



# Agenda

North Clackamas School Board  
Thursday, January 13, 2022 - 6:30 PM  
Board Room  
12400 SE Freeman Way  
Milwaukie, OR 97222

**Times listed on the agenda below are only estimates and may be adjusted.**

## EXECUTIVE SESSION

Convened under Oregon Laws ORS 192.660 (2)(f) and (2)(k).

NOTICE TO MEDIA: (4) Representatives of the news media shall be allowed to attend executive sessions other than those held under subsection (2)(d) of this section relating to labor negotiations or executive session held pursuant to ORS 332.061 (2). Representatives of the news media who are permitted to attend executive sessions are specifically directed not to report on or otherwise disclose any of the deliberations or anything said about these subjects during the executive session, except to state the general subject of the session as previously announced.

**5:30 Security**

**6:15 Adjourn Executive Session**

## OPEN SESSION

**6:30 Call to Order**

**Native Land Acknowledgement**  
**Flag Salute**

**3**

**Minutes - December 9, 2021**

**4**

**Consent Agenda**

**A. Employment Changes**

**B. Policy Revisions**

**8**

**C. Transportation Center Sign/Landscape Easement**

**19**

**D. Travel Request - Clackamas High School Baseball**

**6:45 Community Comments**

**24**

**7:00 1. Black African American History Month - Proclamation**

**26**

Presenter: Libra Forde

**7:05 2. School Board Appreciation Month - Recognition**

**28**

Presenter: Shay James

**7:10 3. Spring Mountain Playground Purchase - Action**

**30**

Presenter: Cindy Detchon

<b>7:15</b>	<b>4. Continuity of Instruction</b>	<b>31</b>
<b>7:45</b>	<b>5. Cascade Heights Public Charter School - Renewal Presentation</b> Presenter: Tiffany Shireman	<b>52</b>
<b>8:20</b>	<b>***Cascade Heights Public Charter School Renewal - Public Hearing***</b>	
<b>8:25</b>	<b>6. Policy Revisions - Discussion</b> Presenter: Tiffany Shireman	<b>85</b>
<b>8:35</b>	<b>Adjourn</b>	



## Native Land Acknowledgment

We acknowledge the land on which we sit and which we call the North Clackamas School District rests on the traditional and indigenous lands and village sites of the Native peoples of the Kalapuya, Chinook, Molalla, and the Clackamas. We take this opportunity to offer gratitude for the ability to learn, work, and be a community on this land, and we offer thanks to the original caretakers of this region. We recognize the historic policies of colonization, genocide, relocation, and assimilation that affected Indigenous and Native families both past and present and that will affect those in the future, and honor the resilience and revitalization of our Indigenous and Native communities. We pay our respects to the Elders, both past and present, who have been the stewards of this land throughout the generations.

**NORTH CLACKAMAS SCHOOL DISTRICT 12  
CLACKAMAS COUNTY, OREGON  
MINUTES — BOARD OF DIRECTORS REGULAR MEETING  
December 9, 2021  
Zoom/YouTube**

**Open Session**

With due notice having been given and a quorum present, Chair Libra Forde convened open session at 6:30 p.m. with the following members present in a virtual meeting:

Libra Forde	–	Chair
Mitzi Bauer	–	Vice Chair (Lost connection from 7:34 until 7:50 p.m.)
Jena Benologa	–	Director
Kathy Wai	–	Director
Orlando Perez	–	Director
Steven Schroedl	–	Director
Tory McVay	–	Director
Shay James	–	Superintendent
Sandra Henderson	–	Board Secretary

Also present were Cindy Detchon, Derrick Brown, Gayellyn Jacobson, Ivonne Dibblee, Joe Bridgeman, Khaliyah Williams-Rodriguez, Mark Moser, Molly Little for Mayra Gómez, Petra Callin, Shelly Reggiani, Tiffany Shireman, and Vivian Garrison. District employees and community members were provided a live stream on YouTube.

Vice Chair Mitzi Bauer read the Native Land Acknowledgement.

R21/22-44     **Minutes** – Jena Benologa moved, Steven Schroedl seconded the motion to approve the minutes of the regular Board meeting held November 18, 2021. Motion passed unanimously.

R21/22-45     **Consent A: Employment Changes** – Steven Schroedl moved, Orlando Perez seconded the motion to approve employment changes as listed, with a copy of the list made as part of the official minutes, as recommended by the Executive Director of Human Resources for licensed appointments and terminations. Motion passed unanimously.

R21/22-46     **Consent B: Transportation Shop Utility Easement** – Steven Schroedl moved, Orlando Perez seconded the motion to adopt resolution granting an approximate ten (10) feet wide by an approximate 197 feet long utility easement to Portland General Electric (PGE). Motion passed unanimously.

R21/22-47 **Consent C: Travel Permission Request – Sabin Schellenberg Construction** – Steven Schroedl moved, Mitzi Bauer seconded a motion to grant permission for 22 students from Sabin-Schellenberg Construction, Culinary Arts and Forestry Programs to travel to Otis, OR, on January 14-17, 2022. Motion passed unanimously.

R21/22-48 **Consent D: Travel Permission Request – Rex Putnam High School Music Program** – Kathy Wai moved, Steven Schroedl seconded the motion to grant permission for 110 students from Rex Putnam High School music programs to travel to Anaheim, CA, on March 18-22, 2022. Motion passed unanimously.

R21/22-49 **Consent E: Travel Permission Request – Rex Putnam High School** – Steven Schroedl moved, Mitzi Bauer seconded the motion to grant permission for 9 students from Rex Putnam High School Girls Basketball to travel to Phoenix/Tempe, AZ, on December 26-31, 2021. Motion passed unanimously.

#### **Community Requests**

- Angela Pederson, Oregon City, spoke regarding opening School Board meetings to in-person.
- Karen Pyatt, Milwaukie, spoke regarding Covid-19 protocols and allowing parents to volunteer.
- An additional written comment was received and was provided to the Board and added to the official record.

**Public Involvement and Engagement** – The Board discussed ideas on how to better communicate and engage with the community.

R21/22-50 Mitzi Bauer moved, Tory McVay seconded the motion to move the agenda item to action. Motion passed unanimously.

R21/22-51 Mitzi Bauer moved, Orlando Perez seconded a motion to direct the Superintendent to develop an action plan to meet the principles of NCSD Policy KB (Public Involvement, Engagement and Communications Program). Motion passed unanimously.

**Board Reports** – Board members made brief reports on activities and events they had attended and commented on the New Urban High School Ribbon Cutting ceremony.

**Capital Projects Bond Update** – Senior Director of Capital Projects Ron Stewart, Chief Financial Officer Gayellyn Jacobson, and Assistant Superintendent of Operations Cindy Detchon provided an update regarding financial information and the status of the capital bond program projects.

**Superintendent's Evaluation Process** – Board Chair Libra Forde presented the proposed timeline and evaluation process for the Superintendent's evaluation.

R21/22-52 Orlando Perez moved, Jena Benologa seconded the motion to move the agenda item to action. Motion passed 6-0. Mitzi Bauer was not present due to a lost Internet connection.

R21/22-53 Kathy Wai moved, Orlando Perez seconded the motion to adopt the evaluation process and timeline for the Superintendent's evaluation. Motion passed 6-0. Mitzi Bauer was not present due to a loss of Internet connection.

**Policy Revisions** – Chief of Staff Tiffany Shireman presented revisions to the following policies as recommended by the Policy Review Committee:

ACB – All Students Belong, revised due to House Bill 2697 (2021).

ACB-AR – Bias Incident Complaint Procedure, revised due to House Bill 2697 (2021).

BD/BDA – Board Meetings, revised due House Bill 2560 (2021).

IJ – School Counseling Program, revised due to House Bill 3041 (2021).

A question regarding potential financial impact was addressed.

**Board Meeting Format** – The Board discussed issues associated with returning to hybrid in-person meetings including issues of room capacity, Covid-19 protocols and safety.

The Board reached consensus on the following points:

- Beginning January 13, 2022, Board meetings will be held in the Board Room.
- Board members, the Superintendent and Board Secretary will be seated at the dais (three foot spacing) with plexiglass partitions.
- Staff and audience seating will have six foot spacing (seating capacity for approximately 24).
- Masks mandatory per statewide indoor mask requirements.
- Board Chair reserves the right if an unsafe scenario arises to call a recess and complete the meeting online with Board members traveling to other locations.
- Consider reserving chairs for community speakers who sign up ahead online.
- Consider hiring campus monitor, paid security or coordinating with local law enforcement.
- Schedule a work/executive session prior to the January 13 Board meeting to discuss safety and practice using the equipment.

There being no further business to come before the Board, the meeting adjourned at 8:30 p.m.

**Unapproved**

DRAFT

**POLICY REVISIONS**

**CONSENT B**  
January 13, 2022

**REASON FOR BOARD CONSIDERATION:**

Approval of the attached revised policies.

**COMMITTEE RECOMMENDATION:**

The Policy Review Committee, with membership of both staff and Board, reviewed and recommends the following policy revisions.

**BUDGET IMPACT/SOURCE OF FUNDS:**

There are no known or anticipated increases to costs with the proposed policy change.

**ATTACHMENTS:**

Drafts of the following policies to review:

<b>Policy</b>	<b>Title</b>	<b>Reason</b>
ACB	All Students Belong	Changes made by the Oregon Legislature and the Oregon State Board of Education in House Bill 2697 (2021).
ACB-AR	Bias Incident Complaint Procedure	See above.
BD/BDA	Board Meetings	OSBA Oct 2021 Update, House Bill 2560 (2021) updated law governing public attendance and comment at public meetings of the board.
IJ	School Counseling Program	OSBA Oct 2021 Update, House Bill 3041 (2021) revised the statutory definition of sexual orientation and created a new definition for gender identity.

**PRESENTER / STAFF CONTACT:**

Tiffany Shireman, Chief of Staff



Code:                   ACB  
Adopted:               12/10/20

## **Every Student Belongs**

The North Clackamas School District is committed to equity and the success of each student. Equity fosters an inclusive and barrier-free environment where each student will have access to a high-quality education and can follow their own path in reaching their full potential.

All students are entitled to a high quality educational experience, free from discrimination or harassment based on perceived race, ethnicity, family economics, mobility, language, marital status, gender, sexual orientation, gender identity, disability, initial proficiencies, religion, or national origin.

All employees are entitled to work in an environment that is free from discrimination or harassment based on perceived race, ethnicity, family economics, mobility, language, marital status, gender, sexual orientation, gender identity, disability, initial proficiencies, religion, or national origin.

All visitors are entitled to participate in a school or educational environment that is free from discrimination or harassment based on perceived race, ethnicity, family economics, mobility, language, marital status, gender, sexual orientation, gender identity, disability, initial proficiencies, religion, or national origin.

“Bias incident” means a person’s hostile expression of animus toward another person, relating to the other person’s perceived race, ethnicity, family economics, mobility, language, marital status, gender, sexual orientation, gender identity, disability, initial proficiencies, religion, or national origin, of which criminal investigation or prosecution is impossible or inappropriate. Bias incidents may include derogatory language or behavior.

“Symbol of hate” includes but is not limited to nooses<sup>1</sup>, symbols of neo-Nazi ideology or the battle flag of the Confederacy.

The district prohibits the use or display of any symbols of hate on district property or in an education program<sup>2</sup> except where used in teaching curriculum that is aligned with state standards of education for public schools.

In responding to the use of any symbols of hate, the district will use learning and restorative measures as the first consideration whenever appropriate.

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

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

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

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

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

END OF POLICY

**Legal Reference(s):**

[ORS 659.850](#)  
[ORS 659.852](#)

[OAR 581-002-0005](#)  
[OAR 581-022-2312](#)

[OAR 581-022-2370](#)

*Tinker v. Des Moines Indep. Cmty. Sch. Dist.*, 393 U.S. 503 (1969).  
*Dariano v. Morgan Hill Unified Sch. Dist.*, 767 F.3d 764 (9th Cir. 2014).  
*State v. Robertson*, 293 Or. 402 (1982).

**Cross Reference(s):**

AC - Nondiscrimination  
GBEA - Workplace Harassment  
GBNA - Hazing/Harassment/Intimidation/Bullying/Menacing – Staff  
GBN/JBA - Sexual Harassment  
JBA/GBN - Sexual Harassment  
JFCF - Hazing/Harassment/Intimidation/Bullying/Menacing/Cyberbullying/  
Teen Dating Violence/Domestic Violence – Student



Code: ACB-AR  
Adopted: 12/10/20

## **Bias Incident Complaint Procedure**

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

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

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

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

The administrator or designee must consider whether the behavior implicates other district policies or civil rights laws, and if so, respond accordingly<sup>2</sup>.

