



Agenda

North Clackamas School Board
Thursday, July 11, 2024
Board Room/YouTube
12400 SE Freeman Way
Milwaukie, OR 97222

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

EXECUTIVE SESSION

Convened under Oregon Laws ORS 192.660 (2)(f)

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

5:30 Call to Order

6:15 Adjourn Executive Session

OPEN SESSION

**6:30 Call to Order
Community Comments**

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7:05 1. Selection of Chair/Vice Chair - Action 5
Presenter: Shay James
Board Chair

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Presenter: Tiffany Shireman

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

Agenda

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Thursday, July 11, 2024
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Presenter: Matt Makara
Michelle Riddell

7:30	4. Declarations of Actual, Potential or Perceived Conflict of Interest	52
	Presenter: Shay James	
7:35	5. Board Protocols/Operating Agreements	60
	Presenter: Board Chair	
7:40	6. Board Liaisons Committee Assignments	63
	Presenter: Board Chair	
7:45	7. Mandatory Child Abuse Reporting Training	67
	Presenter: Shay James	
7:50	8. Board Policy Development - Action	117
	Presenter: Tiffany Shireman	
8:00	9. Complaint - Action	133
8:05	Adjourn	



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.



Flag Salute

I pledge allegiance to the Flag of the United States of
America, and to the Republic for which it stands, one Nation
under God, indivisible, with liberty and justice for all.

SELECTION OF BOARD CHAIR AND VICE CHAIR

ACTION
Agenda Item #1
July 11, 2024

SUPERINTENDENT'S RECOMMENDATION:

This time on the agenda is scheduled for the Board to select a chair and vice chair for 2024-25.

ORIGINATED BY:

This is an annual agenda item.

BACKGROUND:

As required by Oregon Revised Statutes (ORS 332.040), Board members must select a chair and vice chair for the year at the first meeting on or after July 1.

PRESENTER / STAFF CONTACT:

Shay James, Superintendent
Board Chair

**NORTH CLACKAMAS SCHOOL DISTRICT 12
CLACKAMAS COUNTY, OREGON
MINUTES — North Clackamas Parks & Recreation District Joint Session with
North Clackamas School District
June 26, 2024
Board Room/YouTube**

Open Session

With due notice having been given and a quorum present, Chair Jena Benologa convened open session at 6:01 p.m. with the following members present:

North Clackamas School Board

Kathy Wai	—	Vice Chair
Mitzi Bauer	—	Director
April Dobson	—	Director
Paul Kemp	—	Director (virtual)
Tory McVay	—	Director
Glenn Wachter	—	Director
Shay James	—	Superintendent
Donna Collingwood	—	Board Secretary

North Clackamas Parks & Recreation Board

Tootie Smith	—	Chair (virtual)
Ben West	—	Vice Chair
Paul Savas	—	Commissioner
Martha Schrader	—	Commissioner (virtual)
Mark Shull	—	Commissioner
Gary Schmidt	—	County Administrator

Also present were Tiffany Shireman, Cindy Detchon, Ivonne Dibblee, Petra Callin, and Matt Makara, NCPRD legal counsel Jeffrey Munns, NCSD legal counsel Steve Naito, and North Clackamas Parks & Recreation District employees.

Kathy Wai read the Native Land Acknowledgement. Glenn Wachter led the Pledge of Allegiance.

Wichita Center Purchase Review and Discussion - Assistant Superintendent of Operations Cindy Detchon and North Clackamas Parks and Recreation District Director Kia Selley discussed and reviewed the Wichita Center purchase.

Public Hearing of Property Transaction – Chair Jena Benologa announced the public hearing of property transaction open.

- Stori Long, Clackamas County, spoke regarding the Wichita Center property transaction.

No other testimony was given, the hearing was closed.

R23/24-95

North Clackamas School District Purchase of Wichita Center Property - Action - Kathy Wai moved, Tory McVay seconded the motion to authorize the Superintendent to enter into a purchase agreement for the Wichita Center real property for a total cash offer of no more than \$2.375 million and the equivalent of \$1 million credit in field and facility use by the North Clackamas Parks and Recreation District (NCPRD) with Clackamas County providing North Clackamas School District (NCSD) \$1 million in funds for capital improvements to the building and a closing date no later than September 20, 2024.

Motion passed unanimously, 6-0.

R23/24-96

Mitzi Bauer moved, Glenn Wachter seconded the motion to authorize the Superintendent to enter into an intergovernmental agreement with NCPRD establishing the terms for the \$1 million credit in field and facility use, including freezing the rates charged to NCPRD for youth programming at current Class A rates for seven years.

Motion passed unanimously, 6-0.

North Clackamas Parks & Recreation District Sale of Wichita Center Property - Action

North Clackamas Parks & Recreation District took action on the sale of Wichita Center property.

There being no further business to come before the Board, the meeting adjourned at 6:38 p.m.

Unapproved

**NORTH CLACKAMAS SCHOOL DISTRICT 12
CLACKAMAS COUNTY, OREGON
MINUTES — BOARD OF DIRECTORS MEETING
June 26, 2024
Board Room/YouTube**

Open Session

With due notice having been given and a quorum present, Chair Jena Benologa convened open session at 7:16 p.m. with the following members present:

Jena Benologa	–	Chair
Kathy Wai	–	Vice Chair
Mitzi Bauer	–	Director
Paul Kemp	–	Director (virtual)
Tory McVay	–	Director
Glenn Wachter	–	Director
Donna Collingwood	–	Board Secretary
Shay James	–	Superintendent

Also present were Tiffany Shireman, Cindy Detchon, Ivonne Dibblee, Petra Callin, and Matt Makara.

R23/24-97

Minutes – Kathy Wai moved, Mitzi Bauer seconded the motion to approve the minutes of the regular Board Meeting held June 20, 2024.

Motion passed unanimously, 6-0.

R23/24-98

Consent Agenda – Tory McVay moved, Glenn Wachter 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:

- Administrator appointments and terminations
- Licensed terminations

Travel Permission Request -

- Grant permission for 7 students from Adrienne C. Nelson High School to travel to University of Portland, July 11-14, 2024.

Travel Permission Request -

- Grant permission for 8 students from Adrienne C. Nelson High School to travel to Mt. Hood Village, July 21-25, 2024.

Motion passed unanimously, 6 -0.

Board Policy Development - Discussion - Chief of Staff Tiffany Shireman and Director of Safety, Security & Risk Management David Kruse continued a previous Board discussion from the March 21, 2024 board meeting regarding SB 554 (2021). Questions and comments from the Board were addressed.

There being no further business to come before the Board, the meeting adjourned at 7:48 p.m.

Unapproved

Draft

POLICY REVISIONS

CONSENT B

July 11, 2024

REASON FOR BOARD CONSIDERATION:

Approval of the attached revised policies.

RECOMMENDATION:

The Superintendent’s Policy Review Team, with representation of both staff and Board, reviewed and supports 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:

Policy	Title	Reason
AC	Nondiscrimination	OSBA April 2024 Update, House Bill 2281 (2023) requires a district school board to designate a civil rights coordinator for the district.
FB	Facilities Planning	Add language regarding ORS 320.170 and ORS 320.183 requirements.
GCDA/GDDA	Criminal Records Checks and Fingerprinting	Deletion: Content now reflected in new, proposed GCDA/GDDA.
GCDA/GDDA	Criminal Records Checks and Fingerprinting	Proposed: OSBA April 2024 Update, include newly revised rules regarding fingerprint collection, the addition of statewide vendor identified as authorized fingerprint collector and discontinue the option for volunteers to appeal to ODE.
IGBAG	Special Education - Procedural Safeguards	OSBA April 2024 Update, Senate Bill 758 (2023) adds language stating parents are entitled to examine their student’s record pertaining to identification, evaluation and educational placement, and the provisions of free appropriate public education and setting a 10 business day timeline.

PRESENTER / STAFF CONTACT:

Tiffany Shireman, Chief of Staff



Code: AC
Adopted: 1/20/11
Revised/Readopted: 11/12/15; 6/25/20; 1/27/22;
12/08/22

Nondiscrimination**

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

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

The Board encourages all staff, students, families, and the public to respect all individuals and the diversity of our community.

The Board directs the superintendent to designate the district’s civil rights coordinator and make contact information available to staff, students and parents.

The superintendent shall appoint individuals at the district to contact on issues concerning the Americans with Disabilities Act and Americans with Disabilities Act Amendments Act (ADA), Section 504 of the Rehabilitation Act, Titles VI and VII of the Civil Rights Act, Title IX of the Education Amendments, and other civil rights or discrimination issues, and notify students, parents, and staff with their names, office addresses, and phone numbers. The district will publish complaint procedures providing for prompt and equitable resolution of complaints from students, employees and the public, and such procedures will be available at the district’s administrative office and available on the home page of the district’s website.

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

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

Complaints of discrimination or harassment, based on a legally protected characteristic, will be processed as appropriate under any other applicable district policy and administrative regulation.

END OF POLICY

Legal Reference(s):

ORS 174.100	ORS 659A.003	ORS 659A.321
ORS 192.630	ORS 659A.006	ORS 659A.409
ORS 326.051(1)(e)	ORS 659A.009	OAR 581-002-0001 – 002-0005
ORS 332.505	ORS 659A.029	OAR 581-021-0045
ORS 408.230	ORS 659A.030	OAR 581-021-0046
ORS 659.805	ORS 659A.040	OAR 581-021-0047
ORS 659.815	ORS 659A.103 - 659A.145	OAR 581-022-2310
ORS 659.850 - 659.860	ORS 659A.230 - 659A.233	OAR 581-022-2370
ORS 659.865	ORS 659A.236	OAR 839-003
ORS 659A.001	ORS 659A.309	

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

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

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

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

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

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

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

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

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

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

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

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

Cross Reference(s):

ACA - Americans with Disabilities

ACB - Every Student Belongs

GBA - Equal Employment Opportunity

GBEA - Workplace Harassment

JB - Equal Educational Opportunity

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



Code: **FB**
Adopted: 5/07/87
Readopted: 6/23/11
Orig. Code(s): FB

Facilities Planning

The district will develop and maintain a long range facilities plan that is updated and aligned with the district strategic plan and district long range financial plan. ORS 320.170 allows school districts in Oregon to impose construction excise taxes by resolution adopted by the School Board. ORS 320.183 restricts the school district from imposing that tax unless the School Board also has adopted a long-term facilities plan for making capital improvements.

END OF POLICY

Legal Reference(s):

[ORS 195.110](#)
[ORS 197.295 - 197.314](#)
[ORS 332.155](#)

[OAR 581-022-1530](#)

Toxic Substances Control Act, 15 U.S.C. §§ 2601-2629 (2006); Asbestos Hazard Emergency Response Act of 1986, 15 U.S.C. §§ 2641-2656 (2006).



Code: GCDA/GDDA
 Adopted: 2/03/94
 Revised/Readopted: 12/06/12; 3/13/14; 6/14/18;
 8/22/19; 8/27/20
 Orig. Code: GCDA

Criminal Records Checks and Fingerprinting

(Version 1)

(Delete and see new version of this required model policy.)

All newly-hired employees¹ not requiring licensure under Oregon Revised Statute (ORS) 342.223 shall submit to a criminal records check and/or fingerprinting as required by law. Other individuals, as determined by the district, that will have direct, unsupervised contact with students, shall submit to a criminal records check and/or fingerprinting as established by Board policy and as required by law. “Direct, unsupervised contact with students” means contact with students that provides the person opportunity and probability for personal communication or touch when not under direct supervision.

Pursuant to state law, a criminal records check or fingerprint-based criminal records checks shall be required of the following individuals²:

All individuals employed as or by a contractor and considered by the district to have direct, unsupervised contact with students;

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

Any individual who is an employee of a public charter school and not requiring licensure under ORS 342.223; and

Any individual considered for volunteer service with the district. This includes but is not limited to volunteer coaches and overnight chaperones.

The district will provide the written notice about the requirements of fingerprinting and criminal records checks through means such as staff handbooks, employment applications, contracts or volunteer forms.

The procedure for processing fingerprint collection is further outlined in GCDA/GDDA-AR – Criminal Records Checks and Fingerprinting.

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

² Subject individuals and requirements are further outlined in GCDA/GDDA-AR – Criminal Records Checks and Fingerprinting.

A subject individual shall be subject to the collection of fingerprint information, only after the offer of employment or contract from the district and may be charged a fee by the district. A regular employee may request the fee be withheld from the amount otherwise due the individual.

The district shall not begin employment of an individual or district contractor until the required criminal records checks has been reviewed.

When the district is notified of a subject individual who has been convicted of any crimes prohibiting employment or contract the individual will not be employed or contracted, or if employed, will be terminated. When the district is notified of a subject individual who knowingly made a false statement as to the conviction of any crime, the individual will not be employed or contracted by the district, or if employed by the district will be terminated. A subject individual who fails to disclose the presence of convictions that would not otherwise prohibit employment or contract with the district as provided by law may be employed or contracted with by the district if it is determined that the individual did not knowingly make a false statement as to the conviction of any crime.

The district's use of criminal history must be relevant to the specific requirements of the position, services or employment.

The service of a volunteer will not begin before the return and disposition of a criminal records check.

A volunteer who knowingly made a false statement or has a conviction of the crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number will result in immediate termination from the ability to volunteer in the district.

The superintendent is directed to develop an administrative regulation to meet the requirements of applicable Oregon Revised Statutes and Oregon Administrative Rules.

Appeals

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

END OF POLICY

Legal Reference(s):

[ORS 181A.180](#)
[ORS 181A.230](#)
[ORS 326.603](#)
[ORS 326.607](#)
[ORS 332.107](#)

[ORS 336.631](#)
[ORS 342.143](#)
[ORS 342.223](#)
[OAR 414-061-0010 – 061-0030](#)
[OAR 581-021-0510 – 021-0512](#)

[OAR 581-022-2430](#)
[OAR 584-050-0012](#)
[OAR 584-050-0100](#)

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

Cross Reference(s):

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Code: GCDA/GDDA
Adopted:

Criminal Records Checks and Fingerprinting

In a continuing effort to ensure the safety and welfare of students and staff, the district shall require certain individuals to submit to a criminal records check and fingerprinting as required by law. This includes employees, contractors, volunteers and others.

Requirements for Employees not Licensed, Certified or Registered by the Teachers Standards Practices Commission (TSPC)

All newly hired employees¹ not identified under Oregon Revised Statutes (ORS) 342.223² are required to submit to a criminal records check and fingerprinting as required by law. A newly hired employee is not subject to fingerprinting if the district has evidence on file that the person successfully completed a state and national criminal records check for a previous employer that was a school district³ or private school, and has not resided outside the state between the two periods of employment.

An individual shall be subject to the collection of fingerprint information, only after the offer of employment from the district. Fees associated with criminal records checks and fingerprinting for individuals applying for employment with the district and not requiring licensure shall be paid by the individual. An individual may request the fee be withheld from the amount otherwise due the individual. The district will withhold this amount only upon request of the subject individual.

The district may⁴ begin the employment of an individual on a probationary basis pending before the return and disposition of the required criminal records checks.

When the criminal records check indicates an individual has been convicted of any crimes⁵ prohibiting employment, the individual will not be employed, or if employed will be terminated. When the criminal records check indicates an individual has knowingly made a false statement as to the conviction of any crime, the individual may be employed by the district, or if employed by the district may be terminated. An individual who fails to disclose the presence of convictions that would not otherwise prohibit

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

² ORS 342.223 includes teachers, administrators, personnel specialist, school nurses, persons participating in supervised clinical practice experience, practicum or internship as a teacher, administrator or personnel specialist. See statute for details.

³ As is defined in OAR 581-021-0510(9); includes school districts, the Oregon School for the Deaf, and educational program under the Youth Corrections Education Program, public charter schools and ESDs.

⁴ Decisions regarding which employees may begin before the return of the required criminal records checks must be made in a nondiscriminatory manner.

⁵ See OAR 581-021-0511(8).

employment or contract with the district as provided by law may be employed by the district. Employment termination shall remove the individual from any district policies, collective bargaining provisions regarding dismissal procedures and appeals and the provisions of Accountability for Schools for the 21st Century Law.

Requirements for TSPC Licensed, Certified or Registered Individuals

1. Any individual who is applying for a license as a teacher, administrator or personnel specialist is subject to a criminal records check and fingerprinting, unless the individual has submitted to such a check through the Teacher Standards and Practices Commission (TSPC) within the previous three years, or has remained continuously licensed by or registered with TSPC for a different license or registration for which the individual has already submitted to a criminal records check and fingerprinting.
2. Any individual who is applying for an initial certificate under ORS 342.475 as a school nurse shall submit to a criminal records check and fingerprinting with TSPC.
3. Any individual who is applying for a registration as a public charter school teacher or administrator with TSPC shall submit to a criminal records check and fingerprinting with TSPC.
4. Any individual applying for reinstatement of an Oregon license or registration as a teacher, administrator or personnel specialist, or a certificate as a school nurse with the TSPC, whose license, registration or certificate has lapsed for at least three years, shall submit to a criminal records check and fingerprinting with TSPC.
5. Any individual registering with the TSPC for student teaching, practicum or internship as a teacher, administrator or personnel specialist, if the individual does not hold a current license issued by TSPC and has not submitted to a criminal records check by TSPC within the previous three years for student teaching, practicum or internship as a teacher, administrator or personnel specialist, shall be required to submit to a criminal records check and fingerprinting with TSPC.

Requirements for Contractors

All individuals employed as or by a contractor and considered by the district to have direct, unsupervised contact with students⁶ or unsupervised access to children are required to submit to a criminal records check and a fingerprint-based criminal records check.

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

A contractor or an employee of a contractor required to submit to a criminal records check and fingerprinting in accordance with law and Board policy will be terminated from contract status, or withdrawal of offer of contract will be made by the district upon:

1. Refusal to consent to a criminal records check and fingerprinting; or

⁶ “Direct, unsupervised contact with students” means contact with students that provides the person opportunity and probability for personal communication or touch when not under direct supervision. (OAR 581-021-0510)

2. Notification⁷ from the Superintendent of Public Instruction that the individual has a conviction of any crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number.

A subject individual may be terminated from contract status upon notification from the Superintendent of Public Instruction that the individual has knowingly made a false statement as to the conviction of any crime.

Requirements for Volunteers

The district shall require a fingerprint-based criminal records check for volunteers allowed direct, unsupervised contact with students, in the following positions:

1. Head coach;
2. Assistant coach;
3. Overnight chaperone;
4. Volunteers transporting students, other than their own, in a private vehicle off district property for a district-sponsored activity;
5. Interns, not covered under TSPC.

The service of a volunteer into a position identified by the district as requiring a fingerprint-based criminal records check may begin on a probationary basis pending the return and disposition of a state and national criminal records check based on fingerprints.

Volunteers allowed by the district into a position designated by the district to have direct, unsupervised contact with students shall submit to an in-state criminal records check.

