

Special Board Meeting

Tuesday, March 31, 2020 6:00 PM

Klamath Falls City Schools LOEC Boardroom, 2845 Greensprings Dr., Klamath Falls, Oregon 97601

1. PRELIMINARY BUSINESS

1. Call to Order

Presenter: Dr. Mychal Amos, Chair

2. Roll Call

Presenter: Dr. Mychal Amos, Chair

3. Public Welcome

Presenter: Dr. Mychal Amos, Chair

4. Public Comment

Presenter: Members of the Public

2. OLD BUSINESS/ACTION ITEMS

1. Approval of Resolution #20-01 Boundary Attendance Realignment for Conger & Pelican Elementary Schools

Presenter: Dr. Paul Hillyer, Superintendent

3. NEW BUSINESS/ACTION ITEMS

1. Student Investment Act Submission Approval

Presenter: Dr. Paul Hillyer, Superintendent

2. Approve Resolution #20-02 Setting Transfer Numbers for Elementary K-2 and 3-5 Core Instruction

Presenter: Dr. Paul Hillyer, Superintendent

4. ADJOURNMENT

Presenter: Dr. Mychal Amos, Chair

KLAMATH FALLS CITY SCHOOLS
1336 Avalon
Klamath Falls, OR 97603

Presented to the Board of Directors:

Subject:

*Approval of Resolution #20-01 Boundary
Attendance Realignment for Conger & Pelican
Elementary Schools*

Attachment: Yes

From: Dr. Paul Hillyer

Reason: Old Business/Action Item

Date: *March 9, 2020*

BACKGROUND:

A request to approve the proposed boundary alignment between Conger Elementary and Pelican Elementary schools that will assign the neighborhoods in the Stewart Lennox area to Pelican Elementary School starting with the 2020-2021 school year.

RECOMMENDATION:

The administration recommends the board approve the proposed boundary change as submitted.

BOUNDARY CHANGE PROPOSAL

For Conger and Pelican Schools

OTHER INFORMATION

- Conger currently is too small to be a true 3-section building and too big to be a true 2-section building
- Pelican currently is too small to be a true 2-section building and too big to be a true 1-section building
- This proposal would help right-size both buildings - though not perfectly

CONS OF THE CHANGE

- Changing schools is never easy for families
- Pelican would be close to capacity
- Conger would have some awkward class sizes in grades K-2 that might require additional para pro support or other supports

IMPACT ON CONGER AND PELICAN

- In grades 1-5 Conger would go from 321 this year to 266 next year
- Pelican would go from 196 in grades 1-5 to 244
- Conger would go from 13.75 grade 1-5 sections to 10
- Pelican would go from 9.75 grade 1-5 sections to 10 sections

- Conger has numerous transfer students from other schools including 39 from the KCSD
- Transfer law requires us to open up transfers to internal requests before opening to external transfers
- Board policy does not allow us to send transfer students back to home schools once they have been approved
- The average classroom square footage at Conger and Pelican are both approx. 750
- This proposal would put Pelican at approx. 100% capacity before remodeling to add classrooms or adding modular classrooms. Conger would be about 90% capacity
- Conger would use the additional classroom space for English Language Development classroom, Content Specialist Room (science and engineering lab), and/or Coaching Room (work location for district instructional coaches and also a place for PD and trainings)

QUESTIONS?

AREA TO BE MOVED FROM CONGER TO PELICAN

- The Stewart Lenox area north would be transferred to Pelican
- All students are bus eligible and would remain so
- The bus ride length should be about the same as current
- Grade numbers making a move: KG - 8; 1st - 13; 2nd - 14; 3rd - 9; 4th - 14

POSITIVES OF THE CHANGE

- This would free up space at Conger
- Both Pelican and Conger would be primarily two-section buildings
- It would allow for more efficient class size equalization
- It would be more efficient in staffing - providing a cost saving to the district
- All Pelican teacher would have a teaching partner
- This would make Pelican and Conger more like-sized
- It would lessen the need for part time teachers

RESOLUTION #20-01

Klamath Falls City Schools

Resolution for Adjustment of Attendance Area Boundaries

WHEREAS, the Klamath Falls City Schools Board of Directors deems it desirable and in the best interests of the district to make a realignment to the attendance area boundary for Pelican Elementary School and Conger Elementary School;

WHEREAS to further enhance the quality of education at both schools by righting the number of students in each, Conger will go from 321 students in 2019-2020 to 266 in 2020-2021 and Pelican Elementary will go from 196 students in 2019-2020 to 244 students in 2020-2021. Conger will go from 13.75 grade 15 sections to 10 sections; and Pelican will go from 9.75 grade 1-5 sections to 10 sections

WHEREAS this boundary attendance change will provide additional space at Conger Elementary and both Pelican Elementary and Conger Elementary will be primarily two-section buildings.

WHEREAS the change will allow for more efficient class size equalization and more staffing efficiency.

WHEREAS the area referred to as Stewart Lennox North will be transferred from the Conger Elementary attendance area to the Pelican Elementary attendance area, with all students remaining bus transportation eligible.

WHEREAS the boundary attendance area change will effect 8 kindergarten students' 13 first grade students; 14 second grade students; 9 third grade students; and 14 fourth grade students.

NOW, THEREFORE, BE IT "RESOLVED," THAT the Klamath Falls City Schools Board of Education approves the realignment to the attendance area boundaries for Pelican Elementary School and Conger Elementary School as outlined in this resolution effective with the 2020-2021 school year.

APPROVED BY THE BOARD OF DIRECTORS OF THE DISTRICT AND EFFECTIVE THIS 31st DAY OF MARCH, 2020.

Dr. Mychal Amos, Chair

Dr. Paul Hillyer, Superintendent

KLAMATH FALLS CITY SCHOOLS
1336 Avalon
Klamath Falls, OR 97603

Presented to the Board of Directors:

Subject: <i>Approval of Student Investment Act Plan Submission</i>
--

Attachment: <i>No</i>

From: <i>Dr. Paul Hillyer</i>

Reason: <i>New Business/Action Item</i>
--

Date: <i>March 9, 2020</i>

BACKGROUND:

The administration recommends approval of the attached licensed personnel for the 2020-2021 school year.

RECOMMENDATION:

The administration recommends approval of the submission of the Student Investment Act Plan as presented.

Not an ODE provided template*

**SIA Grant Application Response Template
for recording district information prior to uploading
into ODE Portal**

***Created from Section Two (p. 12-21) of the ODE Guidance for Eligible Applicants by Madi Koenig, InterMountain ESD, revised by SOESD**

Part One: General Information

Applicant

School District or Eligible Charter School Name: Klamath Falls City Schools
Institution ID:93-6000-545
Webpage where SIA Plan is posted:<http://www.kfalls.k12.or.us/>

Contact Person

First Name: Paul
Last Name:Hillyer
Email: hillyerp@kfalls.k12.or.us
Phone Number:541-883-4700

Part Two: Narrative

Your plan summary will help reviewers get quick context for your plan and work ahead. 3-6 paragraphs. This section may be used to quickly explain investments to community, local legislators, media, and other partners.

A brief description of your school district or eligible charter school (enrollment, demographics, strengths, challenges, etc.)