The administrator or designee will make a decision within 30 calendar days of receiving the complaint.

All persons impacted by the act will be provided with information<sup>3</sup> relating to the investigation and outcome of the investigation, including:

- Notice that an investigation has been initiated;

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

<sup>2</sup> The nature of the behavior or act must determine the process used to respond; what rights and protections are available to the person(s) impacted by the behavior or act; and an individual’s right to appeal to the Oregon Department of Education or the U.S. Department of Education.

<sup>3</sup> For additional information regarding required notices, see OAR 581-022-2312(4)(e)(E).

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

Step 3 If complainant or a respondent wishes to appeal the decision of the administrator or designee, the complainant or respondent may submit a written appeal to the superintendent within 7 calendar days after receipt of the administrator or designee’s response to the complaint.

The superintendent or designee shall acknowledge receipt of the appeal and may meet with all parties involved. The superintendent or designee will review the merits of the complaint and the administrator or designee’s decision. The superintendent or designee will respond in writing to the complainant within 30 calendar days.

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

Step 4 If the complainant or respondent is not satisfied with the decision of the superintendent or designee, a written appeal may be filed with the Board within 7 calendar days of receipt of the superintendent or designee’s response to Step 3. The Board may decide to hear or deny the request for appeal at a Board meeting. The Board may use an executive session if the subject matter qualifies under Oregon law. If the Board decides to hear the appeal, the Board may meet with the concerned parties and their representative at a Board meeting. The Board’s decision will be final and will address each allegation in the complaint and contain reasons for the Board’s decision. A copy of the Board’s final decision shall be sent to the complainant in writing within 7 calendar days of this meeting.

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

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

The complainant, if a person who resides in the district, a parent or guardian of a student who attends school in the district, or a student, is not satisfied after exhausting local complaint procedures, the district fails to render a written decision within 30 calendar days of submission of the complaint at any step or fails to resolve the complaint within 90 calendar days of the initial filing of the complaint, may appeal<sup>4</sup> the district’s final decision to the Deputy Superintendent of Public Instruction under Oregon Administrative Rules (OAR) 581-002-0001 – 581-002-0023.

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<sup>4</sup> An appeal must meet the criteria found in OAR 581-002-0005(1)(a).

Complaints may also be filed directly with the U.S. Department of Education Office for Civil Rights.<sup>5</sup>

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

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

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<sup>5</sup> Complaints must meet criteria as established by law. For more information, visit <http://www.ed.gov/about/offices/list/ocr/complaintintro.html>



Code: BD/BDA  
Adopted: 12/15/88  
Revised/Readopted: 1/20/11; 2/23/17  
Orig. Code(s): BD/BDA

## Board Meetings

The Board has the authority to act only when a quorum is present at duly called regular, special, emergency or governance meetings and work sessions. An affirmative vote of the quorum of members of the Board is required to transact any business unless otherwise specified by policy.

### 1. Meetings

“Meeting” means the convening of the Board as the governing body of the district in order to make a decision, or to deliberate toward a decision on any matter. This includes meeting for the purpose of gathering information to serve as the basis for subsequent decisions or recommendations by the governing body, i.e. a work session.

All regular, special and emergency meetings of the Board will:

- a. Be open to the public except as provided by law.
- b. Not be held at any place where discrimination on the basis of disability, race, creed, color, sex, sexual orientation, gender identity, age or national origin is practiced.
- c. Provide access to and make available the ability to attend all meetings (excluding executive sessions) by telephone, video or other electronic or virtual means when reasonably possible.
- d. Be conducted in compliance with state and federal statutes.
- e. Be held within the boundaries of the district, except as allowed by law. The Board may attend training sessions outside the district boundaries but cannot deliberate or discuss district business.<sup>1</sup>

All meetings held in public shall comply with the Oregon Indoor Clean Air Act. The possession of dangerous or deadly weapons and firearms, as defined in law and Board policy, is prohibited on district property.

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

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

If requested to do so at least 48 hours before a meeting is held in public, the Board shall make a good faith effort to provide an interpreter for hearing-impaired persons as well as language interpretation services. Other appropriate auxiliary aids and services will be provided upon request and appropriate advance notice.

a. Regular Meetings

Two regular Board meetings will normally be held each month. The regular meeting schedule will be established as per Board policy BCA - Board Organization/Board Organizational Meeting and may be changed by the Board with proper notice. The purpose of each regular monthly meeting will be to conduct the regular business of the Board. Regular meeting sessions will be conducted in accordance with the state law on public meetings, including notice and minutes.

b. Special Meetings

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

c. Emergency Meetings

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

d. Work and Governance Sessions

The Board may use regular or special meetings for the purpose of conducting work or governance sessions to provide its members with opportunities for planning and thoughtful discussion. Work and governance sessions will be conducted in accordance with the state law on public meetings, including notice and minutes. Generally, the Board would not take official action during work sessions, although there is no legal prohibition to do so.

e. Executive Sessions

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

2. Private, Public or Social Gatherings

Private, public or social gatherings of a quorum for the purpose of making a decision or to deliberate toward a decision on any matter are prohibited by Public Meetings Law. A quorum of Board members may attend gatherings, but must refrain from discussing district business.

### 3. Communications Outside of Board Meetings

Communications to, by, and among a quorum of Board members outside of a legally called Board meeting shall not be used for the purpose of discussing district business. This includes electronic communication. Electronic communications among Board members shall not involve deliberation, debate, decision or gathering of information on which to deliberate.

Electronic communications may contain:

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

Electronic communications sent to other Board members should include the following notice:

*Important: Please do not reply or forward this communication if this communication constitutes a decision or deliberation toward a decision between and among a quorum of a governing body which could be considered a public meeting. Electronic communication on district business are governed by Public Records and Meetings Law.*

END OF POLICY

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**Legal Reference(s):**

[ORS 174.100](#)  
[ORS 174.104](#)  
[ORS Chapter 192](#)  
[ORS Chapter 193](#)  
[ORS 332.040 to -332.061](#)  
[ORS 433.835 to -433.875](#)

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

41 OR. ATTY. GEN. OP. 28 (1980)

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).

Americans with Disabilities Act Amendments Act of 2008.

OR. ATTY. GEN. Public Records and Meetings Manual (2014).

**Cross Reference(s):**

ACA - Americans with Disabilities

BDB - Special and Emergency Board Meetings

BDC - Executive Sessions



Code: IJ  
Adopted: 9/20/12  
Revised/Readopted: 2/25/21

## School Counseling Program

The district's coordinated comprehensive school counseling program supports the academic, career, social-emotional, and community involvement development of all students. Each school will have a comprehensive counseling program for students in grades K-12, which will be based on the Oregon Department of Education's *Oregon's Framework for Comprehensive School Counseling Programs*.<sup>1</sup>

The district will adopt program goals, which will assist students to:

1. Understand and utilize the educational opportunities and alternatives available to them;
2. Meet academic standards;
3. Establish tentative career and educational goals;
4. Create and maintain an education plan and education portfolio;
5. Demonstrate the ability to utilize personal qualities, education and training, in the world of work;
6. Develop decision-making skills;
7. Obtain information about self;
8. Accept increasing responsibility for their own actions, including the development of self-advocacy skills;
9. Develop skills in interpersonal relations, including the use of effective and receptive communication;
10. Utilize school and community resources;
11. Demonstrate and discuss personal contributions to the larger community; and
12. Know how to utilize personal skills in making contributions to the community.

Materials used in the counseling program will be free of content that may discriminate on the basis of race, color, national origin, religion, sex, sexual orientation, gender identity, age, disability, or marital status, or that which permits or requires different treatment of students on such basis unless such differences cover the same occupation and interest areas and the use of such different material is shown to be essential to the elimination of discrimination.

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<sup>1</sup> Oregon Department of Education - [Comprehensive School Counseling](#)

Consistent with individual rights and the counselor’s obligations as a professional, the counseling relationship and resulting information may be protected as privileged communications by Oregon law.<sup>2</sup>

END OF POLICY

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**Legal Reference(s):**

[ORS 40.245](#)  
[ORS 174.100](#)  
[ORS 326.565](#)  
[ORS 326.575](#)  
[ORS 329.603](#)

[ORS 336.187](#)  
  
[OAR 581-021-0013](#)  
[OAR 581-021-0046\(7\)](#)  
[OAR 581-022-2030](#)

[OAR 581-022-2055](#)  
[OAR 581-022-2060](#)  
[OAR 581-022-2250](#)

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (2019).  
Protection of Pupil Rights, 20 U.S.C. § 1232h (2018); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (2019).  
House Bill 3041 (2021).

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<sup>2</sup> See ORS 40.245.

**GRANT ACCESS, SIGN, AND LANDSCAPE EASEMENT**

**CONSENT C**  
January 13, 2021

**SUPERINTENDENT’S RECOMMENDATION:**

Adopt resolution to grant Geraldine El Lundbom a private access easement and variable width sign and landscaping easement across portion of Transportation Bus Shop property.

**BUDGET IMPACT/SOURCE OF FUNDS:**

There is no expense or revenue for the easement

**BACKGROUND:**

The voters approved a capital projects Bond measure in November 2016. As part of the November 2016 Bond measure, the district committed to purchase property to relocate the Transportation Center.

On September 26, 2019, the school board authorized the purchase of 2.03 acres located at 15670 SE 102<sup>nd</sup> (AKA the Kool Pak property) that is adjacent to the newly relocated Transportation Center.

The 2.03 acres included a private access easement for an adjacent business, Westland Sales (owned by Geraldine El Lundbom). The ingress/egress drive, sign and landscaping easement is not in alignment with the recorded easement. In addition, the district needed to adjust the easement to benefit the transportation shop project. The district collaborated with Westland Sales to adjust the easement.

The legal descriptions of the private access easement, sign and landscape easement, and site plan of the easement are attached.

**ATTACHMENTS:**

- Board Resolution
- Easements legal descriptions
- Easement Site Plan

**PRESENTER / STAFF CONTACT:**

Ron Stewart, Senior Director of Capital Projects

## Exhibit "A"

**LEGAL DESCRIPTION**  
**NORTH CLACKAMAS SCHOOL DISTRICT (BBL-45)**  
**ACCESS EASEMENT**  
**AND SANITARY SEWER EASEMENT**  
**AND VARIABLE WIDTH SIGN AND LANDSCAPE EASEMENT**  
 October 27, 2021  
 Page 1 OF 2

An Access Easement and a Sanitary Sewer Easement and a Variable Width Sign and Landscape Easement as shown on the attached Exhibit "B", lying in the Northwest One-Quarter of the Southwest One-Quarter of Section 10, Township 2 South, Range 2 East, Willamette Meridian, Clackamas County, Oregon, being a part of that tract of land conveyed to Kool Pak LLC as described in Document No. 2013-003968, Clackamas County Deed Records, said Easements being more particularly described as follows:

### **ACCESS EASEMENT AND SANITARY SEWER EASEMENT**

**BEGINNING** at the southwest corner of said Deed Document No. 2013-003968, said point also being on the east right-of-way line of SE 102nd Avenue (Market Road No. 16);

Thence North 00°17'35" West, along the said east right-of-way line of SE 102nd Avenue, a distance of 20.24 feet to a point 20 feet north, when measured at right angles, of the south line of the said deed;

Thence leaving said east right-of-way line, 20 feet north of and parallel to the south line of the said Deed, North 80°49'49" East 196.82 feet;

Thence continuing northeasterly parallel with said south line, North 84°36'52" East 186.49 feet;

Thence continuing northeasterly parallel with said south line, North 89°23'12" East 47.87 feet to an angle point;

Thence North 69°11'29" East 14.54 feet;

Thence North 60°33'02" East 16.18 feet;

Thence North 40°08'16" East 2.21 feet to the east line of said Deed Document No. 2013-003968 and the northeast corner of the easement herein described;

Thence southeasterly along the east line of said Deed, South 00°18'08" East 34.50 feet to the southeast corner of said Deed Document No. 2013-003968 and the southeast corner of the easement herein described;

Thence tracing the south line of the said deed, South 89°23'12" West, a distance of 76.11 feet;

Thence South 84°36'52" West, a distance of 185.00 feet;

Thence South 80°49'49" West, a distance of 199.28 feet to the Point of Beginning.

**LEGAL DESCRIPTION**  
**NORTH CLACKAMAS SCHOOL DISTRICT (BBL-45)**  
**ACCESS EASEMENT**  
**AND SANITARY SEWER EASEMENT**  
**AND VARIABLE WIDTH SIGN AND LANDSCAPE EASEMENT**  
October 27, 2021  
Page 2 OF 2

Contains 9,387 square feet more or less.

