



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

**Agenda**

North Clackamas School Board  
 Thursday, August 8, 2024 5:30 PM  
 Board Room/YouTube  
 12400 SE Freeman Way  
 Milwaukie, OR 97222

**Times listed on the agenda below are only estimates and may be adjusted.  
 If Open Session ends earlier than anticipated, Governance Session may begin early.**

**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**

**Native Land Acknowledgement 3**

**Flag Salute 4**

**Minutes - July 11, 2024 5**

**Consent Agenda 9**

**A. Policy Revisions 9**

**B. Employee Benefits Plan Change 18**

**7:05 1. Complaint - Action 20**

**7:10 Adjourn Open Session**

**GOVERNANCE SESSION**

**7:10 1. Board Operating Agreements/Board Processes and Protocols 21**  
 Presenter: Larry Didway, Clackamas ESD

**8:30      Adjourn Governance Session**



## 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.

**NORTH CLACKAMAS SCHOOL DISTRICT 12**  
**CLACKAMAS COUNTY, OREGON**  
**MINUTES — BOARD OF DIRECTORS MEETING**  
**July 11, 2024**  
**Board Room/YouTube**

*Executive Session*

With due notice having been given and a quorum present, Chair Jena Benologai convened executive session under ORS 192.660(2)(f), at 5:35 p.m. with the following members present:

Jena Benologa	-	Chair
Kathy Wai	-	Vice Chair
Mitzi Bauer	-	Director
April Dobson	-	Director (virtual)
Paul Kemp	-	Director (virtual)
Tory McVay	-	Director
Glenn Wachter	-	Director
Donna Colingwood	-	Board Secretary

**Complaint** - Legal Council Jollee Patterson advised the Board regarding its options for responding to a complaint about an employee in accordance with Board policy.

Executive Session adjourned at 6:37 p.m.

*Open Session*

Chair Jena Benologai convened open session at 6:43 p.m.

Present, in addition to those in the executive session were Shay James, Tiffany Shireman, Patricia Ahrens, Michelle Riddell, Teresa Neff-Webster, and Matt Makara.

**Community Comments** - There were no community members signed up to provide comments.

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

R24/25-1

**Selection of Chair/Vice Chair** - Superintendent Shay James asked for nominations for Board Chair. Tory McVay nominated Kathy Wai. No other nominations were offered. The nomination of Kathy Wai as Chair for the

2024-2025 school year was approved unanimously. Kathy Wai was named Chair for 2024-2025 and presided over the remainder of the meeting.

R24/25-2 Board Chair Kathy Wai asked for nominations for Vice Chair. Glenn Wachter nominated Jena Benologa. No other nominations were offered. The nomination of Jena Benologa as Vice Chair for the 2024-2025 school year was approved unanimously. Jena Benologa was named Vice Chair for 2024-2025.

R24/25-3 **Minutes** - Tory McVay moved, Mitzi Bauer seconded the motion to approve the minutes of the regular Board Meeting held June 26, 2024.

Motion passed unanimously, 7-0.

R24/25-4 **Minutes** - Tory McVay moved, Glenn Wachter seconded the motion to approve the minutes of the North Clackamas Parks and Recreation District Joint Session with North Clackamas School District held June 26, 2024.

Motion passed unanimously, 7-0.

R24/25-5 **Consent Agenda** – Glenn Wachter moved, Tory McVay 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 Chief of Human Resources & Business Services:

- Administrator appointment
- Licensed terminations

**Policy Revisions -**

- Approve revisions to the following policies as recommended by the Policy Review Committee.

AC - Nondiscrimination

FB - Facilities Planning

GCDA/GDDA - Criminal Records Checks and Fingerprinting (Deletion)

GCDA/GDDA - Criminal Records and Fingerprinting (Proposed)

IGBAG - Special Education - Procedural Safeguards

**Travel Request -**

- Grant permission for 9 students from Milwaukie High School to travel to Seaside, OR, June 23-26, 2024.

**Travel Request -**

- Grant permission for 17 students from Milwaukie High School to travel to Oregon State University, July 9-12, 2024.

Motion passed unanimously, 7-0.

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

JGA - Corporal Punishment

JGAB - Use of Restraint or Seclusion

JHCCF - Pediculosis (Head Lice)

**Employee Benefits Plan Change - Discussion** - Executive Director of Finance & Business Services Matt Makara and Chief of Human Resources & Business Services Michelle Riddell recommended changes to the North Clackamas benefit plans for 2025.

**Declaration of Actual, Potential or Perceived Conflict of Interest** - Board members made public declarations of actual, potential or perceived conflicts of interest as follows:

Mitzi Bauer – None stated.

Jena Benologa – Potential: Academic Director for an exchange program that places exchange students in District schools.

April Dobson - None stated.

Paul Kemp - None stated.