The Klamath Falls City Schools is a 2700 student district located in southern Oregon near the California border. It is situated primarily within the city limits of Klamath Falls and surrounded by a larger county district, the Klamath County School District. It is the highest poverty 1000 or more student district in the state of Oregon with a 40% minority population. The district is strong in its implementation of high quality curriculum and programs. Two examples of quality district-wide programs are AVID and the CHAMPS classroom management program. It has a strong consistent hiring model that has helped identify and hire effective teachers and administrators. The district compensation ranks in the top quartile of all districts in the state. It also has a strong collaborative leadership structure with positive working relationships with all its employee groups. It also works very closely with the local post secondary institutions, Klamath Community College and Oregon Tech. It depends on many great community partnerships to serve its high needs populations. The partners collaborate regularly through

the community organization started eight years ago by the district, the Klamath Promise.

Its biggest challenge is dealing with the trauma with which more and more students are entering school from the high poverty community. Behavior and discipline have become the number one concern in the district. A second major concern is the number of students that enter kindergarten well behind their same age peers in the state. Starting off well behind other students in the state causes an uphill battle throughout their school careers as KFCS staff do their best to close the achievement gap between them and higher socio economic districts in the state, include the neighboring KCSD.

The exact need(s) or issue(s) SIA funding will address as outlined in your 3 year plan and as it relates to the two purposes stated in the law (meeting students' mental and behavioral health needs and reducing disparities and increasing academic achievement).

Much of the input and data gathered during the process indicated the need to provide more structured behavioral health supports in the form of training for teachers, coaching supports, staff to man behavior rooms in all schools, and alternative education staffing to better meet the needs of students who come to us with high ACE's scores. It was also brought to our attention that more needed to be done to support schools in their attendance work. Parents, teachers, staff, community members, and even students brought this as a need to address with additional resources. In order to reduce disparities in academic achievement parents, students and staff all indicated offering students more individual help and tutoring as well as an extended school year. Adding interest-area opportunities such as art, technology, and trades education was mentioned often as a way to help students be more motivated to come to school and do well while they are there. Another area that was mentioned to reduce disparities was to lower class sizes and improve classroom instruction and to provide teachers with the training they need to support students academically and emotionally.

Part Three: Community Engagement and Input

OVERVIEW OF COMMUNITY ENGAGEMENT

Describe your approach to community engagement (250 words or less). Ensure your response includes:

- Who you engaged
- Frequency/ occurrence

- How you ensured engagement of staff and each of the focal student groups and their families
- Key information you collected
- Who you partnered with in the engagement efforts

We have sought input from many people in many different ways during the beginning stages of putting the SIA plan together. We sent out parent surveys via email to all parents. These surveys included an opportunity to give individual comments and input. More than 483 surveys were completed and more than 260 comments were given. We also surveyed our parent groups for Special Education, Native Americans, and our Hispanic population and took their comments. Parents for English Language students were asked for their individual ideas on the use of the funds during parent/teacher conferences through the use of interpreters. Special Education students were asked for their ideas individually by their teachers. Principals at all schools did student and teacher focus groups to gather information on their preferences. Similarly, principals conducted focus groups with students of color in their buildings to add their input. The Klamath Promise Steering Committee was surveyed and comments were asked of them as well. This group consists of community members from business, non-profits, and government who work together to help our district improve its graduation rate. We twice also shared our plan with the Klamath Tribal Council and received their ideas and input following this presentation. The Title VI parent group was also surveyed for their ideas. A brainstorming session with them was conducted before the surveys were taken.

We also did extensive work to get input from staff through focus groups at all schools. We also surveyed support staff for their ideas and comments. We held two district-wide staff meetings to share plan progress and gather their thoughts on how best to use the dollars to improve behaviors and add opportunities for students. Principals put together plans for their levels, K-5, 6-8 and 9-12, which they shared with their staffs and for which they received input and made changes.

A community meeting was also held on March 4 to share the district plan. A time for input gathering and Q & A was included in this meeting. At the March 9 board meeting the plans was again publicly shared and opportunities for public reaction was given.

SELF-ASSESSMENT OF COMMUNITY ENGAGEMENT

Share a self-assessment about the quality and nature of your engagement of focal students, families and the staff more broadly. If the goal is meaningful, authentic and ongoing community engagement, where are you at in that process? What barriers, if any, were experienced and how might you anticipate and resolve these issues in future engagement? (500 words or less)

Our approach to gathering input and feedback from a wide variety of people and from focal

populations was very effective and thorough. One improvement that could be made is getting a better response rate on surveys from sub population groups. I think this could be improved by asking the leaders from these groups to promote the completion of the surveys with their members.

What relationships and/or partnerships will you cultivate to improve future engagement (150 words or less).

We will build on the partnerships we already have to do this. We will use current group meetings to promote this input gathering. A second method will be using our district wide phone notification, email and text system to encourage attending input sessions and the completion of surveys.

What resources would enhance your engagement efforts? How can ODE support your continuous improvement? (150 words or less).

We have all the resources we need to have effective engagement efforts.

WHO WAS ENGAGED?

Select all of the community members/ groups you engaged for this process:

This is for reference only. We anticipate check boxes on the actual application document or submission platform.

- | | |
|---|---|
| <input type="checkbox"/> xStudents of color | <input type="checkbox"/> xCommunity based organizations |
| <input type="checkbox"/> xStudents with disabilities | (non-profit organizations, civil rights |
| <input type="checkbox"/> xStudents who are emerging bilingual | organizations, community service |

- | | |
|--|---|
| <input type="checkbox"/> xStudents navigating poverty, homelessness, and foster care | groups, culturally specific organizations, etc.) |
| <input type="checkbox"/> xFamilies of students of color | <input type="checkbox"/> xTribal members (adults and youth) |
| <input type="checkbox"/> xFamilies of students with disabilities | <input type="checkbox"/> xSchool volunteers (school board members, budget committee members, PTA/PTO, booster clubs, parent advisory group members, classroom volunteers, etc.) |
| <input type="checkbox"/> xFamilies of students who are emerging bilinguals | <input type="checkbox"/> xBusiness community |
| <input type="checkbox"/> xFamilies of students navigating poverty, homelessness, and foster care | <input type="checkbox"/> xCommunity leaders |
| <input type="checkbox"/> xLicensed staff (administrators, teachers, counselors, etc.) | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> xClassified staff (paraprofessionals, bus drivers, office support, etc) | |

HOW DID YOU ENGAGE YOUR COMMUNITY?

Select all of the [strategies/activities](#) you deployed to engage your community:

This is for reference only. We anticipate check boxes on the actual application document or submission platform

- | | |
|--|---|
| <input type="checkbox"/> xSurvey(s) or other engagement applications (i.e. Thought Exchange) | <input type="checkbox"/> xSchool board meeting |
| <input type="checkbox"/> xIn-person forums | <input type="checkbox"/> xPartnering with unions |
| <input type="checkbox"/> xFocus group(s) | <input type="checkbox"/> xPartnering with community based organizations |
| <input type="checkbox"/> xRoundtable discussion | <input type="checkbox"/> Partnering with faith based organizations |
| <input type="checkbox"/> Community group meeting | <input type="checkbox"/> xPartnering with business |
| <input type="checkbox"/> xWebsite | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> xEmail messages | |
| <input type="checkbox"/> xNewsletters | |
| <input type="checkbox"/> xSocial media | |

EVIDENCE OF ENGAGEMENT

You will upload your top five artifacts of engagement. Artifacts may include, though are not limited to: survey data, meeting minutes, synthesized/summarized reports of input collected, evidence of how input was collected, communications and engagement plans and processes for outreach. Artifacts may be in the form of documents, pictures, videos, etc.

