of a solid object<sup>1</sup>, including a wall or the floor, to impede a student's movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.
6. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, neck or throat.
7. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, unless the restraint is necessary for the purpose of extracting a body part from a bite.
8. Any restraint that impedes, or creates a risk of impeding, breathing.
9. Any restraint that involves the intentional placement of the hands, feet, elbow, knee or any object on a student's neck, throat, genitals or other intimate parts.
10. Any restraint that causes pressure to be placed, or creates a risk of causing pressure to be placed, on the stomach or back by a knee, foot or elbow bone.
11. Any action designed for the primary purpose of inflicting pain.

The use of a seclusion cell is prohibited.

Restraint or seclusion may not be used for discipline, punishment, retaliation or convenience of staff, contractors or volunteers of the district.

Restraint may be imposed on a student in the district only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and substantial physical or bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

Seclusion may be used on a student in the district only under the following circumstances:

1. The student's behavior imposes a reasonable risk of imminent and serious bodily injury to the student or others; and
2. Less restrictive interventions would not be effective.

If restraint or seclusion is used on a student, by trained staff or other staff available in the case of an emergency when trained staff are not immediately available due to the unforeseeable nature of the emergency, e.g., teacher, administrator, or volunteer, it will be used only for as long as the student's behavior poses a reasonable risk of imminent and substantial physical or bodily injury to the student or

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<sup>1</sup> The use of a solid object, including furniture, a wall, or the floor, by district staff performing a restraint is not prohibited if the object is used for the staff's own stability or support while performing the restraint and not as a mechanism to apply pressure directly to the student's body.

others and less restrictive interventions would not be effective. Students will be continuously monitored by staff for the duration of the restraint or seclusion.

## Definitions

1. “Restraint” means the restriction of a student’s actions or movements by holding the student or using pressure or other means.

“Restraint” does not include:

- a. Holding a student’s hand or arm to escort the student safely and without the use of force from one area to another;
  - b. Assisting a student to complete a task if the student does not resist the physical contact; or
  - c. Providing reasonable intervention with the minimal exertion of force necessary if the intervention does not include a restraint prohibited under Oregon Revised Statute (ORS) 339.288 and the intervention is necessary to:
    - (1) Break up a physical fight;
    - (2) Interrupt a student’s impulsive behavior that threatens the student’s immediate safety, including running in front of a vehicle or climbing on unsafe structures or objects; or
2. Effectively protect oneself or another from an assault, injury or sexual contact with the minimum physical contact necessary for protection.
  3. “Seclusion” means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. Seclusion includes, but is not limited to, the involuntary confinement of a student alone in a room with a closed door, whether the door is locked or unlocked.
  4. “Seclusion” does not include the removal of a student for a short period of time to provide the student with an opportunity to regain self-control if the student is in a setting from which the student is not physically prevented from leaving, or a student being left alone in a room with a closed door for a brief period of time if the student is left alone for a purpose that is unrelated to the student’s behavior.
  5. “Seclusion cell” means a freestanding, self-contained unit that is used to isolate the student from other students or physically prevent a student from leaving the unit or cause the student to believe that the student is physically prevented from leaving the unit.
  6. “Serious bodily injury” means any significant impairment of the physical condition of a person, as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else.
  7. “Substantial physical or bodily injury” means any impairment of the physical condition of a person that requires some form of medical treatment.
  8. “Mechanical restraint” means a device used to restrict the movement of a student or the movement or normal function of a portion of the body of a student.
  9. “Mechanical restraint” does not include:

- a. A protective or stabilizing device ordered by a licensed physician; or
  - b. A vehicle safety restraint when used as intended during the transport of a student in a moving vehicle.
10. “Chemical restraint” means a drug or medication that is used on a student to control behavior or restrict freedom of movement that is not prescribed by a licensed physician or other qualified health professional acting under the professional’s scope of practice for standard treatment of the student’s medical or psychiatric condition; and administered as prescribed by a licensed physician or other qualified health professional acting under the professional’s scope of practice.
  11. “Prone restraint” means a restraint in which a student is held face down on the floor.
  12. “Supine restraint” means a restraint in which a student is held face up on the floor.

Any student being restrained or secluded within the district whether in an emergency or as a part of a plan shall be constantly monitored by staff for the duration of the intervention. Any room used for seclusion of a student must meet the standards as outlined in Oregon Administrative Rule (OAR) 581-021-0568.

The district shall only utilize a ~~the Mandt System~~ training program for ~~of~~ restraint or seclusion to train staff and ~~for~~ use in the district which has been ~~. As required by state regulation, the selected program shall be~~ ~~one~~ approved by the Oregon Department of Education (ODE).