**VARIABLE WIDTH SIGN AND LANDSCAPE EASEMENT**

**BEGINNING** at the southwest corner of said Deed Document No. 2013-003968, said point also being on the east right-of-way line of SE 102nd Avenue (Market Road No. 16);

Thence North 00°17'35" West, along the said east right-of-way line of SE 102nd Avenue, a distance of 20.24 feet to the **TRUE POINT OF BEGINNING** of the following described easement and the northwest corner of the Private Access Easement described above;

Thence along the north line of the above described Access Easement, North 80°49'49" East a distance of 5.06 feet to the southeast corner of the easement herein described;

Thence leaving the said north line, parallel to the east right-of-way line of SE 102nd Avenue, North 00°17'35" West a distance of 13.00 feet to a point of curve left;

Thence around the curve left (Central Angle = 60°00'00", Radius = 10.00 feet, Long Chord bears North 30°17'35" West 10.00 feet) 10.47 feet to a point on the said east right-of-way line and the most northerly corner of the easement herein described;

Thence along the said right-of-way, South 00°17'35" East a distance of 22.44 feet to the True Point of Beginning of the herein described Sign and Landscape Easement.

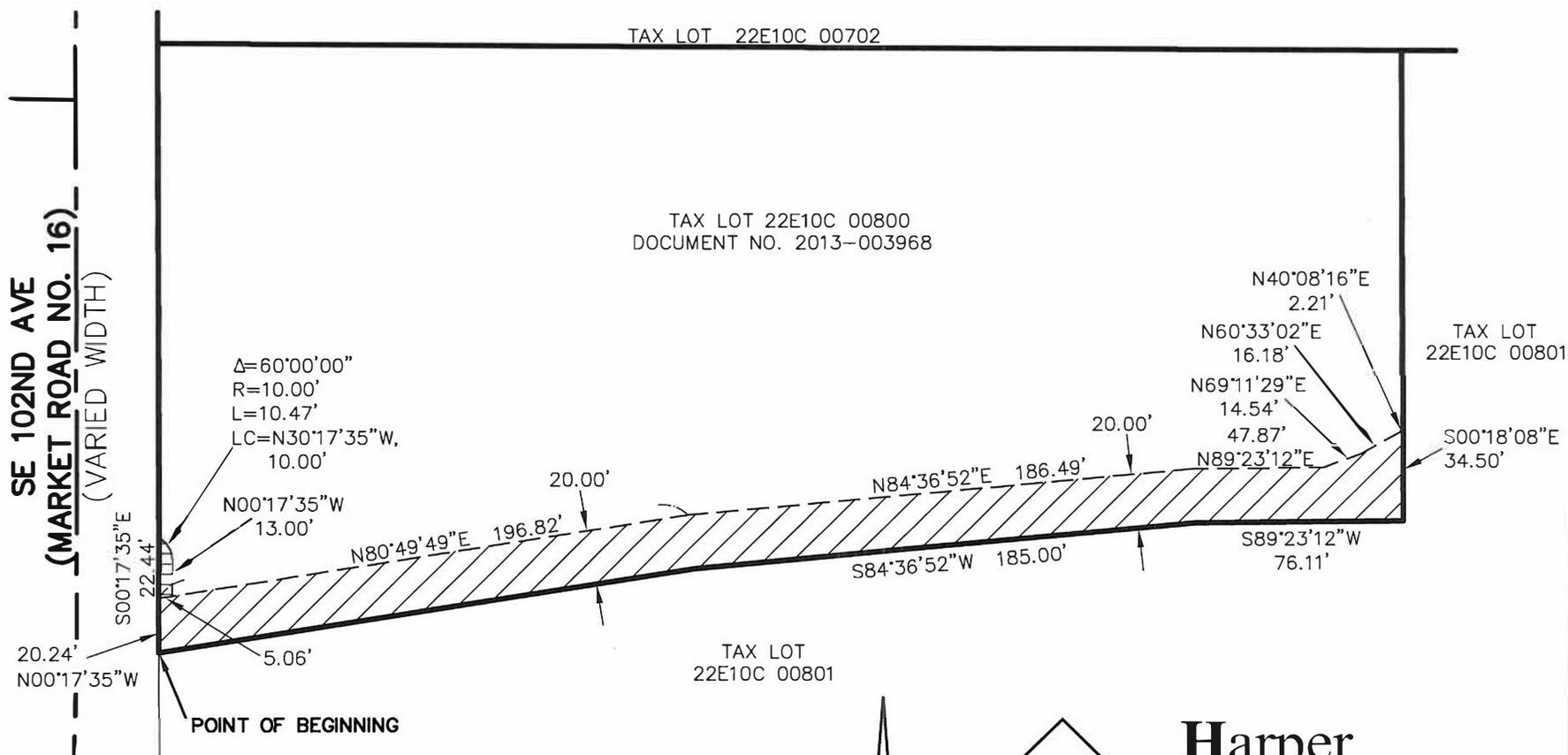
Containing 98 square feet more or less.

The attached Exhibit Map "B" is made a part hereof.



**EXHIBIT "B"**

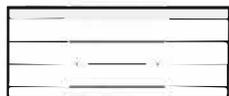
**ACCESS EASEMENT AND SANITARY SEWER EASEMENT  
AND VARIABLE WIDTH SIGN AND LANDSCAPE EASEMENT**



**LEGEND**



ACCESS EASEMENT AND SANITARY SEWER EASEMENT  
± 9,387 SQ.FT.



VARIABLE WIDTH SIGN AND LANDSCAPE EASEMENT  
± 98 SQ.FT.



**Harper  
Houf Peterson  
Righellis Inc.**

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205 SE Spokane Street, Suite 200, Portland, OR 97202  
phone: 503.221.1131 www.hhpr.com fax: 503.221.1171

SCALE  
1" = 60'

BBL-45 RCB 10/27/2021 PAGE 1 OF 1

SEE ATTACHED LEGAL DESCRIPTION





Code: **BDDH**  
Adopted: 6/19/86  
Revised/Readopted: 1/20/11; 2/24/18; 9/9/21  
Orig. Code(s): BDDH

## **Public Comment at Board Meetings**

All meetings of the Board, with the exception of executive sessions, will be open to the public. The Board invites community members of the district to attend Board meetings so that they may become acquainted with the program and operation of the district. Members of the public are also encouraged to share their ideas and opinions with the Board when appropriate. Members of the public are not permitted to engage in conduct that interferes with the ability of the Board to conduct its business.

It is the intent of the Board to ensure communications with individuals with disabilities are as effective as communications with others. An individual with a disability will be given an equal opportunity to participate in Board meetings. Primary consideration will be given to requests of qualified individuals with disabilities in selecting appropriate auxiliary aids<sup>1</sup> and services.

Auxiliary aids and services for persons with disabilities will be available at no charge to the individual. The district requests that all auxiliary aids and/or service requests be made with at least 48 hours notice to ensure appropriate accommodations can be secured. Should the Board demonstrate such requests would result in a fundamental alteration in the service, program or activity or in undue burdens, alternative, equally effective means of communication will be used as determined by the district.

### **Procedures for Public Comment at Meetings**

During a Board meeting session that is open to the public, members of the public may be invited to present comments during the designated portion of the agenda for a designated allotment of time.

In order to assure that persons who wish to appear before the Board may be heard and, at the same time, conduct its meetings properly and efficiently, the Board adopts the following procedures and rules pertaining to public comment at Board meetings:

1. Any individual desiring to speak may indicate their desire by submitting their name, city of residence, either email address or phone number, and the group, if any, that is represented on the sign-in sheet or online form prior to the Board meeting;
2. A speaker should give their name, city of residence, and the group, if any, that is represented and will limit their presentation to three minutes. If there are more patrons desiring to present comments than time allotted, the Board Chair has the authority to reduce the presentation time for individual speakers or institute a prioritization process with attention to order of sign up and city of residence.

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

3. Speakers may offer objective criticisms of district operations and programs that are of a concern to them. The Board is restricted from hearing, and will not consider complaints regarding any individual district staff member or any person connected with the district.
4. As an organization centered around youth and their positive development, all speakers will model respectful public comment and be mindful of civil discourse.
5. The Board vests in its chair or other presiding officer authority to terminate the remarks of any individual when those remarks do not adhere to the rules established in this policy.

## Petitions

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

END OF POLICY

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### Legal Reference(s):

[ORS 165.535](#)  
[ORS 165.540](#)  
[ORS 192.610 to -192.690](#)  
[ORS 332.057](#)

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

Americans with Disabilities Act Amendments Act of 2008.

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

*Leventhal v. Vista Unified Sch. Dist.*, 973 F. Supp. 951 (S.D. Cal. 1997).

### Cross Reference(s):

KC - Community Involvement in Decision Making  
KGB – Public Conduct on District Property

**PROCLAMATION:**  
**BLACK AFRICAN AMERICAN HISTORY MONTH**

**ACTION**  
Agenda Item #1  
January 13, 2022

**SUPERINTENDENT'S RECOMMENDATION:**

Adopt the proclamation recognizing February 2022 as Black African American History Month in North Clackamas School District.

**ORIGINATED BY:**

This is an annual agenda item.

**BACKGROUND:**

National Black African American History Month in February celebrates the contributions that Black African Americans have made to American history in their struggles for freedom and equality and deepens our understanding of our Nation's history. Since 1996, Presidents have issued annual proclamations for National Black African American History Month.

The Association for the Study of African American Life and History has identified their 96<sup>th</sup> Annual Black History Theme: *Black Health and Wellness*.

**ATTACHMENTS:**

Proclamation

**PRESENTER:**

Libra Forde, Board Chair



# Black African American History Month

in

## North Clackamas School District

WHEREAS, during National Black African American History Month, we celebrate the vast contributions of Black African Americans to our Nation's history and identity; and

WHEREAS, Black African American History Month grew out of the establishment, in 1926, of Negro History Week by Carter G. Woodson and the Association for the Study of African American Life and History; and

WHEREAS, the 2022 national theme for the observance is “Black Health and Wellness”, and

WHEREAS, the North Clackamas School District is deeply committed to equity and inclusion. This stance includes the cultural and racial affirmation of our students, staff, parents, and community members who identify as Black African American; and

WHEREAS, our community is better because of the diversity of our population; and

WHEREAS, the North Clackamas School District strives to close the equity and outcome gaps for Black African American students through policies and practices that reflect the experiences of Black African American students, ensure greater access and opportunity and honor history, heritage, and contributions; and

NOW, THEREFORE, BE IT RESOLVED that the North Clackamas School District hereby proclaims the Month of February 2022 as Black African American History Month in the North Clackamas School District and encourage all residents to honor Black American history and culture.

Adopted this 13<sup>th</sup> day of January, 2022.

Signed:

-----  
Chair, Libra Forde, School District Board of Director

**SCHOOL BOARD RECOGNITION MONTH**

**PRESENTATION**

Agenda Item #3  
January 13, 2022

**SUPERINTENDENT’S RECOMMENDATION:**

This time is set aside on the agenda to celebrate “School Board Recognition Month” by recognizing the North Clackamas School Board.

**BACKGROUND:**

The Oregon School Boards Association (OSBA) has set aside the month of January to honor the unpaid elected volunteers who serve on Oregon’s 197 local school boards, our 19 education service district boards, and our 17 community college boards. These dedicated local leaders give their personal time and energy to handling the critical tasks of budgeting and overseeing the management of Oregon’s public education structure.

OSBA encourages school districts, education service districts, community colleges, mayors and other local officials to join them in celebrating “School Board Recognition Month” in January. By doing so, you can help educate citizens about the importance of public schools and the people who ensure that Oregon’s children receive the education they need to prosper in today’s global economy.