Tell us why you selected the artifacts you did. How do they show evidence of engaging focal student populations, their families and community? (250 words or less).

The first artifact is a summary of the parent survey we conducted with parent responses. This was chosen to show the effort we put into making sure our plan represented parent priorities. The second artifact are the notes that were taken at our building presentations that were conducted to determine staff thoughts on the plan to add more specialist classes for students and more student learning time through the elimination of late starts on Wednesdays. This artifact demonstrates the effort we put into not only obtaining input from staff, but also making changes based on this input. As a result of this input the plan was changed and late starts were continued. The third artifact are the notes taken in our middle school when our administrator conducted a focus group with students of color in his building. This artifact

demonstrates how we took seriously the charge to gain ideas from students from focal populations. The fourth artifact are the notes a principal took at a meeting at her school to identify strengths and weaknesses in their plans to address the emotional health needs of their students. This document shows how we worked hard to identify strengths and weaknesses in our services and how we used staff ideas to prioritize resources for which we should use the SIA dollars. Finally, the fifth artifact are the notes taken during a Migrant and English Language Learner parent meeting to help us prioritize ways to improve our services to their students. It shows how we reached out to different populations to have discussions that would help us best utilize SIA resources for their students.

STRATEGIES AND ACTIVITIES FOR ENGAGING FOCAL STUDENT POPULATIONS AND THEIR FAMILIES

Describe the STRATEGIES (at least two) that you executed to engage each of the focal student groups and their families present within your district and community. Your response should include why the strategies were used. (500 words).

Strategies may include, though not limited to: leveraging partner organizations and existing networks; approaching focal student populations and their families first; designing a communications and engagement plan for your district or charter school to implement.

We used both surveys and focus group discussions specifically with focal group students and parents to identify the most effective ways to help their populations through the use of the SIA funds. A number of the submitted artifacts give you examples from the surveys and focus groups.

Describe the ACTIVITIES (at least two) that you executed to engage each of the focal student groups and their families present within your district and community. Your response should include why the activities were used. (500 words).

Activities may include, though not limited to: social media, websites, webinars, personalized emails, surveys, in-person forums, focus groups, community gathering, school board meeting, use of community based organization, coffee chat, newsletter, local media, roundtable discussion.

We conducted listening sessions during focal group parent meetings. We also interviewed parents of English Language Learners, using interpreters during parent/teacher conferences. We also conducted student focus groups for students of color to gather their input.

STRATEGIES AND ACTIVITIES FOR ENGAGING STAFF

Describe the STRATEGIES (at least two) that you executed to engage staff. Your response should include why the strategies were used. (500 words). *Please note: your strategies for staff may be the same or different for the focal engagement with student populations and their families.*

For support staff we conducted surveys that also included opportunities for comments. We also had the principals at each site conduct listening sessions to gather input from teachers on their ideas to better serve students. We also conducted building sessions to share the plans with staff once the first draft was completed so that changes could be made based on their input. There were also two district-wide sessions conducted with staff to identify the greatest behavioral health needs and support at all the schools and to share the status of the SIA plan at two different points in the formation process. These strategies were used to give every staff member not only a chance to give input but also to review the draft plans before the final version was submitted for approval.

Describe the ACTIVITIES (at least two) that you employed to engage staff. Your response should include why the activities were used (500 words). *Please note: your activities for staff may be the same or different for the focal engagement with student populations and their families.*

Activities included surveys, listening sessions, whole group progress report presentations, and information gathering on the strength and weaknesses of programming at each building that the SIA plan could address.

COLLECTING AND USING INPUT

Describe and distill what you learned from your community and staff. Ensure your response includes: (250-500 words)

- What you learned or are actively learning
- How you applied the input to inform your planning

What we learned from parents and staff was the great need to improve our behavioral health services on all three levels, Level 1,2, and 3. This caused us to put components into the plan to improve our training for teachers in better student management and discipline and provide

behavioral specialists in each school to give them ongoing support in this improvement process. We learned that we need more in-school and out of classroom support for students suffering from trauma who need time out of their classrooms to calm down until they are ready to return for instruction. We also determined that we need to invest more in alternative programming at all grade levels to better support the needs of students who need to be out of the regular classroom program for a period of time. All these components were built into our SIA plan or braided with funds from our general fund.

We also learned that students need more opportunities for a well rounded education. This was a common theme of the input we received from students, staff and parents. Therefore we added money for STEAM education for all our schools. We will be using general fund dollars and Measure 98 funds to add elective options to all our schools.

Finally we learned that many parents and staff believe our class sizes are too large. Therefore we built into our plan dollars to purchase a portable classroom at our most crowded school to reduce class sizes there. We also did a boundary adjustment to equalize class sizes at two of our schools. Finally we have included funds from Measure 98 and our general fund to lower class sizes at all our schools in the 2020-21 school year.

Part Four: Data Analysis

Describe the data sources used and how the data informs equity-based decision making (150 words or less).

We use a variety of data sources to determine needs in our district and to help us develop plans to address these needs. This includes our Student Investment Act plan. This information helps us create equitable programming in the district that meets the needs of specific students or groups of students. Data sources include the state report card, Division 22 reports, Smarter Balance test results, Kindergarten assessments, curriculum-based assessments, district data sources that include attendance and discipline records, student and parent surveys, staff input at the school and district level meetings, and community and focal parent group meetings. We use the information gained from all these sources to determine which students need more support and what those supports should be. Once these questions are answered we create SMART goals and strategic plans to address these needs. From there we follow up on whether anticipated improvements are being made and what adjustments to the plans need to be implemented.

Using data from pre-determined sources in 16 different areas, called Excellence Indicators, we chart district progress longitudinally and annually report the results to the School Board and the community. The school board uses this information to adjust the district strategic plan and budget in areas of greatest need. Likewise in the summer each year district administrators review the Excellence Indicator data to revise the district strategic plan before it

goes to the board for their review and approval in the fall.

Part Five: SIA Plan

The SIA plan must be for three years. *In this section, you'll be required to upload and share how you applied an [equity lens](#) or tool in your engagement, planning and decision making.* There is not a firm limit on plan page size or word count. It is suggested the written plan be between five and 20 pages. Along with your written plan, a complete [SIA Integrated Planning Tool](#) and *SIA Budget* (template to be released in Jan. 2020) need to be submitted.