The service of a volunteer allowed to have direct, unsupervised contact with students will not begin before the return and disposition of a criminal records check.

A volunteer that is not likely to have direct, unsupervised contact with students, as determined by the district, will be required to submit to an in-state criminal records check.

A volunteer who knowingly made a false statement on a district volunteer application form may result in immediate termination from the ability to volunteer in the district.

A volunteer who has a conviction of a crime listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon under a different statutory name or number will result in immediate termination from the ability to volunteer in the district.

⁷ Prior to making a determination that results in this notification and opportunity for a hearing, the Superintendent of Public Instruction may cause an investigation pursuant to OAR 581-021-0511; involved parties shall cooperate with the investigation pursuant to law.

Fees associated with a required fingerprinting for volunteers shall be paid by the individual. Fees associated with required non-fingerprinting criminal records checks for volunteers shall be paid by the district.

A volunteer who refuses to submit, when required, to a criminal records check or a fingerprint-based criminal records check in accordance with law and Board policy will be denied such ability to volunteer in the district.

Requirements for Others

Any community college faculty member providing instruction at the site of an early childhood education program, at a school site as part of an early childhood program or at a grade K through 12 school site during the regular school day is required to submit to a criminal records check and a fingerprint-based criminal records check.

Any individual who is an employee of a public charter school and not identified under ORS 342.223 is required to submit to a criminal records check and a fingerprint-based criminal records check.

Notification

The district will provide written notice about the requirements of fingerprinting and criminal records checks through means such as staff handbooks, employment applications, contracts or volunteer forms.

The district will provide the following notification to individuals subject to criminal records checks and fingerprinting:

1. Such criminal records checks and fingerprinting are required by law or Board policy;
2. All employment or contract offers or the ability to volunteer are contingent upon the results of such checks;
3. A refusal to consent to a required criminal records check and fingerprinting shall result in immediate termination from employment or contract status, or the ability to volunteer in the district;
4. A determination by the Oregon Department of Education (ODE) which affects an individual's eligibility to be employed, or contracted with, by the district may be appealed to the Superintendent of Public Instruction under ORS 183.413 – 183.470;
5. An individual determined to have knowingly made a false statement as to the conviction of any crime on district employment applications, contracts, or ODE forms (written or electronic) may result in immediate termination from employment or contract status;
6. An individual determined to have been convicted of any crime that would prohibit employment or contract will be immediately terminated from employment or contract status.
7. A volunteer candidate who knowingly made a false statement may be removed from the ability to volunteer in the district.
8. A volunteer candidate who has a conviction of the crimes listed in ORS 342.143, or the substantial equivalent of any of those crimes if the conviction occurred in another jurisdiction or in Oregon

under a different statutory name or number will result in immediate termination from the ability to volunteer in the district.

Processing and Reporting Procedures

Immediately following an offer and acceptance of employment or contract, an individual subject to criminal records checks and fingerprinting shall complete the appropriate forms authorizing such checks and report to an authorized fingerprinter as directed by the district. The district shall send such authorization, any collection of fingerprint information, and the request to ODE pursuant to law.

Fingerprints may be collected by one of the following:

1. Employing district staff;
2. Contracted agent of employing district;
3. Local or state law enforcement agency; or
4. Statewide vendor identified by the Oregon Department of Administrative Services.

To ensure the integrity of the fingerprinting collection and prevent any compromise of the process, the district will provide the name of the individual to be fingerprinted to the authorized fingerprinter.

The authorized fingerprinter will obtain the necessary identification and fingerprinting and notify ODE of the results. ODE will then review and notify the district of said results as well as the identity of any individual it believes has knowingly made a false statement as to conviction of a crime or has a conviction of a crime prohibiting employment, contract, or volunteering.

A copy of the fingerprinting results will be kept by the district. The district's use of criminal history must be relevant to the specific requirements of the position, services or employment.

END OF POLICY

Legal Reference(s):

[ORS 181A.180](#)
[ORS 181A.230](#)
[ORS 326.603](#)
[ORS 326.607](#)
[ORS 332.107](#)

[ORS 336.631](#)
[ORS 342.143](#)
[ORS 342.223](#)
[OAR 414-061-0010 – 061-0030](#)
[OAR 581-021-0510 – 021-0512](#)

[OAR 581-022-2430](#)
[OAR 584-050-0012](#)
[OAR 584-050-0100](#)

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



Code: IGBAG
Adopted: 4/03/08
Readopted: 8/18/11
Orig. Code: IGBAG

Special Education - Procedural Safeguards**

Procedural Safeguards – General

A district ensures that students with disabilities and their families are afforded their procedural safeguards related to:

1. Access to students' educational records;
2. Parent and adult student participation in special education decisions;
3. Transfer of rights to students who have reached the age of majority;
4. Prior written notice of proposed district actions;
5. Consent for evaluation and for initial placement in special education¹;
6. Independent educational evaluation;
7. Dispute resolution through mediation, state complaint investigation, resolution sessions and due process hearings;
8. Discipline procedures and protections for students with disabilities, including placements related to discipline;
9. Placement of students during the pendency of due process hearings;
10. Placement of students by their parents in private schools;
11. Civil actions; and

¹ If, at any time subsequent to the initial provision of special and related services, the parent of a child revokes consent in writing for the continued provision of special education and related services, the district: 1) may not continue to provide special education and related services to the child, but must provide prior written notice before ceasing the provision of special education and related services; 2) may not use mediation or due process procedures to obtain an agreement or ruling that the services may be provided to the child; 3) the district will not be considered to be in violation of the requirement to make a free appropriate public education (FAPE) available to the child because of the failure to provide the child with further special education and related services; and 4) the district is not required to convene an individualized education program (IEP) team meeting or develop an IEP for the child for further provision of special education or related services.

12. Attorney's fees.

Procedural Safeguards Notice

1. The district provides to parents a copy of the *Procedural Safeguards Notice*, published by the Oregon Department of Education, at least once per year and upon initial referral or parent request for special education evaluation and when the parent requests a copy. The district also gives a copy to the student at least a year before the student's 18th birthday or upon learning that the student is considered emancipated.
2. The district provides the *Procedural Safeguards Notice* in the parent's native language or other mode of communication unless it is clearly not feasible to do so. If the native language or other mode of communication of the parent is not a written language, the district takes steps to ensure that the notice is translated orally or by other means understandable to the parent and that the parent understands the content of the notice. The district maintains written evidence that it meets these requirements.

Parent or Adult Student Meeting Participation

1. The district provides parents or adult students an opportunity to participate in meetings with respect to the identification, evaluation, IEP and educational placement of the student, and the provision of a free appropriate public education (FAPE) to the student.
2. The district provides parents or adult students written notice of any meeting sufficiently in advance to ensure an opportunity to attend. The written notice:
 - a. States the purpose, time and place of the meeting and who is invited to attend;
 - b. Advises that parents or adult students may invite other individuals who they believe have knowledge or special expertise regarding the student;
 - c. Advises that the team may proceed with the meeting even if the parents are not in attendance;
 - d. Advises the parents or adult students who to contact before the meeting to provide information if they are unable to attend; and
 - e. Indicates if one of the meeting's purposes is to consider transition services or transition services needs. If so:
 - (1) Indicates that the student will be invited; and
 - (2) If considering transition services, identifies any agencies invited to send a representative (with parent or adult student consent).
3. The district takes steps to ensure that one or both parents of a child with a disability are present at each IEP or placement meeting or are afforded the opportunity to participate, including:
 - a. Notifying parents of the meeting early enough to ensure that they will have an opportunity to attend; and
 - b. Scheduling the meeting at a mutually agreed upon time and place.
4. If neither parent can attend, the district will use other methods to ensure an opportunity to participate, including, but not limited to, individual or conference phone calls or home visits.

5. The district may conduct an evaluation planning or eligibility meeting without the parent or adult student if the district provided meeting notice to the parent or adult student sufficiently in advance to ensure an opportunity to attend.

Access to Records

A parent is entitled at any reasonable time to examine all of the records of the district pertaining to the identification, evaluation and educational placement of their child and the provision of FAPE to their child. Records must be provided without undue delay, which may not exceed 10 business days, as defined in ORS 192.311, from the date of the request for the records. Records may be redacted only to the extent necessary to protect personally identifiable information of other children unless disclosure is authorized by law or court order.

END OF POLICY

Legal Reference(s):

ORS 343.155	OAR 581-015-2000	OAR 581-015-2310
ORS 343.165	OAR 581-015-2030	OAR 581-015-2325
ORS 343.173	OAR 581-015-2090	OAR 581-015-2330
ORS 343.177	OAR 581-015-2095	OAR 581-015-2345
ORS 343.181	OAR 581-015-2190	OAR 581-015-2360
	OAR 581-015-2195	OAR 581-015-2385
OAR 581-001-0005	OAR 581-015-2305	

Assistance to States for the Education of Children with Disabilities, 34 C.F.R. §§ 300.300, 300.500 - 300.505, 300.515, 300.517.

Cross Reference(s):

JGDA/JGEA - 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

TRAVEL PERMISSION REQUEST
Milwaukie High School Basketball

CONSENT C
July 11, 2024

SUPERINTENDENT'S RECOMMENDATION:

Board approval of the request to travel.

BACKGROUND:

Milwaukie High School is requesting permission for 9 students and 2 chaperones to travel to Seaside, Oregon for a team camp for Milwaukie Boys Basketball, June 23-26, 2024. This trip will cost approximately \$389.00 per student. The students will not miss any school due to school being out for the Summer.

Due to several factors which impeded school staff from submitting the request within the required timeline, this travel request was not submitted in time for Board approval prior to the trip. District leadership has identified gaps and will work with all schools to ensure travel requests are submitted on time.

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

Section II – Budget Information – Cost per Student

Expenses (per student)

- 1. Transportation \$ _____
- 2. Lodging (no home stays) \$ 175
- 3. Meals \$ 150
- 4. Fees/Event Expense \$ 64
- 5. Other \$ _____

Description of other expenses: _____

6. **Total cost per student (total lines 1 through 5):** \$ 389

7. # of chaperones 2

8. # of students 9

9. **Total # of students + chaperones** 11

10. **Total cost of participation (Line 6 x Line 9):** \$ 4,279

11. Substitute Teachers: (rates are effective 2023-2024)

a. # Full-Day Substitute(s) x # of Days @ \$302.95 = \$ _____

b. # Half-Day Substitute(s) x # of Days @ \$151.48 = \$ _____

c. **Total Sub Cost** \$ _____

TOTAL COST OF FIELD TRIP/TRAVEL (Line 10 plus line 11c.): \$ 4,279

Funding

1. Current school account balance: \$ 4,593.44

2. Amount of fund balance allocated for this trip: \$ 2,000.00

3. Projected fundraising income*: \$ 22,000.00

4. Projected contributions (donations)*: 0

5. OUT OF POCKET (per student): \$ 75

Total Funding Resources – including fund raising, student out-of-pocket, contributions, school budget (totals should match): \$ 4,279

*Describe projected fund-raising activities and contributions:

Running a youth camp and a fall league play

No students will be denied participation due to lack of funds. Adequate sources of revenue must be made available to all students.

Section III – Transportation and Lodging Information

Transportation: NCSD bus Nondistrict commercial transportation (bus, train, plane)
 NCSD mini bus (Type 20) Private/personal vehicles (Must have parent/guardian release form)
 Rental Vehicle* (no rental of 15-passenger vans allowed)

For use of NCSD minibus, please identify the NCSD current certified mini-bus drivers:

Name of minibus Driver(s): Joseph Jackson

NCSD mini buses cannot be used for trips which total more than 600 miles round trip.

Number of miles round trip: 150

*Drivers of rental vehicles must be approved via the District’s driver certification process. Contact Risk Management to complete the certification process (allowing a minimum of two weeks for processing with the State DMV).

Name of rental vehicle Driver(s): _____

Name the type(s) of non-district transportation to be used (including to and from airport) and company name:

Name and location of lodging and description of room arrangements (chaperones may not share rooms with students; see item #2 under Chaperone Guidelines). Students are not allowed to stay with host families without written permission from Superintendent or designee. This is in accordance with Volunteer Policy ICC-AR(1):

Coast River Inn

3 rooms

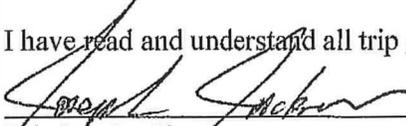
4 players in one room

5 players in one room

2 coaches in one room

For all travel requests, transportation details and a pre-trip driver requirements forms (If driving a Type 20 NCS D minibus must be included).

I have read and understand all trip guidelines.



Trip Leader Signature

6/18/24

Date

Section IV – Required Attachments for building level approval only.

The following attachments must accompany this application:

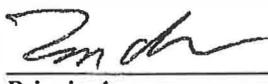
- Detailed Itinerary which includes **all** planned activities and outline of student expectations specific to the trip.
- Pre-trip Driver Requirements (NCS D minibus-Type 20) upon departure.
- Copy of Permission Release Forms and Emergency Information
- List of chaperones and verification of current background check on file.

Section V – Required Attachments to be sent to district level. (All other forms stay at the building.)

- Detailed itinerary which includes **all** planned activities and outline of student expectations specific to the trip.
- List of chaperones and verification of current background check on file.

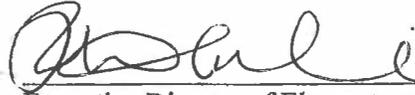
Section VI – Approval

Principal Level: Approved
 Denied



Principal 6/18/24
Date

District Level: Approved
 Denied



Executive Director of Elementary/Secondary 7/3/24
Date

Date of Board Approval: _____

TIME	SEASIDE MAIN 1	SEASIDE MAIN 2	SEASIDE AUX
	SUNDAY	SUNDAY	SUNDAY
1:30	SITUATIONAL WORK		SITUATIONAL WORK
3:00	MILWAUKIE vs PHILOMATH	XXXXXXXXXXXXXXXXXX	S. CHRISTIAN 2 vs KALAMA 2
4:00	CENTRALIA vs S. ALBANY	XXXXXXXXXXXXXXXXXX	N. VALLEY 2 vs S. POINT 2
5:00	PROSSER vs HILHI	XXXXXXXXXXXXXXXXXX	N. VALLEY vs S. CHRISTIAN
6:00	PHILOMATH vs CRANE	XXXXXXXXXXXXXXXXXX	S. CHRISTIAN 2 vs R. RIVER
7:00	MILWAUKIE vs SANDPOINT	XXXXXXXXXXXXXXXXXX	KALAMA vs MAC HI
8:00	CENTRALIA vs HILHI	XXXXXXXXXXXXXXXXXX	SHERMAN vs UMATILLA
	MONDAY	MONDAY	MONDAY
8:00	PRACTICE TIME	PRACTICE TIME	PRACTICE TIME
9:00	H. VALLEY vs SANDPOINT	XXXXXXXXXXXXXXXXXX	N. VALLEY 2 vs KALAMA 2
10:00	S. CHRISTIAN vs SHERMAN	XXXXXXXXXXXXXXXXXX	N. VALLEY vs KALAMA
11:00	MILWAUKIE vs S. ALBANY	XXXXXXXXXXXXXXXXXX	S. POINT 2 vs R. RIVER
12:00	MAC HI vs S. CHRISTIAN	XXXXXXXXXXXXXXXXXX	CRANE 2 vs N. VALLEY 2
1:00	ONE MINUTE TOURNEY		ONE MINUTE TOURNEY
2:00	S. CHRISTIAN 2 vs N. VALLEY 2		PHILOMATH vs H. VALLEY
3:00	KALAMA 2 vs R. RIVER		S. ALBANY vs PROSSER
4:00	PROSSER G vs CRANE 2		MARSHFIELD vs UMATILLA
5:00	MANAHOUSE vs MAC HI		SANDPOINT 2 vs KALAMA
6:00	SHERMAN vs N. VALLEY 2		N. VALLEY vs WAPATO
7:00	ADNA vs MAC - HI		CRESWELL vs SEASIDE
8:00	UMATILLA vs HILHI		ADNA vs MARSHFIELD
9:00			BANKS vs MILWAUKIE
	TUESDAY	TUESDAY	TUESDAY

SEASIDE MS
SUNDAY
SITUATIONAL WORK
BANKS vs CRESWELL
KALAMA vs S. CHRISTIAN
MAC HI vs SHERMAN
BANKS vs UMATILLA
ADNA vs CRESWELL
XXXXXXXXXXXXXXXXXXXX
MONDAY
PRACTICE TIME
CRANE vs HILHI
CENTRALIA vs PHILOMATH
ADNA vs WAPATO
CRESWELL vs UMATILLA
ONE MINUTE TOURNEY
N. VALLEY vs MANAHOUSE
CRANE vs SANDPOINT
WAPATO vs BANKS
HILHI vs MILWAUKIE
CENTRALIA vs H. VALLEY
S. ALBANY vs SANDPOINT
KALAMA vs SHERMAN
CRESWELL vs PROSSER
TUESDAY

8:00	PRACTICE TIME AVAILABLE	PRACTICE TIME AVAILABLE	PRACTICE TIME AVAILABLE
9:00	PROSSER vs SANDPOINT	XXXXXXXXXXXXXXXXXXXXXX	N. VALLEY 2 vs R. RIVER
10:00	CENTRALIA vs SEASIDE	XXXXXXXXXXXXXXXXXXXXXX	PROSSER G vs KALAMA 2
11:00	PROSSER vs CRANE	XXXXXXXXXXXXXXXXXXXXXX	PROSSER G vs SEASIDE 2
12:00	PIZZA LUNCH	PIZZA LUNCH	PIZZA LUNCH
1:00	1 ON 1 CONTEST	1 ON 1 CONTEST	XXXXXXXXXXXXXXXXXXXXXX
2:00	WAPATO vs MARSHFIELD	XXXXXXXXXXXXXXXXXXXXXX	MILWAUKIE vs H. VALLEY
3:00	S. ALBANY vs HILHI	XXXXXXXXXXXXXXXXXXXXXX	S. CHRISTIAN 2 vs R. RIVER
4:00	WAPATO vs UMATILLA	XXXXXXXXXXXXXXXXXXXXXX	SANDPOINT 2 vs SHERMAN
5:00	PHILOMATH vs SANDPOINT	XXXXXXXXXXXXXXXXXXXXXX	SEASIDE vs MAC HI
6:00	ALL STAR SET UP	ALL STAR SET UP	S. CRISTIAN 2 vs SEASIDE 2
7:00	ALL STAR GALA	ALL STAR GALA	XXXXXXXXXXXXXXXXXXXXXX
	WEDNESDAY		WEDNESDAY
9:00	CRANE vs SOUTH ALBANY		PHILOMATH vs PROSSER
10:00	CRANE 2 vs SEASIDE 2		PROSSER G vs N. VALLEY 2
11:00	CENTRALIA vs SANDPOINT		MANAHOUSE vs KALAMA
12:00	CRESWELL vs WAPATO		MILWAUKIE vs MARSHFIELD
1:00	ADNA vs UMATILLA		S. CHRISTIAN 2 vs KALAMA 2

PRACTICE TIME AVAILABLE
BANKS vs ADNA
CRESWELL vs MARSHFIELD
S. CHRISTIAN vs MANAHOUSE
PIZZA LUNCH
XXXXXXXXXXXXXXXXXXXXXX
SANDPOINT 2 vs SHERMAN
CRANE 2 vs KALAMA 2
H. VALLEY vs CRANE
SANPOINT vs N. VALLEY
KALAMA vs MARSHFIELD
XXXXXXXXXXXXXXXXXXXXXX
WEDNESDAY
MAC HIS vs NORTH VALLEY
SANDPOINT 2 vs S. CHRISTIAN
SHERMAN vs ROGUE RIVER
H. VALLEY vs HILHI
SEASIDE vs BANKS

TRAVEL PERMISSION REQUEST

Milwaukie High School Cheer

CONSENT D

July 11, 2024

SUPERINTENDENT'S RECOMMENDATION:

Board approval of the request to travel.

