



Board of Directors  
North Clackamas School District 12  
12400 SE Freeman Way  
Milwaukie, Oregon 97222

## Agenda

North Clackamas School Board  
Thursday, March 10, 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)(i).

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.

**5:00 Superintendent Evaluation**

**6:20 Adjourn Executive Session**

### OPEN SESSION

**6:30 Call to Order**

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

**3**

**Minutes - February 24, 2022**

**4**

**Consent Agenda**

**A. Employment Changes**

**B. 2022-2023 School Calendars**

**7**

**C. Travel Request - Adrienne C. Nelson High and Clackamas High A-Choirs**

**11**

**D. Contract Extensions/Non-Renewals**

**6:40 Community Comments**

**12**

**6:55 1. Volunteer Appreciation Week - Proclamation**

**17**

Presenter: Mitzi Bauer

**7:00 2. North Clackamas Education Association (NCEA) Featured Educator**

<b>7:00</b>	<b>3. Scouters Mountain Elementary - School Presentation</b> Presenter: Khaliyah Williams-Rodriguez	<b>19</b>
<b>7:35</b>	<b>4. Board Reports</b>	
<b>7:45</b>	<b>5. 2022-2023 Interdistrict Transfers - Discussion</b> Presenter: Shelly Reggiani	<b>37</b>
<b>8:00</b>	<b>6. Virtual Online Program (VOP) Extension 2022-2023 - Discussion</b> Presenter: Ivonne Dibblee	<b>55</b>
<b>8:15</b>	<b>7. Policy Revisions - Discussion</b> Presenter: Tiffany Shireman	<b>67</b>
<b>8:25</b>	<b>8. Surplus Property at Scouters Mountain Elementary - Action</b> Presenter: Cindy Detchon	<b>88</b>
<b>8:30</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  
February 24, 2022  
Zoom/YouTube**

***Executive Session***

With due notice having been given and a quorum present, Chair Libra Forde convened executive session under ORS 192.660 (2)(i) at 5:00 p.m. with the following members present:

Libra Forde	–	Chair
Mitzi Bauer	–	Vice Chair
Jena Benologa	–	Director
Kathy Wai	–	Director
Steven Schroedl	–	Director
Tory McVay	–	Director
Sandra Henderson	–	Board Secretary

**Superintendent Evaluation** – The Board discussed the Superintendent’s evaluation.

Executive session recessed at 6:13 p.m.

***Open Session***

Chair Libra Forde convened open session at 6:32 p.m. Present, in addition to those at the executive session were, Superintendent Shay James, Cindy Detchon, Derrick Brown, Gayellyn Jacobson, Ivonne Dibblee, Khaliyah Williams-Rodriguez, Mark Moser, Mayra Gómez, Petra Callin, Shelly Reggiani, Tiffany Shireman, and Vivian Garrison. District employees and community members were provided a live stream on YouTube.

Chair Libra Forde commented on the situation in Ukraine and asked for a moment of silence. Vice Chair Mitzi Bauer read the Native Land Acknowledgement.

R21/22-71

**Minutes** – Jena Benologa moved, Kathy Wai seconded the motion to approve the minutes of the regular Board meeting held February 10, 2022. Kathy Wai, Mitzi Bauer, Jena Benologa, Libra Forde, and Tory McVay voted to approve. Steven Schroedl abstained. Motion passed with 5 affirmative votes.

R21/22-72

**Consent Agenda** – Tory McVay moved, Steven Schroedl seconded the motion to adopt the consent agenda as recommended:

**Employment Changes** - 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:

- Administrative appointment, terminations
- Licensed appointments

**Clackamas ESD Local Service Plan** - Approve the proposed Clackamas Education Service District Local Service plan authorizing services for 2022-2023.

**Contract Extensions and Non/Renewals** - Approve contract extensions and non/renewals as listed, with a copy of the list made as part of the official minutes, as recommended by the Executive Director of Human Resources:

- Extension of three-year contracts 2022-2025 for administrators.
- Extension of three-year contracts 2022-2025 for exempt administrators.
- Extension of two-year contracts 2022-2024 for licensed staff.
- Renewal contracts 2022-2023 of probationary licensed staff and administrators.
- Renewal of licensed staff and administrators contracts 2022-2023 for licensed staff and administrators.
- Non-renewal of a temporary contract for licensed staff.
- Non-renewal of licensed administrator contracts.

**Travel Permission Request** - Grant permission for 40 students from Sabin-Schellenberg Forestry and Agriculture programs to travel to Redmond, OR, March 17-20, 2022.

Motion passed unanimously.

#### **Community Comments**

- Aimee Reiner, Damascus, spoke against the mask mandate and shared the impact of masks on students with special needs.
- Keoni McHone, Happy Valley, spoke against requiring masks for PE and sports.
- Neil Gavrich, Happy Valley, spoke in favor of keeping the mask mandate.
- Kristen Stevens, Happy Valley, brought flags and lead a group outside the district office in the Pledge of Allegiance.

- Tara Nelson, Damascus, spoke in support of holding Board meetings in person.
- Wanda Shell, Happy Valley, spoke about her frustration with the process to sign up to speak and environmental concerns regarding discarded masks.
- Joany Kawasaki, Clackamas, spoke regarding the need to teach about race and diversity in schools.
- Chair Libra Forde summarized the topics of emails that had been submitted to the Board.

**Superintendent's Report** – Superintendent Shay James introduced Chief of Staff Tiffany Shireman and Executive Director of Equity, Community Relations and Communications Shelly Reggiani. Current COVID-19 data, mitigation strategies were reviewed. Survey results from student, family and staff regarding lifting the mask mandate were shared. Superintendent James shared that the district will proceed with the removal of the masking requirement for students, and vaccinated staff within North Clackamas Schools when allowable by Oregon Department of Education (ODE), Oregon Health Authority (OHA) and Clackamas County Public Health. Questions and comments were addressed.

**2022-2023 School Calendar** – Chief of Staff Tiffany Shireman presented the proposed 2022-2023 school calendars for elementary and middle/high school. Questions and comments were addressed.

**Board Meeting Format** – The Board reached consensus to hold Board meetings in hybrid format beginning March 10, 2022 with an option available for Board members and staff to attend virtually. All participants attending in person will be seated six feet apart.

**Surplus Property at Scouters Mountain Elementary** – Assistant Superintendent of Operations Cindy Detchon presented a proposal to declare approximately 7.1 acres of property (located at Scouters Mountain and 162<sup>nd</sup> Ave., Happy Valley) as surplus. Questions from the Board were addressed.

There being no further business to come before the Board, the meeting adjourned at 8:14 p.m.

**Unapproved**

**2022-2023 SCHOOL CALENDAR**

**CONSENT B**  
March 10, 2022

**SUPERINTENDENT’S RECOMMENDATION:**

Approval of the 2022-2023 calendar for elementary and middle/high school levels, including approval to use recess, parent/teacher conferences, parent/family training, parent/family communication, parent/family support and staff professional development hours toward the annual instructional hours calculation as allowed by Oregon Administrative Rule (OAR) 581-022-2320 or any applicable Oregon’s Ready Schools Resiliency Guidance for the 2022-2023 school year.

**ORIGINATED BY:**

Per Board Policy IC/ICA, the Board must approve the school year calendar. Under OAR 581-022-2320, each school district shall annually adopt and implement a school calendar which provides its students with a minimum number of instructional hours.

**BUDGET IMPACT:**

These proposed 2022-2023 calendars reflect a full school year, including 193 contract days for members of the North Clackamas Education Association.

**BACKGROUND:**

These proposed 2022-2023 calendars include the following number of days:

Level	Student Days	Conference Days	Inservice Days	Teacher Work Days		NCEA Contract Designated Holidays	Total Days
				Report Prep Days	General Work Days		
Elementary	169	2	4	3	9	6	193
Middle School	174	2	3	4	4	6	193
High School	174	2	4	4	3	6	193

**ATTACHMENTS:**

- Attachment A: 2022-2023 Proposed Certified Elementary Calendar
- Attachment B: 2022-2023 Proposed Certified Middle School and High School Calendar
- NCSD Policy [IC/ICA](#)

**ANALYSIS:**

The following considerations were applied when developing these calendars and served as filters through which options were developed:

- The calendar is designed to align with District Goals and Objectives related to quality educational services for all students.
- Whenever possible, there is a K-12 alignment of non-contact days for students. Therefore, whenever possible, a family will have children from all levels out of school at the same

time and district transportation/nutritional services will be maximized by a minimal number of days with only one or two levels attending school.

- Apply NCSDE Equity Lens throughout the calendar development.
- Consider perspectives of all stakeholders.
- Awareness of other school districts' and higher educational institutions' vacations.
- Consider information regarding cultural and religious holidays.
- Whenever possible, the placement of teacher work days and in-service days maintain as many full, 5-day weeks of instruction as possible.
- At high school and middle school levels, each grading period includes as close to the same number of days as possible.
- Whenever possible, middle school and high school aligns day 1 and day 2.
- Whenever possible, the placement of teacher work days and in-service days align to the end of grading periods.
- Whenever possible, elementary non-student days will stagger throughout the week to ensure students are not routinely missing the same area of instruction (e.g., PE, music, media/library or wellness).
- Provision of instructional hours that meet or exceed state requirements.

Prior to the presentation of these proposed calendars to the Board, representatives from each employee group (North Clackamas Education Association, Oregon School Employee Association, North Clackamas Administrators' Associations and North Clackamas Confidential Employees) provided feedback on an initial draft. This meeting also included a review of the considerations above, neighboring school districts' 2022-2023 school calendars, university 2022-2023 calendars, and a multicultural holiday/observances calendar. Additionally, the proposed calendars were reviewed for alignment to the certified collective bargaining agreement and are reflective of Oregon's newest legal holiday, Juneteenth.

**PRESENTER / STAFF CONTACT:**

Tiffany Shireman, Chief of Staff



2022-2023 LICENSED ELEMENTARY SCHOOL

First Day of School - September 6  
Last Day of School - June 15

- 6 Holidays
- 3 Report Preparation Days
- 13 Teacher In-service/Work Days
- 2 Conference Days
- 169 Student Days
- 193 Contract Days

AUGUST						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	T	T	T			

Student/Contract Days 0/3

SEPTEMBER						
S	M	T	W	T	F	S
				T	T	3
4	H	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Student/Contract Days 19/22

OCTOBER						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	SC	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	T					

Student/Contract Days 19/20

NOVEMBER						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	[9]	T	H	12
13	14	15	16	17	18	19
20	CD	CD	SC	H	SC	26
27	28	29	30			

Student/Contract Days: 15/20

DECEMBER						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	SC	SC	SC	SC	SC	24
25	SC	SC	SC	SC	SC	31

Student/Contract Days 12/12

JANUARY						
S	M	T	W	T	F	S
1	T	3	4	5	6	7
8	9	10	11	12	13	14
15	H	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Student/Contract Days 20/22

FEBRUARY						
S	M	T	W	T	F	S
			1	[2]	RP	4
5	T	7	8	9	10	11
12	13	14	15	16	17	18
19	H	21	22	23	24	25
26	27	28				

Student/Contract Days 17/20

MARCH						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	T	25
26	SC	SC	SC	SC	SC	

Student/Contract Days 17/18

APRIL						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	[13]	RP	15
16	T	18	19	20	21	22
23	24	25	26	27	28	29

Student/Contract Days 18/20

MAY						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	T	27
28	H	30	31			

Student/Contract Days 21/23

JUNE						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	[15]	RP	17
18	SC	T	21*	22*	23*	24
25	26*	27*	28	29	30	

Student/Contract Days 11/13

SC	School Closed - Not in Session
CD	Conference Day - School Not in Session
T	Teacher Inservice/Work Day - School Not in Session
RP	Report Preparation - School Not in Session
[ ]	End of Grading Period
H	Holiday - School Not in Session
	Certified First/Last Report Day

\*Emergency day in event of school closure

**Final calendar is subject to change due to multiple factors, including bargaining and resources available.**

Board Proposed: 02/24/2022



2022-2023 LICENSED MIDDLE AND HIGH SCHOOL

First Day of School - September 6  
Last Day of School - June 16

- 6 Holidays
- 4 Report Preparation Days
- 7 Teacher In-service/Work Days
- 2 Conference Days

174 Student Days  
193 Contract Days

AUGUST						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	T	T	T			

Student/Contract Days: 0/3

SEPTEMBER						
S	M	T	W	T	F	S
				T	T	3
4	H	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

Student/Contract Days: 19/22

OCTOBER						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	SC	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	T					

Student/Contract Days: 19/20

November						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	[9]	RP	H	12
13	14	15	16	17	18	19
20	CD	CD	SC	H	SC	26
27	28	29	30			

Student/Contract Days: 15/20

DECEMBER						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	SC	SC	SC	SC	SC	24
25	SC	SC	SC	SC	SC	31

Student/Contract Days: 12/12

JANUARY						
S	M	T	W	T	F	S
1	T	3	4	5	6	7
8	9	10	11	12	13	14
15	H	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

Student/Contract Days: 20/22

FEBRUARY						
S	M	T	W	T	F	S
			1	[2]	RP	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	H	21	22	23	24	25
26	27	28				

Student/Contract Days: 18/20

MARCH						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	SC	SC	SC	SC	SC	

Student/Contract Days: 18/18

APRIL						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	[13]	RP	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29

Student/Contract Days: 19/20

MAY						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	H	30	31			

Student/Contract Days: 22/23

JUNE						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	[16]	17
18	SC	RP	21*	22*	23*	24
25	26*	27*	28	29	30	

Student/Contract Days: 12/13

- SC School Closed - Not in Session
- CD Conference Day - School Not in Session
- T Teacher Inservice/Work Day - School Not in Session
- RP Report Preparation - School Not in Session
- [ ] End of Grading Period
- H Holiday - School Not in Session
- Certified First/Last Report Day
- College & Career Day

\*Emergency day in event of school closure

**Final calendar is subject to change due to multiple factors, including bargaining and resources available.**

Board Proposed: 02/24/2022

**TRAVEL PERMISSION REQUEST**

Adrienne C. Nelson High & Clackamas High A-Choir Trip

**CONSENT C**

March 10, 2022

**SUPERINTENDENT'S RECOMMENDATION:**

Board approval of the request to travel.