KEY ELEMENTS OF YOUR SIA PLAN: OUTCOMES, STRATEGIES, ACTIVITIES, AND PRIORITIES

OUTCOMES (*the changes you are trying to cause*): **What changes do you hope will happen over the next three years by executing your SIA plan? Are you having the impact you were hoping for on the people or groups you are engaged or partnering with? What are you seeing and learning? What would you like to see happening?**

1. All staff will be implementing strategies to support diverse learners through culturally-responsive classroom practices such as WICOR and CHAMPS.
2. Targeted class size reductions in K-3 can be linked with positive changes in school climate, working and learning conditions, and 3rd grade reading proficiency.
3. Technology and curriculum resource improvements create a more flexible, responsive, engaged and differentiated learning experience.
4. Students who have level 2 and level 3 behavior needs will have their needs met and, as a result, become productive cooperative learners.
5. Student learning and student satisfaction with school will improve each year.

STRATEGIES (*inform long-term goals have a theory of action or impact, and consider resources, context, people and timeline.*): **What means (strategies) will be used to create change in your district or eligible charter school?**

1. Staff will be trained to meet the diverse learning and behavioral needs of students from high poverty homes.
2. K-12 class sizes will be decreased by braiding funds to add elective and specialist opportunities, classroom spaces, and core instructional teachers.
3. The diverse learning needs and interests of students will be met through equipping classrooms with needed curriculum and technological equipment and materials.
4. Using braided funds, the district will provide more support to teachers and students to create safe productive learning environments for all students.
5. Braided funds will provide more alternative education options for students in grades 6-12.

STRATEGIES: What spending priorities have you decided to focus on for the next three years?

1. Staff will be trained to meet the diverse learning and behavioral needs of students from high poverty homes.
2. K-12 class sizes will be decreased by braiding funds to add elective and specialist opportunities, classroom spaces, and core instructional teachers.
3. The diverse learning needs and interests of students will be met through equipping classrooms with needed curriculum and technological equipment and materials.
4. Using braided funds, the district will provide more support to teachers and students to create safe productive learning environments for all students.
5. Braided funds will provide more alternative education options for students in grades 6-12.

STRATEGIES: What evidence or theory of action have you considered that indicates this strategy will bring about the changes you are targeting?

Research from such sources as the National Education Association, Project Star, and the Northwest Comprehensive Center have shown that lowering class sizes in the primary grades increases student achievement. Countless studies have also shown that building relationships are key to improved student outcomes. Reducing class sizes at all grades helps accomplish this: "The culture of a school lives in its organizational relationships. Creating schools with a culture of positive relationships have long been a characteristic of success. When a school has established a positive culture, students are more likely to meet academic standards, and less likely to drop out, or experience chronic behavior problems. Faculty and staff working in school settings with positive cultures are often characterized as working collaboratively with colleagues, parents, and constituents to best meet the academic and social needs of students." Dr LaMarr Mosses in ASCD Inservice Magazine, January 30, 2019.

Much research has shown that students who have a class or activity they are highly interested attend school more regularly and graduate at higher rates. This has been shown, for example, in studies on CTE that demonstrate that students in these programs graduate at higher rates than the regular population. Having these high interest class options also builds relationships and improves school climate. This leads to better student outcomes as Dr. LaMosses says above. For these reasons we plan to invest in adding high interest class options for students at all grade levels. Studies conducted by OSAA also support this idea as they show that students involved in extracurricular activities graduate at higher rates than the general population. This is another indication that having classes or activities about which they are highly interested, improves student outcomes.

An increasingly rich body of literature has been devoted to ACE's (Adverse Childhood Experiences) and their impact of student learning. The Kaiser ACE Study conducted for the

Center for Disease Control, gives strong rationale for providing more supports for students with high ACE scores (see https://www.cdc.gov/violenceprevention/childabuseandneglect/acestudy/index.html?CDC_AA_r efVal=https%3A%2F%2Fwww.cdc.gov%2Fviolenceprevention%2Facestudy%2Findex.html for more information). This has led us to include significant investments for behavioral health supports and training for our schools in the SIA plan.

Research also shows the relationship between the amount of time students spend reading and their reading achievement. One such study appeared in The Journal on November 17, 2016: <https://thejournal.com/articles/2016/11/17/report-increasing-student-reading-time-improves-comprehension.aspx>

Because of this relationship we plan to invest in library books of interest to focal populations to increase the amount of time they spend reading independently.

John Hattie's research has shown there is a significant affect size for increasing learning time. Thus we are investing funds to increase the K-5 student learning time and to provide summer school opportunities for students in grades 6-12. Research shows that increasing summer learning time is especially important to students from low income families who typically have a learning slide in summer.

"Technology can be used to improve teaching and learning and help our students be successful. ... However, technology can be a "force multiplier" for the teacher. Instead of the teacher being the only source of help in a classroom, students can access web sites, online tutorials, and more to assist them." Oct 21, 2011 Technology and Learning Magazine. As this and many other studies have shown, effective use of classroom technology and access to technology for students can improve their learning experiences and their learning outcomes. Because of this, we have put dollars in our plan to update classroom technology in the district.

ACTIVITIES (*more concrete and are oriented to smaller steps or shorter-time frames...specific actions, activities and investments.*): (*This is considered your budget narrative*) **What activities and investments are you planning to make to advance your priorities?**

1. A mentor program will be used to help new teachers improve instructional and behavioral skills.
2. Stipends will be paid to PLC leads.
3. Scholarships will be provided to train support staff to be teachers.
4. Training will be provided to improve trauma informed practices and classroom instruction.
5. Restorative justice training will be provided to staff.
6. Learning opportunities will be given to families.
7. A portable classroom building will be purchased.
8. A foreign language teacher will be hired.
9. STEAM supplies, materials, technology and equipment will be added for K-12 STEAM classes.
10. Supplies for trauma informed classes will be purchased.
11. Computers and software will be updated.
12. An I-READY assessment system will be purchased.
13. Six TOSA's will be hired to help w/ school discipline and attendance.
14. 4.33 FTE of Behavioral Support Specialists will be hired.

15. 5 para professionals to supervise trauma classrooms will be hired.
16. A high school counselor will be hired.
17. A middle school counselor will be hired.
18. A part time nurse will be hired.
19. New security cameras will be purchased.
20. Summer school for credit recovery will be funded.
21. Dual credit fees and expenses will be provided.
22. Benefits for all staff hired in this plan will be paid.

ACTIVITIES: *(This is considered your budget narrative)* **What are the focused ways you plan to utilize the SIA investment (and possibly other braided funds) to reach your identified outcomes?**

We plan to provide more structured behavioral health supports in the form of training for teachers, coaching support, staff to man behavior rooms in all schools, and alternative education staffing to better meet the needs of students who come to us with high ACE's scores. Parents, teachers, staff, community members, and even students brought this as a need to address with additional resources.

In order to reduce disparities in academic achievement more specialist offerings in elementary grades and more elective options in higher grades are needed. Adding interest-area opportunities such as art, technology, and trades education is a way to help students be more motivated to come to school and do well while they are there. Another way to reduce disparities is to lower class sizes and to provide more one on one support to students who need extra help to achieve grade level expectations.

ACTIVITIES: *(This is considered your budget narrative)* **Who is responsible for implementing the activities and investments? What are the timelines for changes in strategy?**

The district administration is responsible for implementing the activities and investments in this plans. Changes in strategies will begin the first year and deepen and improve each of the three years of the plan. Strategies will be evaluated and changed as needed each quarter of each school year.