BACKGROUND:

Milwaukie High School is requesting permission for 17 students and 2 chaperones to travel to the Oregon State University for an overnight cheer camp, July 9-12, 2024. The trip will cost approximately \$455.00 per student to be funded by multiple fundraisers. This trip is after school is out for the year, so students will not miss any school.

Due to several factors which impeded school staff from submitting the request within the required timeline, this travel request was not submitted in time for Board approval prior to the trip. District leadership has identified gaps and will work with all schools to ensure travel requests are submitted on time.

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

Received
7/11/24 (PW)

Section I - General Information (check all that apply)

- Requires Principal Approval
- Requires District Approval
- Requires Board Approval
- First time travel for this group/itinerary OR Annual/Repeated trip (i.e. annual Fall choir retreat)

School: Milwaukie High School Name of group: MHS Cheerleading

Dates of travel: 7/9-7/12 Initiator: Sabrina Larson

Destination: Oregon State University Application date: 7/1/24

Number of nights of overnight stay: 3 Time of departure: 7:30 AM

Number of school days students will miss: 0

Rationale for missed school days:

N/A

Number of students: 17 Number of chaperones: 2
male female male female Sabrina Larson
Jessica Wilber

Background checks will be completed and verified on all chaperones. Background checks must be submitted every three years. Gender ratio of students should be reflected in chaperones.

Person verifying background checks will be: Tom Moore Initial here when completed: TM

Purpose of travel: National Cheerleading Association cheer camp for bonding/skill building.

What plans have been made for school make-up work when trip requires students miss school?

N/A

What specific responsibilities have been assigned to the chaperones?

Making sure the team is to all events/practices in a timely manner, Coaching team during team time, assuring everyone is in their rooms at night and following camp rules.

Section II – Budget Information – Cost per Student

Expenses (per student)

- 1. Transportation \$ _____
 - 2. Lodging (no home stays) \$ _____
 - 3. Meals \$ _____
 - 4. Fees/Event Expense \$ _____
 - 5. Other \$ 455
Description of other expenses: total cost per cheerleader (includes meals, lodging and activities)
 - 6. Total cost per student (total lines 1 through 5): \$ 455
 - 7. # of chaperones 2
 - 8. # of students 17
 - 9. Total # of students + chaperones 19
 - 10. Total cost of participation (Line 6 x Line 9): \$ 8,645
 - 11. Substitute Teachers: (rates are effective 2023-2024)
 - a. # Full-Day Substitute(s) x # of Days @ \$302.95 = \$ _____
 - b. # Half-Day Substitute(s) x # of Days @ \$151.48 = \$ _____
 - c. Total Sub Cost \$ _____
- TOTAL COST OF FIELD TRIP/TRAVEL (Line 10 plus line 11c.): \$ 8,645

Funding

- 1. Current school account balance: 5861.02 as of 6/26
- 2. Amount of fund balance allocated for this trip: 0
- 3. Projected fundraising income*: N/A (Personal fundraisers done by students)
- 4. Projected contributions (donations)*: N/A
- 5. OUT OF POCKET (per student): 455

Total Funding Resources – including fund raising, student out-of-pocket, contributions, school budget (totals should match): \$ 8,645

*Describe projected fund-raising activities and contributions:

Cheerleaders had a cookie dough and summer solstice fundraiser to raise money for this.

No students will be denied participation due to lack of funds. Adequate sources of revenue must be made available to all students. ✓

Section III – Transportation and Lodging Information

Transportation: NCS D bus Nondistrict commercial transportation (bus, train, plane)
 NCS D mini bus (Type 20) Private/personal vehicles (Must have parent/guardian release form)
 Rental Vehicle* (no rental of 15-passenger vans allowed)

For use of NCS D minibus, please identify the NCS D current certified mini-bus drivers:

Name of minibus Driver(s): _____

NCS D mini buses cannot be used for trips which total more than 600 miles round trip.

Number of miles round trip: _____

*Drivers of rental vehicles must be approved via the District’s driver certification process. Contact Risk Management to complete the certification process (allowing a minimum of two weeks for processing with the State DMV).

Name of rental vehicle Driver(s): _____

Name the type(s) of non-district transportation to be used (including to and from airport) and company name:

Name and location of lodging and description of room arrangements (chaperones may not share rooms with students; see item #2 under Chaperone Guidelines). Students are not allowed to stay with host families without written permission from Superintendent or designee. This is in accordance with Volunteer Policy IICC-AR(1):

Rm #	Person 1	Person 2
1	Chloe C	Alexa
2	Rosalie M	Eliza P
3	Kiera R	Brooklyn C.
4	Hailey P	Hailey D.
5	Jordyn R	Kassidy H
6	Cadence H	Samara P
7	Lucy S	Clementine A
8	Charlie M	Max M.
9.	Rosa	

Room 10 will be chaperones/coach
 Sabrina Larson +
 Jessica Wilber

Staying @ Oregon State University Dorm

For all travel requests, transportation details and a pre-trip driver requirements forms (If driving a Type 20 NCSD minibus must be included).

I have read and understand all trip guidelines.

[Signature]
Trip Leader Signature

7/1/24
Date

Section IV – Required Attachments for building level approval only.

The following attachments must accompany this application:

- Detailed Itinerary which includes **all** planned activities and outline of student expectations specific to the trip.
- Pre-trip Driver Requirements (NCSD minibus-Type 20) upon departure.
- Copy of Permission Release Forms and Emergency Information
- List of chaperones and verification of current background check on file.

Section V – Required Attachments to be sent to district level. (All other forms stay at the building.)

- Detailed itinerary which includes **all** planned activities and outline of student expectations specific to the trip.
- List of chaperones and verification of current background check on file.

Section VI – Approval

Principal Level: Approved
 Denied

District Level: Approved
 Denied

[Signature]
Principal 7/2/24
Date

[Signature]
Executive Director of Elementary/Secondary 7/2/24
Date

Date of Board Approval: _____



OVERNIGHT - 4 DAY

2024

NFHS KEY:

CROWD LEADER	AMBASSADOR	SPIRIT RAISER	ATHLETE	ENTERTAINER	LEADERSHIP
--------------	------------	---------------	---------	-------------	------------

Time	Class	Notes	NFHS
1:00 PM	Opening Rally	Meet your NCA Staff!!	
1:15 PM	Material Demos	GD #1, Perf #1, Chant w/ 1-3-1 method, Band Chant	
1:30 PM	Band Chant / Coaches' Meeting	Great Game Day Dance to incorp Dance Team/Mascot	E
2:15 PM	Cheer Class	Learn Game Day Cheer #1 & Performance Cheer #1	C
2:45 PM	Chant Class	Select 2 chants to learn from Chants #1-5	C
3:15 PM	Buddy Time	Introductions, Spirit Book, National Bid/NFHS Process	L
3:45 PM	Stunt S.A.F.E. / Coaches Return	Philosophy ensure the safety of all teams while stunting	A
4:00 PM	Skill Drills	Skills necessary to keep your team safe while stunting	A
4:15 PM	Team Time / Coaches Reception	Intro to our camp theme! / Coaches meet w/ Buddy	S
4:30 PM	DINNER		
5:30 PM	Practice Time with Coach	Optional practice time if needed	
6:00 PM	Stunt Foundations	Core stunts & technique make up the foundation stunting	A
6:45 PM	Skill Check	Evaluate the current level of the team for stunt classes	A
	The NCA Game Day Experience	Developing the perfect Game Day atmosphere!	C
7:00 PM	Game Day Entrance	NCA Staff will demo a Game Day Entrance & Cheer	C
7:05 PM	Game Day Fundamentals	Learn what makes a solid foundation for Game Day!	C
7:10 PM	Practice Implementing	Use the Game Day Cheer learned during Cheer Class	C
7:25 PM	Game Day Props	How to properly use props & people on game day!!	C
7:30 PM	Performing with Props	Practical application using signs, poms, flags & meg	C
7:45 PM	Game Day Skills	Enhance your Game Day with appropriate skills	C
7:50 PM	Time to Stunt with Props	Work on getting in/out of stunts with props	C
8:05 PM	Final Thoughts	Bring it all together to make the ultimate GD Experience!	C
8:10 PM	Leader's Reception/Material Review	Team Leaders meet with their NCA Buddy instructor	S
8:30 PM	Team Time	Team Building Activities	L
8:50 PM	Announcements		
8:55 PM	Spirit Sticks	Given to teams exemplifying team spirit throughout the day	
9:00 PM	Tally Ho	Camp Dismissed! Have a great night!	

DAY 1

Time	Class	Notes	Notes & IS
8:15 AM	Leaders in Training	Team Leaders attend additional leadership classes	L
8:30 AM	Team Time / Coaches' Meeting	Camp Starts / Coaches head to meeting location	L
8:40 AM	Cheerobics	Fun warm up to get the body moving & ready to go	
8:50 AM	Jump Class	Work on & improve upon jumps & exercises	A
9:20 AM	Chant Class	Select 2 chants to learn from Chants #6-10	C
9:50 AM	Stunt Class / Coaches Return	Core+, Stunt Progressions 1, 2, & 3 w/ prop incorp	A
10:50 AM	Basket Builders	Take part in drills or optional class for JH/MS teams	A
11:20 AM	Dance Showcase	Demo of Hip Hop & Advanced Dance	
11:30 AM	LUNCH		
12:30 PM	Practice Time with Coach	Optional practice time if needed	
1:00 PM	Custom Coaching #1	1st Eval on Band Chant & Situational Chant w/ Buddy	C
1:30 PM	Custom Coaching #2	1st Eval on Band Chant & Situational Chant w/ Buddy	C
2:00 PM	Custom Coaching #3	1st Eval on Band Chant & Situational Chant w/ Buddy	C
2:30 PM	Pyramid Workshop	Team works on Static & Transitional pyramids	A
3:30 PM	Specialty Classes (Regional)	Hip Hop Dance, Advanced Danced & Option Stunts	E
4:30 PM	DINNER		
5:30 PM	Practice Time with Coach	Optional practice time if needed	
6:00 PM	Custom Coaching #3	Buddy Swap - Work on anything *	C
6:20 PM	Custom Coaching #1	Buddy Swap - Work on anything *	C
6:40 PM	Custom Coaching #2	Buddy Swap - Work on anything *	C
7:00 PM	Evaluation	2 nd Evaluation of a Cheer (with entrance) & Chant	E
8:00 PM	Team Time	Team Building Activities	A
8:30 PM	Spirit Sticks / Stick Skits / Mascots	Given to teams exemplifying team spirit throughout the day	
9:00 PM	Tally Ho	Camp Dismissed! Remember, tomorrow is FUN DAY!!	

DAY 2



OVERNIGHT - 4 DAY

2024

NFHS KEY:

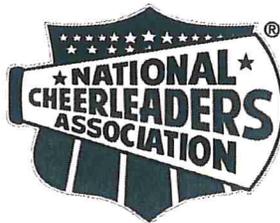
CROWD LEADER	AMBASSADOR	SPIRIT RAISER	ATHLETE	ENTERTAINER	LEADERSHIP
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Time	Class	Notes	
8:15 AM	Leaders in Training	Team Leaders attend additional leadership classes	L
8:30 AM	Team Time / Coaches' Meeting	Camp Starts / Coaches head to meeting location	S
8:50 AM	Band Chant Review	Review Band Chant for Custom Coaching	
9:05 AM	Cheerobics	Fun Day warm up to get the body moving & ready to go	
9:15 AM	Jump Class	Continue to work & improve upon jumps & exercises	A
9:45 AM	Stunt Class / Coaches Return	Core+, Stunt Progressions 1, 2, & 3, Cradles	A
11:00 AM	All-American Cheer & Demo	This cheer is used for All-American Tryouts ONLY	
11:30 AM	LUNCH		
12:30 PM	Practice Time with Coach	Optional practice time if needed	
1:00 PM	Custom Coaching #2	1 st Eval on Cheer (with entrance) w/ Buddy	C
1:30 PM	Custom Coaching #3	1st Eval on Cheer (with entrance) w/ Buddy	C
2:00 PM	Custom Coaching #1	1st Eval on Cheer (with entrance) w/ Buddy	C
2:30 PM	Pyramid Workshop	Team works on Static & Transitional pyramids	A
3:30 PM	Specialty Classes (Regional)	Pom Dance, Sideline Spirit Dance, AA Workshop & Opt. Stunts	E
4:30 PM	DINNER		
5:30 PM	Practice Time with Coach	Optional practice time if needed	
6:00 PM	Custom Coaching #1	Buddy Swap - Work on anything *	C
6:20 PM	Custom Coaching #2	Buddy Swap - Work on anything *	C
6:40 PM	Custom Coaching #3	Buddy Swap - Work on anything *	C
7:00 PM	Final Evaluation	2nd Evaluation of the Band Chant	E
8:00 PM	Top Team & All-American Sign-Up	Optional final day competition sign up	E
8:15 PM	Spirit Sticks	Given to teams exemplifying team spirit throughout the day	
8:30 PM	Team Time	Shower of Praise	L
9:00 PM	Tally Ho	Camp Dismissed! Have a great night!	

FUN DAY 3

Time	Class	Notes	
8:30 AM	Coaches' Meeting		
	All-American Warm-Up	Optional All-American Team Tryout	
8:45 AM	All-American Tryout	3 stamina jumps, spirited entrance, & AA cheer	
9:30 AM	Final Day Competition Warm-Up	All final day competitions are optional	
	Final Day Competitions		
9:50 AM	Top Team Chant	Both Band and Situational are performed in succession	
	Band Chant & Situational Sideline Chant	Crowd effective & practical. No Stunts or Tumbling Adjust to situational call, as taught, 1-3-1	C
10:30 AM	Top Team Cheer	Choose either Game Day or Performance Cheer	
	Game Day Cheer	Showcasing game day skills & crowd leading abilities	C
	Performance Cheer	Showcasing technical skills & crowd leading abilities	C
11:10 AM	Material Showcase	Advanced, Hip Hop & Spirit Dance / AA Cheer / Seniors	
11:25 AM	Awards Presentation	Camp awards h&ed out	
11:40 AM	Spirit Sticks	Take it home with you, if you earn one on the final day!	
11:45 AM	Closing	Final thoughts & message to camp	
12:00 PM	Tally Ho	Camp Dismissed!! Travel safe!	

DAY 4



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POLICY REVISIONS

DISCUSSION
Agenda Item #2
July 11, 2024

REASON FOR BOARD CONSIDERATION:

First reading of the attached revised policies.

RECOMMENDATION:

The Superintendent’s Policy Review Team, with representation of both staff and Board, reviewed and supports 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:

Policy	Title	Reason
JGA	Corporal Punishment	OSBA April 2024 Update, Modifies definition of corporal punishment to align with current ORS.
JGAB	Use of Restraint or Seclusion	OSBA April 2024 Update, ORS 330.294 was amended by Senate Bill 1024 (2023). The primary modification is to immediately notify a family of any audio or video record of the incident and preserve that record.
JHCCF	Pediculosis (Head Lice)	OSBA April 2024 Update, OAR 333-019-0010, which allowed schools to create exclusionary practices for head lice, has been repealed. Additionally, the proposed policy language aligns with recommendations from the National Association of School Nurses, Center for Disease Control and Prevention, Oregon School Nurses Association, and the American Academy of Pediatrics.

PRESENTER / STAFF CONTACT:

Tiffany Shireman, Chief of Staff



Code: JGA
Adopted: 7/05/90
Readopted: 1/17/13; 4/14/22
Orig. Code: 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. Corporal punishment does not include the use of physical force authorized in ORS 161.205 (2), (4) or (5) for the reasons specified therein, or physical pain or discomfort resulting from or caused by participation in athletic competition or other such recreational activity, voluntarily engaged in by a student.

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 their supervision or control. Permission to administer corporal punishment will not be sought or accepted from any parent or school official.

A staff member is authorized to employ reasonable physical force upon a student only when and to the extent that the application of physical force is consistent with ORS 339.285 - 339.303 and is not corporal punishment as defined in ORS 339.250(9).

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.

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 or Seclusion

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



Code: JGAB
Adopted: 9/20/07
Revised/Readopted: 4/19/12; 2/13/14; 4/24/14;
8/28/14; 9/12/19; 7/02/20;
12/08/22
Orig. Code: JGAB

Use of Restraint or Seclusion**

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

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

1. Chemical restraint.
2. Mechanical restraint.
3. Prone restraint.
4. Supine restraint.
5. Any restraint that involves the intentional and nonincidental use of a solid object¹, including a wall or the floor, to impede a student’s movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.
6. Any restraint that places, or creates a risk of placing, pressure on a student’s mouth, neck or throat.
7. Any restraint that places, or creates a risk of placing, pressure on a student’s mouth, unless the restraint is necessary for the purpose of extracting a body part from a bite.
8. Any restraint that impedes, or creates a risk of impeding, breathing.
9. Any restraint that involves the intentional placement of the hands, feet, elbow, knee or any object on a student’s neck, throat, genitals or other intimate parts.
10. Any restraint that causes pressure to be placed, or creates a risk of causing pressure to be placed, on the stomach or back by a knee, foot or elbow bone.

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

11. Any action designed for the primary purpose of inflicting pain.

The use of a seclusion cell is prohibited.

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

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

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

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

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

If restraint or seclusion is used on a student, by trained staff or other staff available in the case of an emergency when trained staff are not immediately available due to the unforeseeable nature of the emergency, ~~staffe.g., teacher, administrator~~ it will be used only for as long as the student's behavior poses a reasonable risk of imminent and substantial physical or bodily injury to the student or others and less restrictive interventions would not be effective. Students will be continuously monitored by staff for the duration of the restraint or seclusion.

Definitions

1. "Restraint" means the restriction of a student's actions or movements by holding the student or using pressure or other means.