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

~~The) and include, but not limited to, positive behavior support, conflict prevention, de-escalation and crisis response techniques. Any program selected by the~~ district shall preserve, and may not destroy, any records related ~~must be in compliance with state and federal law with respect~~ to an incident ~~the use~~ of restraint or ~~and~~ seclusion, including an audio or video recording. The records must be preserved in the original format and without alteration in accordance with law.

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

An annual review of the use of restraint and seclusion during the preceding school year shall be completed and submitted to ODE to ensure compliance with district policies and procedures.

The results of the review and annual report shall be documented and shall include at a minimum:

1. The total number of incidents involving restraint;
2. The total number of incidents involving seclusion;
3. The total number of seclusions in a locked room;

4. The total number of students placed in restraint;
5. The total number of students placed in seclusion;
6. The total number of incidents that resulted in injuries or death to students or staff as a result of the use of restraint or seclusion;
7. The total number of students placed in restraint or seclusion more than 10 times in a school year and an explanation of what steps have been taken by the district to decrease the use of restraint and seclusion for each student;
8. The total number of restraint or seclusion incidents carried out by untrained individuals;
9. The demographic characteristics<sup>2</sup> of all students upon whom restraint or seclusion was imposed;
10. The total number of rooms available for use by the district for seclusion of a student and a description of the dimensions and design of the rooms.

This annual report shall be made available to the public at the district’s main office and on the district’s website, and to the Board.

At least once each school year the parents and guardians of students of the district shall be notified about how to access the report.

The district shall investigate all complaints regarding the use of restraint and/or seclusion practices according to the procedures outlined in Board policy KL - Public Complaints and KL-AR - Public Complaint Procedure. The complaint procedure is available at the district’s administrative office and is available on the home page of the district’s website.

The complainant, whether an organization or an individual, may appeal a district’s final decision to the Oregon Department of Education pursuant to OAR 581-002-0001 - 581-002-0023. This appeal process is represented in administrative regulation KL-AR(3) - Appeal to the Deputy Superintendent of Public Instruction.

The superintendent shall develop administrative regulations to carry out the requirements set forth in this policy and to meet any additional requirements established by law related to the use, reporting, and written documentation of the use of restraint or seclusion by district staff. A staff member who violates this policy or its administrative regulation may be subject to discipline, up to and including dismissal.

END OF POLICY

**Legal Reference(s):**

[ORS 161.205](#)  
[ORS 339.250](#)

[ORS 339.285](#)  
[ORS 339.288](#)

[ORS 339.291](#)  
[ORS 339.294](#)

<sup>2</sup> Including race, ethnicity, gender, disability status, migrant status, English proficiency and status as economically disadvantaged, unless the demographic information would reveal personally identifiable information about an individual student.

[ORS 339.297](#)

[ORS 339.300](#)

[ORS 339.303](#)

[OAR 581-021-0061](#)

[OAR 581-021-0550](#)

[OAR 581-021-0553](#)

[OAR 581-021-0556](#)

[OAR 581-021-0563](#)

[OAR 581-021-0566](#)

[OAR 581-021-0568](#)

[OAR 581-021-0569](#)

[OAR 581-021-0570](#)

[OAR 581-022-2267](#)

[OAR 581-022-2370](#)