ACTIVITIES: *(This is considered your budget narrative)* **What is your model for continuous evaluation of the return on investment or impact of this investment?**

Each spring the school board will review the outcome measures given above and determine whether adequate progress was made through the investments. In those areas where progress

was deemed inadequate, response measures will be planned for the next school year. This could include adjustments in how the SIA funds are used. It could also mean changing implementation strategy changes unrelated to finance. The district strategic plan will also be adjusted accordingly to reflect this change of direction.

ACTIVITIES: *(This is considered your budget narrative)* How are the resources allocations in your budget reflective of the changes your planning is intended to cause?

The resource allocation in our budget directly related to to the changes we are striving to cause as reflected by the plan outcomes:

1. Each year we will see a reduction in the percentage of students at each building who are referred to the school office for disciplinary reasons compared to the prior year. Budget allocations to support this include: All of the allocations related to improving school and classroom behavior. We also believe lowering class sizes and adding electives will support improvement here as well.
2. Each year we will see the number of students district-wide who are suspended or expelled from their schools decrease. Budget allocations to support this include our investments in alternative education, reduced class sizes, additions of electives, and investments in improving classroom and school behavior.
3. Each year the 4-year district-wide graduation rate for students of poverty, Multi-Racial, and Special Education will increase. Budget allocations to support this include class size investments, the addition of electives, behavioral supports, technology and library materials, alternative program additions and summer school.
4. Each year the percentage of 9th graders from poverty and those with I.E.P.'s who are on track for graduation will increase. Budget allocations to support this include alternative education supports, smaller class sizes, additional electives and summer school.
5. Each year the percentage of students who give their schools an A or B grade in all schools on our annual student survey will increase. Budget allocations to support this include additions to libraries and school technology, adding playground equipment, lowering class sizes, adding electives, and providing behavioral supports.
6. Each year the percentage of Native Americans, English Language Learners, Students from Poverty and Hispanics who reach proficiency on the 3rd Grade Smarter Balanced ELA tests will increase. Budget to help accomplish this includes reducing class sizes, improving school libraries and technology, providing more behavioral supports, and adding summer school.
7. The percent of Native American students who are faithful attendars will increase each year. This will be improved by reducing class sizes and providing behavioral and alternative education supports.
8. The number of teachers of color will increase each year compared to the prior school year. This is being addressed by adding a scholarship fund for support staff to gain a teaching certificate.
9. Enrollment will increase in grades 6-12 vocational programs compared to the year before. This is being accomplished to investment in new grade 6-12 elective programs.
10. The Professional Learning Community work (PLC's) in each school will have a positive impact on student achievement as is evidenced by a higher percentage of students in the all-students category scoring at at a proficient level or above each year compared to the prior year on the Smarter Balanced math and ELA tests at all grade levels. This is

being supported by paying stipends for teachers to run PLC groups in grades 6-12.

PRIORITIES: *(For tiered planning)* Where do you expect to put most of your focus, resources, and energy your first year?

The first year we plan to prioritize reducing class sizes, increasing electives, increasing alternative education options and improving behavioral support throughout the district.

PRIORITIES: *(For tiered planning)* Using “high/medium/low” or “A/B/C” please provide a narrative description of your priorities over the first three years.

The first year we plan to prioritize

1. reducing class sizes -- Priority A

In all grades we aim to lower class sizes to help teachers better individualize instruction, develop strong relationships with students, and reduce disruptive classroom behaviors. To facilitate this class size reduction we also plan to purchase modular classrooms at an elementary school that is out of space to add teachers.

2. increasing electives -- Priority A

We plan to add specialist opportunities for students in grades K-5 and elective classes in student interest areas in grades 6-12 to help young people have a more well rounded educational experience and improve their desire to attend school and graduate. We also plan to add the capital equipment, Technology, and supplies that are needed in these areas and in the classrooms where these classes will be taught.

3. improving behavioral supports throughout the district. -- Priority A

Our district has experienced a growth in behavior problems that have disrupted classrooms the last two years. We have implemented the CHAMPS program to give teachers the tools they need to address these needs. However, they need more training and support to implement this model successfully. Likewise we need more level 2 and 3 supports in the schools and the district for students who exhibit hard to manage behaviors in the classroom and schools. Investments from SIA will be earmarked to help our Level 2 and 3 behavior improvement work succeed.

4. Improving alternative education options -- Priority A

Related to #3 above we need to add or enhance alternative program options in our district to help students who are severely deficient in living productive lives in the school and the community. Year 1 funds will be dedicated to adding to these support systems.

PRIORITIES: *(For tiered planning)* In what ways might your priorities shift within a given year based on resource availability (including human resources or skilled consultant supports you are planning for)?

I do not see our priorities shifting in a year. The only way this would happen is if we are unable to hire people to implement our SIA plan as illustrated here. Should we need to make a shift, we would consider acquiring more capital equipment and materials with these dollars, which would support our needs. This could include portable classrooms to reduce class sizes and relieve building overcrowding, construction projects to add classrooms for the same reason, purchase more technology and technical support to help teachers improve classroom instruction through technology, improve classroom and school libraries to help students develop a love for reading, purchase more vocational equipment for trades programs, improve playground equipment and classroom furniture to promote positive student attitudes toward school, and purchase more curriculum materials to support the delivery of our science and art programs. We might also consider using more dollars to increase the quality of our after school programs.

SIA INTEGRATED PLANNING TOOL

ODE has developed an optional [SIA Integrated Planning Tool](#) as a resource for districts that supports alignment with the information required within the SIA plan. Alternate tools or approaches are allowed in addition to the narrative information called for in the application.

BUDGET

*Upload a completed SIA budget template.
ODE will release an SIA budget template in late January 2020.*

EQUITY LENS OR TOOL

Upload the [equity lens](#) or tool you used to inform and/or clarify your plan.

Describe how you used the uploaded equity lens or tool. (250 words).

We used the uploaded equity lens tool to help us evaluate the first draft of our plan to ensure it is meeting the needs for which the SIA dollars are intended.

DRAFT LONGITUDINAL PERFORMANCE GROWTH TARGETS

ODE has asked for drafts of Longitudinal Performance Growth Targets and the ODE Worksheet (p. 57 in Guidance) at the time of submission, but ODE will co-development growth targets once the application has been determined to meet all requirements.

While asked for at the time of submission, ODE will not consider the growth targets and documentation provided in this section as part of its review and determination if application requirements have been met. ODE does not recommend school board approval of the longitudinal performance growth targets or any other evaluative criteria until a corresponding grant agreement is co-developed and approved by the applicant and ODE after submission and approval of the SIA Application.

Include in this section:

- **Drafts of Longitudinal Performance Growth Targets**
- **ODE Worksheet**

Part Six: Use of Funds

ALLOWABLE USES

Which of the following [allowable use categories](#) is your plan designed to fund within? Select any or all.

This is for reference only. We anticipate check boxes on the actual application document or submission platform

- XIncreasing instruction time
- XAddressing students' health and safety needs
- X[Evidence-based strategies](#) for reducing class size and caseloads
- XExpanding availability of and student participation in well-rounded learning experiences

MEETING STUDENTS MENTAL AND BEHAVIORAL HEALTH NEEDS

Identify which allowable use(s) will be designated to meet student mental and behavioral needs.