**ATTACHMENTS:**

2022 Official State of Oregon Proclamation

**PRESENTER / STAFF CONTACT:**

Shay James, Superintendent

STATE OF OREGON  
**PROCLAMATION**  
OFFICE OF THE GOVERNOR

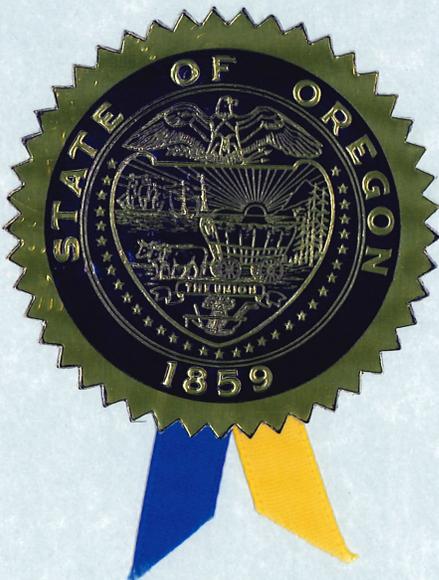
- WHEREAS:** Oregonians rely on a robust public education system to ensure a prosperous quality of life and strong economic health for Oregon; and
- WHEREAS:** Locally elected boards fulfill leadership roles and serve as an important conduit through which teachers, parents, businesses, and communities demonstrate the care, creativity, and support that lead to student achievement; and
- WHEREAS:** Public schools nurture and train diverse student populations to the best of their ability, whatever the resources, to give students the knowledge, skills, and opportunities they need to succeed; and
- WHEREAS:** Board members build the framework that makes it possible for education organizations to teach Oregon's children; and
- WHEREAS:** The committed individuals who serve on the boards of Oregon's 197 school districts, 19 education service districts, and 17 community colleges deserve recognition and thanks for their dedication to the educational needs of the people of Oregon.

**NOW,  
THEREFORE:** I, Kate Brown, Governor of the State of Oregon, hereby proclaim **January 2022** to be

**SCHOOL BOARD RECOGNITION MONTH**

in Oregon and encourage all Oregonians to join in this observance.

IN WITNESS WHEREOF, I hereunto set my hand and cause the Great Seal of the State of Oregon to be affixed. Done at the Capitol in the City of Salem in the State of Oregon on this day, October 14, 2021.



*Kate Brown*

Kate Brown, Governor

*Shemia Fagan*

Shemia Fagan, Secretary of State

**SPRING MOUNTAIN PLAYGROUND PURCHASE**

**ACTION**  
Agenda Item #4  
January 13, 2022

**SUPERINTENDENT’S RECOMMENDATION:**

Board approves the purchase of a playground for Spring Mountain Elementary for a total of \$188,416 with Buell Recreation.

**ORIGINATED BY:**

The need to maintain safe play structures for students.

**BUDGET IMPACT/SOURCE OF FUNDS:**

The playground at Spring Mountain is over 20 years old and has been determined to be the next highest need based on a 2017 Playground Assessment conducted by Buell Recreation.

Money will be allocated in the 2022-23 budget to pay for this playground that would be installed over the summer of 2022. Input from students and staff has been solicited in determining the particular components of the playground to be installed. A few additional Play Panel components and more poured-in-place material has been added due to the higher amount of students with mobility needs at Spring Mountain.

The price for this playground was determined by the NPPGov (National Purchasing Partners) government contract.

**BACKGROUND:**

Playgrounds at our schools that are not being addressed by the bond are getting increasingly old and in need of repair. Some of the oldest are now in excess of 20 years old. Several years ago, the district conducted a study of the condition of our playgrounds and which ones needed to be updated/replaced. We have replaced one playground per year since that study.

The NCSD must implement a playground replacement program in order to maintain a safe and reliable play structures for our students and reduce maintenance costs.

Older playgrounds are more expensive to maintain and increase the risk for injury to our students due to equipment failure or damaged parts. Some older structures become so damaged that the parts become impossible to repair or replace.

**STAFF CONTACT:**

Cindy Detchon  
Assistant Superintendent, Operations

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# **School Health Advisory for Continuity of Instruction**

# Oregon Department of Education (1/4/22):

**This School Health Advisory is the most critical and urgent issued to date.  
Recommendations made for schools and families.**

## **12/31/21 modeling from OHSU:**

- Oregon will likely experience a significant COVID-19 surge beginning in January and continuing through February
- likely to be much steeper than the Delta variant surge
- expect impacts on workforce stability in schools, hospitals, and other sectors.

**Priority: Maintaining continuity of instruction**

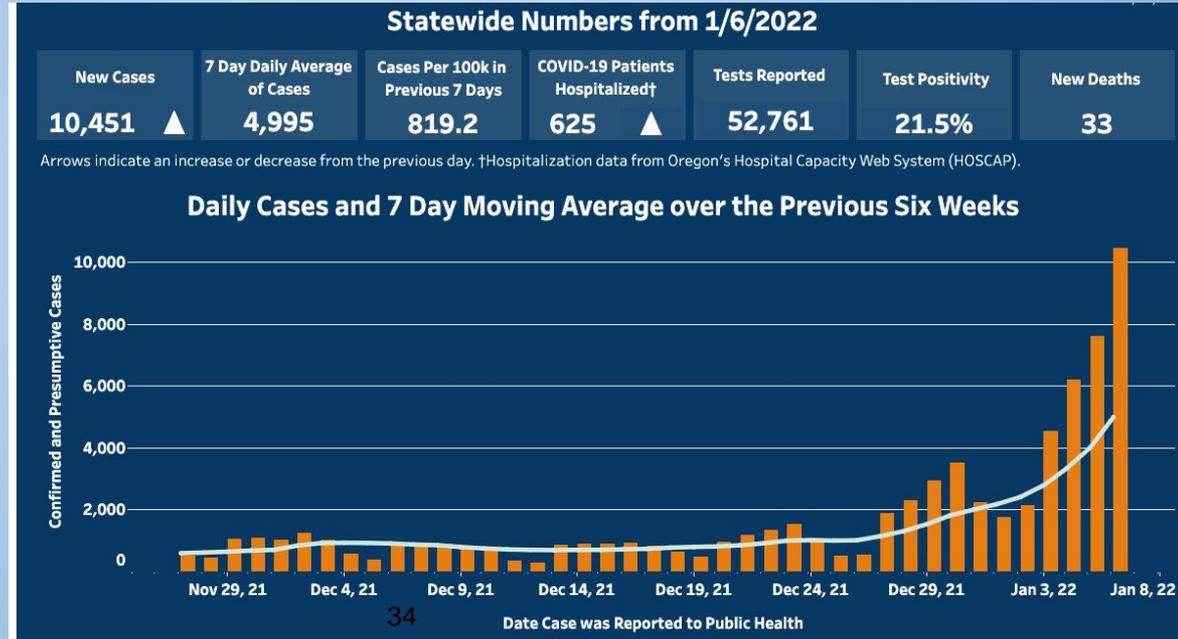
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## Tonight

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- **Data - Where do we stand?**
- **What steps have been taken to maintain continuity of instruction?**
- **What is ODE recommending for families?**

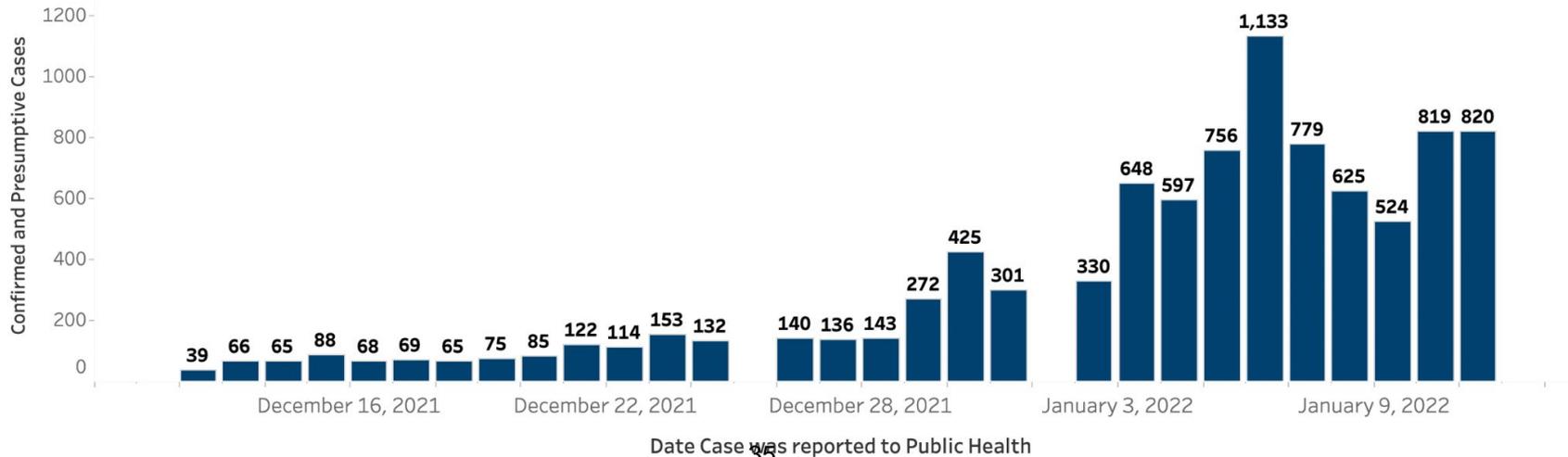
# State COVID-19 Case Rate



# County COVID-19 Case Rate (1/11)

## Cases by Date Reported to Public Health - Clackamas

The graph below shows the number of confirmed and presumptive COVID-19 cases by the date the case was first reported to Public Health in the current and previous four weeks. Please note that case counts can shift by county of residence or date as case investigators gather more information.



# NCSD Contact Tracing

Week Ending	Isolation			Quarantine			Total Impacted	In Process (Pending) Contacts	
	Employees	Students	Total	Employees	Students	Total		Total	Total
12/3/2021	3	43	46	0	102	102	148		244
12/10/2021	7	14	21	0	79	79	100		168
12/17/2021	6	15	21	0	72	72	93		175
12/24/2021	2	5	7	0	3	3	10		12
12/31/2021	14	6	20	1	0	1	21		28
1/7/2022	76	217	293	4	76	80	373	784	1304

In the first three school days of this week, ~1,000 additional contacts were made to the NCSD Contact Tracing Team.

---

# School Aged Youth Vaccination Rates

**School aged children with at least one Covid-19 vaccination:**

Zip Code	Ages 5-11 (~Elementary)	Ages 12-14 (~Middle)	Ages 14-18 (~High)
97015 (~CHS/ANHS)	42%	87%	66%
97086 (~CHS/ANHS)	47%	89%	91%
97222 (~MHS)	35%	67%	60%
97267 (~RPHS)	34%	77%	69%

---

# NCSD Staff Vaccination Rates

## NCSD School Staff:

Fully Vaccinated (2 doses of Moderna or Pfizer or 1 dose of Johnson & Johnson)	97%
Religious or Medical Exemption	3%

**NCSD does not collect booster information. As of 1/11/22, the % of adults in Clackamas County who have received a booster:**

Ages 65+	59%
Ages 50-64	37%
Ages 20-49	28%

---

# Staff Absences

37% more absences this January than in January 2020 and 2019.

Work Group	First week January 2022	First week January 2020	First week January 2019
Administrators	55	46	19
Certified	708	413	395
Classified	715	616	671
Total	1478	1075	1085

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# Staff Absences

For classroom teachers positions that require a substitute, 45% have not had a substitute in 2022 compared to 3-5% in 2020 and 2019. Instructional assistant fill rates are also down -- approximately a third of instructional assistant absences are covered by a substitute.

Substitute Fill Rates	First week January 2022	First week January 2020	First week January 2019
Classroom Teachers	55%	95%	98%
Instructional Assistants	32%	59%	74%

---

# Student Attendance

November and December student absence rates remained steady. The first week in January saw a sharp decrease in student attendance.

Student Group	Attendance rate Week of 12/13/21	Attendance rate Week of 1/3/22	Increase/ Decrease in Attendance
High School students	86%	76%	-10%
Middle School students	91%	83%	-8%
Elementary students	91%	85%	-6%

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# What is guiding our thinking as we plan for continuity of instruction?