**BACKGROUND:**

The Choir Teacher at Clackamas High and Adrienne C. Nelson High is requesting permission for 53 students and 10 chaperones to travel for their choir tour, May 26-29, 2022 in San Diego, California. Students participating in the A-Choir will have the opportunity to participate in vocal clinics, public performances, and rehearsal times while also being able to do a college visit. The trip is funded by student fundraisers and private donations. Students will miss two days of school.

**SOURCE OF FUNDS:**

See attached Application for Permission to Travel

**ATTACHMENTS:**

Application for Permission to Travel and required attachments

**STAFF CONTACT:**

Petra Callin, Executive Director of Secondary Programs



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

First Name.	Last Name.	City of Residence	Affiliation, Group or	Subject of Comments.	Please provide your comment as you	Provide your attendance
Carson	Yon	Happy Valley	Student	The continuation of the mask mandate	See Attached below	I want to make my comments to the board virtually through Zoom.
Tara	Nelson	Damascus	Parent/Guardian	Site Council and Communication	ors 329.704 site council state law that allows/require to take place at all school campuses. mask/vaccine exemptions for staff and volunteer being not offered and/or discriminated against.	I want to sign up to attend the in-person board meeting to present my comments to the board
Wanda	Shell	Happy Valley	Parent/Guardian	Fairness	Fairness	I want to sign up to attend the in-person board meeting to present my comments to the board
Angie	Bartlett	Damascus	Community Member	School Policies	School policies	I want to sign up to attend the in-person board meeting to present my comments to the board

## Mask Mandate

My name is Carson Daniel Yon, a senior at Clackamas High School. I speak today in affirmation to continue the mask mandate for schools in the NCSD. I, along with many students at Clackamas High School, am quite concerned for people most at risk from the pandemic. For many, students feel afraid if they contract the virus and bring it home to a family member it may result in the loss of that family member. Students, as well as teachers, feel great fear of what the future may bring. Who knows when a new variant may spring up.

For myself, my mother has cancer; I try to avoid Covid at all costs. If we reverse the mask mandate, I do not believe I can prevent myself from getting Covid. Knowing students, those of whom not vaccinated, and not wearing masks, will cause Covid to spread like wildfire. How could I, or anyone, take precautions from getting covid? I recall a few months ago when our school was overwhelmed with the omicron variant; how could we prevent that from occurring again when we remove the mask mandate for schools? I find removing the mask mandate reckless and dangerous for students and faculty.

There are internal and external pressures to remove the mask mandate for the North Clackamas School District, but I humbly ask you to extend the mask mandate until the end of the year. On February 17th, I alone in a 2 day period created a petition received 279 signatures from Clackamas High School students to *continue* the mask mandate. Although I concede, there are other schools in this district, and this isn't even a majority of people wanting to continue the mask mandate in my High School, but a passionate group of students, including myself, ask to continue the mask mandate. Some of those who didn't sign expressed to me the fear of themselves being outed by signing the petition I carried, a majority of students told me they wouldn't sign because they know the school district won't listen to them. Some students were indifferent to the mask mandate, but an overwhelming majority told them they would continue to wear a mask.

Some of us are concerned for our health, others for family members. What harm does wearing a mask do to any student? None. But, what harms does removing the mask mandate cause? Tension between anti-maskers and pro-maskers, increased absences due to Covid, possible closure if a new variant appears, students fearful of going to school, and most importantly, the possible loss of family members for many including myself.

Since the 2021-2022 school year began at Clackamas High School, I've seen repeatedly students maskless roaming the hallways, teachers not wearing masks or not calling out students for not wearing masks, afterschool janitors maskless cleaning our hallways and classrooms. You can ask any student at any High School, maybe even Middle School, and they can tell you the same story. There has been little to no enforcement of the mask mandate at any time at Clackamas High School.

As far as I know based off of the school board meeting on February 24th, 2022, only 570 students knew there was a vote over the mask mandate. That is under 10% student participation for a crucial decision which effects all residents of the North Clackamas School District. During my petition quest, I can not say with confidence that a single student mentioned the mask poll.

I have been given no update if any of the school board members received my petition, or if any school administration official at Clackamas High School felt like my petition had no merit. If my petition and my opinions on this subject fall on deaf ears, I hope the entire process of student-led activism can be more fluid as information on how to join the school board meeting or teacher jurisdiction in school is a headache to deal with. Nearly every single teacher I approached regarding where I can petition or not could not accurately give me an answer where I can and cannot petition (some school administrators as well).

I know the North Clackamas School Board will make whichever decision the school board decides will be the best decision for the residents of North Clackamas, but I hope you can give students more time to decide whether to end the mask mandate.

**PROCLAMATION: VOLUNTEER APPRECIATION WEEK**

**ACTION**  
Agenda Item #1  
March 10, 2022

**SUPERINTENDENT’S RECOMMENDATION:**

Adopt the proclamation declaring April 17 - 23, as “Volunteer Appreciation Week” in North Clackamas School District.

**ORIGINATED BY:**

This is the district’s annual recognition and appreciation of volunteers.

**BACKGROUND:**

Established in 1974, the National Volunteer Week is organized by the Points of Light Foundation. This year’s celebration is scheduled for the week of April 17 - 23, 2022.

The district will use this observance to focus attention on the excellent work performed by district volunteers and recognize their many contributions to our schools. Volunteers in district classrooms and buildings save North Clackamas School District thousands of dollars every year. The federal value for volunteers is \$28.54 per hour for a total value close to \$2 million during a typical school year.

Though the recent COVID-19 pandemic has been a barrier to some more traditional volunteer efforts, volunteers have supported school level and district level committee work, provided much needed resources to the Wichita Family Support Center, and supported students and schools in-person when the pandemic conditions allowed. Not to be overlooked in this recognition is the Board of Directors, who contribute many volunteer hours during the year.

**ATTACHMENTS:**

Proclamation

**PRESENTER:**

Mitzi Bauer, Vice Chair



# **Volunteer Appreciation Week**

## **in the**

### **North Clackamas School District**

WHEREAS: An excellent public education system is vital to the residents and children of North Clackamas School District;

WHEREAS: Volunteers are an important component in providing an excellent education for students;

WHEREAS: Volunteers make many contributions to district schools;

WHEREAS: National School Volunteer week has been scheduled April 17-23, 2022;

NOW, THEREFORE BE IT RESOLVED that the North Clackamas School District Board of Directors proclaims April 17-23, 2022, as Volunteer Appreciation Week in North Clackamas School District.

Adopted this 10th day of March, 2022

Signed:

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Vice Chair, Mitzi Bauer  
North Clackamas School District Board of Directors

**SCHOOL PRESENTATION:**

Scouters Mountain Elementary School

**PRESENTATION**

Agenda Item #3

March 10, 2022

**SUPERINTENDENT’S RECOMMENDATION:**

This item is presented for Board Information.

**BACKGROUND:**

Scouters Mountain Elementary School is featured this month and will present the following:

- Welcome
- School Mission
- “The Best Part Of Being A Coyote” Student Participation
- Thoughts from Staff
- Highlights of 2021-22 School Year
- Things To Come - Future Activities
- What’s A Biweekly Virtual Assembly Look Like?
- Thank You - Q&A

Please note that 36 of Scouters Mountain Elementary students are attending North Clackamas Virtual Online Program (VOP).

**ATTACHMENTS:**

- A. 2020-21 Oregon At-A-Glance School Profile
- B. Scouters Mountain Elementary Board Presentation Slides

**PRESENTER / STAFF CONTACT:**

Khaliyah Williams-Rodriguez, Executive Director of Elementary Programs

Curtis Long, Scouters Mountain Elementary School Principal

**OTHERS NOTIFIED OF ITEM:**

Scouters Mountain Elementary Staff

Scouters Mountain Elementary PTA and Families



# OREGON AT-A-GLANCE SCHOOL PROFILE

## Scouters Mountain Elementary

PRINCIPAL: Curtis Long | GRADES: K-5 | 10811 SE 172nd Ave, Happy Valley 97086 | 503-353-3250

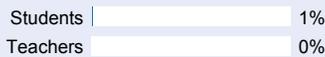
2020-21

### Students We Serve

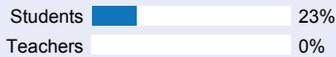


### DEMOGRAPHICS

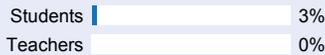
#### American Indian/Alaska Native



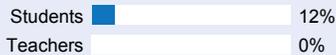
#### Asian



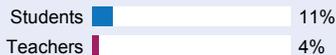
#### Black/African American



#### Hispanic/Latino



#### Multiracial



#### Native Hawaiian/Pacific Islander



#### White


**19%**

 Ever English  
Learners

**22**

 Languages  
Spoken

**14%**

 Students  
with  
Disabilities

**95%**

 Required  
Childhood  
Vaccinations

**>95%**

 Free/  
Reduced  
Price Lunch

\* &lt;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 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)

### 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)

### 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.

### 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.

### 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



**OREGON**  
DEPARTMENT OF  
**EDUCATION**

Oregon achieves... together!

# OREGON AT-A-GLANCE SCHOOL PROFILE CONTINUED

## Scouters Mountain Elementary



### Outcomes

#### Our Staff (rounded FTE)



**18**

Teachers



**8**

Educational assistants



**1**

Counselors/  
Psychologists



**79%**

Average teacher retention rate



**90%**

% of licensed teachers with more than 3 years of experience



**Yes**

Same principal in the last 3 years

	REGULAR ATTENDERS	ENGLISH LANGUAGE ARTS	MATHEMATICS
American Indian/Alaska Native			
Asian			
Black/African American			
Hispanic/Latino			
Multiracial			
Native Hawaiian/Pacific Islander			
White			
Free/Reduced Price Lunch			
Ever English Learner			
Students with Disabilities			
Migrant			
Homeless			
Talented and Gifted			
Female			
Male			
Non-Binary			

### About Our School

#### BULLYING, HARASSMENT, AND SAFETY POLICIES

NCSD believes safety in all its forms-- physical, emotional, and psychological, are essential for all students, families, and staff to feel if they are to be contributing members of the school community. For this reason, NCSD has a comprehensive set of policies that prohibit bullying and harassment, and NCSD has established multiple reporting and accountability measures designed to assist NCSD to respond quickly to these incidents. Information about NCSD's policies can be found at: [bit.ly/2CrTbnk](https://bit.ly/2CrTbnk).

#### EXTRACURRICULAR ACTIVITIES

After School Enrichment, PTA/PTO Sponsored Family Nights, Mad Science, Partnerships with Faith-Based Community, Kiwanis K-Kids Club, Student Leadership

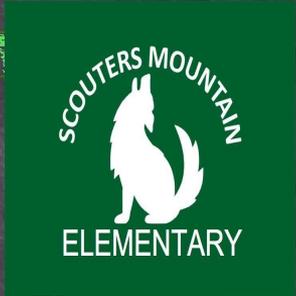
#### PARENT ENGAGEMENT

Engaged parents/guardians are a key component in the academic success of many students. NCSD provides multiple forums for parents/guardians to become involved in their student's education, their school, and the larger NCSD community. NCSD believes it is essential for parents/guardians to be active participants whether their student is thriving or experiencing challenges, and NCSD's 32 schools know this is a key responsibility.

#### COMMUNITY ENGAGEMENT

North Clackamas Schools values the contributions of its community partners. Local businesses, social service organizations, and numerous individual volunteers add to the richness of the NCSD experience, both inside and outside of classrooms. Volunteers are welcome at all schools, and are a valued source of knowledge and expertise benefiting students and staff.