This is for reference only. We anticipate check boxes on the actual application document or submission platform

- XIncreasing instruction time
- XAddressing students' health and safety needs
- X[Evidence-based strategies](#) for reducing class size and caseloads
- XExpanding availability of and student participation in well-rounded learning experiences

Describe how you will utilize SIA funds to: (500 words or less)

- Meet students' mental and health needs; and
- Increase academic achievement and reduce academic disparities for the focal student groups called out in the law.

[In order to meet students mental health needs staff will be added to all elementary schools. The elementary schools will have trauma support staff who will give students calming time during the day in a multi-sensory room to de escalate and reduce emotional feelings before returning to the classroom. At the middle school an alternative education classroom will be added to provide support for students with mental health needs and help them learn social skills while](#)

getting tutoring with their work. Also to be added is a district behavior coach to help classroom teachers work through challenging behaviors in their classrooms and effectively implement the CHAMPS classroom management program. The district also will provide more 9-12 alternative education tutoring and support to help students who have been expelled or suspended from school to meet their educational needs. Training and support for all teachers in trauma informed practices will be provided to make them equipped to work with students who come to school with high ACE's scores.

In order to increase academic achievement and reduce academic disparities for focal groups the district will provide lower class sizes that allow teachers more availability to work with students from focal student groups and reduce disparities in student achievement. Providing more behavioral supports for schools will also help low achieving students improve their ability to maintain their attention for longer periods of time and, as a result, increase their learning success. Professional development in the best practices AVID model will also be paid from SIA funds, This will help teachers increase motivation and learning for all student groups. Library books purchased on topics of interest to focal student groups will provide more home reading material and help focal groups improve their reading competencies.

Also class sizes will be lowered in order to make it possible for teachers to give more individual attention and tutoring support for students in focal groups. Providing summer school for credit deficient students will also help these groups.

ADDRESSING THE NEEDS AND IMPACT ON FOCAL GROUPS

The act supports “targeted universalism.” This means that all students can benefit while focus can be given to target or focal student groups.

Describe the potential academic impact for all students and the focal student groups based on your plan to use funds. (500 words or less).

All student groups, focal and non-focal, will benefit from the increased investments in behavioral and mental health supports. Students currently exhibiting disruptive behavior due to high ACE's scores will have their needs addressed at both the classroom and school level through additional staff that will be added to support them, additional training for teachers on how to meet their needs, and a more systematic approach to helping them be successful in the classroom. For students who already are successful in school, they will benefit academically from more orderly classrooms. Likewise focal group students will benefit from improved instructional strategies thanks to the AVID training teachers will obtain. The additional alternative education supports will help focal population students who need extra training and help to be successful students. It will also help students from the universal group who need this extra help. Again, the rest of the students will also benefit from having more orderly classrooms in which to learn.

Lowering class sizes will help focal groups by providing the opportunity for more teacher support. This will be especially helpful to focal groups such as Native Americans whose achievement scores lag behind the overall class averages. This will also allow teachers to encourage better attendance in their classes, especially from focal group students whose attendance currently suffers. Smaller class sizes will help all students receive the attention they need and provide for stronger relationships with their teachers.

Adding specialists and elective classes will help make school more interesting for focal group populations who sometimes do not have their interests addressed. This will help them be motivated to be in school and take advantage of their learning opportunities. It will also help them prepare for careers as a number of elective opportunities are related to real world work opportunities.

Providing professional development to teachers on understanding focal group populations and varying instruction as needed to address cultural differences will be important to their success. This training will also help teachers create effective and safe learning environments for all students.

Providing summer school with these funds will give all students who have fallen behind grade level learning and credit requirements a chance to catch up with their peers and reduce the disparity in achievement between groups.

Providing additional technology for schools is another way to reduce disparity as focal group families often do not have the technology that their peers enjoy. This will help level the playing field and support the learning of all students.

Adding library books to school and classroom libraries will help focal group populations that often do not find books written by members of their own race or nationality. Having more diverse selection options will encourage these student to develop a reading habit and a love for reading.

Adding playground equipment was a top priority of our highest needs students in our poorest school that is predominantly Native American and Hispanic. This equipment will help reduce the disparity that is found between schools with well-to-do parent groups and our poorer schools in the district. Again this will also motivate students to want to attend school which will have an impact on their academic achievement and reduce achievement gaps.

Having more art and science equipment, technology and curriculum resources in schools will allow teachers to add more hands-on science and art. This is an effective teaching and learning strategy that benefits all students, especially students from poorer homes or for whom English is their second language.

What barriers, risks, or choices are being made that could impact the potential for focal students to meet the longitudinal growth targets you've drafted or otherwise experience the supports or changes you hope your plan causes? (250 words)

I would say the biggest barriers would be factors that are hard, if not impossible, to address without extensive supports beyond the SIA funds. This would include health care, transportation, parent modeling and commitment to educational success, drug abuse, and other societal issues that are beyond the purview of schools to change.

Another barrier is being able to hire effective staff members for the positions funded in this plan. We have fears that with the shortage of educational professionals and workers in our rural area, a number of the positions will be difficult to fill with highly effective individuals.

A third concern area is space. As we add more programs and lower class sizes, a number of our buildings will struggle to find the space adequate to house these additional classes.

--

Part Seven: Documentation and Board Approval

EVIDENCE OF BOARD APPROVAL
1. Upload evidence of board approval in an open public meeting (meeting minutes, notes, etc.) 2. Share the link where the plan exists on a public website.

Part Eight: Public Charter Schools (if applicable)

Do you sponsor a public charter school(s)?

<i>This is for reference only. We anticipate check boxes on the actual application document or submission platform</i>
<input type="checkbox"/> XYes <input type="checkbox"/> No

Did you invite your public charter school(s) to participate in the planning and development of your SIA plan?
--

<i>This is for reference only. We anticipate check boxes on the actual application document or submission platform</i>
<input type="checkbox"/> XYes <input type="checkbox"/> No

Did any public charter school(s) you invited to participate in your SIA plan decline to participate?

<i>This is for reference only. We anticipate check boxes on the actual application document or submission platform</i>
<input type="checkbox"/> Yes <input type="checkbox"/> XNo

COLLABORATION

Describe the process you took to collaborate with the public charter(s) schools in doing community engagement. (150 words or less)

<p>We communicated via email several times. They and we took in ODE webinars related to</p>

charter school participation. They worked on their plan separate from our district's plan as they have their own board of education and policies and have always worked independent of the district outside of seeking administrative supports from the district.

AGREEMENT(S)

If applicable, upload charter school SIA specific agreement(s). Upload multiple relevant.

APPLICANT ASSURANCES

This is for reference only. We anticipate check boxes on the actual application document or submission platform.

By checking the boxes below, the school district or charter school assures: (check each box)
 XAdherence to the expectations for using its Continuous Improvement Plan (CIP) needs assessment to inform SIA planning.

XInput from staff, focal student groups, and families of focal student groups was used to inform SIA planning (other community engagement input may also be used).

XDisaggregated data by focal student group was examined during the SIA planning process.

X[The recommendations from the Quality Education Commission](#) (QEC) were reviewed and considered.

XThe district's SIA plan is aligned to its CIP. [Not required for eligible charter schools]

XAgreement to provide requested reports and information to the Oregon Department of Education.