- NCSD Core Values:
  - Equity
  - Engagement
  - Care
  - Integrity
  - Excellence
- NCSD Equity Lens
- Keep in-person learning to the extent possible
- Support the well-being of students and staff
- Slow the spread of COVID-19 in schools and community ensuring less burdened health care system
- Ensure continuity of instruction for students if school buildings close

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# Layered Mitigation Strategies

Symptom Screening

Training/Education

Cleaning/Disinfecting

Handwashing

Air Flow/Circulation

Covid-19 Testing

Isolation/Quarantine/Contact Tracing

Physical Distancing

Face Masking

---

## Additional Steps Taken

- Reaffirmed Employee Guidelines and recommunicated guidelines
- KN95 masks available for staff
- Reallocation of district office staff to schools
- Increased # of Substitutes
  - Expediting hiring additional substitute IAs
  - Immediately licensed as many substitutes as possible
  - Immediately train as many substitutes as possible
  - Hiring incentives
  - Continued Communications Team effort on the need
- Moving many events and meetings virtual
- Limiting professional development that takes staff away from their worksite
- Increase youth vaccine rates: 3 clinics planned in next two weeks

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# Additional Steps Taken

- Athletic and Activity Modifications
    - Limit spectators for athletics and performing arts
    - No overnight travel for athletic competitions or performances before February 11.
    - Concession stands are closed until further notice.
    - Paused cheer, dance, and band performances at games for three weeks.
    - Masks must continue to be worn by players on the bench, by coaches, and by spectators.
    - If a school is closed to prepare to move to remote instruction, that school will have no athletics/activities for those days; resume once school begins remotely.
    - Specific quarantine guidelines for athletes and performing arts at HS
  - Daily data review to adjust and inform staff coverage and employee guidelines
  - Daily collaboration with Clackamas County Public Health and other districts
  - Limited facility rental capacities and <sup>45</sup>pause some non-youth focused rentals
-

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# Preparations for school closure and/or distance learning

- Why would NCSD close a school, level or district-wide?
    - When NCSD cannot safely provide school services
  - Multiple data points inform decision:
    - contact tracing #s,
    - student absence (daily absences vs. 5+ day quarantine/isolation),
    - staff absence (daily absences vs. 5+ day quarantine/isolation),
    - substitute fill/unfill rate,
    - availability of transportation,
    - availability of nutrition services
    - availability of district staff to reallocate<sup>46</sup>
-

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# Preparations for school closure and/or distance learning

- Multiple regional schools/districts have closed schools for one or more days and/or pivoted to distance learning.

Including, as of 1/12/22:

- Portland Public Schools (4 high schools, one elementary, one middle school)
- Parkrose School District (district-wide)
- Tigard-Tualatin School District (one elementary, middle and high schools)
- Hillsboro School District (2 elementary schools)
- Vancouver Public Schools (some middle/high schools)
- David Douglas School District (district-wide)
- Salem-Keizer School District (district-wide)

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# Preparations for school closure and/or distance learning

- Multiple community-wide communications preparing for possibility of school closure and/or distance learning
  - Incremental weather communications process will be used. Advance notice will be provided when feasible.
  - Assume a one-day closure unless otherwise stated.
  - If a single level is closed and moved to distance learning, likely would be high school. High School students are attending in-person less regularly, have assigned devices and childcare concerns are not generally as disruptive as in elementary/middle school. Some staff, especially substitutes, would be reallocated to<sup>48</sup> elementary/middle schools.
-



# **District Emergency Closure: Friday, 1/14/22**

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NCSD will be closed on Friday, January 14, 2022.

- High School athletics, extracurricular activities and board-approved travel continue as planned.
- Facility rentals continue as planned (pending custodial availability).
- All other programs, events and activities cancelled.

Despite deploying substitutes, non-school-based staff and administrators to schools, *we have anticipated staffing shortages for tomorrow which will not allow us to operate safely.*

Adding a day to the existing three-day weekend will better position us to have students, staff and substitutes healthy and able to return to work and in-person school next Tuesday.

This will be considered <sup>49</sup>an emergency/inclement weather day.

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# Families: Recommendations from ODE

- If your child has COVID-19 symptoms, do not send them to school. Seek a COVID-19 test.
- Get vaccinated now if you're not.
- Get boosted if you're not.
- Limit gatherings and non-essential activities with people from other households to the extent possible throughout January and February.
- Consider postponing gatherings if many attendees are not up to date with recommended vaccine doses.
- If you are visiting people from another household:
  - wear a mask,
  - maintain a physical distance of at least 6 feet, and
  - keep activities outdoors as much as possible.

# Questions Discussion

**CHARTER SCHOOL RENEWAL:**  
**Cascade Heights Public Charter School**

**DISCUSSION**  
Agenda Item #5  
January 13, 2022

**SUPERINTENDENT’S RECOMMENDATION:**

Recommend approval of the request for renewal of charter school sponsorship from Cascade Heights Public Charter School.

**REASON FOR BOARD CONSIDERATION:**

Pursuant to ORS 338.065, charter schools must request renewal from the sponsor prior to the expiration of the current charter. The renewal process is addressed in NCS D [LBE](#) and [LBE-AR](#) and requires NCS D Board approval of the request for renewal by charter schools.

**BACKGROUND:**

North Clackamas School District (NCS D) serves as the sponsor for Cascade Heights Public Charter School (CHPCS). The current charter for the school expires on June 30, 2022.

On December 13, 2021, CHPCS provided NCS D with a request for charter renewal (Attachment 1).

This request for charter renewal begins a two-phase timeline (Attachment 2) during which the NCS D Board first considers whether or not to renew the school’s charter sponsorship (January 2022). If the NCS D Board renews the charter sponsorship, NCS D staff will work together with CHPCS to develop a contract for the duration of the renewal and the contract will be presented to the NCS D Board for approval or non-approval (approximately March/April 2022).

NCS D Staff has conducted a thorough review of CHPCS, in alignment with the renewal features expressed in NCS D LBE-AR. This review included an analysis of:

- A broad external review conducted in the spring of 2021, including approximately 45 pages of review. Included in that review was a brief summary of findings. (Attachment 3)
- School Improvement and Academic Achievement and other relevant data
- Financial Stability Review

Based on all information reviewed, CHPCS is operating in accordance with applicable state and federal law, in compliance with the existing charter agreement, maintaining financial stability, and sound financial management.

During this presentation, CHPCS will provide current information about its educational program and NCS D staff will provide the Superintendent’s recommendation to approve the renewal of sponsorship the charter school.

Following the presentation, a public hearing will be held on the charter renewal request.

**ATTACHMENTS:**

- Attachment 1: Charter Renewal Request, CHPCS
- Attachment 2: NCS D/CHPCS Charter Renewal Timeline
- Attachment 3: External Review, Summary of Findings, CHPCS
- Attachment 4: Presentation Slides

**PRESENTER / STAFF CONTACT:**

*Melanie Adams, Curriculum Director, Cascade Heights Public Charter School*

*Kristin Macy, Director, Cascade Heights Public Charter School*

*Tiffany Shireman, Chief of Staff, North Clackamas School District*



North Clackamas School District Board of Directors  
c/o Tiffany Shireman, NCSD Chief of Staff  
North Clackamas School District  
12400 SE Freeman Way  
Milwaukie, OR 97222  
Email: shiremant@nclack.k12.or.us

Date: December 13th, 2021

Dear North Clackamas School District Board of Directors,

The Board members of Cascade Heights Public Charter School would like to submit to the North Clackamas School Board this written request for renewal of Cascade Heights Public Charter School, which is currently under contract with NCSD through June 30, 2022.

The CHPCS School Board appreciates that the partnership between Cascade Heights and the North Clackamas School District has been strong and collaborative and has resulted in increased educational choice for our students and this district. Our intent is to continue to improve our practices in alliance with NCSD so we are able to best serve our students and overall community.

During the renewal process, Cascade Heights will assist in any way needed. If specific assistance is needed, please contact our Director, Kristin Macy.

The CHPCS Board of Directors believes strongly in the mission and vision of Cascade Heights and appreciates NCSD and its support of this unique elementary and middle school option.

Respectfully,

A handwritten signature in blue ink, appearing to read "Cory Connors", is written over a light blue horizontal line.

Cory Connors  
Board Chairman  
Cascade Heights Public Charter School

**2021-2022 Charter Renewal Timeline:  
Cascade Heights Public Charter School**

	Policy Driven Timeline	Action	Policy/Charter Citation	Anticipated Timeline
Phase 1: Charter Renewal Process	At least 180 calendar days prior to the expiration of the charter -- 6/30/2022	Charter School provides the NCSD School Board a written request for a renewal of their charter.	Per NCSD <a href="#">LBE-AR 8b1</a>	At least by January 1, 2022, Not before November 30, 2021  Target date to submit letter: (Approximately December 13, 2021)
	Within 45 calendar days of receiving renewal request	NCSD Board holds a hearing regarding charter renewal request.	Per NCSD <a href="#">LBE-AR 8b2</a>	January 13, 2022: NCSD Board Meeting <ul style="list-style-type: none"> <li>• CHPCS makes school presentation</li> <li>• NCSD staff presents superintendent's recommendation for renewal/non-renewal</li> <li>• NCSD Board holds hearing on Renewal requests</li> <li>• CHPCS submits presentation materials to NCSD Chief of Staff by January 3, 2022</li> </ul>
	Within 30 (calendar) days of NCSD Board hearing	NCSD Board Approves/Denies renewal request. If denied, charter school may resubmit renewal request to the NCSD Board. Specific guidelines in NCSD LBE-AR 8b5-6 for process if renewal request is denied with timelines and appeals processes.	Per NCSD <a href="#">LBE-AR 8b3</a>	January 27, 2022: NCSD Board Meeting <ul style="list-style-type: none"> <li>• NCSD Board takes action to deny or renew charter request</li> </ul>
Phase 2: Charter Contract Development	Within 90 calendar days of NCSD Board approval of renewal request	NCSD/Charter school complete negotiation of new charter contract. Timeline can be extended with mutual agreement to extension.	Per NCSD <a href="#">LBE-AR 8b4</a>	March 10, 2022: NCSD Board Meeting (day #42) to approve proposed contracts or April 14, 2022: NCSD Board Meeting (day #77) to approve proposed contracts or April 28, 2022: NCSD Board Meeting (day #91) to approve proposed contracts – would require mutual extension

## Cascade Heights Public Charter School Evaluation Report

### **Charter School**

Cascade Heights Public Charter School  
15301 SE 92<sup>nd</sup> Ave.  
Clackamas, OR 97015  
503) 653-3996

### **Charter Contact**

Kristin Macy, Principal  
503) 653-1850  
k.macy@chpcs.org

### **Sponsoring School District**

North Clackamas S.D.  
12400 SE Freeman Way  
Milwaukie, OR 97222  
(503) 353-6000

### **School District Contacts**

Tiffany Shireman, Chief of Staff  
[shiremant@nclack.k12.or.us](mailto:shiremant@nclack.k12.or.us)  
(503) 353-6005

### **Evaluator**

Tim Drilling, MAT  
(503) 780-8531  
timdrilling77@gmail.com

### **Evaluation Purpose**

This evaluation is a third-party evaluation of the Cascade Heights Public Charter School during its 14<sup>th</sup> year of operation, 2019-20.

**COMMENDATIONS:**

**Many exemplary practices and programs are in evidence at CHPCS. Some of the most outstanding practices are highlighted below.**

**CHPCS is commended for:**

- Maintaining a strong and consistent focus on the school’s mission and vision, and using the foundational statements to guide decision making in all aspects of the school’s operation. Students, staff and parents share a common understanding of the mission, and the expectations for all stakeholders are clearly communicated and understood (Measure 6a)
- CHPCS deserves commendations for their commitment to working with families to monitor student progress and maintaining regular communication with families during distance learning. This is time-consuming work, but it strengthens the school-family bond, especially important in an online environment in which students’ affiliations with the school are trickier to establish and maintain (Measure 6b)
- CHPCS is commended for maintaining its focus on the school mission during the transition to virtual learning mode. As noted in the Annual Report, after the mid-March (2020) school closure due to COVID-19, CHPCS quickly implemented synchronous and asynchronous instruction, providing Chromebooks to students as needed, executing monthly supply pickups and drop-offs, continuing to hold (virtual) events for students and families – all remarkable accomplishments for a very small school (Measure 7a)
- CHPCS staff are commended for their understanding of the difference between assessment of learning and assessment for learning. Both are important components of a balanced assessment system. CHPCS staff use different assessment tools that inform their instruction, and also serve as learning tools for students (Measure 7b)
- CHPCS is commended for maintaining a learning environment in which students feel safe, happy and cared for. The favorable feedback and optimistic outlook shared by all stakeholders – students, parents and staff – is remarkable given the uncertainties and additional stress caused by the COVID-19 pandemic. CHPCS staff have been able to insulate their school community and maintain a positive focus on learning (Measure 9a)
- CHPCS leadership is commended for creating a school culture in which staff members feel their contributions are recognized and valued, and their input is welcome. The principal is also commended for recognizing and implementing staffing changes in order to more directly support needs of school clients and make more efficient use of limited school resources (Measure 9c)
- This commendation is for the leadership demonstrated by the Cascade Heights Principal. I’ve conducted three annual reviews at CHPCS, dating back to the 2015-16 school year, and have a perspective on the growth and improvements the school has made since then. Clearly, school staff are essential for a school to be successful, but leadership sets the tone and direction. Credit for the significant strengthening of the school’s culture cannot reasonably be attributed to just one individual, of course, but the Principal at CHPCS demonstrates her belief in the power of the school to transform lives, values her people, and works hard to create the conditions for staff and students to succeed. This evaluator also wants to commend the North Clackamas School District for the remarkably collaborative relationship between CHPCS and the District.