"Restraint" does not include:

- a. Holding a student's hand or arm to escort the student safely and without the use of force from one area to another;
- b. Assisting a student to complete a task if the student does not resist the physical contact; or
- c. Providing reasonable intervention with the minimal exertion of force necessary if the intervention does not include a restraint prohibited under Oregon Revised Statute (ORS) 339.288 and the intervention is necessary to:
 - (1) Break up a physical fight;
 - (2) Interrupt a student's impulsive behavior that threatens the student's immediate safety, including running in front of a vehicle or climbing on unsafe structures or objects; or
 - (3) Effectively protect oneself or another from an assault, injury or sexual contact with the minimum physical contact necessary for protection.

2. "Seclusion" means the involuntary confinement of a student alone in a room from which the student is physically prevented from leaving. Seclusion includes, but is not limited to, the involuntary confinement of a student alone in a room with a closed door, whether the door is locked or unlocked.

“Seclusion” does not include the removal of a student for a short period of time to provide the student with an opportunity to regain self-control if the student is in a setting from which the student is not physically prevented from leaving, or a student being left alone in a room with a closed door for a brief period of time if the student is left alone for a purpose that is unrelated to the student’s behavior.

3. “Seclusion cell” means a freestanding, self-contained unit that is used to isolate the student from other students or physically prevent a student from leaving the unit or cause the student to believe that the student is physically prevented from leaving the unit.
4. “Serious bodily injury” means any significant impairment of the physical condition of a person, as determined by qualified medical personnel, whether self-inflicted or inflicted by someone else.
5. “Substantial physical or bodily injury” means any impairment of the physical condition of a person that requires some form of medical treatment.
6. “Mechanical restraint” means a device used to restrict the movement of a student or the movement or normal function of a portion of the body of a student.

“Mechanical restraint” does not include:

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

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

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

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

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

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

1. The total number of incidents involving restraint;

2. The total number of incidents involving seclusion;
3. The total number of seclusions in a locked room;
4. The total number of students placed in restraint;
5. The total number of students placed in seclusion;
6. The total number of incidents that resulted in injuries or death to students or staff as a result of the use of restraint or seclusion;
7. The total number of students placed in restraint or seclusion more than 10 times in a school year and an explanation of what steps have been taken by the district to decrease the use of restraint and seclusion for each student;
8. The total number of restraint or seclusion incidents carried out by untrained individuals;
9. The demographic characteristics² of all students upon whom restraint or seclusion was imposed;
10. The total number of rooms available for use by the district for seclusion of a student and a description of the dimensions and design of the rooms.

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

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

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

The complainant, whether an organization or an individual, may appeal a district's final decision to the Oregon Department of Education pursuant to OAR 581-002-0001 - 581-002-0023. This appeal process is represented in administrative regulation KL-AR(2) - Appeal to the Deputy Superintendent of Public Instruction.

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

END OF POLICY

Legal Reference(s):

[ORS 161.205](#)

[ORS 339.250](#)

[ORS 339.285](#)

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

[ORS 339.288](#)
[ORS 339.291](#)
[ORS 339.294](#)
[ORS 339.297](#)
[ORS 339.300](#)
[ORS 339.303](#)

[OAR 581-021-0061](#)
[OAR 581-021-0550](#)
[OAR 581-021-0553](#)
[OAR 581-021-0556](#)
[OAR 581-021-0563](#)

[OAR 581-021-0566](#)
[OAR 581-021-0568](#)
[OAR 581-021-0569](#)
[OAR 581-021-0570](#)
[OAR 581-022-2267](#)
[OAR 581-022-2370](#)

Cross Reference(s):

JGA - Corporal Punishment
JGB - Detention of Students
JGDA - 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.



Code: JHCCF
Adopted: 4/19/12
Revised/Readopted: 5/25/17

Pediculosis (Head Lice)**

A student with a suspected case of head lice may be referred to designated trained staff for a screening. The screening will be done in a confidential manner by trained personnel.

School personnel will notify the parent or guardian of a

~~The district maintains a lice-free policy in regard to head lice protocols. All students infested with live lice shall be excluded from school. It is the parent's responsibility to ensure an approved treatment has been initiated and the appropriate environment cleaning is being conducted in the home.~~

~~The parent shall accompany the excluded student to school where the student found will be screened for live lice. If live lice are still present, the student will return home with head lice and may the parent.~~

~~The district will provide information on treatment. The student will be allowed to remain in school to parents to ensure parents understand their responsibilities under this policy.~~

Suggested school measures for head lice issued by the Oregon Department of Education and Oregon Health Authority will be consulted.

END OF POLICY

Legal Reference(s):

~~ORS 433.255~~
~~ORS 433.260~~

~~ORAR 333-019-0010~~
~~-0705~~

~~ORAR 437-002-0360~~
~~ORAR 581-022.107~~

EMPLOYEE BENEFITS PLAN CHANGE

DISCUSSION

Agenda Item #3

July 11, 2024

BENEFITS COMMITTEE RECOMMENDATION:

The North Clackamas Benefits Committee has reviewed and unanimously recommends to the Board the following changes in the North Clackamas benefit plans for 2025:

- 1) Effective January 1, 2025, changing Pharmacy Benefit Manager (PBM) provider:
 - Change PBM for NCS D from CVS (current provider) to MagellanRx (proposed provider).
 - Pharmacy benefits are the most utilized employee benefit. Pharmacy benefits represent approx. 30% of healthcare spend for NCS D, and represent the fastest growing benefit and benefit expense.
 - Proposed contract with MagellanRx would represent a savings of approx. \$1.4 million from our current contract, with the potential for additional savings.
 - Potential disruptions to employee coverage have been considered, and efforts have been made to minimize disruptions.
 - Up to 6% of members may experience a slight cost increase for some of their prescriptions if generic alternatives aren't explored, though no current medications will be excluded from the new formulary.
 - Proposed provider (MagellanRx) has existing and integrations with HMA, which should help facilitate transition.
- 2) Effective January 1, 2025, NCS D both Kaiser and HMA Dental plans will provide coverage for Orthodontia.
 - Kaiser Dental will cover 50% of the cost of Orthodontia up to a lifetime maximum of \$3,000, with a 1% increase in rates.
 - NCS D self-funded HMA Dental plan will cover 50% of the cost of Orthodontia up to a lifetime maximum of \$1,500, with no increase in rates.

BUDGET IMPACT/SOURCE OF FUNDS:

The District, in consultation with our insurance broker Alliant, has made a determination that the above recommendations will likely have a net positive impact on the budget.

BACKGROUND:

The District and employee groups participate in an employee benefits committee comprised of equal membership of each employee group, as well as the Business and Human Resources administrators. Non-voting members include representatives from the NCS D School Board, three benefits specialists, and representatives from Health Management Associates (HMA), Kaiser and Alliant.

According to the North Clackamas Education Association's (NCEA) Collective Bargaining Agreement Article 26.1F:

The District and Association will participate in an employee benefits committee comprised of equal membership of each employee group, as well as the Business Manager and Human Resources administrators. The committee will meet no less than four times annually to explore methods to contain insurance costs and monitor customer service. In conjunction with the district's broker, the committee will annually review the performance of contracted vendors. Committee recommendations will form the basis for future requests for proposals from insurance carriers.

According to Oregon School Employees Associations (OSEA) Collective Bargaining Agreement Article 16.7:

The District and the Association will participate in a benefits committee comprised of equal membership from each employee group. The committee will meet no less than annually to explore methods to provide the best value of benefits while containing insurance cost. The committee will serve in an advisory capacity to the Board of Directors through district administration. Association participants will be appointed by the OSEA Chapter 71 president. Plan changes with substantial costs recommended by the Benefits Committee to district administration for consideration by the Board of Directors may require bargaining.

The work of the committee should also align with the District's Resources and Service Strategic Plan priority: Continue effective decision-making that ensures financial stewardship and transparency.

PRESENTER / STAFF CONTACT:

Matthew J. Makara, Executive Director of Finance & Business Services

Michelle Riddell, Chief of Human Resources & Business Services

**DECLARATIONS OF ACTUAL, POTENTIAL OR PERCEIVED
CONFLICTS OF INTEREST**

GOVERNANCE
Agenda Item #4
July 11, 2024

SUPERINTENDENT’S RECOMMENDATION:

This time on the agenda is scheduled for Board members to declare any actual, potential or perceived conflicts of interest.

ORIGINATED BY:

This is an annual agenda item.

BACKGROUND:

Board policy BBFA requires that Board members publicly announce the nature of any potential, actual or perceived conflict of interest during open session of a Board meeting at the first board meeting every July.

ATTACHMENT:

[Policy BBFA - Board Member Ethics and Conflicts of Interest](#)

PRESENTER / STAFF CONTACT:

Shay James, Superintendent



Code: **BBFA**
Adopted: 10/16/08
Revised/Readopted: 1/20/11; 3/13/14; 6/23/16;
6/14/18
Orig. Code(s): BBFA

Board Member Ethics and Conflicts of Interest

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

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

I. Conflicts of Interest

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

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

“Relative” means:

1. The Board member’s spouse¹; or
2. The Board member’s or the spouse of the Board member’s:
 - a. Parent;
 - b. Step-parent;
 - c. Child;
 - d. Sibling;

¹The term spouse includes domestic partner.

- e. Step-sibling;
- f. Son-in-law; or
- g. Daughter-in-law.

Relative also includes any individual for whom the Board member has a legal support obligation, whose employment provides benefits² to the Board member, or who receives any benefit from the Board member's public employment.

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

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

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

No person who is an employee of the district will be eligible to serve as a member of the Board while so employed.

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

Individual Board members and the Board as a public entity are bound by the Code of Ethics for public officials as stated in Oregon law.

Potential Conflict of Interest

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

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

Actual Conflict of Interest

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

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

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

“Perceived conflict of interest” means any action or any decision or recommendation by a Board member that could reasonably be perceived as a potential or actual conflict of interest even though there may not truly exist a conflict of interest as defined above.

Public Announcements of Conflicts of Interest

Board members will publicly announce the nature of any potential, actual or perceived conflict of interest during open session of a Board meeting as follows:

1. At the first Board meeting every July (or when at the first meeting when new board members take office and thereafter in July);
2. At any time during the year as soon as practicable when an additional conflict of interest arises; or
3. At each occasion before any official discussion or action on an issue giving rise to the conflict of interest.

Class Exception

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

II. Gifts

Board members are public officials and therefore will not solicit or accept a gift or gifts with an aggregate value in excess of \$50 from any single source in a calendar year that has a legislative or administrative interest in any matter subject to the decision or vote of the Board member. All gift related provisions apply to the Board member, their relatives, and members of their household. The \$50 gift limit applies separately to the Board member, and to the Board member’s relatives or members of household, meaning that the Board member and each member of their household and relative can accept up to \$50 each from the same source/gift giver. “Gift” means something of economic value given to a Board member without valuable consideration of equivalent value, which is not extended to others who are not public officials on the same terms and conditions.

“Relative” means:

1. The Board member’s spouse³; or
2. The Board member’s, or the spouse of the Board member’s:
 - a. Parent;
 - b. Step-parent;
 - c. Child;
 - d. Sibling;
 - e. Step-sibling;
 - f. Son-in-law; or
 - g. Daughter-in-law.

Relative also includes any individual for whom the Board member has a legal support obligation, whose employment provides benefits⁴ to the Board member, or who receives any benefit from the Board member’s public employment.

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

Determining the Source of Gifts

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

Determining Legislative and Administrative Interest

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

Determining the Value of Gifts

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

³Ibid. p. 1

⁴Ibid. p. 1

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

1. In calculating the per person cost at receptions or meals the payor of the Board member’s admission or meal will include all costs other than any amount donated to a charity;

For example, a person with a legislative or administrative interest buys a table for a charitable dinner at \$100 per person. If the cost of the meal was \$25 and the amount donated to charity was \$75, the benefit conferred on the Board member is \$25. This example requires that the Board member does not claim the charitable contribution on personal tax returns;

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

Value of Unsolicited Tokens or Awards: Resale value

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

Entertainment

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

1. The entertainment is incidental to the main purpose of another event (i.e. a band playing at a reception). Entertainment that involves personal participation is not incidental to another event (such as a golf tournament at a conference); or

2. The Board member is acting in their official capacity for a ceremonial purpose.

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

Exceptions

The following are exceptions to the ethics rules on gifts:

1. Campaign contributions are not considered gifts under the ethics rules;
2. Gifts from “relatives” and “members of the household” to the Board member are permitted in an unlimited amount; they are not considered gifts under the ethics rules;
3. Informational or program material, publications, or subscriptions related to the recipient’s performance of official duties;
4. Contributions made to a legal expense trust fund if certain requirements are met;
5. Food, lodging, and travel generally count toward the \$50 aggregate amount per year from a single source with a legislative/administrative interest, with the following exceptions:
 - a. Organized Planned Events. Board members are permitted to accept payment for travel conducted in the Board member’s official capacity, for certain limited purposes:
 - (1) Reasonable expenses (i.e., food, lodging, travel, fees) for attendance at a convention, fact-finding mission or trip, or other meeting do not count toward the \$50 aggregate amount IF:
 - (a) The Board member is scheduled to deliver a speech, make a presentation, participate on a panel, or represent the district; AND
 - i) The giver is a unit of a:
 - a) Federal, state, or local government;
 - b) An Oregon or federally recognized Native American Tribe; OR
 - c) Nonprofit corporation.
 - (b) The Board member is representing the district:
 - i) On an officially sanctioned trade-promotion or fact-finding mission; OR
 - ii) Officially designated negotiations or economic development activities where receipt of the expenses is approved in advance by the Board.
 - (2) The purpose of this exception is to allow Board members to attend organized, planned events and engage with the members of organizations by speaking or answering

questions, participating in panel discussions or otherwise formally discussing matters in their official capacity. This exception to the gift definition does not authorize private meals where the participants engage in discussion.

6. Food or beverage, consumed at a reception, meal, or meeting IF held by an organization and IF the Board member is representing the district. Again, this exception does not authorize private meals where the participants engage in discussion;

“Reception” means a social gathering. Receptions are often held for the purpose of extending a ceremonial or formal welcome and may include private or public meetings during which guests are honored or welcomed. Food and beverages are often provided, but not as a plated, sit-down meal;

7. Food or beverage consumed by Board member acting in an official capacity in the course of financial transactions between the public body and another entity described in ORS 244.020(5)(b)(I)(i);
8. Waiver or discount of registration expenses or materials provided to Board member at a continuing education event that the Board member may attend to satisfy a professional licensing requirement;
9. A gift received by the Board member as part of the usual or customary practice of the Board member’s private business, employment or position as a volunteer that bears no relationship to the Board member’s holding of public office.

Honoraria

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

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

END OF POLICY

Legal Reference(s):

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

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

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

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

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

Cross Reference(s):

BBF - Board Member Standards of Conduct
BBFB - Board Member Ethics and Nepotism
DJ - District Purchasing

BOARD PROTOCOLS AND OPERATING AGREEMENTS

GOVERNANCE

Agenda Item #5

July 11, 2024

SUPERINTENDENT'S RECOMMENDATION:

This time on the agenda is scheduled for the Board Chair to update the Board on the process for reviewing the Board Protocols and Operating Agreements.

ORIGINATED BY:

Annual agenda item.

ATTACHMENTS:

Board Protocols and Operating Agreements

PRESENTER:

Board Chair

**NORTH CLACKAMAS BOARD OF DIRECTORS
OPERATING AGREEMENTS**

1. The Board will focus on governing through policy and strategic direction in support of student achievement.

2. The Board is committed to an ongoing, open dialogue with the community regarding student education.

3. The leadership and direction of district staff and the management of the school district is the direct responsibility of the superintendent, not the Board or any individual Board member. The Board and superintendent will work together to maintain open and honest communication based upon trust.

4. The Board acknowledges the primary responsibility of the superintendent, supported by administrative staff, is to achieve the strategic direction and accompanying goals set by the Board of Directors in collaboration with the Superintendent. Board members will work with the Superintendent's office in their interactions with staff.

5. The Board, representing the community members of the district, establishes strategic direction and goals. The superintendent determines the data needed to measure and monitor the process, progress, and goals.

6. The Board commits itself individually and collectively to maintain standards of conduct, to "speak with one voice" once decisions are made, to maintain a positive culture and orderly decision-making processes, and to do its work openly.

BOARD PROCESS AND PROTOCOLS

1. All data and information provided by the district to one Board member will be provided to all board members.
2. Decisions made by the Board will not be made the first time an issue is brought before the Board except under exceptional circumstances.
3. Board member requests during open session will be recorded by the Superintendent, and will be acted upon in the most appropriate manner as ascertained by the Superintendent and Board Chairs.
4. Board member requests outside of open session will be acted upon as ascertained by the Superintendent and Board Chairs and response shared with all members.
5. Board members will strive to make decisions in an orderly fashion at meetings, expressing positions once during debate and using motions to end debate when discussions become repetitive.
6. Board members will share their perspectives succinctly and respect differing opinions.
7. Board members will refer community members with issues of concern regarding school district operations to the proper staff member or administrator directly responsible for the operational activity. In areas of major concern, Board members will refer community members to the Superintendent and copy the Board Chairs.
8. A copy of any written legal opinion regarding Board business, Board actions, or potential future Board actions or regarding any Board member(s) that is provided to the Board Chair or Superintendent will be provided to all Board members.
9. Board members and staff are respectful toward members of the community who address the Board.
10. The Board may appoint one of its members or another person to make authorized statements to the public or the media when the Board deems that, under the circumstances, the position of the district should be articulated by a single voice.
11. Board members agree that during meetings they will strive to:
 - a) Avoid springing surprises on each other.
 - b) Avoid hidden agendas.
 - c) Use Robert's Rules of Order Newly Revised to govern its deliberations and to control the meeting.
 - d) State their position and vote their conscience.
 - e) Treat all present with respect.
 - f) Attack issues, not attack people.
 - g) Refrain from debating issues with members of the audience.
 - h) Use discretion when addressing issues presented to the Board.
 - i) Direct questions or comments to the Board Chair when responding to issues presented to the Board by the public.
 - j) Limit deliberations/activities to Board work and not administrative/staff work.
 - k) Ensure only one person speaks at a time and that each member has an equal opportunity to participate.
 - l) Listen to each other and refrain from side conversations.
 - m) Refrain from long speeches.
 - n) Model the behaviors the Board expects of students, staff, and community members.
 - o) Maintain decorum and avoid using aggressive tactics.
 - p) Refrain from taking a position on an agenda item or issue until all relevant information is presented.
 - q) Praise publicly and challenge respectfully.
 - r) Monitor meeting process for compliance with laws and policy.
12. The Board may perform an annual self-evaluation.
13. The Board Chair may summarize action items & wrap up following official meetings.

BOARD LIAISON COMMITTEE ASSIGNMENTS

GOVERNANCE

Agenda Item #6

July 11, 2024

SUPERINTENDENT'S RECOMMENDATION:

This time on the agenda is scheduled for board members to discuss committee liaison assignments for the 2024-2025 school year.

ORIGINATED BY:

Annual agenda item.