School District SIA Agreements with Public Charter Schools

1. AUTHORITY

Pursuant to the “Student Success Act”, codified at 2019 Oregon Laws Chapter 122 and as amended from time to time (the “Act”). Klamath Falls City Schools (the “District”) is authorized to distribute funding from District’s allocation of the Student Investment Account as described in Section 10, subsection 4 of the Act.

2. PURPOSE

The purpose of the programs under which this Grant is issued is to provide EagleRidge High School (EHS) (the “Grantee”) funding to meet students’ mental or behavioral health needs and increase academic achievement for students, including reducing academic disparities for students that are economically disadvantaged; from racial or ethnic groups that have historically experienced academic disparities; with disabilities; who are English language learners; who are foster children; who are homeless; and any others as determined by the State Board of Education.

3. EFFECTIVE DATE AND DURATION

When all Parties have executed this Grant, and all necessary approvals have been obtained (the “Executed Date”), this Grant shall be effective and have a Grant funding start date that is the same as the District’s effective date with the Oregon Department of Education (the “Department”) (the “Effective Date”), and, unless terminated earlier in accordance with its terms, shall expire on the same date as the District’s agreement with ODE (the “Expiration Date”).

4. GRANT MANAGERS

1. District’s Grant Manager is:

Paul Hillyer, Superintendent
1336 Avalon Street
Klamath Falls, OR 97601
541-883-4700
Hillyerp@kfalls.k12.or.us

2. Grantee’s Grant Manager is:

Tina Douglas, Business Manager
677 S. 7th Street
Klamath Falls, OR 97601
541-884-7627
Tina.douglas@ehsr3.org

3. A Party may designate a new Grant Manger by written notice to the other Party.

5. PROJECT ACTIVITIES

1. Grantee shall perform the project activities set forth in Exhibit A (the “Project”), attached hereto and incorporated herein by this reference for the period beginning on the Effective Date and ending on the Expiration Date (the “Performance Period”).

6. GRANT FUNDS AND EXCHANGE OF SERVICES

1. **Grantee Allocation.** In accordance with the terms and conditions of this Grant, the District shall provide Grantee [X]% if the SIA Allocation amount generated by the ADMw attributed to the Grantee and published by ODE in the quarterly SIA Allocations report for the purposes described in Section 2 and Project described in Exhibit A. District shall pay the Grantee from monies available through its District SIA Grant Allocation (the “Funding Source”). Funds received by the Grantee under this Agreement (the “Grant Funds”) may be used only for eligible expenditures authorized by this Grant and incurred during the Performance Period.

1. The Grantee must establish a separate account for all funds received as part of the Grant.

2. **Exchange of Services.**

1. **By the District.** District will make [X Services] available to Grantee.

2. **By the Grantee.** Grantee will make [X Services] available to District.

7. DISBURSEMENT GENERALLY

1. **Disbursement.**

1. District shall disburse Grant Funds by [Check] [Electronic Funds Transfer] within ten (10) business days of District receiving the SIA allocation from ODE.

2. If District determines that any completed Project activities or documentation are not acceptable and that any deficiencies are the responsibility of Grantee, District shall prepare a detailed written description of the deficiencies and will deliver such notice to Grantee. Grantee shall correct any deficiencies at no cost to District.

3. All expenses must adhere strictly to ODE guidance and rules adopted by the State Board of Education regarding the allowable uses of SIA grant funds.

2. **Conditions Precedent to Disbursement.** District’s obligation to disburse Grant Funds to Grantee under this Grant is subject to satisfaction of each of the following conditions precedent:

1. District has received sufficient funding to allow District, in the exercise of its reasonable administrative discretion, to make the disbursement.

2. No default as described in Section 12 has occurred.

3. Grantee’s representations and warranties set forth in Section 8 are true and correct on the date of disbursement(s) with the same effect as though made on the date of disbursement.

3. **Recovery of Grant Funds.** Any Grant Funds disbursed to Grantee under this Grant that are expended in violation or contravention of one or more of the provisions of this Grant (“Misexpended Funds”) or that remain unexpended on the earlier of termination or expiration of this Grant (“Unexpended Funds”) must be returned to District. Grantee shall return all Misexpended Funds and Unexpended Funds to District promptly after District’s written demand but in any event no later than 30 days after the District’s written demand.

4. **Duplicate Payment.** Grantee shall not be compensated for, or receive any other form of duplicate, overlapping or multiple payments for the same costs financed by or costs and expenses paid for by Grant Funds from any agency of the State of Oregon or the United States of America or any other party, organization or individual.

8. REPRESENTATIONS AND WARRANTIES

1. **Organization/Authority.** Grantee represents and warrants to District that:

1. Grantee is an Oregon Nonprofit Corporation duly organized and validly existing under the laws of the State of Oregon, is eligible to receive the Grant Funds and has full power, authority and legal right to make this Grant and to incur and perform its obligations hereunder;

2. The making and performance by Grantee of this Grant (a) have been duly authorized by Grantee, (b) do not and will not violate any provision of any applicable law, rule, regulation, or order of any court, regulatory commission, board, or other administrative agency or any provision of Grantee's Articles of Incorporation or Bylaws; and (c) do not and will not result in the breach of, or constitute a default or require any consent under any other agreement or instrument to which Grantee is a party or by which Grantee or any of its properties may be bound or affected. No authorization, consent, license, approval of, or filing or registration with or notification to any governmental body or regulatory or supervisory authority is required for the execution, delivery or performance by Grantee of this Grant, other than those that have already been obtained;
3. This Grant has been duly executed and delivered by Grantee and constitutes a legal, valid and binding obligation of Grantee enforceable in accordance with its terms;
4. Grantee is, and throughout the Performance Period will be, in compliance with its charter agreement and all Oregon laws applicable to charter schools operating in the State of Oregon including, without limitation, ORS 338.035;
5. The representations and warranties set forth in this section are in addition to, and not in lieu of, any other representations or warranties provided by Grantee.

9. GOVERNING LAW, CONSENT TO JURISDICTION

This Grant shall be governed by and construed in accordance with the laws of the State of Oregon without regard to principles of conflicts of law. Any claim, action, suit or proceeding (collectively "Claim") between District or any other agency or department of the State of Oregon, or both, and Grantee that arises from or relates to this Grant shall be brought and conducted solely and exclusively within the Circuit Court of Klamath County for the State of Oregon; provided, however, if a Claim must be brought in a federal forum, then it shall be brought and conducted solely and exclusively within the United States District Court for the District of Oregon. In no event shall this Section be construed as a waiver by the State of Oregon of any form of defense or immunity, whether sovereign immunity, governmental immunity, immunity based on the eleventh amendment to the Constitution of the United States or otherwise, to or from any Claim or from the jurisdiction of any court. Grantee, BY EXECUTION OF THIS GRANT, HEREBY CONSENTS TO THE IN PERSONAM JURISDICTION OF SAID COURTS.