**RECOMMENDATIONS:**

All organizations and institutions—even those already performing at high levels—should be looking for ways to improve. The evaluator encourages CHPCS to consider the following suggestions:

- The evaluator recommends that the CHPCS Board implement a process for evaluating the charter school principal consistent with requirements in the *Oregon Framework for Teacher and Administrator Evaluation and Support Systems* (Measure 8b)
- CHPCS is encouraged to continue current programs and supports. The school is demonstrating improvement in a number of areas – including support for English Language learners and students with disabilities, front office staffing changes that more effectively support school teachers and patrons, and overall management of resources. Stakeholders are offering high praise for the school staff, and demonstrating real loyalty to the school. This charter school is headed in the right direction – just keep going.

**APPENDIX A  
Summary of Findings**

EXCEEDS		
6a	Executes the school’s mission and key design elements	
6b	Promotes parental involvement and getting feedback from parents	
7a	Implements the distinctive instructional practices as outlined in the Charter Agreement	
9a	Protects the rights of all students	
MEETS		‘Meets’ is highest possible rating for this measure
7b	Implements an adequate assessment system	
7c	Complies with applicable laws of charter contract regarding educational requirements	YES
7d	Protects the rights of students with disabilities	YES
7e	Protects the rights of English learners	YES
8a	Complies with applicable governance requirements: Board policies, open meeting laws, etc.	
8c	Complies with reporting requirements in a timely fashion	YES
9b	Complies with teacher and other staff credentialing requirements	YES
9c	Employs generally acceptable employee relations practices	YES
9d	Complies with state statutes re: sexual conduct and child abuse reporting	YES
9e	Complies with statutory guidance and district policy re: teacher performance, evaluation, professional growth	
10a	Complies with facilities and transportation requirements	YES
10b	Complies with health and safety requirements	YES

ATTACHMENT 3

10c	Handles records and information appropriately	YES
11a	School Board provides appropriate financial oversight	
11b	School maintain appropriate internal controls and procedures	
12a	Maintains adequate financial resources to ensure stable operations	
12b	Demonstrates short and long-term fiscal viability	
12c	Operates pursuant to a financial plan with realistic budgets that are monitored and adjusted	

**APPENDIX A  
Summary of Findings (cont.)**

<b>APPROACHES</b>	
8b	School is holding administrator accountable
<b>DOES NOT MEET</b>	
<b>NOT RATED – no data due to restrictions in response to COVID-19</b>	
1a	Meets target in ELA achievement for all students
1b	Meets target in math achievement for all students
1c	Meets target for regular attenders
2a	Academic achievement in ELA for economically disadvantaged students
2b	Academic achievement in math for economically disadvantaged students
2c	Academic achievement in ELA for English learners
2d	Academic achievement in math for English learners
2e	Academic achievement in ELA for students with disabilities
2f	Academic achievement in math for students with disabilities
2g	Academic achievement in ELA for Hispanic/Latino students
2h	Academic achievement in math for Hispanic/Latino students
3a	Academic growth in ELA for all students
3b	Academic growth in math for all students
4a	Academic growth in ELA for economically disadvantaged students
4b	Academic growth in math for economically disadvantaged students
4c	Academic growth in ELA for English learners
4d	Academic growth in math for English learners
4e	Academic growth in ELA for students with disabilities
4f	Academic growth in math for students with disabilities
4g	Academic growth in ELA for students of underserved races/ethnicities
4h	Academic growth in math for students of underserved races/ethnicities
	<b>DOES NOT APPLY: 5a, 5b, 5c, 5d</b>

## 2021-2022 Charter Renewal Request

Presentation: January 13, 2022

Hearing: January 13, 2022

Scheduled Action: January 27, 2022

Melanie Adams, Curriculum Director, Cascade Heights Public Charter School

Kristin Macy, Director, Cascade Heights Public Charter School

Tiffany Shireman, Chief of Staff, North Clackamas School District

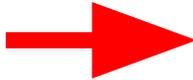




**STRATEGIC PLAN** 62 2018-2022  
 Equity • Engagement • Care • Integrity • Excellence

# Charter Renewal Process:

	Policy Driven Timeline	Action	Policy/Charter Citation	Anticipated Timeline
Phase 1: Charter Renewal Process	At least 180 calendar days prior to the expiration of the charter -- 6/30/2022	Charter School provides the NCSD School Board a written request for a renewal of their charter.	Per NCSD <a href="#">LBE-AR 8b1</a>	At least by January 1, 2022, Not before November 30, 2021  Target date to submit letter: (Approximately December 13, 2021)
	Within 45 calendar days of receiving renewal request	NCSD Board holds a hearing regarding charter renewal request.	Per NCSD <a href="#">LBE-AR 8b2</a>	January 13, 2022: NCSD Board Meeting <ul style="list-style-type: none"> <li>• CHPCS makes school presentation</li> <li>• NCSD staff presents superintendent's recommendation for renewal/non-renewal</li> <li>• NCSD Board holds hearing on Renewal requests</li> <li>• CHPCS submits presentation materials to NCSD Chief of Staff by January 3, 2022</li> </ul>
	Within 30 (calendar) days of NCSD Board hearing	NCSD Board Approves/Denies renewal request. If denied, charter school may resubmit renewal request to the NCSD Board. Specific guidelines in NCSD LBE-AR 8b5-6 for process if renewal request is denied with timelines and appeals processes.	Per NCSD <a href="#">LBE-AR 8b3</a>	January 27, 2022: NCSD Board Meeting <ul style="list-style-type: none"> <li>• NCSD Board takes action to deny or renew charter request</li> </ul>
Phase 2: Charter Contract Development	Within 90 calendar days of NCSD Board approval of renewal request	NCSD/Charter school complete negotiation of new charter contract. Timeline can be extended with mutual agreement to extension.	Per NCSD <a href="#">LBE-AR 8b4</a>	March 10, 2022: NCSD Board Meeting (day #42) to approve proposed contracts or April 14, 2022: NCSD Board Meeting (day #77) to approve proposed contracts or April 28, 2022: NCSD Board Meeting (day #91) to approve proposed contracts – would require mutual extension



## **Superintendent's Recommendation:**

Recommend approval of the request for renewal of charter school sponsorship from Cascade Heights Public Charter School.

## **Recommendation to renew based on features in NCSD LBE-AR and:**

- External Review, Full Report
- External Review, Summary of Findings
- School improvement and academic achievement ongoing review
- Internal Review by NCSD Instructional/Academic Leadership
- Financial Review by NCSD Business Office Leadership

## Commendations

- Commitment to working with families to monitor student progress and maintaining regular communication with families
- Instructional practices, especially assessment tools that inform instruction and also serve as learning tools for students
- Maintaining a learning environment in which students feel safe, happy and cared for
- A school culture in which staff members feel their contributions are recognized and valued and their input is welcome

## Future Considerations

- Implementation of new evaluation system of the principal consistent with ODE's *Framework*
- Enrollment is less diverse than NCSD. Of 26 demographic groups reviewed over three years, 6 groups are under-represented and 3 groups over-represented
- Continue to nurture school building relationship with NC Parks & Rec. District
- Continue current programs and supports. Demonstrating improvement in many areas. "This charter school is headed in the right direction – ***just keep going!***"



**A community of Learners**

**Established in 2006**

**Board Chair: Cory Connors**

**Board Vice Chair: Steve Campbell**

**Board Treasurer: Janelle Lawrence**

**Board Member: Amanda Folkestad**

**Board Member: Dr. Michael Leo**



**Our Mission is...**  
*to inspire the social, emotional,  
academic, physical, personal, and  
ethical growth of children,  
to prepare them to be members of  
a global society,  
and to partner with parents who  
share the same mission.*

## The CHPCS Vision:

Cascade Heights fosters the development of the whole child through rigorous, multisensory, experiential education. Young scholars gain cultural literacy and an appreciation for multiple perspectives through a cumulative, integrated and objectives-based education. As a small community we take pride in ourselves and our school, and provide a safe, positive space for young minds, bodies and hearts to grow!

# What brings families to CHPCS?



CHPCS values  
multisensory,  
cross-curricular  
instruction.

All students are  
offered World  
Language, Music, Art  
and PE



Multisensory Learning:  
Project based,  
Integrated, and  
Engages the whole  
child.



## Experiential Learning Opportunities

Cascade Heights students experience learning in real-life, practical settings.



Experiences include: OMSI sponsored John Day Geology camp, Silver Falls nature camp, Ft. Stevens, Outdoor School at Hatfield Marine Science Center and Ashland Shakespeare Festival

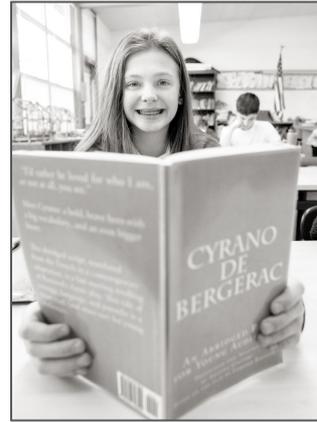


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# A community that cares about:

- Academic rigor
- Equity and inclusion
- Social-emotional health
- High expectations
- Structure
- Reduced transitions
- Small classes
- Increased instructional time
- School uniforms
- Real world experiences linked to learning through regular field trips, guest speakers, and community service
- Preparing students for the future



## Who are our students?

- 219 students
- Kindergarten through 8th-grade
- 24 median class size
- 20% economically disadvantaged
- 12% students with disabilities
- 9% English language learners
- 14 home languages



# What brings our staff to CHPCS?



## Let's hear from our staff:

“The freedom to create multi-sensory, immersive and unique learning experiences. I can be creative in my teaching. So important!”

“Strong community, collaboration with staff, supportive admin, students and families invested in learning, freedom to create hands-on projects for every subject.”

“Wanting to move back home and be closer to family brought me here. Finding a school home and school family keeps me here.”

“Support as I grow. I can take risks and feel supported along the way. I have been able to gain confidence in myself as a teacher!”

“I came to Cascade Heights because of the strong, stable environment.”

“Community—I feel connected to teachers, administrators and families! Both our size and our culture make me feel I belong.”

“I've stayed for 14 years because of the sense of community; my peers, students, and families who have become my second family. I thrive in the creative, out of the box atmosphere and can't imagine teaching anywhere else!”

“What brought me to Cascade Heights was a video I watched from the Cascade Heights website. The children were laughing, playing, and lots of hands-on learning was going on.”

# 2020/2021

## Limited At-A-Glance School Profile



## OREGON AT-A-GLANCE SCHOOL PROFILE

### Cascade Heights Public Charter School

PRINCIPAL: Kristin Macy | GRADES: K-8 | 15301 SE 92nd Ave, Clackamas 97015 | 503-653-3996

2020-21

#### Students We Serve

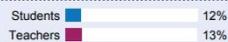


#### DEMOGRAPHICS

##### American Indian/Alaska Native



##### Asian



##### Black/African American



##### Hispanic/Latino



##### Multiracial



##### Native Hawaiian/Pacific Islander



##### White



\*

Ever English Learners



12  
Languages Spoken

15%

Students with Disabilities

87%

Required Childhood Vaccinations

>95%

Free/Reduced Price Lunch

\* <10 students or data unavailable

#### Special Note

The At-A-Glance School and District profiles tell a story about Oregon's schools and districts. The story is harder to tell this year as the COVID-19 pandemic significantly impacted our schools and the data we collect. As a result, statewide assessment and attendance data cannot be compared to prior years and are not shown here. We have included links to our website where you can view the 2020-21 statewide assessment and attendance data and read a detailed description of how these data were impacted. We're thankful for your partnership as we focus on care, connection and the creation of safe, inclusive and supportive learning environments.

#### Academic Success

#### ENGLISH LANGUAGE ARTS

Students meeting state grade-level expectations.

For 2020-21 English Language Arts data please visit:

[www.oregon.gov/ode/schools-and-districts/reportcards/reportcards/Pages/Statewide-Assessment-Results-2021.aspx](http://www.oregon.gov/ode/schools-and-districts/reportcards/reportcards/Pages/Statewide-Assessment-Results-2021.aspx)

#### School Goals

As elementary students enter a vibrant neighborhood school, charter school, or magnet school, NCSD fosters a joy of learning, a positive vision for their future is nurtured, and a school environment where their cultural heritage is valued. NCSD's elementary schools are striving to achieve this vision by focusing on the whole child and ensuring their social, emotional, physical, and academic needs are met.