# Scouters Mountain Elementary School 2021-22



School Board Presentation

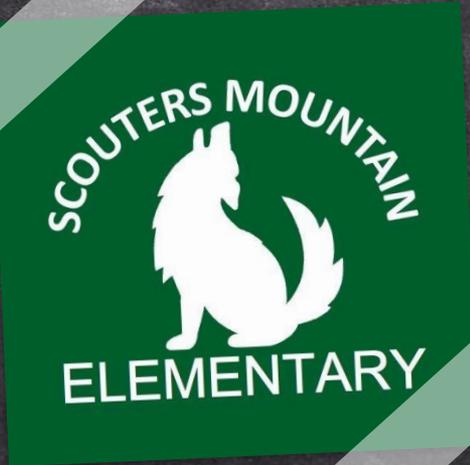
March 10, 2022

Home of  
the  
Coyotes!!

# Our Mission:

*Scouters Mountain Elementary School is a place where:*

- *Students and adults work together in a fun and safe environment to build strong minds, strong bodies, and strong character.*
- *Staff members collaborate, communicate, and celebrate one another.*
- *Every community member feels welcome, comfortable, safe, and valued.*



# Our Demographics:

**Total Students: 496**

- *Hispanic/Latino = 12%*
- *American Indian/Alaska Native = <1%*
- *Asian = 26%*
- *Black/African American = 3%*
- *Native Hawaiian = <1%*
- *White = 45%*
- *2 Or More Races = 13%*

- *Students Receiving IEP Services = 11%*
- *Families Living In Multi-unit housing = 4%*



# What's The Best Part About Being A Coyote?

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School Rules:

Be Safe

Be Kind

Be Respectful

Be Responsible

# How Do We Know What Our Community Thinks?

Simple...  
We  
Asked  
Them!

My child and family feels safe in Scouters Mountain Elementary.

1 2 3 4 5  
Strongly Disagree      Strongly Agree

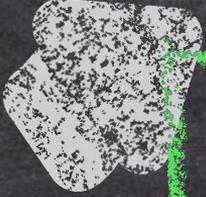
I am happy my children go to this school.

1 2 3 4 5  
Strongly Disagree      Strongly Agree

Scouters Mountain staff and students treat families and classmates from different cultures respectfully.

1 2 3 4 5  
Strongly Disagree      Strongly Agree

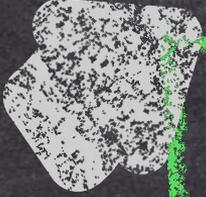
# Thoughts From Our Community Members...



I love that the staff truly cares about their families and students. I love that we are one big school community that cares and looks out for one another. My child has thrived there for the last five years.

Thank you! My son struggled at his last school. He was bullied, ignored by teachers, and treated mean by other kids. He loves Scouters Mountain. He happily runs out the door to school. He has grown into this positive, happy, confident boy over the last nine months. Thanks to you, his personality has blossomed!

# Thoughts From Our Community Members...



This is our first year attending Scouters Mountain and I would like to say it's one of the best schools in the district we've encountered so far. When we have concerns for our kids the staff takes immediate actions to address the concerns we have and that is really important to us as parents.

We love this school! My child is happy and safe here. She has so much support and is thriving in this caring and accepting school environment. Thank you Principal Long is a big reason this school is so good. He leads the way with his empathy, care, and compassion. His creativity and humor ensure that school is fun and that everyone is included. What you provide for our families is like nothing you see in other elementary schools!

# What Are We Working On At SME?

Priority #1: All Scouters Mountain students and families feel safe, welcome, and proud of where they go to school

\*Successful Community Building Events - Virtual fundraiser, Canned Food Drive, Day Of Giving Toiletry Drive, Dinners Night Out, Virtual BINGO Night, TREX Challenge, Monthly Principal Virtual Coffee Hours

\*Incredibly Active and Supportive PTA

\*Streamlined MTSS Process - supporting instruction for all students based on data

\*Continued implementation of Morning Meetings schoolwide as part of our SEL instruction

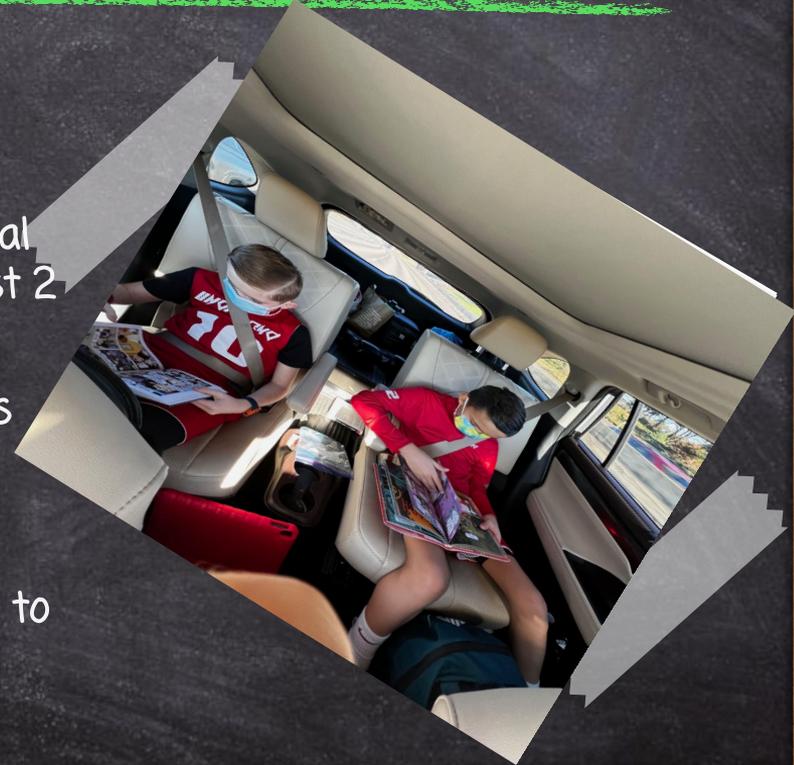


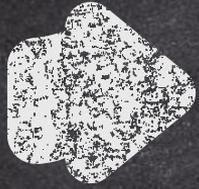


# District Core Values: Equity, Engagement

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- \*Continuation of alliance and affinity groups with students of color
- \*Ongoing celebration of ALL students - biweekly virtual assemblies involving students and families for the past 2 years
- \*Access to schoolwide reading incentive for all students
- \*Nearly 80% of students participate in Mr. Long's monthly math and writing challenges
- \*Establishment of Parent Advisory Council in response to our community survey administered Fall, 2021





# District Core Values: Care, Integrity



\*Principal visits every student home during the summer to establish or maintain family connections

\*Systems in place to assure that every student has a personal connection with an adult other than classroom teacher

\*Community Survey Responses (1-5 Scale, 153 Responses):

>Scouters Mountain is a supportive and inviting place for students = 4.85

>Adults at Scouters Mountain care about my child = 4.82

>Scouters Mountain staff and students treat families and classmates from different cultures respectfully = 4.77

# District Core Value: Excellence

\*Named a National PTA School Of Excellence for 2019-2021

\*Annual Youth Truth survey results rank above state and district averages across the board for students, staff, and community members

## Youth Truth Student Survey (Grades 3-5):

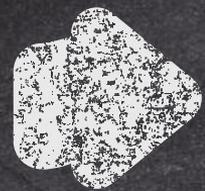
Culture = 98%; Belonging = 99%; Relationships = 98%

## Youth Truth Staff Survey:

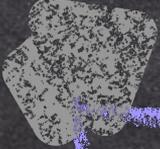
Engagement = 88%; Culture = 98%; Safety = 97%

## Youth Truth Family Survey:

Relationships = 91%; Culture = 88%; Communication = 72%



# What's It Like To Work At Scouters Mountain?



Scouters Mountain is all about relationships. I love being able to foster a classroom community and watch the students grow into lifelong learners. The staff is friendly and supportive, helping me learn and grow as well. This is an amazing place.

I love working at Scouters Mountain because it is like a family here. No matter where my students are in the school I know that the adults that interact with them care about them. I enjoy each day at Scouters because we've built a community of learners who are eager to learn every single day.

I am new to Scouters Mountain and I look forward to coming to school everyday. Our students have such positive attitudes because they know our entire staff...from the IAs, to their teachers and their principal...is committed, caring, and truly engaged in their success.





# What's On The Horizon For Scouters Mountain?

Boundary  
changes,  
construction  
continue to  
increase  
enrollment

Continue  
cultivating  
connections with  
our growing  
number of  
cultures

Continue to  
enhance  
experiences for our  
students/families  
of color

Continue refining  
our MTSS process  
to meet all  
students'  
academic needs

Creatively refining  
our communication  
with families  
through  
ParentSquare and  
social media

Learn  
Lots &  
**HAVE FUN**



# A Sneak Peek At A Virtual Friday Howl

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Thank You for Your  
Support of Scouters  
Mountain Elementary  
#coyoteproud

## **2022-2023 INTERDISTRICT TRANSFERS**

**DISCUSSION**  
Agenda Item #5  
March 10, 2022

### **SUPERINTENDENT’S RECOMMENDATION:**

For the 2022-2023 school year, approve the following interdistrict transfer slots:

- 76 Interdistrict transfer slots into North Clackamas as shown in Attachment B.
- An unlimited number of interdistrict transfer slots out of North Clackamas.

### **ORIGINATED BY:**

This item originated due to annual school choice transfer cycle.

### **BUDGET IMPACT/SOURCE OF FUNDS:**

The district budget is based upon number of students enrolled, Average Daily Membership (ADM). Allowing interdistrict transfers affects the number of students attending schools in the school district, which in turn, affects the revenue received by the school district. In the past eight years, Interdistrict Transfers have generated a net of approximately 200 additional students to the school district.

### **BACKGROUND:**

North Clackamas School District has historically been a school district comprised of neighborhood schools. Over time, magnet programs and charter schools have offered families public educational options outside of their resident neighborhoods.

Oregon law allows additional options for families seeking to attend a public school outside of their neighborhood or school district. Specifically, “Open Enrollment and Interdistrict Transfer” are two methods of school choice that have historically been available. Open enrollment was not a school choice method in Oregon for the 2019-2020, 2020-2021, and 2021-2022 school years and is not an option for the 2022-2023 school year.

In November 2021, school board members received a written report outlining the results of the 2021-2022 interdistrict transfer process (Attachment A).

### **ANALYSIS:**

The interdistrict transfer slots proposed for 2022-2023 in Attachment B were derived using similar criteria to previous years:

- to approve opening slots at schools where the five-year projected enrollment is less than 95% of the physical capacity of the school, and
- continue our practice of using our school choice application and lottery system for magnet programs, (dual immersion programs, Sojourner Elementary, and New Urban High School). North Clackamas School District Dual Immersion Programs receive sufficient interest from resident families. The elementary Dual Immersion Program is at capacity annually based on applications from resident families.

For a number of years schools have struggled to accommodate students who have received interdistrict transfer slots when over the course of the summer the school's enrollment has unexpectedly grown. NCSd now closes slots at schools when the school's enrollment has unexpectedly exceeded its projected enrollment and its staffing allocation ratios.

- Beginning on August 15, 2022 interdistrict transfer slots open at any school or grade level where the school's total enrollment or grade level enrollment exceeds the projected enrollment or staffing ratio provided for the school year will be closed for the duration of the school year.
- Hardship interdistrict transfer requests (as allowed in OAR 581-021-0019) will be reviewed by the Superintendent approximately three weeks before the beginning of the school year and periodically throughout the school year.

**ATTACHMENTS:**

- Attachment A: 2022-2023 Proposed Interdistrict Transfer Slots
- Attachment B: 2021-2022 Interdistrict Transfer Report, 11-1-2021 data
- Attachment C: 2020-2021 Interdistrict Transfer Annual Report
- Attachment D: 2022-2023 Proposed Interdistrict Transfer Presentation Slides

**PRESENTER / STAFF CONTACT:**

Shelly Reggiani  
Executive Director

## 2022-2023 Projected Interdistrict Transfer Slots

- Slots are allotted based on a 5 year projected enrollment that is less than 95% of capacity.
- Therefore, no slots in the Clackamas/ Adrienne C. Nelson feeders will be offered for the 2022-2023 school year.
- Beginning August 15, 2022, interdistrict transfer slots open at any school or grade level where the school's total enrollment or grade level enrollment exceeds the projected enrollment or staffing ratio provided for the school year will be closed for the duration of the school year.
- Hardship interdistrict transfer requests (as allowed in OAR 581-021-0019) will be reviewed by the Superintendent approximately three weeks prior to the beginning of the school year and periodically throughout the school year.