**Cross Reference(s):**

JGA - Corporal Punishment

JGB - Detention of Students

JGDA/JGEA - Discipline of Students with Disabilities

**Oct 2024 Field Trip Report**  
**Overnight & out-of-state trips are indicated in red**

Trip ID/Name	Trip Destination	Building	Trip Date(s)	Depart & Return Times	Pupils	Adults	Educational Objectives	Organization	Status
241470 - SES 3rd Grade Music Field Trip	Willamette University's Smith Auditorium 270 Winter St. SE, Salem	Stayton Elementary	Wed, Feb 12, 2025	9:00am - 11:30am	95	20	Give students an enriching experience of attending a professional symphony concert. Attending and evaluating a music performance is a Oregon state music standard.	Curriculum	pending
241011 - Kindergarten to Storybook Land	Storybook Land Linn County Expo Center 3700 Knox Butte Road Albany	Stayton Elementary	Fri, Dec 6, 2024	8:45am - 12:00pm	88	6	Recognize familiar book characters and make text to character connections. Revisit and retell familiar stories, identify characters, settings, and major events.	Curriculum	pending
241003 - 2nd Grade to Storybook Land	Storybook Land Linn County Expo Center 3700 Knox Butte Road Albany	Stayton Elementary	Thu, Dec 5, 2024	8:30am - 11:45am	80	24	Students will be able to obtain first hand knowledge of design engineering and fairytales by seeing their favorite stories come to life in animated displays. They will be able to take that knowledge and apply it to their fairytale/engineering unit.	Curriculum	pending
240518 - SHS Boys Basketball Eagle Crest Trip	Eagle Crest Resort	Stayton High	Fri, Nov 22, 2024, - Sun, Nov 24, 2024	4:00pm & 11:00am	12	3	Team Building for the boys basketball team	Athletics	pending
241874 - A-DEC Field Trip	A-DEC 2601 Crestview Dr, Newberg	Sublimity	Wed, Nov 20, 2024	8:15am - 2:15pm	46	10	Students will learn about different career opportunities. Students will learn about inquiry and scientific concepts such as force and motion.	Curriculum	pending
241765 - FFA District Ag Sales Competition	Silverton High School	Stayton High	Wed, Nov 13, 2024	3:30pm - 9:00pm	10	1	Students are getting to apply their newly learned skills in agriculture sales by participating in the district competition where they will showcase their knowledge of Ad layouts, customer relations, prospecting, phone orders, and a team activity.	FFA	approved

241972 - SMS AVID8 to WCA and CCC	Willamette Career Academy-1200 Lancaster Dr and Chemeketa Community College-4000 Lancaster Dr, Salem	Stayton Middle	Wed, Nov 13, 2024	8:00am - 1:00pm	24	5	AVID Essentials Skills: Opportunity Knowledge: Students research opportunities, set goals, make choices that support their long-term aspirations, and successfully navigate to the next level.	AVID	pending
240899 - K-3 Pumpkin Patch	Greens Bridge Pumpkin Patch 3730 Jefferson Scio Dr SE, Jefferson	Mari-Linn	Thu, Oct 31, 2024	8:30am - 2:00pm	69	20	Use observations to describe patterns of what plants and animals (including humans) need to survive	Curriculum	pending
241740 - SUB K-1 Pumpkin Patch Field Trip	E.Z. Orchard Farm 5504 Hazelgreen Rd NE, Salem	Sublimity	Wed, Oct 30, 2024	9:00am - 1:00pm	65	24	Hands on experience for farming/plants science unit	Curriculum	pending
241654 - Health Occupations Vision Screening - MLN & SES	MLN - 641 5th Street. Lyons SES 875 3rd Ave, Stayton	Stayton High	Wed, Oct 30, 2024	7:15am - 12:30pm	5	3	Expand understanding of Health Occupations through assisting with vision screening at district schools	Curriculum	approved
241767 - EZ Orchards Life Skills	EZ Orchards 5504 Hazelgreen Rd NE, Salem	Sublimity	Mon, Oct 28, 2024	12:00pm - 2:30pm	13	4	The objective of this field trip is to promote a real world connection with the seasons and the calendar year. This is also an opportunity to build relationships and improve social skills.	Curriculum	pending
241763 - Advanced Ag Class Garden Buddies	Stayton Elementary School	Stayton High	Fri, Oct 25, 2024	12:30pm - 2:30pm	26	1	Students will be taking what they are learning in plant science and applying it at the SES garden and sharing their knowledge and learned skills with the elementary students.	FFA	approved
240273 - SES Stayton Walking Field Trip	Stayton Post Office, Stayton Library, Star Cinema, Brown House, Police Station, Pioneer Park	Stayton Elementary	Fri, Oct 25, 2024	8:45am - 2:15pm	80	25	Students will be able to gain first-hand knowledge of the historical sites in their community and how they work to support the members of the community.	Curriculum	pending