Tory McVay – Perceived: Wife is a volunteer for the North Clackamas Education Foundation (NCEF). Potential: Serves on the Oregon State Federal Dismissal Appeals Board.

Glenn Wachter - None stated.

Kathy Wai - Perceived: Currently serves on TriMet Board of Directors.

**Board Protocols and Operating Agreements** – The Board will review the Board Protocols and Operating Agreements document at a Governance Session in August.

**Board Liaisons Committee Assignments** - The Board reviewed the list of District and Board committees. Each board member will be asked to complete a Google Survey of their preferences for committee participation during 202-2025.

**Mandatory Child Abuse Reporting Training** - Superintendent Shay James provided the Board with a training handout and offered to provide additional support if needed.

R24/25-6

**Board Policy Development - Action** - Mitz Bauer moved, April Dobson seconded the motion to approve policy KDA with the addition of legal reference ORS 166.39.

Motion passed unanimously, 7-0.

There being no further business to come before the Board, the meeting adjourned at 7:44 p.m.

**Unapproved**

**POLICY REVISIONS**

**CONSENT A**  
August 8, 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:

<b>Policy</b>	<b>Title</b>	<b>Reason</b>
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 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

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### Legal Reference(s):

[ORS 161.205](#)  
[ORS 332.107](#)  
[ORS 339.240](#)

[ORS 339.250](#)

[OAR 584-020-0040](#)

[OAR 581-021-0050 – 0075](#)

### 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 object<sup>1</sup>, including a wall or the floor, to impede a student's movement, unless the restraint is necessary to prevent an imminent life-threatening injury or to gain control of a weapon.
6. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, neck or throat.
7. Any restraint that places, or creates a risk of placing, pressure on a student's mouth, unless the restraint is necessary for the purpose of extracting a body part from a bite.
8. Any restraint that impedes, or creates a risk of impeding, breathing.
9. Any restraint that involves the intentional placement of the hands, feet, elbow, knee or any object on a student's neck, throat, genitals or other intimate parts.

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

10. Any restraint that causes pressure to be placed, or creates a risk of causing pressure to be placed, on the stomach or back by a knee, foot or elbow bone.
11. Any action designed for the primary purpose of inflicting pain.

The use of a seclusion cell is prohibited.

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

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

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

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

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

If restraint or seclusion is used on a student, by trained staff or other staff available in the case of an emergency when trained staff are not immediately available due to the unforeseeable nature of the emergency, staff 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.
  - a. "Restraint" does not include:
    - b. Holding a student's hand or arm to escort the student safely and without the use of force from one area to another;
    - c. Assisting a student to complete a task if the student does not resist the physical contact or
    - d. 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 characteristics<sup>2</sup> of all students upon whom restraint or seclusion was imposed;
10. The total number of rooms available for use by the district for seclusion of a student and a description of the dimensions and design of the rooms.

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

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

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

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

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

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

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**Legal Reference(s):**

<a href="#">ORS 161.205</a>	<a href="#">ORS 339.300</a>	<a href="#">OAR 581-021-0563</a>
<a href="#">ORS 339.250</a>	<a href="#">ORS 339.303</a>	<a href="#">OAR 581-021-0566</a>
<a href="#">ORS 339.285</a>		<a href="#">OAR 581-021-0568</a>
<a href="#">ORS 339.288</a>	<a href="#">OAR 581-021-0061</a>	<a href="#">OAR 581-021-0569</a>
<a href="#">ORS 339.291</a>	<a href="#">OAR 581-021-0550</a>	<a href="#">OAR 581-021-0570</a>
<a href="#">ORS 339.294</a>	<a href="#">OAR 581-021-0553</a>	<a href="#">OAR 581-022-2267</a>
<a href="#">ORS 339.297</a>	<a href="#">OAR 581-021-0556</a>	<a href="#">OAR 581-022-2370</a>

**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 student found with head lice and may provide information on treatment. The student will be allowed to remain in school.

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

END OF POLICY

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

[ORS 433](#)[ORS 433](#)[OAR 333-019](#)[OAR 437-002](#)[OAR 581-022.107](#)

\*\* 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.

## **EMPLOYEE BENEFITS PLAN CHANGE**

**CONSENT B**  
August 8, 2024

### **BENEFITS COMMITTEE RECOMMENDATION:**

Approve 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 NCSD 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 NCSD, 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, NCSD 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.
  - NCSD 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 NCSD 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

**COMPLAINT**

**ACTION**  
Agenda Item #1  
August 8, 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

# **NORTH CLACKAMAS BOARD OF DIRECTORS OPERATING AGREEMENTS**

- A. The Board will focus on governing through policy and strategic direction in support of student achievement.
  
- B. The Board is committed to an ongoing, open dialogue with the community regarding student education.
  
- C. 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.
  
- D. 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.
  
- E. 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.
  
- F. 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.