School	Number of Slots
Ardenwald	5 total across grades K- 5
Bilquist	5 total across grades K- 5
Lewelling	5 total across grades K- 5
Linwood	5 total across grades K- 5
Oak Grove	5 total across grades K- 5
View Acres	5 total across grades K- 5
Alder Creek Middle School	8 total across grades 6-8
Rowe Middle School	8 total across grades 6-8
Milwaukie High School	10 total across grades 9-12
New Urban High School	10 total across grades 9-12
Rex Putnam High School	10 total across grades 9-12



## INTERDISTRICT TRANSFERS 2021-2022

### **BACKGROUND**

North Clackamas School District has historically been a school district composed of neighborhood schools. Over time, magnet programs and charter schools have offered families educational options outside of their resident neighborhoods. Additionally,

- Intradistrict transfers (between two schools within North Clackamas School District) have been offered based on school board approved criteria and subject to school capacity.
- Interdistrict transfers (between a school within North Clackamas School District and a school outside of North Clackamas School District) have been offered, in alignment with Oregon regulations, based on board approved slots and hardship requests.
- For a brief time, between 2012 and 2018, Open Enrollment was an option in Oregon for students to enroll in non-resident schools within and outside their resident school district. With continuous enrollment, students enrolled under the Open Enrollment option can remain in North Clackamas Schools through high school graduation.

### **2021-2022 DATA**

For the 2021-2022 school year, North Clackamas opened 291 slots for Interdistrict Transfers, an increase in 10 slots from the previous year. In addition, North Clackamas opened an unlimited number of interdistrict transfer slots out of the school district. Below is a breakdown of how those slots were utilized and how many hardship requests were met as of October 1, 2021.

#### **Interdistrict transfers out:**

172 students residing in North Clackamas School District applied for and received an interdistrict transfer out of the North Clackamas School District. 96 were elementary students, 28 were middle school students and 48 were high school students. Most transferred to Portland Public School District, Gladstone School District, Oregon City School District and David Douglas School District. Of the 172, 99 did not attend North Clackamas in 2020-2021. Of the 172, 43 were kindergarten students. In total, 30 students who had most previously attended in North Clackamas School District left for another district.

#### **Interdistrict transfer in (slot-based):**

79 students residing outside of North Clackamas School District have received slot-based interdistrict transfers into North Clackamas. Of the 79, 28 were elementary students, 9 were middle school students and 42 were high school students. Of the 79, 25 are residents of Oregon City School District, 17 are residents of Gladstone School District, 15 are residents of Portland Public School District, and the remaining 22 reside in other metro area school districts. Of the 79, 24 attended North Clackamas in 2020-2021. In total, 55 new students entered North Clackamas School District via slot-based interdistrict transfer.

**Interdistrict transfer in (hardship):**

4 students residing outside of North Clackamas School District have received hardship interdistrict transfers into North Clackamas. These students reside in David Douglas, Oregon City and Beaverton School Districts. None of the four attended North Clackamas Schools in the previous school year. In total, 4 new students entered North Clackamas School District via hardship interdistrict transfer.

**CONCLUSIONS**

An analysis of 2021-2022 student transfer data shows:

- As school choice options become more commonplace in the state, we notice that approximately 1% of North Clackamas School District's total enrollment first exercised school choice via Interdistrict Transfer in 2021-2022.
- Of the students leaving the school district through Interdistrict Transfers, roughly 58% were not attending North Clackamas School District in the last year.
- In order to determine the financial implications of Interdistrict Transfer for 2021-2022, we have compared the loss of North Clackamas School District students who left the school district with the gain of students who previously did not attend in North Clackamas School District.

	Gain	Loss*	Net
Interdistrict Transfer	+55 (slot-based) & 4 (hardship)	-30	+29

\* Based on registered North Clackamas students.

**This net increase of 29 students represents an approximate \$232,000 increase in district state school support.** This accounting is an estimate because the exact amount of revenue for each specific student and the cost to educate due to unique learning needs are unknown.

An analysis of the 2021-2022 student transfer data in comparison to 2020-2021 shows:

- About 47 additional students applied for and received interdistrict transfers into NCSD than in the previous year.
- Interdistrict transfers out are now unlimited and more families applied for a transfer out compared to last year. Consistently over four years, families leaving are choosing to attend Gladstone, Portland Public and Oregon City schools.
- The net gain/loss of students due to Interdistrict Transfer increase from -1 last year to +29 this year.

Note: While not part of the interdistrict transfer process, there was a large increase of families enrolling in online public charter schools not sponsored by NCSD.

**SURVEY INFORMATION**

Families who participated in Interdistrict Transfer were surveyed. Twenty-one responses were received. Reasons expressed for accessing Interdistrict Transfer to come into the school district or to leave the school district are as follows:

**The most common reasons for leaving NCSD were:**

- Other or further explanation of reasons listed
- To attend school with peers or family members
- Desired program not available in the North Clackamas School District

**The most common reasons for transferring into NCSD were:**

- To attend a school with a better reputation
- To seek a school with strong academic standing
- Family recently moved away from North Clackamas School District and wanted to maintain student's school enrollment

**LOOKING FORWARD to 2022-2023**

It is anticipated that NCSD staff will seek approval of the timeline and number of slots into and out of North Clackamas School District from the School Board prior to the end of February 2022.



## INTERDISTRICT TRANSFERS 2020 -2021

### **BACKGROUND**

North Clackamas School District has historically been a school district comprised of neighborhood schools. Over time, magnet programs and charter schools have offered families educational options outside of their resident neighborhoods. Additionally,

- Intradistrict transfers (between two schools within North Clackamas School District) have been offered based on school board approved criteria and subject to school capacity.
- Interdistrict transfers (between a school within North Clackamas School District and a school outside of North Clackamas School District) have been offered, in alignment with Oregon regulations, based on board approved slots and hardship requests.
- For a brief time, between 2012 and 2018, Open Enrollment was an option in Oregon for students to enroll in non-resident schools within and outside their resident school district. With continuous enrollment, students enrolled under the Open Enrollment option can remain in North Clackamas Schools through high school graduation.

### **2020-2021 DATA**

For the 2020-2021 school year, North Clackamas opened 281 slots for Interdistrict Transfers. In addition, North Clackamas opened an unlimited number of interdistrict transfer slots out of the school district. Below is a breakdown of how those slots were utilized and how many hardship requests were met as of October 1, 2020.

#### **Interdistrict transfers out:**

102 students residing in North Clackamas School District applied for and received an interdistrict transfer out of the North Clackamas School District. 63 were elementary students, 19 were middle school students and 20 were high school students. Most transferred to Gladstone School District, Portland Public School District, and Oregon City School District. Of the 102, 55 did not attend North Clackamas in 2019-2020. Of the 102, 26 were kindergarten students. In total, 21 students who had most previously attended in North Clackamas School District left for another district.

#### **Interdistrict transfer in (slot-based):**

32 students residing outside of North Clackamas School District have received slot-based interdistrict transfers into North Clackamas. Of the 32, 12 were elementary students, 6 were middle school students and 14 were high school students. Of the 32, 10 are residents of Oregon City School District, 5 are residents of Gladstone School District, 3 are residents of Centennial School District, and the remaining 14 reside in other metro area school districts. Of the 32, 15 attended North Clackamas in 2019- 2020. In total, 17 new students entered North Clackamas School District via slot-based interdistrict transfer.

**Interdistrict transfer in (hardship):**

4 students residing outside of North Clackamas School District have received hardship interdistrict transfers into North Clackamas. These students reside in David Douglas, Gresham-Barlow, Oregon City and Woodburn School Districts. One of the four attended North Clackamas Schools in the previous school year. In total, 3 new students entered North Clackamas School District via hardship interdistrict transfer.

**CONCLUSIONS**

An analysis of 2020-2021 student transfer data shows:

- As school choice options become more commonplace in the state, we notice that less than 1% of North Clackamas School District's total enrollment first exercised school choice via Interdistrict Transfer in 2020-2021.
- Of the students leaving the school district through Interdistrict Transfers, roughly 54% were not attending North Clackamas School District in the last year.
- In order to determine the financial implications of Interdistrict Transfer for 2020-2021, we have compared the loss of North Clackamas School District students who left the school district with the gain of students who previously did not attend in North Clackamas School District.

	Gain	Loss*	Net
Interdistrict Transfer	+17 (slot-based) & 3 (hardship)	-21	-1

\* Based on registered North Clackamas students.

**This net loss of 1 student represents an approximate \$8,000 decrease in district state school support.** This accounting is an estimate because the exact amount of revenue for each specific student and the cost to educate due to unique learning needs are unknown.

An analysis of the 2020-2021 student transfer data in comparison to 2019-2020 shows:

- About 40 less students applied for and received interdistrict transfers into NCS D than in the previous year.
- Although interdistrict transfers out are now unlimited, fewer families applied for a transfer out. Consistently over four years, these families are leaving to attend Gladstone, Portland Public and Oregon City.
- The net gain/loss of students due to Interdistrict Transfer decreased from +23 last year to -1 this year.

Note: While not part of the interdistrict transfer process, there was a large increase of families enrolling in online public charter schools not sponsored by NCS D.

**SURVEY INFORMATION**

Families who participated in Interdistrict Transfer were surveyed. Twenty-seven responses were

received. Reasons expressed for accessing Interdistrict Transfer to come into the school district or to leave the school district are as follows:

The most common reasons for leaving NCSD were:

- Smaller school or classroom size
- To attend school with peers or family members
- Desired program not available in North Clackamas School District

The most common reasons for transferring into NCSD were:

- Family recently moved away from NCSD and wanted to maintain student's school enrollment
- To attend a school with peers or family members
- Other or further explanation of reasons listed

**LOOKING FORWARD to 2021-2022**

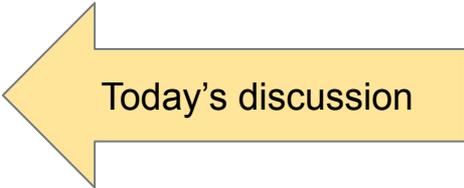
It is anticipated that NCSD staff will seek approval of the timeline and number of slots into and out of North Clackamas School District from the School Board prior to the end of February 2021.



# Interdistrict Transfers 2022-2023

# Current Methods for Enrolling Non-Resident Students

- Interdistrict Transfer
  - Slot based system
  - Hardship
- Charter School
- Temporary Guardianship / Power of Attorney
- Tuition
- McKinney Vento / Homeless / Foster Care
- Court Placement



## Interdistrict Transfer (per OAR 581-021-0019)

- Slot based system for transfers into & out of NCSD
- Lottery based system
- Remaining slots available on a first come, first served basis
- Hardship transfers available by application on a space available basis.
- Requires resident district's "release" of the student
- Student is considered resident of attending district until student graduates, no longer required to attend school or attends a different school district
- Revocation only allowed for non-adherence to attendance or behavioral guidelines

## Current Methods for Enrolling Non-Resident Students

### Proposed method for determining slots INTO NCSD:

- 5 year projected enrollment at <95% of building capacity
- Beginning on August 15, interdistrict transfer slots open at any school or grade level where the school's total enrollment or grade level enrollment exceeds the projected enrollment or assigned staffing ratio will be closed for the duration of the school year.

# Proposed Interdistrict Transfer 2022-2023

- Slots are allotted based on a 5 year projected enrollment that is less than 95% of capacity.
- Therefore, no slots in the Clackamas/ Adrienne C. Nelson feeders will be offered for the 2022-2023 school year.
- Beginning August 15, 2022, interdistrict transfer slots open at any school or grade level where the school's total enrollment or grade level enrollment exceeds the projected enrollment or staffing ratio provided for the school year will be closed for the duration of the school year.
- Hardship interdistrict transfer requests (as allowed in OAR 581-021-0019) will be reviewed by the Superintendent approximately three weeks prior to the beginning of the school year and periodically throughout the school year.

School	Number of Slots
Ardenwald	5 total across grades K- 5
Bilquist	5 total across grades K- 5
Lewelling	5 total across grades K- 5
Linwood	5 total across grades K- 5
Oak Grove	5 total across grades K- 5
View Acres	5 total across grades K- 5
Alder Creek Middle School	8 total across grades 6-8
Rowe Middle School	8 total across grades 6-8
Milwaukie High School	10 total across grades 9-12
New Urban High School	10 total across grades 9-12
Rex Putnam High School	10 total across grades 9-12

## Proposed Transfers OUT of NCSD 2022-2023

- Unlimited.
- Same practice as for the last six school years.
- During this time the number of releases out has been similar to the number of transfers in.
- This decision can be revisited at any time by the school board.

## Looking Forward Interdistrict Transfer IN:

- March 10: - Interdistrict Transfer Recommendations
- April 14: Return for NCSD School Board Action
- April 25: Begin community and staff communication
- April 25 - May 16: Application period
- May 18 – May 20: Lottery, if needed
- By May 23-267: Families notified
- By June 10: Determine remaining slots
- Approx. June 15: Open remaining slots first come first serve basis
- August: Review hardship requests
- Beginning Aug. 15: Close interdistrict transfers at schools over projection

## Looking Forward Interdistrict Transfer OUT:

- April 14: Return for NCSD School Board Action
- April 25: Begin issuing transfer releases for 2022-2023 school year
- August: Review hardship requests

# *Questions*



**NORTH CLACKAMAS VIRTUAL ONLINE  
PROGRAM EXTENSION, 2022 - 2023**

**DISCUSSION**  
Agenda Item #6  
March 10, 2022

**SUPERINTENDENT’S RECOMMENDATION:**

Temporarily extend the North Clackamas Virtual Online Program in grades K-5 through June 30, 2023, and establish the North Clackamas Virtual Online Program as an ongoing magnet program for grades 6-12.