240981 - SHS Seniors to Oregon State University	Oregon State University 660 SW 26th St, Corvallis	Stayton High	Fri, Oct 25, 2024	8:00am - 1:00pm	40	3	Opportunity Knowledge for seniors (Senior Seminar class curriculum)	Curriculum	approved
241514 - Cascade College Fair	Cascade High School - 10226 Marion Rd SE, Turner	Stayton High	Tue, Oct 22, 2024	9:30am - 11:15am	40	2	College Opportunity Knowledge	Curriculum	approved
240634 - SES Kindergarten Pumpkin Patch 2024	Greens Bridge Pumpkin Patch 3730 Jefferson Scio Dr SE, Jefferson	Stayton Elementary	Mon, Oct 21, 2024	8:00am - 2:00pm	90	30	Life cycle unit science unit	Curriculum	approved
240751 - Sublimity 6th Grade Outdoor School	OMSI Coastal Discovery Center 3400 SW Abalone Street, South Beach	Sublimity	Mon, Oct 21, 2024, - Wed, Oct 23, 2024	9:30am and 1:45pm	36	11	Aligned with NGSS. An inquiry-based program, ODS is a unique chance for kids to experience the connections among living things and biological systems. Instead of learning these concepts from a book, students develop critical thinking skills by asking questions in the field then working together to investigate, measure and report their discoveries.	Curriculum	approved
241070 - SHS Homecoming Parade	Stayton High School	Sublimity	Fri, Oct 18, 2024	1:20pm - 2:15pm	32	4	Giving students the opportunity to watch the homecoming parade and participate in a high school activity that they will be able to take part in next year.	Curriculum	approved
241057 - ML 8th Grade Attending SHS Homecoming Parade	Stayton High School	Mari-Linn	Fri, Oct 18, 2024	1:00pm - 2:15pm	20	3	To attend SHS activities to prepare for next year	Curriculum	approved

240597 - Third Grade Silver Falls State Park Field Trip	Silver Falls State Park 20024 Silver Falls Hwy SE, Silverton	Stayton Elementary	Wed, Oct 16, 2024	8:30am - 2:00pm	46	12	This field trip connects to both our science life cycle standards and our social studies regions of Oregon standards.	Curriculum	approved
241655 - Health Occupations Vision Screening	Stayton Middle and Sublimity Elementary	Stayton High	Wed, Oct 16, 2024	7:30am - 12:30pm	5	2	Assisting with vision screening with middle and elementary schools	Curriculum	approved
241086 - 2nd Grade Sublimity Walking Field Trip	Sublimity Post office, Sublimity Fire Department, Sublimity Dental, K's Koffee, and PanezaNellie Breadstick Shoppe.	Sublimity	Thu, Oct 10, 2024	10:00am - 2:15pm	41	10	Students will be able to gain first-hand knowledge of the historical sites in their community and how community members work to support the area in which they live.	Curriculum	approved
240596 - Third Grade Silver Falls State Park	Silver Falls State Park 20024 Silver Falls Hwy SE, Silverton	Stayton Elementary	Wed, Oct 9, 2024	8:30am - 2:00pm	44	13	This trip connects to our science life cycles unit and our Regions of Oregon social studies unit.	Curriculum	approved
240690 - AVID12 to Oregon State	Oregon State University 660 SW 26th St; Corvallis	Stayton High	Wed, Oct 2, 2024	8:00am - 1:30pm	10	2	Opportunity knowledge for AVID Elective students applying to college	Curriculum	approved
240959 - FFA District Soils Competition		Stayton High	Wed, Oct 2, 2024	7:00am - 4:00pm	6	1	Learn about soil, water, and land management through a hands on competition where students explore and take samples from soil pits.	FFA	approved
240829 - Lyons City Hall	Lyons City Hall	Mari-Linn	Mon, Sep 30, 2024	12:15pm - 1:15pm	14	2	To support their learning about the government in our first Social Studies unit, we will interview the mayor of Lyons.	Curriculum	approved
240510 - FFA District Leadership Camp	449 5th St.	Stayton High	Sun, Sep 29, 2024, - Mon, Sep 30, 2024	9:00 am & 3:00pm	7	1	Applied leadership development though peer collaboration	Curriculum	approved
240215 - Salmon Watch Day 2	Lyons	Stayton High	Wed, Sep 25, 2024	8:15am - 1:30pm	60	4	This trip will provide all juniors in biology classes at Stayton High school with a field trip that directly connects to our biology curriculum in our ecology unit. It is rare for high school students to get the opportunity to attend science field learning and this is an incredible opportunity for them. Each day one of the biology teachers will attend the trip along with other adult volunteers.	Curriculum	approved

240213 - Salmon Watch Day 1	Packsaddle County Park 34519 N Santiam Hwy. Gates	Stayton High	Tue, Sep 24, 2024	8:15am - 1:45pm	60	4	see above	Curriculum	approved
239552 - SMS Outdoor School - Students	Camp Tadmor 43943 McDowell Creek Dr, Lebanon	Stayton Middle	Mon, Sep 23, 2024 - Fri, Sep 27, 2024	9:00am & 2:15pm	95	5	Develop an understanding of, and an appreciation for, their natural environment and will acquire desirable attitudes concerning the conservation of natural and human resources. First hand experiences with the interrelationships and adaptations found in nature, the dynamics of energy, cycles and systems of change, and people's dependency and responsibility to the environment.	Curriculum	approved
240625 - SMS Outdoor School Day Trip Bus	Camp Tadmor 43943 McDowell Creek Dr, Lebanon	Stayton Middle	Mon, Sep 23, 2024 - Thu, Sep 26, 2024	9:00am & 2:15pm	8	5	See above for objective. This trip for students attending ODS during the days only.	Curriculum	approved
239554 - SMS Outdoor School Counselors	Camp Tadmor 43943 McDowell Creek Dr, Lebanon	Stayton Middle	Mon, Sep 23, 2024 - Fri, Sep 27, 2024	2:30pm & 3:00pm	25	2	High schools counselors who will be supervising and supports middle school students in their learning experiences	Curriculum	approved