ATTACHMENTS:

District and Board Committees

[Policy BCE/BCF](#)

PRESENTER:

Board Chair



DISTRICT COMMITTEES

Student Youth Equity Committee

An advisory committee to understand students' diverse experiences in the North Clackamas School District and amplify their voices and stories to improve their educational experience. These meetings will be held in person, with a few held virtually. Typically meets monthly on the second Tuesday or Wednesday of each month at 4:30 - 6:30 p.m.

Employee Benefits Committee

Typically meets monthly on the first Monday at 4:00 - 6:00 p.m. to review the health plan and other benefits. There will be no meetings in December and January.

Health Curriculum Committee

Reviews supplemental health materials and makes recommendations to the Board for their use. Meets as needed (evenings) to review curriculum materials.

Legislative Advocacy Committee

Every other fall/winter prior to the long legislative session, Board liaisons work with district staff and community members to draft the District's Legislative Agenda. After Legislative Agenda board adoption, Board liaisons provide legislative outreach and advocacy throughout both legislative sessions in accordance and in alignment with the Board adopted Legislative Agenda. Board liaisons also coordinate with the Parent Community Leadership Alliance (PCLA).

NCEA Labor Association

Meets as needed on contract negotiations and other communication with the union. This is a non-bargaining year.

OSEA Labor Management

Meets as needed on contract negotiations and other communication with the union. This is a non-bargaining year.

Policy Review Committee

Meets virtually twice monthly on the first and third Tuesday at 2:00 - 3:30 p.m., or as needed, to discuss revisions to Board policies.

Wellness Committee

The committee considers topics related to the local wellness policy and periodically reviews the policy. Meets at least twice annually, typically in the late afternoon.

Educational Equity Advisory Committee

An advisory committee providing bi-directional communication and learning between community members, students, staff, and school district leaders. Typically meets monthly on the third Tuesday of each month at 5:00 - 7:00 p.m.

BOARD COMMITTEES

Superintendent Evaluation Committee

This committee is responsible for drafting the superintendent's evaluation. The evaluation is drafted over 1-2 meetings in the winter. As this is a Board Committee, it is subject to Oregon's Open Meeting Law.

LIAISON TO OTHER COMMITTEES

North Clackamas Education Foundation (NCEF) Board Meeting

These meetings are for the NCEF Board members to review their budget, plan for fundraising events, share outreach efforts, and make decisions about ways they support NCSd students, staff, and the community. Meets in person or online on the third Tuesday of each month at 6:30 - 8:00 p.m.



Code: **BCE/BCF**
Adopted: 6/19/86
Readopted: 9/20/12
Orig. Code(s): BCE

Board Committees

The Board may appoint special committees of citizens, staff and/or Board members for specific purposes to serve until their assignment is completed. This can include the entire Board meeting as a committee-of-the-whole; standing sub committees; ad hoc committees and advisory committees. Committee assignments for standing sub committees will be made at the Board's organizational meeting.

General Guidance

Committee recommendations will be made directly to the Board. Recommendations from such committees will be given careful consideration by the Board, but such recommendations will not relieve the Board of its legal responsibility to make final decisions about such matters. Committee recommendations and reports will become an official part of Board minutes.

All meetings of Board committees shall follow all public meeting laws. The press may attend and report proceedings. Visitors shall sit apart from the committee members and shall speak only when invited to do so by the committee chair.

The composition of committees to the Board will be broadly representative and will take into consideration the specific tasks assigned to the committee. The process for the appointment of community members to an advisory committee will be determined by the Board. When requested by the Board, appointment of staff members, when appropriate, will be made by the superintendent.

The Board will adopt guidelines for each committee as appropriate, which will include, but not be limited to, the following:

1. The committee's written charge which shall include, but not be limited to, a statement of purpose and responsibility;
2. The resources the Board will provide;
3. The length of time the committee is asked to serve and the approximate date(s) on which the Board wishes to receive a committee report(s).

Committee of the Whole

The Board meets as one body for the purpose of conducting work sessions to provide its members with opportunities for planning and thoughtful discussion. This is a non-voting meeting.

Standing Subcommittees

This Board-directed committee exists in perpetuity to advise the Board on important governance matters. These are long term committees which assist the Board in doing policy work efficiently and effectively; provides opportunity to conduct more thorough research and consideration of information prior to decision making; provides an opportunity to dialog with invited staff and community members on specific topics as directed by the Board. A staff member will be assigned to support the committee.

Ad Hoc Committees

This Board member only committee exists for a specific project, and is of limited duration. It is used to research and report on recommendations on a narrow set of issues/topics. This committee may interface with district staff but will not typically interface with the public.

Advisory Committees

These advisory committees act as a sounding board for community opinion and provide an opportunity to gain community wide understanding and support on matters of districtwide importance and make recommendations to the Board. The Board appoints this committee but is not a member of this committee. Board members shall act as a resource consultant and/or as an observer and does not speak on behalf of the Board.

Liaison to Nondistrict Committees

Individual Board members are assigned as a representative of the Board to another external body, group, organization or other entity. Board members may be asked to attend internal administrative/operational meetings as an observer to gain individual understanding of operations and systems. Board members shall act as resource consultant and/or observer. They do not speak on behalf of the Board.

END OF POLICY

Legal Reference(s):

[ORS 192.610 - 192.690](#)

[ORS 332.045](#)

[ORS 332.105](#)

MANDATORY CHILD ABUSE REPORTING TRAINING

GOVERNANCE

Agenda Item #7

July 11, 2024

SUPERINTENDENT'S RECOMMENDATION:

This time on the agenda is scheduled for Board members to review expectations regarding mandatory reporting of suspected abuse of a child.

BACKGROUND:

The Board on February 27, 2020 adopted Policy BBFC – Reporting of Suspected Abuse of a Child due to Senate Bill (SB) 415 (2019) which designates members of a school district board as mandatory reporters of suspected child abuse.

ATTACHMENTS:

[Board Policy BBFC](#)

Training Handout

PRESENTER / STAFF CONTACT:

Shay James, Superintendent



Recognizing and Responding to Child Neglect and Abuse in Oregon

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Objectives

The purpose of this course is to help educators understand, recognize, respond to and reliably report suspected child neglect and abuse.

Course topics include:

1. Neglect
2. Physical Abuse
3. Sexual Abuse
4. Emotional Abuse
5. Speaking with a Victim
6. Understanding Child Neglect and Abuse



Overview

In 2014, an estimated 1,580 children lost their life to child neglect and abuse. The concept of harming a child is unimaginable to most people, although when children are neglected or abused, it's often by the people they love, people who love them, or people in whose care they are entrusted.

Children and adolescents spend a large portion of their time in school, making educators one of the most valuable resources in recognizing and reporting cases of child maltreatment.

Federal legislation identifies a minimum set of acts or behaviors that define child neglect and abuse. However, each state also provides its own definitions, and not all state definitions include the same information.

Of the estimated 702,000 instances of child neglect abuse in 2014, 92% of the perpetrators were parents.



For this course, the term “educator” applies not only to the classroom teacher, but to all school personnel who work directly with children.

Definition

There is no single, universal definition of child maltreatment, but there are four commonly recognized forms:

- Neglect
- Physical abuse
- Sexual abuse
- Emotional abuse

Some states also include parental substance abuse, children witnessing domestic violence and abandonment in their child protection laws.



1

Chapter
Neglect

Topics in this chapter include:

- Physical Neglect
- Medical Neglect
- Inadequate Supervision
- Educational Neglect
- Emotional Neglect
- Indicators of Neglect

Neglect

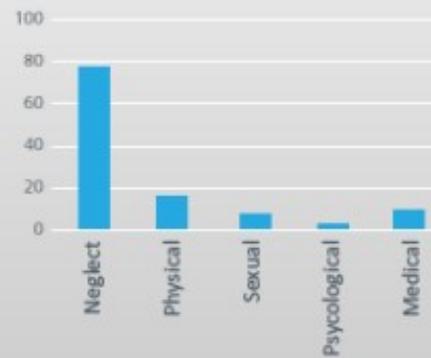
Neglect is overwhelmingly the most common crime perpetrated against children. Neglect is the failure of a parent or caretaker to provide needed food, clothing, shelter, medical care or supervision to the degree that the child's health, safety and well-being are threatened. Acts of neglect vary based on the age and developmental level of a child and the extent of the neglect.

While other forms of maltreatment are mostly episodic, neglect tends to be chronic. Because of this, children often become accustomed to their way of life and may not recognize what is missing.

Categories of neglect include, but are not limited to:

- Physical neglect
- Medical neglect
- Inadequate supervision
- Educational neglect
- Emotional neglect

Neglect was the most common type of maltreatment at 78%.



The percentage of child victims by sex was similar for boys and girls (48.7 and 50.9%, respectively). Source: [Child Health USA 2014](#).

Physical Neglect

Physical neglect is one of the most widely recognized forms of neglect. Physical neglect includes:

- **Abandonment**, which is specifically named in many state child protection laws. It is the failure to provide reasonable care and supervision of a child. A child is considered to be abandoned when:
 - The parent's identity or whereabouts are unknown;
 - The child has been left alone in circumstances where the child suffers serious harm; or
 - A parent fails to maintain contact or provide reasonable support for their child within a specified period.
- **Expulsion** is the blatant refusal of custody, such as the permanent or indefinite exclusion of a child from the home, without arranging adequate care.
- **Shuttling** is repeatedly leaving a child in the custody of others for days or weeks at a time.
- **Nutritional neglect** is when a child is undernourished or goes without food for long periods.
- **Clothing neglect** is the lack of appropriate clothing, such as not having warm clothes or shoes in winter.



Physical Neglect, continued

Additional types of physical neglect include inadequate hygiene, failure to address obvious hazards in the home, and/or a reckless disregard for a child's safety and welfare (e.g., driving while intoxicated with a child in the car, leaving a young child in a car unattended, etc.).

Neglect laws often exclude circumstances in which a child's needs are not met because of low socio-economic status or an inability to provide.

It is unclear when homelessness should be considered neglect. Some states specifically omit homelessness as a form of neglect. However, homeless children are more at risk for other types of neglect.





Some states define **medical neglect** as the failure to provide needed medical treatment or mental healthcare to a child. Types of medical neglect are listed below:

- **Refusal of healthcare** is the failure to provide or allow needed medical care as recommended by a competent healthcare professional.
- **Delay in healthcare** is the failure to seek timely and appropriate medical care for a serious health problem that a reasonable person could recognize as needing medical attention.
- **Delay or refusal in psychological care** is the failure to seek or provide treatment for an emotional or behavioral problem that most people would recognize as needing professional attention (e.g., suicidal behaviors).

There are exemptions in some states for parents who choose to not seek medical care due to religious beliefs.

Inadequate Supervision



Inadequate supervision involves leaving a child inadequately supervised for extended periods of time, or allowing a child to remain away from home without attempting to determine where the child is. Some states specify the amount of time children at different ages can be left alone.

Inappropriate care involves leaving a child in the care of someone who should not be trusted to provide care for a child, such as leaving a child with another young child, or leaving a child with a known child abuser.

Other types of inadequate supervision include:

- Leaving a child with an appropriate caregiver several days longer than planned;
- Leaving the child with a caregiver who is not adequately supervising the child; and
- Not keeping the child from engaging in risky, illegal or harmful behaviors.

Educational Neglect

Parents are responsible for meeting certain requirements regarding the education of children. About half the states include the **educational neglect** a child as part of their definition of neglect.

Failure to enroll a school-age child in school is one type of educational neglect. Another type is **chronic truancy** — that is, not sending a school-age child to school without valid reasons for keeping him/her home.

Inattention to special-education needs involves refusing to allow a child to receive recommended remedial-education services, without a reasonable cause for doing so.



Emotional Neglect

Emotional neglect is more difficult to assess than other types of neglect. It often occurs along with other forms of neglect or abuse.

Inadequate nurturing or affection involves the persistent, marked inattention to a child's needs for emotional support or attention.

Permitting maladaptive behavior occurs when a parent or caregiver is aware that a child is engaging in risky, maladaptive behaviors but does not intervene.



Indicators of Neglect, Student

Indicators of neglect are likely visible in the appearance and behavior of a child. Consider reporting possible neglect if/when you notice that a *child*:

- Is frequently absent from school.
- Wears dirty clothing, has clothing is significantly too small or too big; has clothing that's torn, or has clothing inappropriate for the weather.
- Is often hungry; hoards, steals or begs for food; seems emaciated; or has a distended stomach.
- Often appears listless and tired, and has little energy.
- Frequently reports caring for younger siblings, or shares that there is no adult at home to provide care.
- Has unattended medical or dental problems, such as infected sores or decaying teeth.
- Demonstrates poor hygiene or smells of urine and feces.



Indicators of Neglect, Caregiver

Consider reporting possible neglect if/when a *parent or adult caregiver* repeatedly:

- Appears to be indifferent to a child;
- Seems apathetic or depressed;
- Behaves irrationally or in a bizarre manner; or
- Is abusing alcohol or drugs.

In these cases, it is common to see a parent-child role reversal, where children begin assuming parental roles and responsibilities.



2

Chapter

Physical Abuse

Topics in this chapter include:

- Physical Abuse
- Indicators of Physical Abuse

Physical Abuse



Physical abuse includes any non-accidental physical injury caused by the actions of a caretaker. Abusive behaviors that typically cause harm include, but are not limited to:

- Striking
- Kicking
- Pushing
- Shaking
- Whipping
- Burning
- Biting

Many states' definitions of physical abuse include circumstances that create a significant risk of harm to a child's health or welfare. These actions are considered abusive regardless of whether harm was intended.

Acts of discipline, such as spanking, are not considered abusive when they are reasonable and do not cause bodily injury; many states include this exception in their laws.

Indicators of Physical Abuse, Student and Caregiver

Consider the possibility of reporting possible physical abuse if/when a *student*:

- Has unexplained burns, bites, bruises or broken bones;
- Has fading bruises or other marks noticeable after an absence from school;
- Seems frightened of parents and protests or cries when it is time to go home;
- Shrinks at the approach of adults;
- Reports injuries caused by a parent or another adult caregiver; or
- Provides explanations for injuries that don't make sense.

Consider the possibility of reporting possible physical abuse when a *parent or adult caregiver*:

- Offers a conflicting or unconvincing explanation for a child's injury;
- Uses harsh physical discipline with a child;
- Shows little concern for a child; or
- Asks teachers or other caregivers to use harsh physical discipline if a child misbehaves.



Signs of physical abuse are difficult to interpret with absolute certainty and may be confused with normal childhood injuries.

Indicators of Physical Abuse, continued

Bruises are the most common injury caused by physical abuse. Bruises from normal childhood mishaps usually occur to the “less fleshy” parts of one’s body, such as the forehead, elbows, knees and shins. It’s less common for children to sustain bruises to the “fleshy” parts of their bodies, such as their cheeks, abdomen, thighs and buttocks.

Most bruises do not have a recognizable shape. Bruises that appear as loop marks or hand marks, or that show a recognizable source (such as a belt) strongly suggest physical abuse. Also, watch for:

- An unusual amount of bruising;
- Bruises on different areas of the body;
- Multiple bruises in various stages of healing; and
- Bruises that indicate multiple strikes from a single object (e.g., a stick or a cord).

Internal abdominal injuries are difficult to recognize. Symptoms of abdominal injuries include:

- Pain or bruising in the abdominal area;
- A child guarding his/her body;
- An elevated heart rate;
- Signs of shock;
- A distended abdomen;
- A firm or rigid-feeling abdomen; and
- Low blood pressure.



Indicators of Physical Abuse, continued 2

Fractures can result from direct blows, from twisting one's limbs or from falling. Fractures can be identified by:

- Swelling or bruising over a bone;
- A deformity in an arm or a leg;
- Pain in an injured area that gets worse when the area is moved or when pressure is applied;
- Loss of function in an injured area; or
- A bump or opening in the skin where an injury occurred.

A child with broken ribs may have difficulty breathing and may take quick, shallow breaths.



Indicators of Physical Abuse, continued 3

Head traumas are the leading cause of death from physical abuse. Head trauma may be the result of a direct blow to the head or from severe shaking (commonly referred to as “shaken baby syndrome”).

When a child has a skull fracture, there may be blood or clear fluid leaking from the nose or ears, there may be eye pupils of unequal size, there may be bruises or discoloration around the eyes or behind the ears, or there may be swelling or a dent on part of the head.

Less severe head trauma cases may be recognized through the following symptoms:

- Sudden changes in behavior or mood, such as anxiety, irritability or depression;
- Vomiting;
- Dizziness, confusion or memory loss;
- Partial paralysis or numbness; or
- A headache.

In the most severe cases of head trauma, a child may become unconscious, suffer seizures or go into shock. These symptoms indicate a child is in dire need of emergency medical attention.



Indicators of Physical Abuse, continued 4

Burns can be identified via the following indicators:

- Cigarette burns are round and are the size of cigarettes.
- Grease burns may leave a trail of the substance “dripping or running” down the skin.
- Scalding patterns from immersing a child into hot water often have clear burn lines.
- There may be areas of the skin that are less burnt because of folds in the skin.

Bites inflicted by animals may be difficult to distinguish from bites from other humans. However, bites from animals are typically smaller, deeper and narrower than human bites. Also, animal bites may show signs of the flesh being ripped or torn .



3

Chapter

Sexual Abuse

Topics in this chapter include:

- Sexual Abuse
- Indicators of Sexual Abuse

Sexual Abuse

All states include sexual abuse as part of their child-protection laws. **Sexual abuse** occurs when an adult engages in inappropriate sexual behavior with a child, or when a child is exposed to inappropriate sexual behavior.

Sexual abuse can include any of the following behaviors:

- Oral, anal or genital penetration;
- Fondling of a child's genitals, breasts or buttocks;
- Making the child fondle an adult's genitals;
- Indecent exposure;
- Sexual exploitation of children (e.g., involving a child in prostitution or in the production of child pornography);
- Inadequate or inappropriate supervision of a child's voluntary sexual activities; and/or
- Exposing a child to pornographic materials.

The term **sexual abuse** typically refers to situations where a child is abused by a parent or another family member.