**BACKGROUND:**

In response to the COVID-19 pandemic and its effects on public schools, NCS D developed the Virtual Online Program to address social-emotional and academic needs while maintaining healthy learning environments for kindergarteners through high school seniors.

On August 13, 2020, the Board established a temporary, one-year virtual online program learning option. In April of 2021, the Board extended this option for the 2021 - 2022 school year. In its first year, the North Clackamas Virtual Online Program served approximately 550 students. Since that time, it has grown to serve as many as 900 students earlier this year. The Virtual Online Program serves students of diverse racial and ethnic, and linguistic backgrounds.

<b>Monthly Enrollment 2021-2022 school year</b>	<b>Number of Students</b>	<b>Racial and Ethnic Diversity</b>
September 13, 2021	831	American Indian/Alaskan: .5%
October 1, 2021	891	Asian: 18%
November 1, 2021	874	Black/African American: 2.9%
December 1, 2021	873	Hispanic/Latino: 22.7%
January 1, 2022	855	Native Hawaiian: .6%
February 1, 2022	860	White: 46.2%
March 1, 2022	773	Two or More: 9.1%

**PROPOSED PROGRAM EXTENSION FOR THE 2022 - 2023 SCHOOL YEAR:**

**Program Overview:**

To provide students with a high-quality, well-rounded educational experience that is rigorous, culturally responsive, personalized, and engaging. The Virtual Online Program will continue to serve to meet the needs of families during the COVID-19 pandemic and provide an option that allows students to learn at their own pace in an environment that is individualized and flexible.

**Program Description:**

The three-pronged approach of web-based technology, in-person video support from North Clackamas School District teachers, and home adult support offer an education alternative that is flexible, responsive, and accommodating to the various needs of our students and families. This educational option addresses the needs of families and students interested in learning differently from a traditional classroom setting and who are not ready to return to a conventional classroom setting.

**Program Attributes**

Students join online courses facilitated by North Clackamas teachers and support staff. Student attendance is required, lessons are accessed through a fully online curriculum through Florida Virtual School (K-5) and Edgenuity Courseware (6-12), and experience regular face-to-face support from teachers and support staff. In addition, student support services are offered to address the needs of students who have a 504, special education identification, are English learners, and or identify as Talented and Gifted. High school courses meet graduation requirements.

*Enrollment:*

Parents in the Virtual Online Program participated in a multilingual survey to assess their future interest. Of the 194 respondents, 72% affirmed that they would enroll their student in the program next year. The survey data indicates a higher interest at the secondary level, and about half of the families at elementary stated a desire to re-enroll. This data mirrored the trends of previous surveys.

The Virtual Online Program began with an enrollment of 550 students. During the 2021-2022 school year the enrollment expanded to 990. Given the evolution of the COVID-19 pandemic and the information from parents, 565 enrollment slots are proposed for the 2022 - 2023 school year.

<b>Grade Level</b>	<b>Proposed # of students 2022-2023 school year</b>	<b>Current # of students</b>
K-5 (6 classes with 30 students/class)	180	300
Middle School (50 students/grade)	125	183
High School (65 students/grade)	260	290
Total online students	565	773

Enrollment preference will be provided for those students who are currently enrolled in the Virtual Online Program and for the siblings of current Virtual Online Program students. Should interest exceed enrollment capacity, additional slots will be assigned via lottery.

**ATTACHMENTS:**

- Presentation PowerPoint Slides, March 10, 2022

**PRESENTER / STAFF CONTACT:**

Ivonne Dibblee, Assistant Superintendent of Education



# Virtual Online Program

Extension for the 2022 - 2023 School Year

# Virtual Online Program Overview

In response to the COVID-19 pandemic and its effects on public schools, NCS D developed the Virtual Online Program to address social-emotional and academic needs while maintaining healthy learning environments for student K-12.

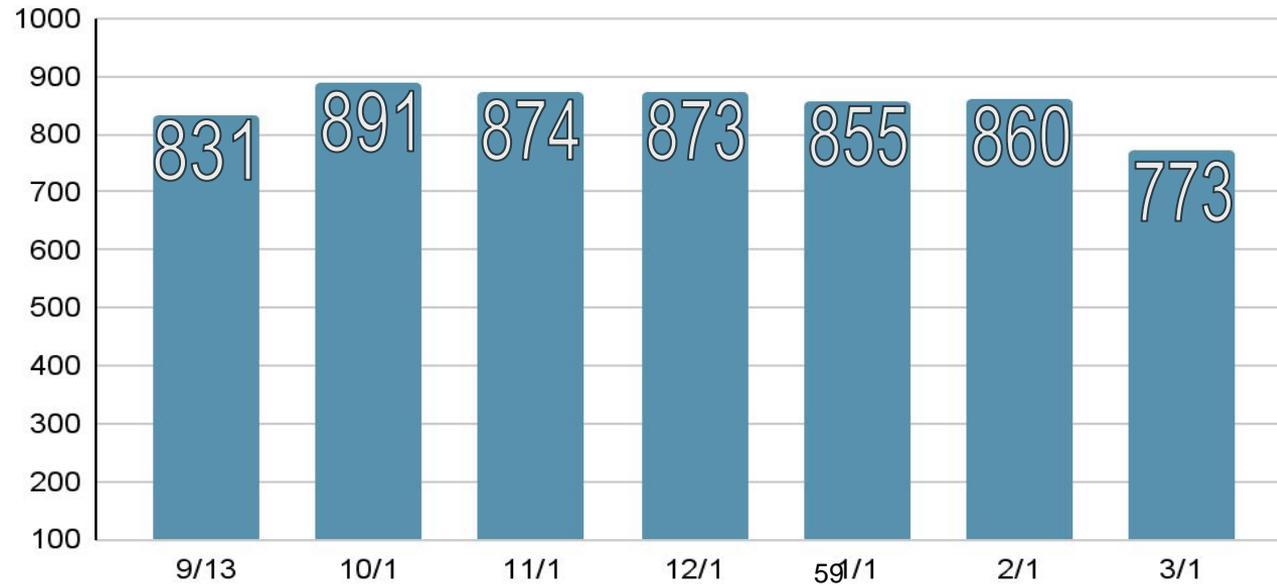
On August 13, 2020, the Board established a **temporary, one-year virtual online program learning option** and extended this option in April of 2021 for the 2021 - 2022 school year.

The program:

- ▶ has served ~900 students
- ▶ continues to provide an educational option throughout the evolution of the COVID 19 pandemic
- ▶ serves students of diverse racial, ethnic, and linguistic backgrounds
- ▶ allows students to learn at their own pace in an environment that is individualized and flexible
- addresses the needs of families and students interested in learning differently from a traditional classroom setting and who are not ready to return to a conventional classroom setting.

# Scope of Enrollment

## Monthly Enrollment



# Looking ahead: Elementary & Secondary Overview

- ▶ Students will continue to work through a flexible school environment and work at their own pace
- ▶ Lessons are accessed through the Florida Virtual School Curriculum (K-5) and Edgenuity Courseware (6-12)
- ▶ Supplemental adaptive curriculum support for English Language Arts and Math
- ▶ Opportunities for socialization
- ▶ Small group instruction and 1:1 learning opportunities
- ▶ Chromebooks and hotspots provided for families in need

# Family Survey - K-5 Families

*"The learning structure where students can learn at their own pace and level. We are able to know our kids' strengths and struggles by knowing what they are learning. Teachers are amazing in their teaching and communication with students/parents."*

*"My son has social anxiety and it's hard for him to attend in person learning. VOP is a wonderful option for him."*

*"Without leaving the district due to immune system issues, it turns out that this program is exactly what he needed. He is now thriving in school, participating, doing his work, and learning so much instead of sitting in the hallway half the day because he's too overwhelmed and upset. It's been a huge unexpected blessing."*

*"We love the independence and flexibility of VOP. with work schedules and the unknown craziness of the world these days it's nice to have this program for them to still get a great education without worrying about masks and the Covid anxiety."*

*"The VOP is a good learning structure where students can learn at their own pace and level. We know our kids' strengths and struggles by knowing what they are learning. Teachers are amazing in their teaching and communication."*

*I feel more involved in my children's education with VOP. I am considering switching them to a different homeschool program if this is not offered at NCLACKSD in the coming school year."*

# Family Survey - 6-12 Families

*"My daughter has anxiety and the online program is very comfortable for her to participate in. "*

*"We've tried!! She has a serious situation where she absolutely cannot be in a crowd or in a room with others. She also has an IEP and needs the structure and support that VOP has given her. Since enrolling in VOP, she has been much more successful in her classes."*

*"I'm still able to learn things through online and personally I think I learn better through edgenuity. every teacher and person I've ever come across and contacted through edgenuity has been really nice and patient with me and I think it's a great community for people."*

*"This is a one-of-a-kind program and our family is more than impressed with the teachers and the counselors and everyone that's involved. It has been more than a pleasure to get our educational needs serviced through the VOP. Again this program is astonishing because it gives our young adults an opportunity to educate themselves and to know that they are in control of their own future. I don't know of any other program that can help young adults become more self-sufficient in their education and time management at the same time."*

*"Our kids can learn on their own schedule as well as accelerate or slow down at their own pace."*

*"We like the office hours because the students get more individual help. We like the flexibility of the times of doing the school work. We like the individual attention that the student gets from the teacher. My children prefer to do VOP instead of in person school."*

# Considerations:

- ▶ Students in the Virtual Online Program will be part of a district program and will not be co-enrolled in their neighborhood school
- ▶ The Virtual Online Program will become the choice / specialty option for families
- ▶ Families are required to commit for the entire school year
- ▶ Parents continue to be an integral partner and serve as learning coach

# Looking Ahead: Program enrollment

<b>Grade Level</b>	<b>Proposed # of students</b>	<b>Current # of students</b>
K-5 (6 classes with 30 students/class)	180	300
Middle School (50 students/grade)	125	183
High School (65 students/grade)	260	290
<b>Total online students</b>	<b>565</b>	<b>773</b>

# Next Steps

Tentative Timeline (assuming Board approval on April 14, 2022)

- ▶ Week of April 18: Provide information to families regarding Virtual Online Program
- ▶ Week of April 25: Initiate application process
- ▶ Week of May 23: Enrollment lottery and notification to families
- ▶ End of May: Finalize staffing changes/moves
  - ▶ Special Education projections
  - ▶ English Language Learners
  - ▶ Enrollment based on changes to the program (e.g. specialty/choice school)
- ▶ Week of June 6: Determine remaining enrollment slots

# Questions and Feedback

Proposed action for the April 14, 2022 meeting:

Temporarily extend the North Clackamas Virtual Online Program in grades K-5 through June 30, 2023, and establish the North Clackamas Virtual Online Program as an ongoing magnet program for grades 6-12.

**POLICY REVISIONS**

**DISCUSSION**  
Agenda Item #7  
March 10, 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>
IB	Freedom of Expression	OSBA Oct 2021 Update, revised due the House Bill 3041 revision to gender identity.
IGBAG-AR	Special Education - Procedural Safeguards	OSBA Jan 2022 Update, revised due required guardianship information and services provided to students on IEPs.
IGBI	Bilingual Education	OSBA Oct 2021 Update, delete prior version and replace with new version that is inclusive of more students and clarifies language.
IL	Assessment Program	OSBA Oct 2021 Update, revised due to Senate Bill 602 which made a student's choice of opting out of taking a statewide summative assessment permanent and requires them to opt-out annually.
JGA	Corporal Punishment	OSBA April 2021 Update, revised due to changes in the definitions and practices in schools.

**PRESENTER / STAFF CONTACT:**

Tiffany Shireman, Chief of Staff

## **Freedom of Expression**

Students have a general right to freedom of expression within the school system. The district requires, however, that students exercise their rights fairly, responsibly and in a manner not disruptive to other individuals or to the educational process.

### **Freedom of Student Inquiry and Expression**

1. Generally, students and student organizations are free to examine and discuss questions of interest to them and to express opinions publicly and privately within the school system, provided such examination and expression is fair and responsible and is not disruptive to other individuals or to the educational process. Students may support or oppose causes by orderly means which do not disrupt other individuals or the operation of the school.
2. In the classroom, students are free to examine views offered in any course of study, provided such examination is expressed in a responsible manner.