Oct NSSD Enrollment Totals												
School Name	Grade	Jun '24	Sept '24	Oct '24	Nov '24	Dec '24	Jan '25	Feb '25	Mar '25	Apr '25	May '25	Jun '25
MARI-LINN	KG	13	13	13								
MARI-LINN	1	18	14	14								
MARI-LINN	2	24	18	18								
MARI-LINN	3	17	24	25								
MARI-LINN	4	14	19	19								
MARI-LINN	5	21	14	16								
MARI-LINN	6	15	20	20								
MARI-LINN	7	18	14	14								
MARI-LINN	8	19	20	20								
<b>MARI-LINN</b>	<b>ALL</b>	<b>159</b>	<b>156</b>	<b>159</b>	<b>0</b>							
SUBLIMITY	KG	30	30	29								
SUBLIMITY	1	34	35	36								
SUBLIMITY	2	37	41	41								
SUBLIMITY	3	33	48	46								
SUBLIMITY	4	52	34	34								
SUBLIMITY	5	35	58	59								
SUBLIMITY	6	49	34	35								
SUBLIMITY	7	33	53	54								
SUBLIMITY	8	48	32	32								
<b>SUBLIMITY</b>	<b>ALL</b>	<b>351</b>	<b>365</b>	<b>366</b>	<b>0</b>							
OA-VIRTUAL ACADEMY	KG	0	0	1								
OA-VIRTUAL ACADEMY	1	1	0	0								
OA-VIRTUAL ACADEMY	2	0	1	1								
OA-VIRTUAL ACADEMY	3	0	1	0								
OA-VIRTUAL ACADEMY	4	1	0	1								
OA-VIRTUAL ACADEMY	5	2	3	2								
OA-VIRTUAL ACADEMY	6	1	1	1								
OA-VIRTUAL ACADEMY	7	3	3	2								
OA-VIRTUAL ACADEMY	8	8	3	4								
OA-VIRTUAL ACADEMY	9	14	6	5								
OA-VIRTUAL ACADEMY	10	20	6	10								
OA-VIRTUAL ACADEMY	11	14	14	14								
OA-VIRTUAL ACADEMY	12	13	12	14								
<b>OA-VIRTUAL ACADEMY</b>	<b>ALL</b>	<b>76</b>	<b>50</b>	<b>55</b>	<b>0</b>							

School Name	Grade	Jun '24	Sept '24	Oct '24	Nov '24	Dec '24	Jan '25	Feb '25	Mar '25	Apr '25	May '25	Jun '25
STAYTON ELEMENTARY	PreK	30	27	29								
STAYTON ELEMENTARY	KG	69	88	91								
STAYTON ELEMENTARY	1	71	74	75								
STAYTON ELEMENTARY	2	88	74	78								
STAYTON ELEMENTARY	3	97	91	92								
<b>STAYTON ELEMENTARY</b>	<b>ALL</b>	<b>325</b>	<b>327</b>	<b>336</b>	<b>0</b>							
STAYTON INTERMEDIATE	4	81	94	93								
STAYTON INTERMEDIATE	5	87	86	87								
STAYTON MIDDLE	6	96	102	102								
STAYTON MIDDLE	7	93	103	105								
STAYTON MIDDLE	8	76	101	99								
<b>SIS/SMS TOTAL</b>	<b>ALL</b>	<b>433</b>	<b>486</b>	<b>486</b>	<b>0</b>							
OA-LOCUST ST ACADEMY	9	2	0	0								
OA-LOCUST ST ACADEMY	10	9	2	1								
OA-LOCUST ST ACADEMY	11	17	16	13								
OA-LOCUST ST ACADEMY	12	7	30	20								
OA-GED				13								
<b>OA-LSA &amp; GED</b>	<b>ALL</b>	<b>36</b>	<b>48</b>	<b>47</b>	<b>0</b>							
STAYTON HIGH	9	172	157	157								
STAYTON HIGH	10	165	191	183								
STAYTON HIGH	11	137	163	169								
STAYTON HIGH	12	111	140	138								
Early College (off campus)		16	13	17								
Transitions (post-grad SPED)		5	5	4								
<b>STAYTON HIGH</b>	<b>ALL</b>	<b>601</b>	<b>669</b>	<b>668</b>								
<b>NSSD Total (w/o PreK)</b>	<b>TOTAL</b>	<b>*1986</b>	<b>2101</b>	<b>2117</b>								
<b>NSSD Total (w/ PreK)</b>		<b>*2016</b>	<b>2128</b>	<b>2146</b>								
# Registered w/ WESD to homeschool		<b>111</b>	<b>111</b>	<b>96</b>								
# Enrolled in Virtual Charter Schools		<b>81</b>	<b>80</b>	<b>81</b>								
<b>3% of total NSSD student population= 78.69 ~ This is the number of students that can be enrolled in virtual charter schools before the cap is reached and students will no longer be released by NSSD</b>												
Notes												