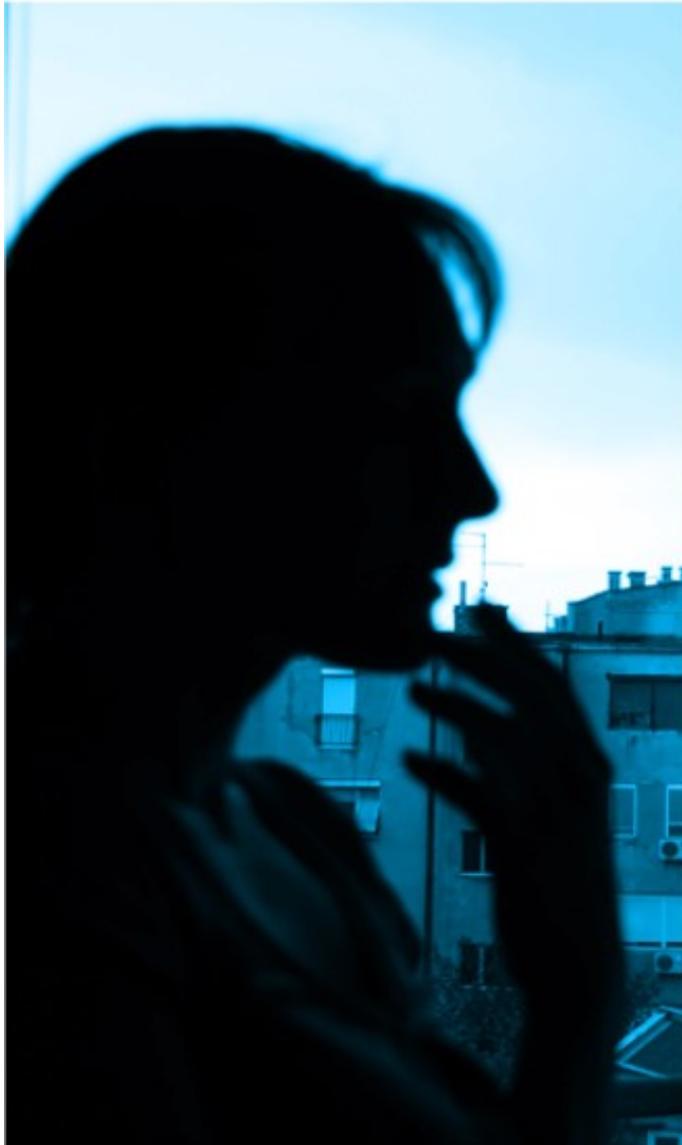
Sexual assault typically implies a forced or coerced sexual act by someone from outside the family. It may also include sexual acts committed by a person under the age of 18 when the perpetrator is significantly older than the victim, or when the perpetrator is in a position of power or control over a child.

The charges appropriate for a given case varies by state.



In some states, the definition of sexual abuse includes sex trafficking (i.e., the trafficking of children for sexual purposes).

Sexual Abuse, continued



Sexual abuse impacts a child's behavior, school performance, attention, self-perception and emotional regulation. Many victims of sexual abuse become so consumed with the emotional effects of the abuse that they lack the energy they need to engage fully in learning.

After being sexually abused, children are at risk of developing significant emotional and behavioral difficulties. Victims may experience any combination of the following:

- A sense of guilt for their role in the abuse;
- Anger at their parents for not knowing about the abuse;
- Feelings of powerlessness;
- Feeling like they are "damaged goods"; and
- A fear that people will treat them differently because of the abuse.

Sexual Abuse, continued 2

Victims of sexual abuse may also experience **mental health disorders**, including major depression.

Likewise, victims may start acting aggressively or engaging in age-inappropriate sexual behaviors. A child who has been sexually abused may approach adults seductively, assuming adults will be pleased by their behavior. Or s/he may abuse their peers or younger children as a way of trying to make sense of the abuse.

In addition, sexual-abuse victims often experience **posttraumatic stress disorder (PTSD)**, characterized by:

- Having Intrusive, reoccurring thoughts of the traumatic experience;
- Avoiding reminders of the trauma (e.g., places, people, sounds or smells that trigger memories);
- Numbing oneself emotionally;
- Behaving irritably;
- Having difficulties sleeping or concentrating; and
- Physical and emotional hyperarousal (e.g., mood swings that are disproportionate for the situation).



Sexual Abuse, continued 3

In most sexual abuse cases, a period of grooming takes place. **Grooming** involves an adult increasingly and persistently invading the boundaries of a vulnerable child. Initially, children may welcome attention from an adult. An then, as the boundary invasions become increasingly inappropriate, the child may justify the adult's behavior because of the "special relationship" they share.

It's important to note that while all sexual grooming involves boundary invasions, not all boundary invasions constitute sexual grooming. Some boundary invasions between an adult and a child are understandable and justified. For example, a teacher's aide may need to change a student after a toileting accident. Or a coach may have to touch students while teaching them wrestling, football or gymnastics.



Indicators of Sexual Abuse, Student

Consider the possibility of reporting possible sexual abuse if/when a *student*:

- Demonstrates bizarre, sophisticated or unusual sexual knowledge or behavior;
- Suddenly refuses to change for gym or participate in physical activities;
- Reports nightmares or bed-wetting;
- Experiences a sudden change in appetite; or
- Becomes pregnant (particularly if the child is younger than 14 years old).

Although indicators of sexual abuse are difficult to recognize, some include:

- Injuries to the genitals that make it difficult to walk or sit;
- Torn, stained or bloodied underwear; or
- Itching in the genital area. (Genital itching may indicate a sexually transmitted disease.)

It may be more difficult to detect the symptoms of sexual abuse in adolescents because of their increased knowledge of sexuality. That said, teens that exhibit intense promiscuity, self-injurious or suicidal behaviors may be revealing conflicts they're unable to handle.



Indicators of Sexual Abuse, Caregiver

In addition to the indicators exhibited by a child, there are indicators exhibited by perpetrators of sexual abuse. Recognizing the indicators in a perpetrator may help to verify suspicions of sexual abuse.

Consider the possibility of sexual abuse if/when a *parent or caregiver*:

- Is unduly protective of a child;
- Severely limits a child's contact with other children, especially children of the opposite sex;
- Is secretive and isolated; or
- Is jealous or controlling with family members.



4

Chapter

Emotional Abuse

Topics in this chapter include:

- Emotional Abuse
- Indicators of Emotional Abuse

Emotional Abuse



Even the most responsible of parents have occasions when they say hurtful things to their children, fail to give them the attention they want, or scare their children with threatening behavior. Emotional abuse involves more than an occasional poor choice of words or an occasional display of insensitive behavior.

Emotional abuse (i.e., psychological abuse) is a pattern of behavior that impairs a child's emotional development or sense of self-worth. Examples of emotional abuse include:

- Constant criticism, ridicule or threats;
- Withholding love, affection or guidance;
- Ignoring a child's attempts to interact;
- Persistent, marked inattention to a child's need for affection, emotional support or attention; or

Isolating a child (e.g., confining a child, placing unreasonable limitations on a child's freedom of movement, or restricting the child from interacting with his or her peers).

State laws often define emotional abuse as "injury to the psychological capacity or emotional stability of a child, as evidenced by an observable or substantial change in behavior, emotional response or cognition" and injury as evidenced by anxiety, withdrawal or aggressive behavior.

Indicators of Emotional Maltreatment

Emotional abuse is most often observed through behavioral indicators. It is nearly always present in conjunction with other forms of maltreatment. Consider the possibility of reporting emotional abuse if/when a *child*:

- Shows extremes in behavior (e.g., overly compliant behavior, overly demanding behavior, extreme passivity or extreme aggression);
- Is either inappropriately adult or inappropriately infantile;
- Is delayed in physical or emotional development;
- Displays suicidal behaviors;
- Reports a lack of attachment to his/her parent;
- Runs away from home;
- Shows significant sadness, self-denial, depression, low self-esteem or withdrawal;
- Is unable to form trusting relationships;
- Displays habit disorders (e.g., sucking, biting, rocking, etc.);
- Has phobias, obsessions, compulsions;
- Has conduct disorders (e.g., (is anti-social, violent, destructive or sociopathic); or
- Has neurotic traits (e.g., sleep disorders, speech disorders or the inability to play).



Indicators, continued

Consider the possibility of emotional abuse when if/when a *parent or caregiver*:

- Constantly blames, belittles or berates a child;
- Is unconcerned about a child and refuses to consider offers of help for the child's problems;
- Overtly rejects a child;
- Sees a child as entirely bad, worthless or burdensome;
- Demands a level of physical or academic performance that the child cannot achieve; or
- Looks primarily to the child to provide him/her care, attention and the satisfaction emotional needs.

The behavior of *emotionally abused* children may be similar to the behavior of children who are *emotionally disturbed*. Parental behavior can help to distinguish between the two. The parents of an emotionally disturbed child are usually concerned about their child's welfare and seek help. The parents of an emotionally abused child may ignore that their child has a problem, refuse all offers of help, and/or appear unconcerned.



[State statutes pertaining to all forms of child maltreatment](#)



5

Chapter

Speaking with a Victim

Topics in this chapter include:

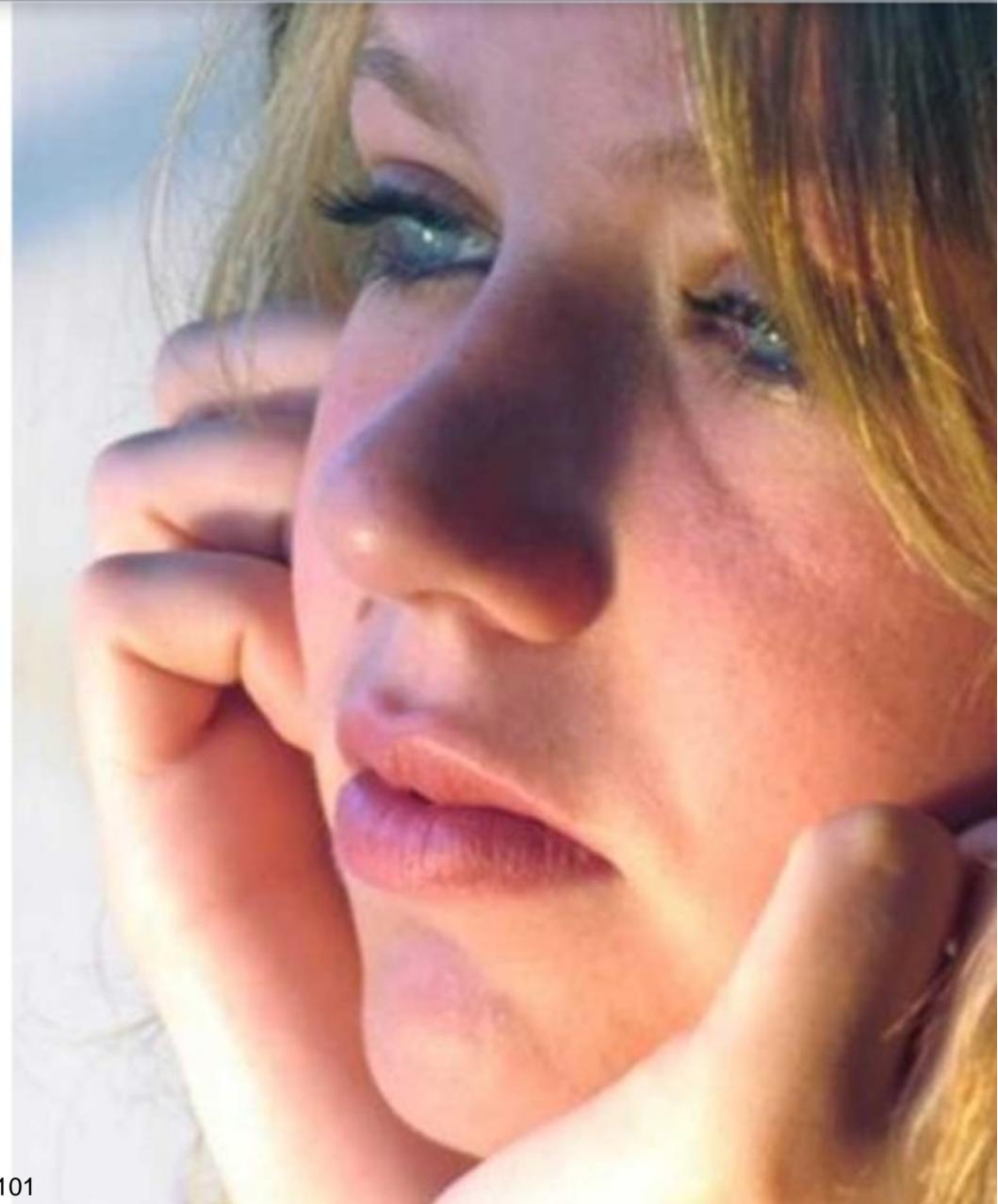
- Overview
- How to Speak with a Victim

Overview

Typically, when a child talks about neglect or abuse, s/he confides in someone trustworthy. That “someone” may be you, because school might be the child’s one safe refuge from abusive environment at home.

The thought of talking to a child about neglect or abuse may make you feel uncomfortable. But how you handle such a conversation is critical. It could, quite literally, be the most important discussion the child will ever have.

It’s essential you make the child feel comfortable. You want him/her to disclose as much information as s/he’s willing to do. That’s because your goal is to identify — and ultimately report — suspected child abuse so that a trained professional can investigate the situation.



How to Speak with a Victim 1-4



When speaking with a possible victim of neglect or abuse:

1. Talk to the victim in private. Choose a comfortable area where you can't be overheard.
2. Don't be emotional. Maintain an open posture. Be calm and reassuring so the child stays relaxed. Don't show disgust about the abuse or the abuser; the child may think your disgust is directed at him/her for the acts forced s/he endured. In addition, even if the abuser committed a horrible act, he may still be someone the child loves.
3. Speak to a child at his/her level. Don't use terms unfamiliar to the child. And don't correct the child if s/he uses inappropriate language to describe what happened, or as part of an emotional outburst.
4. Listen intently. Show you're paying attention by nodding your head and using simple phrases like, "I see." Don't plead for information or coerce a child to share more than s/he wants.

How to Speak with a Victim 5-6

5. Take the child seriously. Don't try to judge the child's truthfulness; a Public Child Services Agency (PCSA) will investigate the matter to determine what happened. Just let the child know what s/he's saying is important, and that sharing it is the right thing to do.
6. Obtain the information needed to make a report. Ask these four important who/what/when/where questions:
 - I. Who did this to you?
 - II. What happened?
 - III. When did this happen?
 - IV. Where were you when this happened?

Then, follow-up with open-ended questions such as, "What happened next?" Refrain from asking "why" questions. A child may think that you're asking him/her to justify his/her comments.



How to Speak with a Victim 7-8

7. Help the child devise a safety plan. Talk about what the child should do if the abuse persists. If it does continue, encourage her/him to talk to you or another trusted adult right away. Suggest other people who can help.
8. Don't make promises or create misleading expectations. Let the child know you'll do everything you can to help. But don't promise the abuse will end. If you do, and the abuse endures, the child may no longer trust you. Also, don't promise a happy ending. Although steps will be taken to protect the child, s/he may be removed from her/his home, someone the child loves may be jailed, or the child's family may endure great amounts of stress.



How to Speak with a Victim 9-10

9. Explain to the child what will happen next. Don't allow the child to think you will keep the conversation secret. Explain what you will do and what s/he can expect. Talk positively about what will happen and reassure the child that it's all to help and protect her/him.
10. Don't delay in making a report. If necessary, ask someone to assume your responsibilities so you can contact a law enforcement or a PCSA. Discuss the situation with someone before the child leaves school so protective measures can be enacted as needed.



Immediately after your conversation with the child, write down what she said. Be as detailed as possible, using the child's exact words.

6 Chapter

Understanding Child Neglect and Abuse

Topics in this chapter include:

- Effects of Child Neglect and Abuse
- Risk Factors
- Protective Factors

Effects of Child Neglect and Abuse

A growing body of evidence indicates that neglect and abuse can affect a child's cognitive, emotional, social and behavioral development. In fact, a child's brain structure and chemical activity can actually be changed.

How a kid is impacted depends on her/his age at the time of the maltreatment, the identity of the perpetrator, whether the child had dependable nurturing individual in her/his life, the type and severity of the maltreatment, how long the maltreatment lasted, and other factors.

Genetics predispose us to develop in certain ways. But our life experiences — including our parental interactions — significantly impact how those pre-dispositions are expressed. Genetics and life experience *both* play a role in brain development. And the brain adapts to negative experiences just as readily as it adapts to positive ones.



Effects, continued



Children who have been neglected or abused may not be functioning at their chronological age in terms of their cognitive, emotional, social and behavioral skills. They may also display unusual or difficult coping behaviors. For example, abused or maltreated children may:

- Be unable to control their emotions and have frequent outbursts;
- Be quiet and submissive;
- Have difficulties learning in school;
- Have difficulties getting along with siblings or classmates;
- Have unusual eating or sleeping behaviors;
- Attempt to provoke fights or solicit sexual experiences;
- Be socially or emotionally inappropriate for their age; or
- Be unresponsive to affection.

The effects of maltreatment can continue to influence brain development and activity into adolescence and adulthood.

Risk Factors

It is impossible to predict whether a child will be the victim of neglect or abuse. However, researchers have identified various factors common to victims child maltreatment; these are known as **risk factors**. Understanding risk factors can help identify victims of child maltreatment.

Children raised in homes where risk factors are present are more likely to experience abuse or neglect. When multiple risk factors are present, the risk is even greater. However, the presence of risk factors doesn't always mean maltreatment is taking place.



Risk Factors, continued

Some of the most common risk factors include:

- **Immaturity** — Young parents may lack experience with children or be unprepared for the responsibility of raising a child.
- **Stress** — Families struggling with poverty, unstable housing, divorce or unemployment may experience higher levels of stress.
- **Substance abuse** — The effects of substance abuse — as well as the time, energy, and money spent obtaining drugs or alcohol — make it difficult for parents to care for their children.
- **Parental histories** — How a person is raised plays a large part in how s/he parents her/his own child. However, it is incorrect to assume that a maltreated child will grow up to become an abusive or neglectful parent. Two-thirds of parents who were maltreated as children do not maltreat their own children.
- **Attitudes and knowledge** — Negative, misguided attitudes about a child's behavior and inaccurate knowledge about child development are risk factors for child maltreatment:
 - A parent's lack of knowledge about normal child development may result in unrealistic expectations, which can result in inappropriate punishments.
 - Parents who become frustrated and don't know how to manage a child's behavior may lash out at a child.
 - Parents may have attitudes that devalue children or view them as property.



Two-thirds of parents who were maltreated as children *do not* maltreat their children.

Risk Factors, continued 2

- **Family structure** — Children living in single-parent homes may have a higher risk of experiencing child maltreatment than children living with two parents. Lower income, increased stress and fewer supports all contribute to the risk of maltreatment.
- **Marital conflict and domestic violence** — Children in chaotic or violent homes are likely to experience harmful emotional consequences. These children may be victims of physical abuse themselves, or they may be neglected by parents who are focused on their partners or who are unresponsive to their children.
- **Poverty and unemployment** — Poverty and unemployment are associated with child maltreatment — particularly neglect. Most poor people do not maltreat their children; however, poverty increases factors associated with maltreatment.
- **Social isolation** — Effective parenting is more difficult when parents lack a supportive partner, a supportive family or a supportive community.



Protective Factors



Trauma from neglect and abuse affect children differently. Some kids may experience severe long-term consequences, while others may not. The ability to cope with a negative experience is referred to as **resilience**. Resilience results from a mixture of both risk and protective factors.

Protective factors are conditions or attributes that promote well-being and reduce the risk of negative outcomes. Protective factors help individuals negotiate difficult circumstances and fare better in school, work and life.