### **Freedom of Association**

Students are free to organize associations to promote their common interests. Student organizations should be open to all students. Membership criteria may not exclude students on the basis of age, race, religion, color, national origin, disability, marital status, familial status, parental status, linguistic background, culture, socioeconomic status, capability, geographic location, sex, (gender) or sexual orientation or gender identity. Each student organization must have a staff adviser to counsel and, when necessary, supervise students in the organization. All student organizations must submit to the school a statement of purpose, criteria for membership, rules and procedures and a current list of officers. School administrators may establish reasonable rules and regulations governing the activity of student organizations.

### **Publications K-8, Displays and Productions**

On occasion, materials such as leaflets, newsletters, cartoons and other items including displays and productions are prepared, produced and/or distributed by students as part of the educational process and free expression in an academic community. Materials may be subject to administrative review, reviewed by the administrator or may be restricted or prohibited, however, pursuant to legitimate educational concerns. Such concerns include:

1. The material is or may be defamatory;
2. The material is inappropriate based on the age, grade level and/or maturity of the audience;

3. The material is poorly written, inadequately researched, biased or prejudiced;
4. Whether there is an opportunity for a named individual or named individuals to make a response;
5. Whether specific individuals may be identified even though the material does not use or give names;
6. The material is or may be otherwise generally disruptive to the school environment. Such disruption may occur, for example, if the material uses, advocates or condones the use of profane language or advocates or condones the commission of unlawful acts;
7. Students, parents and members of the public might reasonably perceive the materials to bear the sanction or approval of the ~~districts~~ district.

### **High School Student Journalists**

Generally, high school student journalists have the right to exercise freedom of speech and of the press in school-sponsored media. "School-sponsored media" means materials that are prepared, substantially written, published or broadcast by student journalists; that are distributed or generally made available, either free of charge or for a fee, to members of the student body; and that are prepared under the direction of a student media adviser. School-sponsored media does not include media intended for distribution or transmission solely in the classrooms in which they are produced.

School-sponsored media prepared by student journalists are subject to reasonable time, place and manner restrictions, pursuant to state and federal law. School-sponsored media cannot contain material that:

1. Is libelous or slanderous;
2. Is obscene, pervasively indecent or vulgar;
3. Is factually inaccurate or does not meet journalistic standards established for school-sponsored media;
4. Constitutes an unwarranted invasion of privacy;
5. Violates federal or state law or regulation; or
6. So incites students as to create a clear and present danger of:
  - a. The commission of unlawful acts on or off school premises;
  - b. The violation of district policies; or
  - c. The material and substantial disruption of the orderly operation of the school. A school official will base a forecast of material and substantial disruption on specific facts, including past experience in the school and current events influencing student behavior, and not on undifferentiated fear or apprehension.

## END OF POLICY

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### Legal Reference(s):

[ORS 174.100](#)  
[ORS 332.072](#)  
[ORS 332.107](#)

[ORS 336.477](#)  
[ORS 339.880](#)  
[ORS 339.885](#)

[ORS 659.850](#)  
[OAR 581-021-0050](#)  
[OAR 581-021-0055](#)

Equal Access Act, 20 U.S.C. §§ 4071-4074 (2006~~2018~~).  
Westside Cmty. Bd. of Educ. v. Mergens, 496 U.S. 226 (1990).  
Hazelwood Sch. Dist. v. Kuhlmeier, 484 U.S. 260 (1988).  
U.S. CONST. amend. I; U.S. CONST. amend. XIV.  
OR. CONST., art. I, § 8.  
House Bill 3041 (2021).

### Cross Reference(s):

IGDA - Student Organizations  
INB - Studying Controversial Issues  
JFI - Student Demonstrations and Petitions



Code: IGBAG-AR  
Revised/Reviewed: 4/03/08; 8/18/11; 9/20/13;  
6/06/19;  
Orig. Code: SP IGBAG

## Special Education - Procedural Safeguards\*\*

1. Procedural Safeguards
  - a. The district provides procedural safeguards to:
    - (1) Parents, guardians (unless the guardian is a state agency) or persons in parental relationship to the student;
    - (2) Surrogate parents; and
    - (3) Students who have reached the age of 18, the age of majority, or are considered emancipated under Oregon law and to whom rights have transferred by statute, identified as adult students (called “eligible students”).
  - b. The district gives parents a copy of the ~~Notice of Procedural Safeguards~~ Notice, published by the Oregon Department of Education (ODE):
    - (1) At least once a year; ~~and~~
    - (2) At the first referral or parental request for evaluation to determine eligibility for special education services;
    - (3) When the parent (or adult student) requests a copy; ~~and~~
    - (4) To the parent and the student one year before the student’s 18th birthday or upon learning that the student is ~~considered~~ emancipated.
  - c. The ~~Notice of Procedural Safeguards~~ Notice is:
    - (1) Provided written in the native language or other communication of the parents (unless it is clearly not feasible to do so) and in language clearly understandable to the public.
    - (2) If the native language or other mode of communication of the parent is not a written language, the district takes steps to ensure that:
      - (a) The notice is translated orally or by other means to the parent in ~~their~~ his/her native language or other mode of communication;
      - (b) The parent understands the content of the notice; and
      - (c) There is written evidence that the district has met these requirements.
2. Content of Procedural Safeguards Notice

The procedural safeguards notice includes all of the content provided in the *Notice of Procedural Safeguards Notice* published by ODE the Oregon Department of Education.

3. Parent or Adult Student Meeting Participation

- a. The district provides parents or adult students an opportunity to participate in meetings with respect to the identification, evaluation, individualized education program (IEP) and educational placement of the student, and the provision of a free appropriate public education (FAPE) to the student.
- b. The district provides parents or adult students written notice of any meeting sufficiently in advance to ensure an opportunity to attend. The written notice:
  - (1) States the purpose, time and place of the meeting and who is invited to attend;
  - (2) Advises that parents or adult students may invite other individuals who they believe have knowledge or special expertise regarding the student;
  - (3) Advises the parents or adult student that the team may proceed with the meeting even if they are not in attendance;
  - (4) Advises the parent or adult students who to contact before the meeting to provide information if they are unable to attend; and
  - (5) Indicates if one of the meeting's purposes is to consider transition services or transition service needs. If so:
    - (a) Indicates that the student will be invited; and
    - (b) Identifies any agencies invited to send a representative.
- c. The district takes steps to ensure that one or both of the parents of a student with a disability are present at each IEP or placement meeting or are afforded the opportunity to participate, including:
  - (1) Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and
  - (2) Scheduling the meeting at a mutually agreed on time and place.
- d. If neither parent can participate, the district will use other methods to ensure participation, including, but not limited to, individual or conference phone calls or home visits.
- e. The district may conduct an evaluation planning or eligibility meeting without the parent or adult student if the district provided meeting notice to the parent or adult student sufficiently in advance to ensure an opportunity to attend.
- f. The district may conduct an IEP or placement meeting without the parent or adult student if the district is unable to convince the parents or adult students that they should participate. Attempts to convince the parent to participate will be considered sufficient if the district:
  - (1) Communicates directly with the parent or adult student and arranges a mutually agreeable time and place and sends written notice to confirm the arrangement; or
  - (2) Proposes a time and place in the written notice stating that a different time and place might be requested and confirms that the notice was received.
- g. If the district proceeds with an IEP meeting without a parent or adult student, the district must have a record of its attempts to arrange a mutually agreed upon time and place such as:

- (1) Detailed records of telephone calls made or attempted and the results of those calls;
  - (2) Copies of correspondence sent to the parents and any responses received; and
  - (3) Detailed records of visits made to the parents' home or place of employment and the results of those visits.
- h. The district takes whatever action is necessary to ensure that the parent or adult student understands the proceedings at a meeting, including arranging for an interpreter for parents or adult students who are deaf or whose native language is other than English.
  - i. After the transfer of rights to an adult student at the age of majority, the district provides written notice of meetings to the adult student and parent, if the parent can be reasonably located. After the transfer of rights to an adult student at the age of majority, a parent receiving notice of an IEP meeting is not entitled to attend the meeting unless invited by the adult student or the district.
  - j. An IEP meeting does not include:
    - (1) Informal or unscheduled conversations involving district personnel;
    - (2) Conversations on issues such as teaching methodology, lesson plans or coordination of service provision if those issues are not addressed in the student's IEP; or
    - (3) Preparatory activities that district or public personnel engage in to develop a proposal or response to a parent proposal that will be discussed at a later meeting.

#### 4. Surrogate Parents

- a. The district protects the rights of a student with a disability, or suspected of having a disability, by appointing a surrogate parent when:
  - (1) The parent cannot be identified or located after reasonable efforts;
  - (2) The student is a ward of the state or an unaccompanied homeless youth and there is reasonable cause to believe that the student has a disability, and there is no foster parent or other person available who can act as the parent of the student; or
  - (3) The parent or adult student requests the appointment of a surrogate parent.
- b. The district secures nominations of persons to serve as surrogates. The district appoints surrogates within 30 days of a determination that the student needs a surrogate, unless a surrogate has already been appointed by juvenile court.
- c. The district will only appoint a surrogate who:
  - (1) Is not an employee of the district or ~~ODE the Oregon Department of Education~~;
  - (2) Is not an employee of any other agency involved in the education or care of the student;
  - (3) Is free of any personal or professional interest that would interfere with representing the student's special education interests; and
  - (4) Has the necessary knowledge and skills that ensure adequate representation of the student in special education decisions. The district will provide training, as necessary, to ensure that surrogate parents have the requisite knowledge.
- d. The district provides all special education rights and procedural safeguards to appointed surrogate parents.

- e. A surrogate will not be considered an employee of the district solely on the basis that the surrogate is compensated from public funds.
- f. The duties of the surrogate parent are to:
  - (1) Protect the special education rights of the student;
  - (2) Be acquainted with the student's disability and the student's special education needs;
  - (3) Represent the student in all matters relating to the identification, evaluation, IEP and educational placement of the student; and
  - (4) Represent the student in all matters relating to the provision of ~~FAPE a free appropriate public education~~ to the student.
- g. A parent may give written consent for a surrogate to be appointed.
  - (1) When a parent requests that a surrogate be appointed, the parent shall retain all parental rights to receive notice and all of the information provided to the surrogate. When the district appoints a surrogate at parent request, the district will continue to provide to the parent a copy of all notices and other information provided to the surrogate.
  - (2) The surrogate, alone, shall be responsible for all matters relating to the special education of the student. The district will treat the surrogate as the parent unless and until the parent revokes consent for the surrogate's appointment.
  - (3) If a parent gives written consent for a surrogate to be appointed, the parent may revoke consent at any time by providing a written request to revoke the surrogate's appointment.;
- h. An adult student to whom rights have transferred at age of majority may give written consent for a surrogate to be appointed. When an adult student requests that a surrogate be appointed, the student shall retain all rights to receive notice and all of the information provided to the surrogate. The surrogate, alone, shall be responsible for all matters relating to the special education of the student. The district will treat the surrogate as the adult student unless and until the adult student revokes consent for the surrogate's appointment. If an adult student gives written consent for a surrogate to be appointed, the adult student may revoke consent at any time by providing a written request to revoke the surrogate's appointment.
- i. The district may change or terminate the appointment of a surrogate when:
  - (1) The person appointed as surrogate is no longer willing to serve;
  - (2) Rights transfer to the adult student or the student graduates with a regular diploma;
  - (3) The student is no longer eligible for special education services;
  - (4) The legal guardianship of the student is transferred to a person who is able to carry out the role of the parent;
  - (5) A foster parent or other person is identified who can carry out the role of parent;
  - (6) The parent, who previously could not be identified or located, is now identified or located;
  - (7) The appointed surrogate is no longer eligible;
  - (8) The student moves to another ~~school~~ district; or
  - (9) The student is no longer a ward of the state or unaccompanied homeless youth.
- j. The district will not appoint a surrogate solely because the parent or student to whom rights have transferred is uncooperative or unresponsive to the special education needs of the student.

## 5. Transfer of Rights at Age of Majority

- a. When a student with a disability reaches the age of majority, marries or is emancipated, rights previously accorded to the student's parents under the special education laws, transfer to the student. A student for whom rights have transferred is considered an "adult student" under OAR 581-015-2000(1).
- b. The district provides notice to the student and the parent that rights (accorded by statute) will transfer at the age of majority. This notice is provided at an IEP meeting and documented on the IEP:
  - (1) At least one year before the student's 18th birthday;
  - (2) More than one year before the student's 18th birthday, if the student's IEP team determines that earlier notice will aid transition; or
  - (3) Upon actual knowledge that within a year the student will likely marry or become emancipated before age 18.
- c. The district provides written notice to the student and to the parent at the time of the transfer.
- d. These requirements apply to all students, including students who are incarcerated in a state or local adult or juvenile correctional facility or jail.
- e. After transfer of rights to the student, the district provides any written prior notices and written notices of meetings required by the special education laws to the adult student and to the parent if the parent can be reasonably located.
- f. After rights have transferred to the student, receipt of notice of an IEP meeting does not entitle the parent to attend the meeting unless invited by the student or the district.
- g. To promote self-determination and independence, the district shall provide the student and the student's parents with information and training resources regarding supported decision-making as a less restrictive alternative to guardianship, and with information and resources regarding strategies to remain engaged in the student's secondary education and post-school outcomes. The district shall provide this information at each IEP meeting that includes discussion of post-secondary goals and transition services.