NSSD receives Preschool Promise Grant monies for preschool grades and does not receive state funding as it does for grades K-12 so they are not included in the total.

\*slightly lower than the average enrollment due to students finishing school prior to the June report date in Options Academy



North Santiam School District  
**BOARD OF DIRECTORS**

**SCHOOL YEAR ANNUAL AGENDA ITEMS CALENDAR**

Updated 4/2024

**These agenda items typically occur every month so have not been repeated below:**

1. Spotlight/Recognition/Awards (*may not occur every month*)
2. Reports:
  - ASB Report-ASB President or designee
  - Superintendent's Report
  - Business Director's Report
  - Teaching & Learning Report
  - Licensed Union Rep. Report
  - City Council Liaison Reports
  - Informational Reports including: field trips, enrollment & upcoming events
3. Consent Agenda: Approval of Meeting Minutes & Licensed Staff Changes
4. First and/or second readings of updates to NSSD board policies
5. Board Reflections/Announcements

**These items will appear as needed but do not happen at the same time every year:**

1. Long Range Facility Master Planning Committee/Bond Planning
2. OSBA (in-house) training or other group learning opportunities
3. Budget Appropriations/Funding Resolutions
4. Curriculum Adoptions

**July**

According to [ORS 255.335](#), each district board shall hold a regular organizational meeting following the regular district election and not later than the last day of July of that year.

According to [ORS 332.040](#), No later than at the next regular meeting following July 1, the district school board shall meet and organize by electing a chairperson and a vice chairperson from its members.

*During election years when there are no newly elected board members, items 2-6 may be approved in June if the Board chooses to hold a work session in July (no business items) or skip the July meeting all together. During election years when new members are seated, the organizational meeting will occur in July. During non-election years, the meeting can occur in July or August (7/31 deadline does not apply so items don't need to be approved in June)*

**Traditional Location: Santiam Room**

**Annual Agenda Items:**

1. Oath of office for newly elected members
2. Approve Board Goal Strategies for upcoming year (done annually)
3. (Next Applicable in 2023) Approve Board/District Goals – every three years
4. Supt. Evaluation Document Approval
5. Approval of Board Operating Protocol
6. Board members choose their “buddy school”
7. Annual Organizational Agenda Items (list copied from OSBA website)  
*(in an election year, the Annual Organizational Items must be approved before July 31)*

- Elect chair and vice-chair (incumbent chair presides until a successor is elected). No member of the Board may serve as chair more than two years in succession unless the Board approves an extension of this period by a motion in June.
- Designate the following positions:
  - Chief administrative officer (the superintendent) as school district clerk or another individual, if there is no chief administrative officer. (ORS 332.515)
  - Business manager or deputy clerk, or both.
  - Custodian of funds who will sign checks or, if the school board so authorizes, utilize a facsimile signature for that purpose. (ORS 328.441, 328.445)
  - Budget officer, who shall prepare or supervise preparation of the budget document under the direction of the executive officer. (ORS 294.331)
  - Financial auditors for the school year, who may be contracted for through the administrative office of the county in which the administrative office of the school district is located. (ORS 328.465, 327.137, 297.405)
  - Legal counsel.
  - Civil Rights Coordinator
- Designate the fidelity-bond amounts for those authorized to handle district funds and ensure they are bonded by a surety company authorized in Oregon. (ORS 332.525)
- Designate the Board as the Local Public Contract Review Board as per policy DJC
- Approve contracts for payment (ORS 332.075(2-3) (e.g. transportation contract, contracts related to bond projects)
- Establish depository(ies) for school funds. (ORS 328.441, 294.805-294.895)
- Establish dates, time and place of regular monthly board meetings.
- Appoint members of standing committees
- Appoint board member to participate on the district negotiation team (as board representative)