Building protective factors for victims of child abuse and neglect can help increase resilience in the short-term. Building protective factors can also promote skills, personal characteristics, knowledge, relationships and opportunities that contribute to positive long-term outcomes.

Protective Factors, continued

What follows is a non-inclusive list of protective factors:

- **Self-efficacy** — A positive internal locus of control.
- **A sense of purpose** — A positive attitude toward religiosity, faith or spirituality.
- **Self-regulation skills** — The ability to control emotions and cognitive thought processes.
- **Problem-solving skills** — The ability to solve challenges.



Protective Factors, continued 2

- **Relational skills** — The ability to perform effectively in social situations.
- **Involvement in positive activities** — School connectedness, commitment and engagement.
- **Positive peers** — Support from positive friends.
- **A positive school environment** — A positive school climate and effective programming in schools.



End of Section

You have completed this section of the course. You must complete all sections and take the test to receive credit for this course.

Click on the next section in the left-hand navigation bar. If you've completed all sections, please click "Take Test."





Code: BBFC
Adopted: 2/27/20

Reporting of Suspected Abuse of a Child

A Board member is a mandatory reporter of child abuse. A Board member having reasonable cause to believe that any child with whom the Board member comes in contact with has suffered abuse or that any person with whom the Board member comes in contact with has abused a child shall immediately notify the Oregon Department of Human Services (DHS) or local law enforcement pursuant to Oregon Revised Statute (ORS) 419B.015.

The Board member making a report of child abuse, as required by ORS 419B.010, shall make an oral report by telephone or otherwise to the local office of the Department of Human Services, to the designee of the department or to a law enforcement agency within the county where the Board member making the report is located at the time of the contact.

The report shall contain, if known: the names and addresses of the child and the parents of the child or other persons responsible for the care of the child; the child's age; the nature and extent of the abuse, including any evidence of previous abuse; the explanation given for the abuse; and any other information that the Board member making the report believes might be helpful in establishing the cause of the abuse and the identity of the perpetrator.

END OF POLICY

Legal Reference(s):

[ORS 332.107](#)
[ORS 419B.005](#)
[ORS 419B.010](#)
[ORS 419B.015](#)
[Senate Bill 415 \(2019\)](#)

Cross Reference(s):

BBF - Board Member Standards of Conduct

BOARD POLICY DEVELOPMENT

ACTION
Agenda Item #8
July 11, 2024

PROPOSED ACTION:

Approval of the attached policy lettered KDA and titled “Firearms Prohibited.”

BACKGROUND:

In 2021, SB 554 allowed public school districts to adopt and enforce prohibitions on the carrying of concealed weapons within their campuses. During the board meetings on 3/21/24 and 6/26/24, staff provided background information on the topic and presented a draft board policy. The Board asked questions and made comments.

ATTACHMENTS:

[SB 554 \(2021\)](#)

[ORS 166.377](#)

[Draft Board Policy KDA “Firearms Prohibited”](#)

PRESENTERS:

Tiffany Shireman, Chief of Staff

David Kruse, Director of Safety, Security & Risk Management

Enrolled Senate Bill 554

Sponsored by Senators BURDICK, MANNING JR, WAGNER, Representatives GRAYBER, PRUSAK, REYNOLDS, SOLLMAN; Senators DEMBROW, FREDERICK, GORSEK, LIEBER, PROZANSKI, RILEY, STEINER HAYWARD, TAYLOR, Representatives ALONSO LEON, CAMPOS, DEXTER, KROPF, NERON, NOSSE, PHAM, SALINAS, SCHOUTEN, SMITH WARNER, VALDERRAMA, WILDE (Pre-session filed.)

CHAPTER

AN ACT

Relating to firearms; creating new provisions; amending ORS 166.262, 166.291, 166.360 and 166.370; and prescribing an effective date.

Whereas on December 11, 2012, 54-year-old Cindy Ann Yuille and 45-year-old Steven Forsyth were shot and killed in the Clackamas Town Center with a stolen AR-15 style assault weapon; and

Whereas the assault rifle used to kill Cindy Ann Yuille and Steven Forsyth had been stolen after being left unsecured with a fully loaded 30 round ammunition magazine by its lawful owner; and

Whereas the lawful owner of the assault rifle failed to report the weapon stolen to any law enforcement agency upon discovering the theft of the weapon; and

Whereas the lawful owner of the weapon used in the Clackamas Town Center shooting had no legal obligation under Oregon law to safely secure the firearm or to report the theft of the weapon; and

Whereas on average 10 children under the age of 18 commit suicide in Oregon each year with firearms that were not safely stored and secured to prevent child access; and

Whereas Oregon has a per capita suicide rate above the national average; and

Whereas the percentage of suicides that are firearm suicides in Oregon is also above the national average; and

Whereas a proven barrier to the impulse to commit suicide is securing firearms with a lock or storing firearms in locked containers; and

Whereas there are a number of children who are injured in Oregon each year with firearms that were not safely stored and secured to prevent child access; and

Whereas the lack of a safe storage law in Oregon contributed to more than 22,000 firearms being lost or stolen in Oregon over the past 10 years; and

Whereas two-thirds of all school shootings in the United States from 1974 through 2000 involved weapons taken by the attackers from their home or from the home of a relative, and many of these shootings would have been prevented if the firearms used had been secured and safely stored; and

Whereas simple common-sense actions including safely storing and transferring firearms, promptly reporting to law enforcement officials the loss or theft of firearms and supervising children when they use firearms would prevent many deaths and injuries in Oregon; and

Whereas the Cindy Yuille and Steve Forsyth Act can be effective in significantly reducing gun violence and suicide in Oregon without imposing criminal penalties; and

Whereas everyone has the right to be free from gun violence; now, therefore,

Be It Enacted by the People of the State of Oregon:

FIREARM STORAGE AND TRANSFER
(Definitions)

SECTION 1. Sections 2 to 6 of this 2021 Act shall be known and may be cited as the Cindy Yuille and Steve Forsyth Act.

SECTION 2. As used in sections 2 to 6 of this 2021 Act:

(1) "Authorized person" means a person authorized by the owner or possessor of a firearm to temporarily carry or control the firearm while in the presence of the owner or possessor.

(2) "Container" means a box, case, chest, locker, safe or other similar receptacle, including, within a vehicle, a glove compartment, enclosed trunk or center console, equipped with a tamper-resistant lock.

(3) "Control" means, in relation to a firearm:

(a) That the owner or possessor of the firearm is close enough to the firearm to prevent another person who is not an authorized person from obtaining the firearm; or

(b) That the owner or possessor of the firearm is in the person's own residence, either alone or with only authorized persons who also live in the residence and who are not minors, and the residence is secure.

(4) "Firearm" has the meaning given that term in ORS 166.210, except that it does not include a firearm that has been rendered permanently inoperable.

(5) "Gun room" means an area within a building enclosed by walls, a floor and a ceiling, including a closet, that has all entrances secured by a tamper-resistant lock, that is kept locked at all times when unoccupied and that is used for:

(a) The storage of firearms, ammunition, components of firearms or ammunition, or equipment for firearm-related activities including but not limited to reloading ammunition, gunsmithing and firearm cleaning and maintenance; or

(b) Conducting firearm-related activities, including but not limited to reloading ammunition, gunsmithing and firearm cleaning and maintenance.

(6) "Handgun" has the meaning given that term in ORS 166.210.

(7) "Law enforcement agency" has the meaning given that term in ORS 166.525.

(8) "Minor" means a person under 18 years of age.

(9) "Possessor" means a person who possesses a firearm with permission from the owner of the firearm for a period of time when the owner is not present.

(10) "Trigger or cable lock" means:

(a) A device that, when installed in a firearm, is designed to prevent the firearm from being operated without first deactivating the device; or

(b) A device incorporated into the design of the firearm that is designed to prevent the operation of the firearm by any person not having access to the device.

(Storage)

SECTION 3. (1)(a) An owner or possessor of a firearm shall, at all times that the firearm is not carried by or under the control of the owner, possessor or authorized person, secure the firearm:

(A) With an engaged trigger or cable lock;

(B) In a locked container; or

(C) In a gun room.

(b) For purposes of paragraph (a) of this subsection, a firearm is not secured if:

(A) A key or combination to the trigger or cable lock or the container is readily available to a person the owner or possessor has not authorized to carry or control the firearm.

(B) The firearm is a handgun, is left unattended in a vehicle and is within view of persons outside the vehicle.

(2)(a) A violation of subsection (1) of this section is a Class C violation.

(b) Notwithstanding paragraph (a) of this subsection, a violation of subsection (1) of this section is a Class A violation if a minor obtains an unsecured firearm as a result of the violation and the owner or possessor of the firearm knew or should have known that a minor could gain unauthorized access to the unsecured firearm.

(c) Each firearm owned or possessed in violation of subsection (1) of this section constitutes a separate violation.

(3) If a firearm obtained as a result of an owner or possessor of a firearm violating subsection (1) of this section is used to injure a person or property within two years of the violation, in an action against the owner or possessor to recover damages for the injury, the violation constitutes per se negligence, and the presumption of negligence may not be overcome by a showing that the owner or possessor acted reasonably.

(4) Subsection (3) of this section does not apply if:

(a) The injury results from a lawful act of self-defense or defense of another person; or

(b) The unsecured firearm was obtained by a person as a result of the person entering or remaining unlawfully in a dwelling, as those terms are defined in ORS 164.205.

(5) This section does not apply to a police officer as defined in ORS 181A.355, with respect to a particular firearm, if storage of the firearm is covered by a policy of the law enforcement agency employing the police officer and the firearm is stored in compliance with the policy.

(Transfers)

SECTION 4. (1) If a person transfers a firearm and a criminal background check under ORS 166.435 is required prior to the transfer, the person shall transfer the firearm:

(a) With an engaged trigger or cable lock; or

(b) In a locked container.

(2)(a) A violation of subsection (1) of this section is a Class C violation.

(b) Each firearm transferred in violation of subsection (1) of this section constitutes a separate violation.

(3) If a firearm transferred in a manner that violates subsection (1) of this section is used to injure a person or property within two years of the violation, in an action against the transferor to recover damages for the injury, the violation of subsection (1) of this section constitutes per se negligence, and the presumption of negligence may not be overcome by a showing that the transferor acted reasonably.

(4) Subsection (3) of this section does not apply if the injury results from a lawful act of self-defense or defense of another person.

(5) This section does not apply to:

(a) The transfer of a firearm made inoperable for the specific purpose of being used as a prop in the making of a motion picture or a television, digital or similar production.

(b) A transfer that occurs when a firearm is taken from the owner or possessor of the firearm by force.

(Loss or Theft Reporting)

SECTION 5. (1)(a) A person who owns, possesses or controls a firearm shall report the loss or theft of the firearm to a law enforcement agency in the jurisdiction in which the loss

or theft occurred as soon as practicable but not later than within 72 hours of the time the person knew or reasonably should have known of the loss or theft.

(b) If a means of reporting a loss or theft of a firearm within 72 hours is not reasonably available, the person who owned, possessed or controlled the firearm that was lost or stolen must report the loss or theft within 24 hours of the means of reporting becoming available.

(c) A person may include the serial number of the firearm in a report under this subsection.

(2)(a) A violation of subsection (1) of this section is a Class B violation.

(b) Each firearm for which a person does not make the report within the time required by subsection (1) of this section constitutes a separate violation.

(c) A person who knowingly provides false information in a report required by subsection (1) of this section commits the crime of initiating a false report under ORS 162.375.

(3) If a lost or stolen firearm is used to injure a person or property and the person who owned, possessed or controlled the firearm at the time of the loss or theft did not report the loss or theft as required by subsection (1) of this section, in an action against the person who owned, possessed or controlled the firearm at the time of the loss or theft to recover damages for the injury, the violation constitutes negligence per se for two years from the expiration of the time limit for reporting or until the loss or theft report is made, whichever occurs sooner. The presumption of negligence may not be overcome by a showing that the person acted reasonably.

(4) Subsection (3) of this section does not apply if the injury results from a lawful act of self-defense or defense of another person.

(5)(a) Within 24 hours of receiving a report under subsection (1) of this section, a law enforcement agency shall create a record concerning the lost or stolen firearm in the Law Enforcement Data System or another electronic database as determined by the Department of State Police.

(b) A law enforcement agency is exempt from the obligation described in paragraph (a) of this subsection if the agency is unable to create a record concerning the lost or stolen firearm in the electronic database due to insufficient information.

(c) The department may adopt rules to carry out the provisions of this subsection.

(Supervision of Minor)

SECTION 6. (1) Except as provided in subsections (3) and (4) of this section, a person who delivers or otherwise transfers a firearm to a minor shall directly supervise the minor's use of the firearm.

(2)(a) If a person delivers or otherwise transfers a firearm to a minor and fails to directly supervise the minor's use of the firearm as required by subsection (1) of this section, in an action against the person to recover damages for injury to a person or property caused by the minor's use of the firearm, the failure to supervise constitutes negligence per se, and the presumption of negligence may not be overcome by a showing that the person acted reasonably.

(b) Paragraph (a) of this subsection does not apply if the injury results from a lawful act of self-defense or defense of another person.

(3) A person who delivers or otherwise transfers a firearm to a minor may delegate to another person, with the consent of the other person and the minor's parent or guardian, the duty to supervise the minor's use of the firearm. If the duty to supervise is delegated under this subsection, subsection (2) of this section applies to the person assuming the duty to supervise.

(4)(a) This section does not apply, with respect to a particular firearm other than a handgun, if:

(A) The firearm is transferred to a minor in accordance with ORS 166.470, and, as a result of the transfer, the minor is the owner of the firearm; or

(B) The firearm is temporarily transferred to a minor by the minor's parent or guardian or by another person with the consent of the minor's parent or guardian, for the purpose of hunting in accordance with ORS 497.360, hunting of a predatory animal as defined in ORS 610.002 or target shooting at a shooting range, shooting gallery or other area designed for the purpose of target shooting.

(b) The exception described in paragraph (a)(B) of this subsection applies only during the time in which the minor is engaged in activities related to hunting or target shooting.

(Gun Dealer Notice)

SECTION 7. A gun dealer shall post in a prominent location in the gun dealer's place of business a notice, in block letters not less than one inch in height, that states, "The purchaser of a firearm has an obligation to store firearms in a safe manner and to prevent unsupervised access to a firearm by a minor. If a minor or unauthorized person obtains access to a firearm and the owner failed to store the firearm in a safe manner, the owner may be in violation of the law."

REGULATION OF FIREARMS IN PUBLIC BUILDINGS

SECTION 8. (1) The governing board of a public university listed in ORS 352.002, the Oregon Health and Science University Board of Directors, the governing board of a community college or a district school board as defined in ORS 332.002 may adopt a policy providing that the affirmative defense described in ORS 166.370 (3)(g), concerning persons licensed to carry a concealed handgun under ORS 166.291 and 166.292, does not apply to the possession of firearms on the grounds of the schools controlled by the board.

(2) A board that adopts a policy under this section shall:

(a) Post a clearly visible sign, at all normal points of entry to the school grounds subject to the policy described in subsection (1) of this section, indicating that the affirmative defense described in ORS 166.370 (3)(g) does not apply.

(b) Post a notice on the board's website identifying all school grounds subject to the policy described in subsection (1) of this section.

SECTION 9. ORS 166.360 is amended to read:

166.360. As used in ORS 166.360 to 166.380, unless the context requires otherwise:

(1) "Capitol building" means the Capitol, the State Office Building, the State Library Building, the Labor and Industries Building, the State Transportation Building, the Agriculture Building or the Public Service Building and includes any new buildings which may be constructed on the same grounds as an addition to the group of buildings listed in this subsection.

(2) "Court facility" means a courthouse or that portion of any other building occupied by a circuit court, the Court of Appeals, the Supreme Court or the Oregon Tax Court or occupied by personnel related to the operations of those courts, or in which activities related to the operations of those courts take place.

(3) "Judge" means a judge of a circuit court, the Court of Appeals, the Supreme Court, the Oregon Tax Court, a municipal court, a probate court or a juvenile court or a justice of the peace.

(4) "Judicial district" means a circuit court district established under ORS 3.012 or a justice of the peace district established under ORS 51.020.

(5) "Juvenile court" has the meaning given that term in ORS 419A.004.

(6) "Loaded firearm" means:

(a) A breech-loading firearm in which there is an unexpended cartridge or shell in or attached to the firearm including but not limited to, in a chamber, magazine or clip which is attached to the firearm.

(b) A muzzle-loading firearm which is capped or primed and has a powder charge and ball, shot or projectile in the barrel or cylinder.

(7) "Local court facility" means the portion of a building in which a justice court, a municipal court, a probate court or a juvenile court conducts business, during the hours in which the court operates.

(8) "Probate court" has the meaning given that term in ORS 111.005.

(9) "Public building" means:

(a) A hospital, a capitol building, a public or private school, as defined in ORS 339.315, a college or university, a city hall or the residence of any state official elected by the state at large, and the grounds adjacent to each such building. The term also includes that portion of any other building occupied by an agency of the state or [a *municipal corporation, as defined*] **by a city, a county, a district as defined in ORS 198.010 or any other entity that falls within the definition of "municipal corporation" in ORS 297.405, other than a court facility[.]; or**

(b) The passenger terminal of a commercial service airport with over one million passenger boardings per year.

(10) "Weapon" means:

(a) A firearm;

(b) Any dirk, dagger, ice pick, slingshot, metal knuckles or any similar instrument or a knife, other than an ordinary pocketknife with a blade less than four inches in length, the use of which could inflict injury upon a person or property;

(c) Mace, tear gas, pepper mace or any similar deleterious agent as defined in ORS 163.211;

(d) An electrical stun gun or any similar instrument;

(e) A tear gas weapon as defined in ORS 163.211;

(f) A club, bat, baton, billy club, bludgeon, knobkerrie, nunchaku, nightstick, truncheon or any similar instrument, the use of which could inflict injury upon a person or property; or

(g) A dangerous or deadly weapon as those terms are defined in ORS 161.015.

SECTION 10. ORS 166.370 is amended to read:

166.370. (1)(a) Any person who intentionally possesses a loaded or unloaded firearm or any other instrument used as a dangerous weapon, while in or on a public building, shall upon conviction be guilty of a Class C felony.

(b) Notwithstanding paragraph (a) of this subsection, in a prosecution under this section for the possession of a firearm within the Capitol, within the passenger terminal of a commercial service airport with over one million passenger boardings per year or on school grounds subject to a policy described in section 8 of this 2021 Act, if the person proves by a preponderance of the evidence that, at the time of the possession, the person was licensed under ORS 166.291 and 166.292 to carry a concealed handgun, upon conviction the person is guilty of a Class A misdemeanor.

(2)(a) Except as otherwise provided in paragraph (b) of this subsection, a person who intentionally possesses:

(A) A firearm in a court facility is guilty, upon conviction, of a Class C felony. A person who intentionally possesses a firearm in a court facility shall surrender the firearm to a law enforcement officer.