## 2. Prior Written Notice

- a. The district provides prior written notice to the parent of a student, or student, within a reasonable period of time, before the district:
  - (1) Proposes to initiate or change, the identification, evaluation or educational placement of the student, or the provision of a FAPE to the child; or
  - (2) Refuses to initiate or change the identification, evaluation or educational placement of the student, or the provision of a FAPE to the child.
- b. The content of the prior written notice will include:
  - (1) A description of the action proposed or refused by the district;
  - (2) An explanation of why the district proposed or refused to take the action;
  - (3) A description of each evaluation procedure, test, assessment, record or report used as a basis for the proposal or refusal;

- (4) A statement that the parents of a student with a disability have procedural safeguards and, if this notice is not an initial referral for evaluation, how a copy of the ~~Notice of~~ Procedural Safeguards ~~Notice~~ may be obtained;
- (5) Sources for parents to contact to obtain assistance in understanding their procedural safeguards;
- (6) A description of other options the IEP team considered and the reasons why those options were rejected; and
- (7) A description of other factors that are relevant to the agency's proposal or refusal.

3. The prior written notice is:

- (1) Written in language understandable to the general public; and
- (2) Provided in the native language of the parent or other mode of communication used by the parent, unless it is clearly not feasible to do so;
- (3) If the native language or other mode of communication of the parent is not a written language, the district shall take steps to ensure that:
  - (a) The notice is translated orally or by other means to the parent in the parent's native language or other mode of communication;
  - (b) The parent understands the content of the notice; and
  - (c) There is written evidence that the requirements of this rule have been met.

6. Consent1 – Initial Evaluation

- a. The district provides notice and obtains informed written consent from the parent or adult student before conducting an initial evaluation to determine whether a student has a disability (as defined by Oregon law) and needs special education. Consent for initial evaluation is not consent for the district to provide special education and related services.
- b. The district makes reasonable efforts to obtain informed consent from a parent for an initial evaluation to determine a child's eligibility for special education services. If a parent does not provide consent for an initial evaluation or does not respond to a request for consent for an initial evaluation, the district may, but is not required to, pursue the initial evaluation of the child through mediation or due process hearing procedures. The district does not violate its child find obligations if it declines to pursue the evaluation using these procedures.

7. Consent – Initial Provision of Special Education Services

- a. The district provides notice and obtains informed written consent from the parent or adult student before the initial provision of special education and related services to the student.
- b. The district makes reasonable efforts to obtain informed consent, but if a parent or adult student does not respond or refuses consent for initial provision of special education and related services, the district does not convene an IEP meeting, develop an IEP or seek to provide special education and related services through mediation or due process hearing

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<sup>1</sup>“Consent” means that the parent or adult student: a) has been fully informed, in ~~their his/her~~ native language or other mode of communication, of all information relevant to the activity for which consent is sought; and b) understands and agrees in writing to the carrying out of the activity for which ~~their his/her~~ consent is sought. Consent is voluntary ~~on~~ of the part of the parent and meeting the requirements of consent provision for OAR 581-015-2090, IDEA and Family Education Rights and Privacy Act (FERPA).

procedures. The district will not be considered to be in violation of the requirement to make FAPE available to the student under these circumstances. The district stands ready to serve the student if the parent or adult student later consents.

8. Consent – ~~Re-evaluation~~ ~~Reevaluation~~

- a. The district obtains informed parent consent before conducting any ~~re-evaluation~~ ~~reevaluation~~ of a child with a disability, except:
  - (1) The district does not need written consent for a ~~re-evaluation~~ ~~reevaluation~~, if the parent does not respond, after reasonable efforts to obtain informed consent, ~~the parent does not respond~~. However, the district does not conduct individual intelligence tests or tests of personality without consent.
  - (2) If a parent refuses to consent to the ~~re-evaluation~~ ~~reevaluation~~, the district may, but is not required to, pursue the ~~re-evaluation~~ ~~reevaluation~~ by using mediation or due process hearing procedures.
- b. A parent-or adult student may revoke consent at any time before the completion of the activity for which they have given consent. If a parent or adult student revokes consent, that revocation is not retroactive.

9. Consent – Other Requirements

- a. The district documents its reasonable efforts to obtain parent consent, such as phone calls, letters and meeting notes.
- b. If a parent-of a student who is home schooled or enrolled by the parents in a private school does not provide consent for the initial evaluation or the ~~re-evaluation~~ ~~reevaluation~~, or if the parent does not respond to a request for consent, the district:
  - (1) Does not use mediation or due process hearing procedures to seek consent; and
  - (2) Does not consider the child as eligible for special education services.
- c. If a parent or adult student refuses consent for one service or activity, the district does not use this refusal to deny the parent or child any other service, benefit or activity, except as specified by these rules and procedures.
- d. If, at any time subsequent to the initial provision of special and related services, the parent of a child revokes consent in writing for the continued provision of special education and related services, the district:
  - (1) May not continue to provide special education and related services to the child, but must provide prior written notice before ceasing the provision of special education and related services;
  - (2) May not use mediation or due process procedures to obtain an agreement or ruling that the services may be provided to the child;
  - (3) The district will not be considered to be in violation of the requirement to make FAPE available to the child because of the failure to provide the child with further special education and related services; and

- (4) The district is not required to convene an IEP team meeting or develop an IEP for the child for further provision of special education or related services.

## 10. Exceptions to Consent

- a. The district does not need written parent or adult student consent before:
  - (1) Reviewing existing data as part of an evaluation or ~~re-evaluation~~ ~~reevaluation~~;
  - (2) Administering a test or other evaluation administered to all students without consent unless, before administration of that test or evaluation, consent is required of parents of all students;
  - (3) Conducting evaluations, tests, procedures or instruments that are identified on the student's individualized education program (IEP) as a measure for determining progress; or
  - (4) Conducting a screening of a student by a teacher or specialist to determine appropriate instructional strategies for curriculum implementation.
- b. The district does not need written parent consent to conduct an initial special education evaluation of a student who is a ward of the state and not living with the parent if:
  - (1) Despite reasonable efforts to do so, the district has not been able to find the parent;
  - (2) The parent's rights have been terminated in accordance with state law; or
  - (3) The rights of the parent to make educational decisions have been subrogated by a judge in accordance with state law and consent for an initial evaluation has been given by an individual appointed by the judge to represent the child.
- c. The district does not need written ~~parental~~ consent if an administrative law judge (ALJ) determines that the evaluation or ~~re-evaluation~~ ~~reevaluation~~ is necessary to ensure that the student is provided with a free appropriate public education.

## 11. Independent Educational Evaluations (IEE)

- a. A parent of a student with a disability has a right to an independent educational evaluation at public expense if the parent disagrees with an evaluation obtained by the district.
- b. If a parent requests an independent educational evaluation at public expense, the district provides information to parents about where an independent educational evaluation may be obtained, and the district criteria applicable for independent educational evaluations.
- c. If a parent requests an independent educational evaluation at public expense, the district, without unnecessary delay, either:
  - (1) Initiates a due process hearing to show that its evaluation is appropriate; or
  - (2) Ensures that an independent educational evaluation is provided at public expense unless the district demonstrates in a hearing that the evaluation obtained by the parent did not meet district criteria.
- d. The district criteria for independent educational evaluations are the same as for district evaluations including, but not limited to, location, examiner qualifications and cost.

- (1) Criteria established by the district do not preclude the parent's access to an independent educational evaluation.
  - (2) The district provides the parents the opportunity to demonstrate the unique circumstances justifying an IEE that does not meet the district's criteria.
  - (3) A parent may be limited to one independent educational evaluation at public expense each time the district conducts an evaluation with which the parent disagrees.
- e. If a parent requests an independent educational evaluation, the district may ask why the parent disagrees with the public evaluation. The parent may, but is not required to, provide an explanation. The district may not:
- (1) Unreasonably delay either providing the independent educational evaluation at public expense or initiating a due process hearing to defend the public evaluation;
  - (2) Except for the criteria listed above in c., impose conditions or timelines related to obtaining an IEE at public expense.
- f. The district considers an independent educational evaluation submitted by the parent, in any decision made with respect to the provision of a free appropriate public education to the student, if the submitted independent evaluation meets district criteria.

## 12. Dispute Resolution – Mediation

- a. The district or parent may request mediation from ODE for any special education matter, including before the filing of a complaint or due process hearing request.
- b. The district acknowledges that:
  - (1) Mediation must be voluntary on the part of the parties, must be conducted by a qualified and impartial mediator who is trained in effective mediation techniques and may not be used to deny or delay a parent's right to a due process hearing or filing a complaint.
  - (2) Each mediation session must be scheduled in a timely manner and must be held in a location that is convenient to the parties to the dispute.
  - (3) An agreement reached by the parties to the dispute in the mediation process must be set forth in a legally binding written mediation agreement that:
    - (a) States the terms of the agreement;
    - (b) States that all discussions that occurred during the mediation process remain confidential and may not be used as evidence in any subsequent due process hearing or civil proceeding; and
    - (c) Is signed by the parent and a representative of the district who has the authority to bind the district to the mediation agreement.
  - (4) Mediation communication is not confidential if it relates to child or elder abuse and is made to a person who is required to report abuse, or threats of physical harm, or professional conduct affecting licensure.
  - (5) The mediation agreement is enforceable in any state court of competent jurisdiction or in a district court of the United States.

#### 14. Dispute Resolution – Complaint Investigation

- a. Any organization or person may file a signed, written complaint with the State Superintendent of Public Instruction alleging that a school district or education service district (ESD) is violating or has violated the Individuals with Disabilities Education Act (IDEA) or associated regulations within one year before the date of the complaint. Upon receiving a parent complaint, the Oregon Department of Education (ODE) forwards the complaint to the district or ESD along with a request for a district response to the allegations in the complaint.
- b. Upon receiving a request for response from ODE, the district responds to the allegations and furnishes any requested information or documents within 10 business days.
- c. The district sends a copy of the response to the complainant. If ODE decides to conduct an on-site investigation, district personnel participate in interviews and provide additional documents as needed.
- d. The district and the complainant may attempt to resolve a disagreement that led to a complaint through mediation. If they decide against mediation, or if mediation fails to produce an agreement, ODE will pursue the complaint investigation.
- e. If ODE substantiates some or all of the allegations in a complaint, it will order corrective action. The district satisfies its corrective action obligations in a timely manner.
- f. If the district disagrees with the findings and conclusions in a complaint final order, it may seek reconsideration by ODE or judicial review in county circuit court.

#### 15. Due Process Hearing Requests

- a. The district acknowledges that parents may request a due process hearing if they disagree with a district proposal or refusal relating to the identification, evaluation, educational placement or provision of a free appropriate education to a student who may have a disability and be eligible for special education.
- b. The district may request a due process hearing regarding the identification, evaluation, educational placement or provision of a free appropriate education to a student who may have a disability and be eligible for special education.
- c. When requesting a due process hearing, the district or the attorney representing the district provides notice to the parent and to ODE.
- d. The party, including the district, that did not file the hearing request, must, within 10 days of receiving the request for a hearing, send to the other party a response that specifically addresses the issues raised in the hearing request.
- e. If the parent had not yet received prior written notice of the district's proposal or refusal, the district, within 10 days of receiving the hearing request for a due process hearing, sends to the parent a response that includes:
  - (1) An explanation of why the district proposed or refused to take the action raised in the hearing request;
  - (2) A description of other options that the district considered and the reasons why those options were rejected;
  - (3) A description of each evaluation procedure, assessment, record or report the district used as the basis for the proposed or refused action; and
  - (4) A description of the factors relevant to the district's proposal or refusal.

#### 16. Resolution Session

- a. Within 15 days of receiving a due process hearing request, the district will hold a resolution session with the parents and the relevant members of the IEP team who have specific knowledge of the facts identified in the due process hearing request.
- b. This meeting will include a representative of the district who has decision-making authority for the district.
  - (1) The district will not include an attorney unless the parent brings an attorney.
  - (2) The district will provide the parent with an opportunity for the parent to discuss the hearing request and related facts so that the district has an opportunity to resolve the dispute.
  - (3) The district and parent may agree in writing to waive the resolution meeting. If so, the 45-day hearing timeline will begin the next business day, unless the district and parent agree to try mediation in lieu of the resolution session.

#### 17. Time Limitations and Exception

- a. A parent must request a due process hearing within two years after the date of the district act or omission that gives rise to the parent's hearing request.
- b. This timeline does not apply to a parent if the district withheld relevant information from the parent or incorrectly informed the parent that it had resolved the problem that led the parent's hearing request.