#### School Environment

#### REGULAR ATTENDERS

Students who attended more than 90% of their enrolled school days.

For 2020-21 Regular Attenders data please visit:

[www.oregon.gov/ode/schools-and-districts/reportcards/reportcards/Pages/Regular-Attenders-2021.aspx](http://www.oregon.gov/ode/schools-and-districts/reportcards/reportcards/Pages/Regular-Attenders-2021.aspx)

#### MATHEMATICS

Students meeting state grade-level expectations.

For 2020-21 Mathematics data please visit:

[www.oregon.gov/ode/schools-and-districts/reportcards/reportcards/Pages/Statewide-Assessment-Results-2021.aspx](http://www.oregon.gov/ode/schools-and-districts/reportcards/reportcards/Pages/Statewide-Assessment-Results-2021.aspx)

#### State Goals

The Oregon Department of Education is partnering with school districts and local communities to ensure a 90% on-time, four year graduation rate by 2025. To progress toward this goal, the state will prioritize efforts to improve attendance, provide a well-rounded education, invest in implementing culturally responsive practices, and promote continuous improvement to close opportunity and achievement gaps for historically and currently underserved students.

#### Academic Progress

#### INDIVIDUAL STUDENT PROGRESS

Year-to-year progress in English language arts and mathematics.

Data not available in 2020-21

#### SCIENCE

Students meeting state grade-level expectations.

For 2020-21 Science data please visit:

[www.oregon.gov/ode/schools-and-districts/reportcards/reportcards/Pages/Statewide-Assessment-Results-2021.aspx](http://www.oregon.gov/ode/schools-and-districts/reportcards/reportcards/Pages/Statewide-Assessment-Results-2021.aspx)

#### Safe & Welcoming Environment

NCSD believes the physical, social, and emotional safety of each student is a priority no matter their demographics or identity. Therefore, NCSD has an obligation to each student, family, staff member, and community member to provide environments that hold at their center a sense of safety and respect. NCSD values all people inclusive of their background, race, religion, income, language, disability, gender, gender identity, or sexual orientation.

# Student Performance: NWEA MAP Testing

Grade	CHPCS Math	National	CHPCS Reading	National	CHPCS Science	National
K	148.9	139.6	141.9	136.6		
1	165	160	155.9	155		
2	183	175	170.8	172		
3	194	188	194	186	204	187
4	210	199.5	201	196	201	194
5	216.7	209.1	212.4	204.5	208.5	200
6	222	214.7	214.7	210.2	216	209
7	232.5	220.2	220	214.2	217	206.6
8	236	224.9	222	218	213	209

# Strong Foundations Through Curriculum

- Riggs - Since our inception, we have used the Riggs Road to Reading and Writing which is a multisensory phonics based system. It also has been proven to be one of the best practices for students with dyslexia.
- Saxon Math - All students participate in Saxon Math through Algebra 1. 12 years ago we made the decision to roll all classes forward one year, so Kindergarten uses the 1st grade curriculum, 1st grade uses the 2nd grade curriculum, and so forth. We also place students at their current performance level. Many students work above their grade level and those working at a lower grade level are provided small group instruction and reinforcement during the summer vacation.

## Curriculum Cont.

- Core Knowledge - Our history, science, drama, and literature curriculum all come from the Core Knowledge Institute. This curriculum uses the idea that students are ready to learn about the world from a very early age and if we spiral the knowledge, they will embrace ever deepening concepts as they age. Over the last year and a half we have focused on looking at each unit and ensuring that it is represented accurately and from multiple perspectives.
- Health - Cascade Heights uses the Oregon State Health Standards at all levels. Through partnerships with Oregon Women's Services, local dentists, doctors, and counselors, our health lessons frequently include experts in their field.
- Specials - Our students receive daily PE and World Language instruction. Music is twice a week and Art is once a week. We believe these subjects are essential to understanding the world around us and enhancing the whole child.

## Identified Challenges and How We're Facing Them:

Recommendation #1: The CHPCS Board implements a process for evaluating the charter school principal.

Follow up: Spring of 2021 the Board of Directors adopted and executed a more formal performance evaluation.

Recommendation #2: CHPCS is advised to continue the current programs and supports. We have demonstrated improvement in a number of areas.

Follow up: Cascade Heights is committed to continuously evaluating our strengths and weaknesses and remains open to growth and improvements that benefit our community and specifically our students!

# Identified Challenges: Equity and Inclusion

## Cascade Heights Public Charter School Anti-Racism Statement:

*Cascade Heights Public Charter School is committed to fighting racism. We are dedicated to the work of creating an environment where students and families thrive without fear of racism and prejudice. We are committed to recognizing, understanding, and eliminating racism and ethnic oppression within our school and in the broader community.*

*We acknowledge the role that education and charter schools play in the marginalization of Black and Indigenous people and People of Color. We are committed to the ongoing work of recognizing how students, families, and staff are affected by systemic racism and racial bias.*

*We will deepen our efforts to incorporate anti-bias and anti-racism educational practices into all our work with students, including our curriculum. We will work to affirm the distinct histories of our students and unlearn dominant narratives. Part of this work requires critically examining the lack of representation of Black, Indigenous, and people of color in our staff, administration, and governing board.*

*We believe it is important to have hard conversations as a community so that we can begin to heal, invite connection, and honor racial, ethnic and cultural difference. taff are affected by systemic racism and racial bias.*

## Identified Challenges: Equity and Inclusion

We continue to seek ways to improve our education, practices and policies around students of color, students with disabilities, gender identity and expression, English language learners and all under-represented groups.

Through use of inclusive language, anti-racism trainings and conversations, partnerships with advocacy groups, classroom presentations, professional developments, and leveraging the strengths of our team we are making gains and are focused on continuing in this work.

Student identity is important to us. We want to reduce barriers to success wherever possible.

## Questions?

## Discussion regarding Renewal Process?

### Next Steps:

Public Hearing:	This Evening
Scheduled Board Action -Renewal Request:	January 27
Schedule Board Action on Charter Contract:	March-April



**POLICY REVISIONS**

**DISCUSSION**  
Agenda Item #6  
January 13, 2022

**REASON FOR BOARD CONSIDERATION:**

First reading of the attached revised policies.

**COMMITTEE RECOMMENDATION:**

The Policy Review Committee, with membership of both staff and Board, reviewed and recommends the following policy revisions.

**BUDGET IMPACT/SOURCE OF FUNDS:**

There are no known or anticipated increases to costs with the proposed policy change.

**ATTACHMENTS:**

Drafts of the following policies to review:

<b>Policy</b>	<b>Title</b>	<b>Reason</b>
AC	Nondiscrimination	OSBA Oct 2021 Update, revised due to House Bill 2935 to ensure protection against discrimination based on race-based hairstyles by extending statutory protection to hair texture and protective styles. House Bill 3041 revision to the definition of gender identity.
IGBHA	Alternative Education Programs	OSBA Oct 2021 Update, revised to update and better align with ODE’s rule governing alternative education programs and further describes that alternative programs will adhere to all relevant laws and rules.
IGDJ	Interscholastic Activities	OSBA Oct 2021 Update, House Bill 2817 (2021) allows certain students in GED programs with a district or ESD to participate in OSAA sanctioned activities in their district of residence.
IKFB	Graduation Exercises	OSBA Oct 2021 Update, House Bill 2052 (2021) allows students to wear Native American items of cultural significance to school events.
JECB	Admission of Nonresident Students	OSBA Oct 2021 Update, House Bill 3041 revision to the definition of gender identity and to remove references to Open Enrollment, which is no longer an enrollment option in Oregon.

**PRESENTER / STAFF CONTACT:**

Tiffany Shireman, Chief of Staff



Code: AC  
 Adopted: 1/20/11  
 Revised/Readopted: 11/12/15; 6/25/20

## Nondiscrimination\*\*

The district prohibits discrimination and harassment on any basis protected by law, including but not limited to, an individual’s perceived or actual race<sup>1</sup>, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, age, mental or physical disability or perceived disability, pregnancy, familial status, economic status, or veterans’ status, or ~~Additionally, the district prohibits discrimination~~ because of the perceived or actual race, color, religion, sex, sexual orientation, gender identity, national or ethnic origin, marital status, age, mental or physical disability or perceived disability, pregnancy, familial status, economic status, or veterans’ status of any other persons with whom the individual associates.

### Definitions:

1. ~~“Complainant” means any current or former district students, parents of students, district residents, and district staff, who has filed a complaint under Policy AC.~~
2. ~~“Discrimination” means any act that unreasonably differentiates treatment, intended or unintended, or any act that is fair in form but discriminatory in operation, either of which is based on age, disability, national origin, race, color, martial status, religion, sex or sexual orientation.~~
3. ~~“Sexual Orientation” means an individual’s actual or perceived heterosexuality, homosexuality, bisexuality or gender identity, regardless of whether the individual’s gender identity, appearance, expression or behavior differs from that traditionally associated with the individual’s sex at birth.~~

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

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

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

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

addresses, and phone numbers. The district will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees and the public. These procedures will be available at the district’s administrative office and on the home page of the district’s website. ~~The superintendent may not modify or change the 3-step complaint procedure without Board approval.~~

~~All complaints must be received by the district on the later date of (1) within two years of the alleged violation or the complainant’s discovery of the alleged violation; or (2) one year after the affected student has graduated from, moved away from, or otherwise left the district.~~

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

## END OF POLICY

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### Legal Reference(s):

<a href="#">ORS 174.100</a>	<a href="#">ORS 659A.003</a>	<a href="#">ORS 659A.321</a>
<a href="#">ORS 192.630</a>	<a href="#">ORS 659A.006</a>	<a href="#">ORS 659A.409</a>
<a href="#">ORS 326.051(1)(e)</a>	<a href="#">ORS 659A.009</a>	<a href="#">OAR 581-002-0001 – 002-0005</a>
<a href="#">ORS 408.230</a>	<a href="#">ORS 659A.029</a>	<a href="#">OAR 581-021-0045</a>
<a href="#">ORS 659.805</a>	<a href="#">ORS 659A.030</a>	<a href="#">OAR 581-021-0046</a>
<a href="#">ORS 659.815</a>	<a href="#">ORS 659A.040</a>	<a href="#">OAR 581-021-0047</a>
<a href="#">ORS 659.850 - 659.860</a>	<a href="#">ORS 659A.103 - 659A.145</a>	<a href="#">OAR 581-022-2310</a>
<a href="#">ORS 659.865</a>	<a href="#">ORS 659A.230 - 659A.233</a>	<a href="#">OAR 581-022-2370</a>
<del><a href="#">ORS 659.870</a></del>	<a href="#">ORS 659A.236</a>	<a href="#">OAR 839-003</a>
<a href="#">ORS 659A.001</a>	<a href="#">ORS 659A.309</a>	

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (20122018).

Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621-633 (20122018); 29 C.F.R Part 1626 (20182019).

Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12112 (20122018); 29 C.F.R. Part 1630 (20182019); 28 C.F.R. Part 35 (20182019).

Equal Pay Act of 1963, 29 U.S.C. § 206(d) (20122018).

Rehabilitation Act of 1973, 29 U.S.C. §§ 791, 793-794 (20122018); 34 C.F.R. Part 104 (20182019).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (20122018);

Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (20182020).

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (20122018); 28 C.F.R. §§ 42.101-42.106 (20182019).

Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e (20122018); 29 C.F.R. § 1601 (20182019).

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

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (20122018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

The Vietnam Era Veterans’ Readjustment Assistance Act of 1974, 38 U.S.C. § 4212 (20122018).

Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. § 2000ff-1 (20122018); 29 C.F.R. Part 1635 (2019).

House Bill 2935 (2021).

House Bill 3041 (2021).

### Cross Reference(s):

~~ACA – Americans with Disabilities~~

~~GBA – Equal Employment Opportunity~~

~~GBEA – Workplace Harassment~~

~~JB – Equal Educational Opportunity~~

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



Code: IGBHA  
Adopted: 11/12/08  
Readopted: 9/20/12  
Orig. Code(s): IGBHA

## Alternative Education Programs\*\*

The Board is dedicated to providing educational options for all students. It is recognized there will be students in the district whose needs and interests are best served by participation in an alternative education program.

“Alternative education program” means a school or separate class group designed to best serve students’ educational needs and interests and assist students in achieving the academic standards of the school district and the state.

A list of alternative education programs will be approved by the Board annually. The superintendent may provide for the involvement of staff, parents and the community in recommending alternative education programs for Board approval, and in the development of related Board policy and an administrative regulation. Annual evaluation of alternative education programs will be made in accordance with Oregon Revised Statute (ORS) 336.655 and ~~OAR 581-022-1350~~ Oregon Administrative Rule (OAR) 581-022-2505. The superintendent will develop administrative regulations as necessary to ~~implement this requirement~~ evaluate the district’s alternative education programs.