(B) A weapon, other than a firearm, in a court facility may be required to surrender the weapon to a law enforcement officer or to immediately remove it from the court facility. A person who fails to comply with this subparagraph is guilty, upon conviction, of a Class C felony.

(C) A firearm in a local court facility is guilty, upon conviction, of a Class C felony if, prior to the offense, the presiding judge of the local court facility entered an order prohibiting firearms in the area in which the court conducts business and during the hours in which the court operates.

(b) The presiding judge of a judicial district or a municipal court may enter an order permitting the possession of specified weapons in a court facility.

(c) Within a shared court facility, the presiding judge of a municipal court or justice of the peace district may not enter an order concerning the possession of weapons in the court facility that is in conflict with an order entered by the presiding judge of the circuit court.

(3) Subsection (1)(a) of this section does not apply to:

(a) A police officer or reserve officer, as those terms are defined in ORS 181A.355.

(b) A parole and probation officer, as defined in ORS 181A.355, while the parole and probation officer is acting within the scope of employment.

(c) A federal officer, as defined in ORS 133.005, or a certified reserve officer or corrections officer, as those terms are defined in ORS 181A.355, while the federal officer, certified reserve officer or corrections officer is acting within the scope of employment.

(d) A person summoned by an officer described in paragraph (a), (b) or (c) of this subsection to assist in making an arrest or preserving the peace, while the summoned person is engaged in assisting the officer.

(e) An honorably retired law enforcement officer.

(f) An active or reserve member of the military forces of this state or the United States, when engaged in the performance of duty.

(g) A person who is licensed under ORS 166.291 and 166.292 to carry a concealed handgun, **except as provided in subsection (1)(b) of this section.**

(h) A person who is authorized by the officer or agency that controls the public building to possess a firearm or dangerous weapon in that public building.

(i) An employee of the United States Department of Agriculture, acting within the scope of employment, who possesses a firearm in the course of the lawful taking of wildlife.

(j) Possession of a firearm on school property if the firearm:

(A) Is possessed by a person who is not otherwise prohibited from possessing the firearm; and

(B) Is unloaded and locked in a motor vehicle.

(k) A person who possesses a firearm in the passenger terminal of a commercial service airport, if the firearm is unloaded and in a locked hard-sided container for the purposes of transporting the firearm as checked baggage in accordance with federal law.

(4)(a) **Except as provided in subsection (1)(b) of this section,** the exceptions listed in subsection (3)(d) to [(j)] (k) of this section constitute affirmative defenses to a charge of violating subsection (1)(a) of this section.

(b) A person may not use the affirmative defense described in subsection (3)(e) of this section if the person has been convicted of an offense that would make the person ineligible to obtain a concealed handgun license under ORS 166.291 and 166.292.

(5)(a) Any person who knowingly, or with reckless disregard for the safety of another, discharges or attempts to discharge a firearm at a place that the person knows is a school shall upon conviction be guilty of a Class C felony.

(b) Paragraph (a) of this subsection does not apply to the discharge of a firearm:

(A) As part of a program approved by a school in the school by an individual who is participating in the program;

(B) By a law enforcement officer acting in the officer's official capacity; or

(C) By an employee of the United States Department of Agriculture, acting within the scope of employment, in the course of the lawful taking of wildlife.

(6) Any weapon carried in violation of this section is subject to the forfeiture provisions of ORS 166.279.

(7) Notwithstanding the fact that a person's conduct in a single criminal episode constitutes a violation of both subsections (1) and (5) of this section, the district attorney may charge the person with only one of the offenses.

(8) As used in this section, "dangerous weapon" means a dangerous weapon as that term is defined in ORS 161.015.

SECTION 11. ORS 166.262 is amended to read:

166.262. A peace officer may not arrest or charge a person for violating ORS 166.250 (1)(a) or (b) or 166.370 (1)(a) if the person has in the person's immediate possession:

(1) A valid license to carry a firearm as provided in ORS 166.291 and 166.292, **unless the person possesses a firearm within the Capitol, within the passenger terminal of a commercial service airport with over one million passenger boardings per year or on school grounds subject to a policy described in section 8 of this 2021 Act;**

(2) Proof that the person is a law enforcement officer; or

(3) Proof that the person is an honorably retired law enforcement officer, unless the person has been convicted of an offense that would make the person ineligible to obtain a concealed handgun license under ORS 166.291 and 166.292.

CONCEALED HANDGUN LICENSE FEES

SECTION 12. ORS 166.291 is amended to read:

166.291. (1) The sheriff of a county, upon a person's application for an Oregon concealed handgun license, upon receipt of the appropriate fees and after compliance with the procedures set out in this section, shall issue the person a concealed handgun license if the person:

(a)(A) Is a citizen of the United States; or

(B) Is a legal resident alien who can document continuous residency in the county for at least six months and has declared in writing to the United States Citizenship and Immigration Services the intent to acquire citizenship status and can present proof of the written declaration to the sheriff at the time of application for the license;

(b) Is at least 21 years of age;

(c) Is a resident of the county;

(d) Has no outstanding warrants for arrest;

(e) Is not free on any form of pretrial release;

(f) Demonstrates competence with a handgun by any one of the following:

(A) Completion of any hunter education or hunter safety course approved by the State Department of Fish and Wildlife or a similar agency of another state if handgun safety was a component of the course;

(B) Completion of any National Rifle Association firearms safety or training course if handgun safety was a component of the course;

(C) Completion of any firearms safety or training course or class available to the general public offered by law enforcement, community college, or private or public institution or organization or firearms training school utilizing instructors certified by the National Rifle Association or a law enforcement agency if handgun safety was a component of the course;

(D) Completion of any law enforcement firearms safety or training course or class offered for security guards, investigators, reserve law enforcement officers or any other law enforcement officers if handgun safety was a component of the course;

(E) Presents evidence of equivalent experience with a handgun through participation in organized shooting competition or military service;

(F) Is licensed or has been licensed to carry a firearm in this state, unless the license has been revoked; or

(G) Completion of any firearms training or safety course or class conducted by a firearms instructor certified by a law enforcement agency or the National Rifle Association if handgun safety was a component of the course;

(g) Has never been convicted of a felony or found guilty, except for insanity under ORS 161.295, of a felony;

(h) Has not been convicted of a misdemeanor or found guilty, except for insanity under ORS 161.295, of a misdemeanor within the four years prior to the application, including a misdemeanor conviction for the possession of marijuana as described in paragraph (L) of this subsection;

(i) Has not been committed to the Oregon Health Authority under ORS 426.130;

(j) Has not been found to be a person with mental illness and is not subject to an order under ORS 426.130 that the person be prohibited from purchasing or possessing a firearm as a result of that mental illness;

(k) Has been discharged from the jurisdiction of the juvenile court for more than four years if, while a minor, the person was found to be within the jurisdiction of the juvenile court for having committed an act that, if committed by an adult, would constitute a felony or a misdemeanor involving violence, as defined in ORS 166.470;

(L) Has not been convicted of an offense involving controlled substances or participated in a court-supervised drug diversion program, except this disability does not operate to exclude a person if:

(A) The person can demonstrate that the person has been convicted only once of a marijuana possession offense that constituted a misdemeanor or violation under the law of the jurisdiction of the offense, and has not completed a drug diversion program for a marijuana possession offense that constituted a misdemeanor or violation under the law of the jurisdiction of the offense; or

(B) The person can demonstrate that the person has only once completed a drug diversion program for a marijuana possession offense that constituted a misdemeanor or violation under the law of the jurisdiction of the offense, and has not been convicted of a marijuana possession offense that constituted a misdemeanor or violation under the law of the jurisdiction of the offense;

(m) Is not subject to a citation issued under ORS 163.735 or an order issued under ORS 30.866, 107.700 to 107.735 or 163.738;

(n) Has not received a dishonorable discharge from the Armed Forces of the United States;

(o) Is not required to register as a sex offender in any state; and

(p) Is not presently subject to an order under ORS 426.133 prohibiting the person from purchasing or possessing a firearm.

(2) A person who has been granted relief under ORS 166.273, 166.274 or 166.293 or 18 U.S.C. 925(c) or has had the person's record expunged under the laws of this state or equivalent laws of other jurisdictions is not subject to the disabilities in subsection (1)(g) to (L) of this section.

(3) Before the sheriff may issue a license:

(a) The application must state the applicant's legal name, current address and telephone number, date and place of birth, hair and eye color and height and weight. The application must also list the applicant's residence address or addresses for the previous three years. The application must contain a statement by the applicant that the applicant meets the requirements of subsection (1) of this section. The application may include the Social Security number of the applicant if the applicant voluntarily provides this number. The application must be signed by the applicant.

(b) The applicant must submit to fingerprinting and photographing by the sheriff. The sheriff shall fingerprint and photograph the applicant and shall conduct any investigation necessary to corroborate the requirements listed under subsection (1) of this section. If a nationwide criminal records check is necessary, the sheriff shall request the Department of State Police to conduct the check, including fingerprint identification, through the Federal Bureau of Investigation. The Federal Bureau of Investigation shall return the fingerprint cards used to conduct the criminal records check and may not keep any record of the fingerprints. The Department of State Police shall report the results of the fingerprint-based criminal records check to the sheriff. The Department of State Police shall also furnish the sheriff with any information about the applicant that the Department of State Police may have in its possession including, but not limited to, manual or computerized criminal offender information.

(4) Application forms for concealed handgun licenses shall be supplied by the sheriff upon request. The forms shall be uniform throughout this state in substantially the following form:

APPLICATION FOR LICENSE TO CARRY
CONCEALED HANDGUN

Date_____

I hereby declare as follows:

I am a citizen of the United States or a legal resident alien who can document continuous residency in the county for at least six months and have declared in writing to the United States Citizenship and Immigration Services my intention to become a citizen and can present proof of the written declaration to the sheriff at the time of this application. I am at least 21 years of age. I have been discharged from the jurisdiction of the juvenile court for more than four years if, while a minor, I was found to be within the jurisdiction of the juvenile court for having committed an act that, if committed by an adult, would constitute a felony or a misdemeanor involving violence, as defined in ORS 166.470. I have never been convicted of a felony or found guilty, except for insanity under ORS 161.295, of a felony in the State of Oregon or elsewhere. I have not, within the last four years, been convicted of a misdemeanor or found guilty, except for insanity under ORS 161.295, of a misdemeanor. Except as provided in ORS 166.291 (1)(L), I have not been convicted of an offense involving controlled substances or completed a court-supervised drug diversion program. There are no outstanding warrants for my arrest and I am not free on any form of pretrial release. I have not been committed to the Oregon Health Authority under ORS 426.130, nor have I been found to be a person with mental illness and presently subject to an order prohibiting me from purchasing or possessing a firearm because of mental illness. I am not under a court order to participate in assisted outpatient treatment that includes an order prohibiting me from purchasing or possessing a firearm. If any of the previous conditions do apply to me, I have been granted relief or wish to petition for relief from the disability under ORS 166.273, 166.274 or 166.293 or 18 U.S.C. 925(c) or have had the records expunged. I am not subject to a citation issued under ORS 163.735 or an order issued under ORS 30.866, 107.700 to 107.735 or 163.738. I have never received a dishonorable discharge from the Armed Forces of the United States. I am not required to register as a sex offender in any state. I understand I will be fingerprinted and photographed.

Legal name _____
Age _____ Date of birth _____
Place of birth _____
Social Security number _____

(Disclosure of your Social Security account number is voluntary. Solicitation of the number is authorized under ORS 166.291. It will be used only as a means of identification.)

Proof of identification (Two pieces of current identification are required, one of which must bear a photograph of the applicant. The type of identification and the number on the identification are to be filled in by the sheriff.):

- 1. _____
- 2. _____

Height _____ Weight _____
Hair color _____ Eye color _____

Current address _____

(List residence addresses for the past three years on the back.)

City _____ County _____ Zip _____
Phone _____

I have read the entire text of this application, and the statements therein are correct and true. (Making false statements on this application is a misdemeanor.)

(Signature of Applicant)

Character references.

Name:	Address
-------	---------

Name:	Address
-------	---------

Approved _____ Disapproved _____ by _____

Competence with handgun demonstrated by _____ (to be filled in by sheriff)

Date _____ Fee Paid _____

License No. _____

(5)(a) Fees for concealed handgun licenses are:

(A) \$15 to the Department of State Police for conducting the fingerprint check of the applicant.

(B) [~~\$50~~] **\$100** to the sheriff for the **initial** issuance [*or renewal*] of a concealed handgun license.

(C) \$75 to the sheriff for the renewal of a concealed handgun license.

[~~(C)~~] **(D)** \$15 to the sheriff for the duplication of a license because of loss or change of address.

(b) The sheriff may enter into an agreement with the Department of Transportation to produce the concealed handgun license.

(6) No civil or criminal liability shall attach to the sheriff or any authorized representative engaged in the receipt and review of, or an investigation connected with, any application for, or in the issuance, denial or revocation of, any license under ORS 166.291 to 166.295 as a result of the lawful performance of duties under those sections.

(7) Immediately upon acceptance of an application for a concealed handgun license, the sheriff shall enter the applicant's name into the Law Enforcement Data System indicating that the person is an applicant for a concealed handgun license or is a license holder.

(8) The county sheriff may waive the residency requirement in subsection (1)(c) of this section for a resident of a contiguous state who has a compelling business interest or other legitimate demonstrated need.

(9) For purposes of subsection (1)(c) of this section, a person is a resident of a county if the person:

(a) Has a current Oregon driver license issued to the person showing a residence address in the county;

(b) Is registered to vote in the county and has a voter notification card issued to the person under ORS 247.181 showing a residence address in the county;

(c) Has documentation showing that the person currently leases or owns real property in the county; or

(d) Has documentation showing that the person filed an Oregon tax return for the most recent tax year showing a residence address in the county.

(10) As used in this section, "drug diversion program" means a program in which a defendant charged with a marijuana possession offense completes a program under court supervision and in which the marijuana possession offense is dismissed upon successful completion of the diversion program.

SECTION 13. The amendments to ORS 166.291 by section 12 of this 2021 Act apply to applications for new concealed handgun licenses and requests for license renewal submitted on or after the effective date of this 2021 Act.

CAPTIONS

SECTION 14. The unit captions used in this 2021 Act are provided only for the convenience of the reader and do not become part of the statutory law of this state or express any legislative intent in the enactment of this 2021 Act.

EFFECTIVE DATE

SECTION 15. This 2021 Act takes effect on the 91st day after the date on which the 2021 regular session of the Eighty-first Legislative Assembly adjourns sine die.

Passed by Senate March 25, 2021

Repassed by Senate May 5, 2021

.....
Lori L. Brocker, Secretary of Senate

.....
Peter Courtney, President of Senate

Passed by House April 29, 2021

.....
Tina Kotek, Speaker of House

Received by Governor:

.....M.,....., 2021

Approved:

.....M.,....., 2021

.....
Kate Brown, Governor

Filed in Office of Secretary of State:

.....M.,....., 2021

.....
Shemia Fagan, Secretary of State

ORS 166.377

Possession of firearms in certain public buildings by concealed handgun licensees

- (1) The governing board of a public university listed in ORS 352.002 (Public universities), the Oregon Health and Science University Board of Directors, the governing board of a community college or a district school board as defined in ORS 332.002 (Definitions for chapter) may adopt a policy providing that the affirmative defense described in ORS 166.370 (Possession of firearm or dangerous weapon in public building or court facility) (3)(g), concerning persons licensed to carry a concealed handgun under ORS 166.291 (Issuance of concealed handgun license) and 166.292 (Procedure for issuing), does not apply to the possession of firearms on the grounds of the schools controlled by the board.
- (2) A board that adopts a policy under this section shall:
 - (a) Post a clearly visible sign, at all normal points of entry to the school grounds subject to the policy described in subsection (1) of this section, indicating that the affirmative defense described in ORS 166.370 (Possession of firearm or dangerous weapon in public building or court facility) (3)(g) does not apply.
 - (b) Post a notice on the board's website identifying all school grounds subject to the policy described in subsection (1) of this section. [2021 c.146 §8]

Note: 166.377 (Possession of firearms in certain public buildings by concealed handgun licensees) was enacted into law by the Legislative Assembly but was not added to or made a part of ORS chapter 166 or any series therein by legislative action. See Preface to Oregon Revised Statutes for further explanation.

Location:

https://oregon.public.law/statutes/ors_166.377

Original Source: Section 166.377 – Possession of firearms in certain public buildings by concealed handgun licensees, https://www.oregonlegislature.gov/bills_laws/ors/ors166.html (last accessed Aug. 25, 2023).



Code: KDA

Adopted:

Firearms Prohibited

No person on grounds of the schools controlled by the Board (including in school buildings), will possess any firearm¹, except when said firearm is possessed by a person who is not otherwise prohibited from possessing the firearm, and is unloaded and locked in a motor vehicle. The exception provided in Oregon Revised Statute (ORS) 166.370(3)(g) for concealed carry licensees (see ORS 166.291 and 166.292) does not apply to the possession of firearms on grounds of the schools controlled by the Board.² Firearms under the control of law enforcement personnel are permitted. The superintendent may authorize other persons to possess weapons for courses, programs and activities when in compliance with law and board policy.

Any person violating or threatening to violate the above rules, as determined by the district, may be issued a trespass citation, ejected from the premises and referred to law enforcement officials³.

The district will post clearly visible sign(s) at all normal points of entry to the school grounds subject to this policy indicating that the affirmative defense described in ORS 166.370(3)(g) does not apply. The district will post on the district’s web pages designated for school board operations, identifying designated school grounds that are subject to this policy.

END OF POLICY

Legal Reference(s):

[ORS 161.015](#)
[ORS 164.245](#)
[ORS 164.255](#)

[ORS 166.210 - 166.370](#)
[ORS 297.405](#)
[ORS 332.107](#)

[ORS 332.172](#)
[ORS 339.315](#)

Gun-Free Schools Act, 20 U.S.C. § 7961 (2018).
Senate Bill 554 (2021).

¹ “Firearm” has the meaning given that term in ORS 166.210, except that it does not include a firearm that has been rendered permanently inoperable.

² See Senate Bill 554 (2021).

³ ORS 339.315 requires any district employee with reasonable cause to believe that a person is in possession of a firearm within a school or has possessed a firearm within a school in violation of Oregon law in the previous 120 days report such information to an administrator or law enforcement. A district employee with reasonable cause to believe that a person is in possession of a firearm within a school or has possessed a firearm within a school in the previous 120 days in violation of Oregon law, may report such information to law enforcement.

COMPLAINT

ACTION
Agenda Item #9
July 11, 2024

RECOMMENDATION:

This time has been set aside for the Board to take action on a complaint about an employee.

ORIGINATED BY:

Complaint filed on May 13, 2024

BACKGROUND:

On May 13, 2024 a complaint was filed about an employee and referred to the Board Chair as required under Policy KL-AR(1), Public Complaint Procedure.

PRESENTER CONTACT:

Board Chair