#### 18. Hearing Costs

- a. The district reimburses ~~the Oregon Department of Education (ODE)~~ for costs related to conducting the hearing, including pre-hearing conferences, scheduling arrangement and other related matters.
- b. The district provides the parent with a written or, at the option of the parent, an electronic verbatim recording of the hearing, within a reasonable time of the close of the hearing-
- c. The district does not use IDEA funds to pay attorney's fees or other hearing costs.

#### 19. Discipline and Placement in Interim Alternative Setting

See Board policy JGDA - Discipline of Students with Disabilities.

\*\* 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.

See Board policy JGDA/JGEA - ~~Discipline of Students with Disabilities.~~



Code: **IGBI**  
Adopted: 8/19/99  
Readopted: 5/17/12  
Orig. Code(s): IGBF

## **Bilingual or Linguistically Different Students and Parents**

All students who have been identified as English Language Learners will be provided with appropriate instructional assistance in order to meaningfully access and benefit from the district's educational programs until they are performing at an English language proficiency level which falls within the proficiency range of their native English-speaking peer group.

Parents whose primary language is other than English, and who are not able to use English in a manner that allows meaningful and active participation in educational planning for their child(ren), will receive appropriate assistance when conferring with the school or district.

END OF POLICY

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### **Legal Reference(s):**

[ORS 336.074](#)

[OAR 581-021-0046](#)

[OAR 581-022-2310](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2006).  
Every Student Succeeds Act of 2015, 20 U.S.C. §§ 6801-7014 (2006).

## **Bilingual Education\*\***

Students whose primary language is other than English will be provided appropriate assistance until they are able to use English in a manner that allows meaningful, effective, and relevant participation in regular classroom instruction and other educational activities.

Parents who are not able to use English in a manner that allows effective, relevant participation in educational planning for their student will receive appropriate assistance when conferring with the school or district.

\*\* 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 336.079](#)

[OAR 581-021-0046](#)

[OAR 581-022-2310](#)

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018).  
Every Student Succeeds Act of 2015, 20 U.S.C. §§ 6801-7014 (2018).



Code: **IL**  
Adopted: 9/20/12  
Revised/Readopted: 8/25/16

## Assessment Program\*\*

The district's assessment program shall be designed for the purpose of determining district and school program improvement and individual student needs including the requirements of all relevant Oregon Administrative Rules. Each year the district shall determine each student's progress toward achieving federal, state and local achievement requirements.

Assessments shall be used to measure the academic content standards ~~and Essential Skills~~ and to identify students who fail to meet, who meet or who exceed the performance standards ~~and Essential Skills~~ adopted by the State Board of Education.

Accordingly, the district shall maintain the following assessment program:

1. **Criterion-reference assessments, including performance-based assessments, content-based assessments and other valid methods as may be required by state and federal requirements;**
2. ~~Assessment of Oregon Essential Skills (graduation requirements for math, reading, writing);~~
3. ~~Districtwide required assessments;~~
4. ~~Content based and formative assessments administered individually or in groups as determined at the district or site level;~~
2. 5. Individual diagnostic and ability evaluations in all grades when students have been referred and parental permission obtained.
3. **Assessments by individual teachers;**
4. **Other schoolwide and grade level-wide assessments.**

It is the intent of the Board that progress be measured in a manner that clearly enables the student and parents to know whether the student is making progress toward meeting or exceeding academic content standards and Essential Skills. District, school and individual results shall be reported to the Board, parents and the community, as prescribed by law.

The district shall make additional ~~in-district services and/or~~ alternative education **or public school** options available to any student who has not met or has exceeded all of the state-required academic content standards.

The district shall not discriminate in the methods, practices and materials used for assessment, evaluating and counseling students on the basis of race, color, national origin, religion, sex, sexual orientation, **gender**

identity, age, disability or marital status. Discrimination complaints shall be processed in accordance with established procedures.

Staff will receive training in the use of designated assessments and interpretation of assessment results.

~~A parent<sup>1</sup> has the right to opt a student out of the statewide summative assessments in English language arts or math (e.g. SBAC or Extended Assessment). The district shall provide supervised study time for students who are excused from participating in the assessment.~~

~~Parents and adult students will be provided the necessary forms and required notices regarding the Opt Out process that include a time frame in which statewide assessments will take place. The district is required to provide notice twice each year: once at the beginning of the year, and a second time at least 30 days prior to the administration of the test.<sup>2</sup>~~

~~For all other statewide assessments the district may grant an exemption at the request of parents or adult students based on either disability or religion. Parents or adult students must submit a written request to the superintendent listing the reason for the request and proposing an alternative learning activity for the student.~~

A parent on behalf of their student or an adult student may annually opt-out of taking a statewide summative assessment by completing and submitting ODE's opt-out form<sup>3</sup> to the school. The district shall provide supervised study time for students who are excused from participating in the assessment. A student may be excused from the Oregon Statewide Assessment Program for disability or religious reasons. Parents and adult students will be provided the required notices<sup>4</sup> and access to forms by the district that include a time frame in which statewide assessments will take place, and an adult student's or parent's right to request an exemption from taking the statewide summative assessments.

~~The district shall establish conduct and discipline consequences for student-initiated test impropriety. The act of student-initiated test impropriety is prohibited. A student that participates in an act of student-initiated test impropriety may be subject to discipline. "Student-initiated test impropriety" means student conduct that is inconsistent with the *Test Administration Manual* or accompanying guidance; or results in a score that is invalid.~~

The superintendent shall ensure a periodic review and evaluation of the district's assessment program is conducted.

\*\* 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

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<sup>1</sup>Or a student that is 18 years of age or older.

<sup>2</sup>The 30-day notice must first be provided during the 2015-2016 school year. The beginning of the year notice must first be provided during the 2016-2017 school year.

<sup>3</sup> Oregon Department of Education page for: [30-day notice and opt-out form](#)

<sup>4</sup> Districts are required to provide notice twice each year: once at the beginning of the year and second time at least 30 days prior to the administration of the test.

## END OF POLICY

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### Legal Reference(s):

[ORS 40.245](#)  
[ORS 326.565](#)  
[ORS 326.575](#)  
[ORS 329.485](#)  
[ORS 336.187](#)  
[ORS 659.850](#)  
~~[ORS 659.870](#)~~  
[OAR 581-021-0009](#)  
[OAR 581-021-0030](#)

~~[OAR 581-022-0606](#)~~  
~~[OAR 581-022-0610](#)~~  
~~[OAR 581-022-0612](#)~~  
~~[OAR 581-022-0615](#)~~  
~~[OAR 581-022-1140](#)~~  
~~[OAR 581-022-1210](#)~~  
~~[OAR 581-022-1510](#)~~  
~~[OAR 581-022-1670](#)~~  
~~[OAR 581-022-1910](#)~~

[OAR 581-022-2030](#)  
[OAR 581-022-2060](#)  
[OAR 581-022-2100](#)  
[OAR 581-022-2110](#)  
[OAR 581-022-2115](#)  
[OAR 581-022-2250](#)  
[OAR 581-022-2270](#)  
[OAR 581-022-2310](#)

~~HB 2655 (2015)~~  
~~House Bill 3041 (2021)~~  
~~Senate Bill 602 (2021)~~

Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g (~~2011~~ 2018); Family Educational Rights and Privacy, 34 C.F.R. Part 99 (~~2011~~2021).  
Protection of Pupil Rights, 20 U.S.C. § 1232h (~~2006~~2018); Student Rights in Research, Experimental Programs and Testing, 34 C.F.R. Part 98 (~~2006~~2021).  
Individuals with Disabilities Education Act (IDEA), 20 U.S.C. §§ 1400 - 142719 (~~2006~~ 2018).  
~~No Child Left Behind Act of 2001, 20 U.S.C. §§ 6311-6322 (2006).~~  
~~Elementary and Secondary Education Act (ESEA) Flexibility Waiver; July 23, 2015.~~  
~~Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2018).~~



Code: JGA  
Adopted: 7/05/90  
Readopted: 1/17/13  
Orig. Code(s): JGA

### Corporal Punishment\*\*

The use of corporal punishment in any form is strictly prohibited in the district. No student will be subject to the infliction of corporal punishment.

“Corporal punishment” is defined as the willful infliction of, or willfully causing the infliction of, physical pain by a person in authority such as a teacher, an administrator, other school personnel or school volunteers.

No teacher, administrator, other school district personnel or school volunteer will subject a student to corporal punishment or condone the use of corporal punishment by any person under his/her their supervision or control. Permission to administer corporal punishment will not be sought or accepted from any parent/guardian, person in a parental relationship or school official.

A staff member is authorized to employ reasonable physical force upon a student when and to the extent, in his/her professional judgment, the application of physical force is necessary to prevent a student from harming self, other persons, and school staff or property consistent with ORS 339.285-339.303.

Physical force shall not be used to discipline or punish a student. A staff member found in violation of this policy may be subject to discipline up to and including dismissal. A volunteer found in violation of this policy by administration may be subject to sanctions and/or prohibited from volunteer service in the district.

The superintendent or designee shall inform all staff members and volunteers of this policy.

\*\* 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

**Legal Reference(s):**

[ORS 161.205](#)  
[ORS 332.107](#)

[ORS 339.240](#)  
[ORS 339.250](#)

[OAR 581-021-0050 – 0075](#)  
[OAR 584-020-0040](#)

**Cross Reference(s):**

JGAB - Use of Restraint and/or Seclusion

**SURPLUS REAL PROPERTY DECLARATION AND  
AUTHORIZATION TO SELL**

**ACTION**  
Agenda Item #8  
March 10, 2022

**SUPERINTENDENT RECOMMENDATION:**

Declare approximately 7.1 acres of property (located at Scouters Mountain and 162<sup>nd</sup> Ave., Happy Valley) as surplus, direct staff to maximize the highest and best use value, market the property for its highest value, and place revenue from the sale of the property in the Capital Projects Fund.

**ORIGINATED BY:**

The need to sell surplus district property.

**BUDGET IMPACT/SOURCE OF FUNDS:**

Some Capital Projects Funds may be used for services or improvements needed to sell the property.

**BACKGROUND:**

1. In the 2008 Capital Construction Bond, the district purchased 16.73 acres of property for the construction of a new elementary school (Scouters Mountain).
2. In 2013, the Board approved the use of Macadam Forbes Commercial Real Estate to assist the district with selling and acquiring properties.
3. The District will work with stakeholders, including the City of Happy Valley, in selling the approximately 7 acre property.
4. The District will work with a third party to complete an appraisal, market analysis, advise on listing price and approach to selling the property.
5. If an acceptable offer is received, the District will work with counsel to review and advise of the selling documents and transfer of title.
6. If an acceptable agreement is reached, the District will return to the Board for approval to sell the property.
7. The Board must declare properties as surplus prior to selling and the Board must approve the final sale of any real property.

The District mailed letters in early February 2022 to the surrounding community notifying them of potentially declaring the 162<sup>nd</sup> property as surplus and selling the property. These letters also invited input and list the Board meeting dates where this item would be discussed.

The attached resolution declares the property surplus and authorizes staff to begin the process of marketing and selling the property.

**ATTACHMENTS:**

Attachment A: Resolution

[Attachment B: Letter to the Community](#)

[Attachment C: Site Plan](#)

**PRESENTER / STAFF CONTACT:**

Cindy Detchon, Assistant Superintendent of Operations

**RESOLUTION NO. R-21/22 - 76**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF NORTH CLACKAMAS SCHOOL DISTRICT NO. 12, DECLARING CERTAIN PROPERTY OF THE DISTRICT TO BE SURPLUS AND UNNEEDED FOR SCHOOL DISTRICT PURPOSES AND AUTHORIZING THE SUPERINTENDENT TO MARKET THE PROPERTY;**

WHEREAS, the Board of Directors ("Board") of the North Clackamas School District ("District") is authorized pursuant to ORS 332.155(1) to dispose of surplus property no longer needed for the purpose of building schoolhouses and for school purposes, and pursuant to ORS 332.155(5) to sell all surplus property of the District as may not, in the judgment of the Board, be needed for school purposes;

WHEREAS, the current property (approximately 7.1 acres located where 162<sup>nd</sup> Avenue meets Scouters Mountain Elementary property at 10811 SE 172<sup>nd</sup> Ave, Happy Valley) is not currently in use;

WHEREAS, the current property will not be needed by the District in the future;

BE IT RESOLVED:

1. Pursuant to ORS 332.155(5), the Board hereby declares the property described above to be unneeded for school purposes and directs staff to market, work to maximize the value of the property, and sell the property subject to Board final approval.
  
2. The Board hereby authorizes the Superintendent or his designee to be the chief negotiator for the District and to execute all contracts and other documents necessary to market and sell the property, including professional services contracts for property, environmental, real estate services (e.g. for appraisal purposes), and other services as needed.

DATED this 10<sup>th</sup> day of March, 2022

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North Clackamas School District Board of Directors

ATTEST:

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