Alternative education programs will consist of instruction or instruction combined with counseling. These programs may be public or private. ~~Private~~ A private alternative programs education program shall be registered with the Oregon Department of Education. Alternative education programs must meet all the requirements set forth in state law and rules, and federal law, as applicable.

~~Alternative programs must meet all requirements set forth in ORS 336.623, 336.631 and 336.637.~~

Students, ~~upon request,~~ after consultation with a parent, may be placed in an alternative education program if the district determines that the placement serves the student’s educational needs and interests, and assists the student in achieving district and state academic content standards. Such placement must have the approval of the student’s resident district and, as appropriate, the attending district. The district will also consider and propose alternative education programs for students prior to expulsion or leaving school as required by law.

The district shall pay the actual ~~cost of an~~ alternative education program ~~cost~~ or an amount at least ~~equivalent~~ equal to 80 percent of the district’s estimated current year’s average per-student net operating expenditure, whichever is less. ~~The district will enter into a written contract with district-approved private alternative programs.~~ When contracting with a private alternative education program, the district’s contract will meet the requirements of law.

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

END OF POLICY

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**Legal Reference(s):**

[ORS 329.485](#)  
[ORS 332.072](#)  
[ORS 336.014](#)  
[ORS 336.145](#)  
[ORS 336.175](#)  
[ORS 336.179](#)  
[ORS 336.183](#)  
[ORS 336.615 - 336.665](#)  
[ORS 339.030](#)

[ORS 339.250](#)  
[OAR 581-021-0045](#)  
[OAR 581-021-0065](#)  
[OAR 581-021-0070](#)  
[OAR 581-021-0071](#)

[OAR 581-022-1350](#)  
[OAR 581-022-1620](#)  
[OAR 581-022-2320](#)  
[OAR 581-022-2505](#)  
[OAR 581-023-0006](#)  
[OAR 581-023-0008](#)

**Cross Reference(s):**

IGBHB - Establishment of Alternative Education Programs  
IGBHC - Alternative Education Programs Notification  
JGEA - Alternative Education Programs Related to Expulsion



Code: IGDJ  
Adopted: 5/17/12  
Revised/Readopted: 7/03/18; 7/11/19

## **Interscholastic Athletics/Activities\*\***

The Board recognizes the integral role interscholastic activities play in the character development and general enhancement of the education of its students. ~~Further, the board recognizes participation in interscholastic activities as a privilege afforded to students who uphold the expectations and abide by the regulations defining safe, positive and appropriate behavior.~~ Accordingly, administrators, coaches, student participants and others associated with the district's high school activities programs and events<sup>1</sup> shall conduct themselves in a manner that is consistent with the letter and spirit of policies, rules and regulations of the district and of the Oregon School Activities Association (OSAA) and the fundamental values of sportsmanship. Each will be held accountable for their actions.

The district shall allow homeschooled students that reside in the district, students eligible to attend school and enrolled in a district- or ESD-provided General Education Development (GED) program that reside in the district, students attending a public charter school that reside in the district, and students attending Milwaukie Academy of the Arts to participate in available interscholastic activities when the requirements found in Oregon law are met.

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

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

Volunteers may be approved to assist with district activities with prior approval and successful completion of all required background checks.

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

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<sup>1</sup> This applies to only OSAA-sanctioned activities and events.

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

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

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

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

END OF POLICY

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**Legal Reference(s):**

[ORS 326.051](#)  
[ORS 332.075\(1\)\(e\)](#)  
[ORS 339.450 - 339.460](#)

[OAR 581-015-2255](#)  
[OAR 581-021-0045 - 0049](#)  
[OAR 581-026-0005](#)

[OAR 581-026-0700](#)  
[OAR 581-026-0705](#)  
[OAR 581-026-0710](#)

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683 (2012); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (~~2017~~); OREGON SCHOOL ACTIVITIES ASSOCIATION, OSAA HANDBOOK. Montgomery v. Bd. of Educ., 188 Or. App. 63 (2003).

**Cross Reference(s):**

JHCA - Student Medical/Physical Examinations, Vision Screening/Eye Examinations and Dental Screenings



Code: IKFB  
Adopted: 6/04/87  
Readopted: 9/20/12; 2/25/21  
Orig. Code: IKFB

## Graduation Exercises

The Board believes that completion of the requirements for a diploma, a modified diploma, an extended diploma or an alternative certificate from public schools is an achievement that improves the community as well as the individual. The Board wishes to recognize this achievement in a publicly, celebrated graduation exercise.

Accordingly, appropriate graduation programs may be planned by the school on the dates selected.

The school's valedictorian(s), salutatorian(s) or others, at the discretion of the principal or designee, may be permitted to speak as part of the district's planned graduation program. All speeches will be reviewed and approved in advance by the building principal or designee.

All students in good standing<sup>1</sup> who have successfully completed the requirements for a high school diploma, or ~~qualifies~~ qualify to receive or receives a modified diploma, an extended diploma or an alternative certificate, including a student participating in a district-sponsored alternative education program and a student with disabilities receiving a document certifying successful completion of program requirements, shall have the option to participate in graduation exercises.

A student shall be allowed to wear a dress uniform issued to the student by a branch of the U.S. Armed Forces if the student:

1. Qualifies to receive a high school diploma, a modified diploma, an extended diploma or an alternative certificate; and
2. Has completed basic training for, and is an active member of, a branch of the U.S. Armed Forces.

Graduating students will be allowed to wear ~~Native American or other~~ items of cultural significance<sup>2</sup>, in accordance with consistently-enforced rules established by the principal or designee.<sup>3</sup>

END OF POLICY

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<sup>1</sup> A student may be denied participation in graduation exercises for conduct that violates board policy, administrative regulation and/or code of conduct provisions.

<sup>2</sup> "Items of cultural significance" means items or objects that are traditionally associated with a group. For example Native American items of cultural significance includes items or objects that are traditionally associated with Native Americans or that have religious or cultural significance to a Native American.

<sup>3</sup> See letter from ODE regarding Graduation Ceremonies (click on Year Graduation Ceremonies).

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**Legal Reference(s):**

[ORS 329.451](#)  
[ORS 332.107](#)  
[ORS 339.505](#)  
[ORS 343.295](#)

[OAR 581-021-0050](#)  
[OAR 581-021-0055](#)  
[OAR 581-021-0060](#)  
[OAR 581-022-2000](#)  
[OAR 581-022-2010](#)

[OAR 581-022-2015](#)  
[OAR 581-022-2020](#)  
[OAR 581-022-2505](#)

31 OR. ATTY. GEN. OP. 428 (1964)

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

Kay v. David Douglas Sch. Dist. No. 40, 1987); cert. den., 484 U.S. 1032 (1988).

Doe v. Madison Sch. Dist. No. 321, 177 F.3d 789 (9th Cir. 1999).

Lee v. Weisman, 505 U.S. 577 (1992).

Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988).

**Cross Reference(s):**

IKC - Valedictorian/Salutatorian

Code: JECB  
Adopted: 2/02/06  
Revised/Readopted: 2/28/13; 9/11/14; 1/08/15; 1/14/16

## Admission of Nonresident Students

The district may enroll nonresident students as follows:

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

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

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

Annually, by June 1st the Board shall establish the number of student transfer requests into the district, and out of the district, to which consent will be given for the upcoming school year.

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

The district may only ask for the student's name, contact information, date of birth, grade level, whether the student may be given priority on consent for admission (see the following paragraph for priorities),

information about which schools the student prefers to attend, and whether the student is currently expelled.

If the number of students seeking consent exceeds the number of spaces, the district will use an equitable lottery selection process. The process may give priority to students who have siblings currently enrolled in the district; who previously received consent for admission because of a change in legal residence; or who attended a public charter school located in the same district in which the student seeks to attend, for three consecutive years, completed the highest grade offered by the public charter school, and did not enroll and attend school in another district following completion of that highest grade in the public charter school.

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

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

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

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

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

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

END OF POLICY

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**Legal Reference(s):**

[ORS 174.100](#)  
[ORS 327.006](#)  
[ORS 329.485](#)  
[ORS 335.090](#)

[ORS 339.115 - 339.133](#)  
[ORS 339.141](#)  
[ORS 339.250](#)  
[ORS 343.221](#)

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



Code: **JECB**  
Adopted: 2/02/06  
Revised/Readopted: 2/28/13; 9/11/14; 1/08/15;  
1/14/16  
Orig. Code(s): JECB

### **Admission of Nonresident Students** (Interdistrict Transfer, Open Enrollment, Tuition, Court Placement)

The district may enroll nonresident students via one of any of the following options as follows:

1. **Interdistrict Transfer** - By written consent of the affected school districts. The student then becomes a “resident pupil” of the attending district;
2. **Open Enrollment** - By written consent from the school district with which the student has made application for admission. The student then becomes a “resident pupil” of the attending district;
3. **Tuition** - By unilaterally admitting with tuition a nonresident student whereby neither district is eligible for State School Fund moneys;
4. **Court Placement** - If a juvenile court determines it is in the student’s best interest, a student placed in a substitute care program outside the district will continue to be considered a resident student and allowed to attend the school the student attended prior to placement. The public agency placing the student in a substitute care program will be responsible for the transportation of the student, if public agency funds are available.

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

#### **Admission by Consent of Both the Affected Boards (Interdistrict Transfer) or Consent for Admission of a Tuition Paying Student:**

Annually, by June 1st, the Board shall establish the number of student transfer requests into the district to which consent will be given for the upcoming school year.

The district reserves the right to accept/reject nonresident students based upon the availability of space, resources, personnel and appropriate programs. The district may not consider nor ask for any information from the student about race, religion, sex, sexual orientation, ethnicity, national origins, disability, health, whether a student has an individual education program (IEP) or the terms of that IEP, identified as talented and gifted, income level, residence, proficiency in English, athletic ability or academic records. The district may not request or require the student to participate in an interview, tour any of the schools or facilities, or otherwise meet with any representatives of the school or district prior to the district deciding whether to give consent.

The district may ask for the student’s name, contact information, date of birth, grade level, information to determine whether the student may be given priority status for admission (e.g., sibling in the district;

change in legal residence; completion of public charter school in the district), information about which schools the student prefers to attend and whether the student is currently expelled.

If the number of students seeking consent exceeds the number of spaces, the district will use a lottery selection process. The process may give priority to students who:

1. Have siblings currently enrolled in the district; or
2. Previously had received consent to remain enrolled in the school district following a change of residence to a different school district during the school year or over the summer; or
3. Attended a public charter school located in the same district in which the student seeks to attend, for three consecutive years, completed the highest grade offered by the public charter school and did not enroll and attend school in another district following completion of that highest grade in the public charter school.

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

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

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

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

The district is not required to provide transportation outside the boundaries of the district. The student will be allowed to use existing bus routes and transportation services of the district. Transportation will be provided if required by federal law. The district where the student will be attending is responsible for a free and appropriate public education (FAPE) for those students on an IEP.

**Consent by the Nonresident District Board for which the Student has applied for Admission (Open Enrollment):**

Annually, by March 1, the Board shall establish the number of students to whom consent will be given for the upcoming school year. The Board may choose to limit consent based on school, grade or the combination of both. The Board may decide not to give consent to any person under this process.

Application for consent is made by completing and submitting the form available on the North Clackamas School District website no later than April 1, for the following school year.

The district may not deny consent, give priority nor request student information related to race, religion, sex, sexual orientation, ethnicity, national origin, disability, health, whether a student has an individual education program (IEP) or the terms of that IEP, income level, residence, proficiency in the English language, athletic ability, academic records or eligibility or participation in talented and gifted programs.

If the number of students seeking consent exceeds the number of students the Board has determined will be given consent, consent will be granted through a lottery selection process.

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

By May 1, the district shall provide written notification of admission of a nonresident student into the district, to the district of the student's legal residence.

END OF POLICY

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**Legal Reference(s):**

[ORS 109.056](#)  
[ORS 327.006](#)  
[ORS 329.485](#)  
[ORS 335.090](#)

[ORS 339.115 to -339.133](#)  
[ORS 339.141](#)  
[ORS 339.250](#)  
[ORS 343.221](#)

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

Letter Opinions, Office of the OR Attorney General (March 15, April 18, June 30 1988).  
OR. DEP'T OF EDUC., ODE EXECUTIVE MEMORANDA 23-1988-89, 42-1994-95.