**Other annual reports or approvals as require by law or per NSSD policy/practice**

- Receive English Learners In Oregon Annual Report (distributed by ODE in June)
- Approve list of low-impact pesticides for use according to the integrated pest management plan ORS 634.705 (5)
- Approve Excise Tax annual adjustment for the upcoming school year
- Approve list of third-party alternative education programs

**Other Activities/Events**

- SummerFest (last Saturday in July)

**August**

**Traditional Location: Santiam Room**

**Regular Session Annual Agenda Items:**

1. Projected Student Enrollment

2. Oaths of Office of newly re-elected members, including any student representatives (if not done in July)

### **Other Activities/Events**

- Leadership Team Goal Workshop (2<sup>nd</sup> week in August)
- OSBA Annual Conference (Salem)
- Safe Schools Training on Mandatory Reporting (online)
- Lyons Fire Dept Car Show
- Welcome Back to School-Staff (last week in August)
- Back to School Open Houses (see school calendars for dates)

## September

### **Traditional Location: Santiam Room**

#### **Annual Agenda Items:**

1. Possible nominations for NSSD board member wishing to run for an OSBA board position
2. OSES (Oregon Statewide Educator Survey) Survey Results

### **Other Activities/Events**

- Safe Schools Training on Mandatory Reporting-due to be completed this month
- **National School-Related/Staff Appreciation Days This Month-** I.T. Professionals Day, Arts in Education Week

## October

### **Traditional Location: Santiam Room**

#### **Annual Agenda Items:**

1. Stayton Booster Club Report (projects, membership, etc.) - Club President (may vary depending on status of current projects)
2. Division 22 Report- Director of Teaching & Learning
3. Professional Development Report – Director of Teaching & Learning or designee
4. Previous Stayton High school year data
  - a. Graduation/Completer rates
  - b. On-Track to Graduate rates for upcoming 10-12 graders
  - c. College Credits Earned
  - d. CTE Enrollment (demographics if possible)
  - e. Percentage of Students Involved in Co-Curricular Activities
  - f. Percentage of Students Involved in Activities/Clubs with Service

### **Other Activities**

- State-Wide Licensed In-Service Day

- OSBA Regional Meetings
- **National School-Related/Staff Appreciation Days This Month**-Custodial Workers, School Bus Safety Week, Farm to School Month, Walk to School Day, Coaches Day, School Lunch Week, Red Ribbon Week, Bullying Prevention Month, School Principal Month

## November

### **Traditional Location: Santiam Room**

#### **Annual Agenda Items:**

1. Exit Interview Survey Results (Oct or Nov)- Director of Human Resources
2. OSBA Elections
3. Master Facilities Plan Review and Revisions—Director of Facilities
4. State/District Report Cards-Director of Teaching & Learning (Nov or Dec)
5. TAG Program Report
  - a. Number of Student Identified and the screening process
  - b. Supports/Programs offered

#### **Other Activities/Events**

- OSBA Annual Conference (Portland)
- **National School-Related/Staff Appreciation Days This Month**-School Psychologist Week, School Resource Officer Day, Education Support Professionals Day, Substitute Educators Day

## December

### **Traditional Location: Santiam Room**

#### **Annual Agenda Items:**

1. School Spotlight – Options Academy
2. District-wide AVID Report – District AVID Coordinator
3. Special Education Report - Director of Special Services
  - a. Must include the Abbreviated School Day Notice & Acknowledgement (see ISST)
4. Integrated Guidance Annual Report-Director of Teaching & Learning
5. Superintendent’s Goals/Evaluation Check-in (Exec. Session)

#### **Board Secretary Tasks:**

1. Distribute copies of NSSD audit report to board members so they can review before the January meeting.

#### **Other Activities/Events**

**National School-Related/Staff Appreciation Days This Month**- Special Education Day,

## January

### **Traditional Location: Stayton Middle School**

#### **Annual Agenda Items:**

1. Board Appreciation Month-Staff/Schools
2. School Spotlight-School Admin
3. WESD Local Service Plan Approval (every 2 years, next due 2025)-Superintendent
4. Audit Review- Director of Business & Fiscal Services (may be joined by rep. from auditing firm)
5. School Board Student Representative Recruitment Strategies
6. Annual report of all pesticide applications from the previous year-IPM Program Coord

#### **Other Activities/Events**

- Classified In-Service Day

#### **Board Secretary Tasks:**

- File notice of district board election, next due 2025 ([see Marion Co Calendar for deadline](#))
- Provide filing information to anyone seeking election/re-election (next due 2025)

## February

### **Traditional Location: Stayton Elementary School**

#### **Annual Agenda Items:**

1. School Spotlight-School Admin
2. Proclamation for Classified Appreciation Week (occurs in March)
3. Integrated Guidance Application Review
4. Approval of Budget Committee Members and Calendar- Director of Business & Fiscal Services
5. Superintendent's Goals/Evaluation Check-in

#### **Other Activities/Events**

- Board members complete annual superintendent evaluation forms
- Licensed In-Service Day
- Stayton Sublimity Chamber of Commerce Awards Banquet (schedule may vary)
- Booster Club Annual Auction
- **National School-Related/Staff Appreciation Days This Month**-School Bus Driver Appreciation Day

#### **Board Secretary Tasks:**

- Notify Budget Committee of approved meeting dates

## March

**\*Prior to March meeting, the individual scores from the Supt Eval must be compiled so they can be reviewed during the meeting\* - Board Volunteer or Board Secretary**

**Meeting #1 Traditional Location: District Office/Santiam Room**

**Special Session: (first Thursday in March)**

1. Renewal of Contracts (Licensed/Administrative)

**Meeting #2 Traditional Location: Mari-Linn School**

**Regular Session Annual Agenda Items:**

1. School Spotlight-School Admin
2. School Calendar Adoption
3. Review Consolidated Scores on the annual Superintendent Evaluation (Board only/Exec session)
4. Approve Board Chair & Vice-Chair (or designees) to negotiate contract extension on behalf of whole board.

**Board Secretary Tasks:**

- Provide Reminder of Board Elections Filing Due Date (if applicable)
- **National School-Related/Staff Appreciation Days This Month**-Music in our Schools Month and Classified School Employee's Week

**After March Meeting**

The Board Chair and Vice Chair (or designee) review Salary/Benefits comparisons with the Director of Human Resources. Then they review the compiled scores/comments from the evaluation with Superintendent and negotiate the extension of the contract prior to April meeting.

## April

**Traditional Location: Sublimity School**

**Annual Agenda Items:**

1. School Spotlight-School Admin
2. Adopt resolution for Teacher Appreciation Week (first week of May)
3. Review Board Goal Strategies/Schedule work session (if needed) to revise in order to be adopted in July
4. (Next Applicable 2026) Review Board/District Goals and schedule work session (if needed) to revise in order to be adopted in July.
5. Review Supt. Evaluation as a group with the Superintendent (Board only/Exec Session)
6. Approve contract extension of Superintendent

### **Board Secretary Tasks**

- Coordinate with current student board representative and SHS admin to announce the student representative position opening for the upcoming school year. Applications should be submitted to the principal by June 1<sup>st</sup>.
- **National School-Related/Staff Appreciation Days This Month-** School Library Month, Administrative Professional Day

## May

**\*NSSD Budget Committee traditionally meets in the second week of May\***

**Traditional Location: Stayton High School**

### **Annual Agenda Items:**

1. School Spotlight-School Admin
2. Student awards @ SHS-Valedictorian, Salutatorian, Future First Citizen
3. Board Awards – Santiam, Jack Adams, Community Partner, Eagle Award (as recommended by the Community Engagement Committee)
4. WESD Local Service Plan List of Services Taken-Supt or Director of Business & Fiscal Services
5. Establish the number of student transfer requests into the District for coming year
6. Review results of annual parent survey (if available)

### **Board Secretary Tasks**

- Coordinate with current student board representative and SHS admin to collect student representative applications for the upcoming school year. Applications should be submitted to the principal by June 1<sup>st</sup>.
- **National School-Related/Staff Appreciation Days This Month-**Teacher Appreciation Week, Principal’s Day, School Lunch Hero Day, School Nurse Day, Speech Pathologists Day

## June

**Traditional Location: Santiam Room**

### **Special Session/Budget Hearing (prior to Regular Session):**

Review of Budget Documents/Resolutions: Director of Business & Fiscal Services

### **Regular Session Annual Agenda Items:**

1. Resolutions to adopt budget- Director of Business & Fiscal Services
2. Professional Development Report – Director of Teaching & Learning
3. Annual Restraint & Seclusion Report – Director of Special Programs
4. Acknowledge student reps. for service on the board
5. Select student representative to the school board for following year (June-Aug)