10. PERFORMANCE TARGETS

1. Grantee will identify longitudinal performance growth targets (the "Targets") in accordance to the guidance published by the Department. Targets will be included with the Grantee's Project in Exhibit A and identified for each year of the Performance Period. Targets must minimally include the Targets included in Section 12, subparagraph 3 of the Act for which the Grantee serves students. Targets must be disaggregated according to Section 12, subparagraph 1 of the Act.
2. Grantee shall use the Target's that are in alliance and contribute to the Target's identified by KFCS and EagleRidge High School in each Target for which the Grantee serves students and has accountability data. In addition to those Targets required by the Act, Grantee may identify local Targets.
3. Grantee will report to District each year on its progress toward meeting Targets in the Grantee's annual report as per ORS 338.095 or as mutually agreed upon by both Parties.

11. INDEMNIFICATION

1. Grantee shall defend, save, hold harmless, and indemnify the District and their officers, employees and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature whatsoever, including attorney's fees, resulting from, arising out of, or relating to the activities of Grantee or its officers, employees, subcontractors, or agents under this Grant (each of the foregoing individually or collectively a "Claim" for purposes of this section).

2. **Limitation.** Except as provided in this Section, neither Party will be liable for incidental, consequential, or other direct damages arising out of or related to this Grant, regardless of whether the damages or other liability is based in contract, tort (including negligence), strict liability, product liability or otherwise. Neither party will be liable for any damages of any sort arising solely from the termination of this Grant in accordance with its terms.

12. DEFAULT

1. **Grantee.** Grantee will be in default under this Grant upon the occurrence of any of the following events:

1. Grantee fails to perform, observe or discharge any of its financial accounting or reporting requirements under this Grant.
2. Grantee uses or expends Grant Funds for any purpose other than that defined in this Grant.

2. **District.** District will be in default under this Grant if District fails to perform, observe or discharge any of its covenants, agreements, or obligations under this Grant.

13. REMEDIES

1. **District Remedies.** In the event Grantee is in default under Section 12, District may, at its option, pursue any or all of the remedies available to it under this Grant and at law or in equity, including, but not limited to (a) termination of this Grant under Section 16, (b) reducing or withholding payment for Project activities that Grantee has failed to complete according to the Act, (c) requiring Grantee to complete, at Grantee's expense, additional activities necessary to satisfy its obligations or meet performance standards under this Grant, (d) withholding payment of State School Funds, (e) exercise of its right of recovery of overpayments under Section 14 of this Grant or setoff, or both, or (g) pursue termination of the charter contract as per ORS 338.105. These remedies are cumulative to the extent the remedies are not inconsistent, and District may pursue any remedy or remedies singly, collectively, successively or in any order whatsoever.

2. **Grantee Remedies.** In the event District is in default under Section 12 and whether or not Grantee elects to exercise its right to terminate this Grant under Section 16.3.3, or in the event District terminates this Grant under Sections 16.2.1, 16.2.2, 16.2.3, or 16.2.5, Grantee's remedy may be exercised through any dispute provisions in this agreement or in the current executed charter contract. If previous amounts paid to Grantee exceed the amount due to Grantee under this Section 13.2, Grantee shall promptly pay any excess to District.

14. RECOVERY OF OVERPAYMENTS

If payments to Grantee under this Grant, or any other agreement between District and Grantee, exceed the amount to which Grantee is entitled, District may, after notifying Grantee in writing, withhold from payments due Grantee under this Grant, such amounts, over such periods of times, as are necessary to recover the amount of the overpayment.

15. LIMITATION OF LIABILITY

EXCEPT FOR LIABILITY ARISING UNDER OR RELATED TO SECTION 11, NEITHER PARTY WILL BE LIABLE FOR INCIDENTAL, CONSEQUENTIAL, OR OTHER INDIRECT DAMAGES ARISING OUT OF OR RELATED TO THIS GRANT, REGARDLESS OF WHETHER THE LIABILITY CLAIM IS BASED IN CONTRACT, TORT (INCLUDING NEGLIGENCE), STRICT LIABILITY, PRODUCT LIABILITY OR OTHERWISE. NEITHER PARTY WILL BE LIABLE FOR ANY DAMAGES OF ANY SORT ARISING SOLELY FROM THE TERMINATION OF THIS GRANT IN ACCORDANCE WITH ITS TERMS.

16. TERMINATION

1. **Mutual.** This Grant may be terminated at any time by mutual written consent of the Parties.
2. **By District.** District may terminate this Grant as follows:
 1. Upon 30 days advance written notice to Grantee;
 2. Immediately upon written notice to Grantee, if District fails to receive funding, or allocations, limitations or other expenditure authority at levels sufficient in District's reasonable administrative discretion, to perform its obligations under this Grant;
 3. Immediately upon written notice to Grantee, if federal or state laws, rules, regulations or guidelines are modified or interpreted in such a way that the District's performance under this Grant is prohibited or District is prohibited from paying for such performance from the planned funding source;
 4. Immediately upon written notice to Grantee, if Grantee is in default under this Grant and such default remains uncured 30 days after written notice thereof to Grantee; or
 5. As otherwise expressly provided in this Grant.
3. **By Grantee.** Grantee may terminate this Grant as follows:
 1. Upon 30 days advance written notice to District;
 2. Immediately upon written notice to District, if District is in default under this Grant and such default remains uncured 30 days after written notice thereof to District; or
 3. As otherwise expressly provided in this Grant.
4. **Cease Activities.** Upon receiving a notice of termination of this Grant, Grantee will immediately cease all activities under this Grant, unless District expressly directs otherwise in such notice. Upon termination, Grantee will deliver to District all documents, information, and reports related to the Grant.

17. INSURANCE

Grantee shall maintain insurance set forth in the charter contract and any necessary insurance to cover activities related to the Project.

18. NONAPPROPRIATION

District's obligation to pay any amounts and otherwise perform its duties under this Grant is conditioned upon District receiving funding, appropriations, limitations, allocations, or other expenditure authority sufficient to allow District, in the exercise of its reasonable administrative discretion, to meet its obligations under this Grant.

19. AMENDMENTS

The terms of this Grant may not be altered, modified, supplemented or otherwise amended, except by written agreement of the Parties.

20. NOTICE

Except as otherwise expressly provided in this Grant, any notices to be given relating to this Grant must be given in writing by facsimile, email, personal delivery, or postage prepaid mail, to a Party's Grant Manager at the physical address, fax number or email address set forth in this Grant, or to such other addresses as either Party may indicate pursuant to this Section 20. Any notice so addressed and mailed becomes effective five (5) days after mailing. Any notice given by personal delivery becomes effective when actually delivered. Any notice given by email becomes effective upon the sender's receipt of confirmation generated by the recipient's email system that the notice has been received by the recipient's email system. Any notice given by facsimile becomes effective upon electronic confirmation of successful transmission to the designated fax number.

21. SEVERABILITY

The Parties agree that if any term or provision of this Grant is declared by a court of competent jurisdiction to be illegal or in conflict with any law, the validity of the remaining terms and provisions will not be affected, and the rights and obligations of the Parties will be construed and enforced as if the Grant did not contain the particular term or provision held to be invalid.

22. COUNTERPARTS

This Grant may be executed in several counterparts, all of which when taken together shall constitute one agreement, notwithstanding that all Parties are not signatories to the same counterpart. Each copy of the Grant so executed constitutes an original.

23. COMPLIANCE WITH LAW

In connection with their activities under this Grant, the Parties shall comply with all applicable federal, state and local law.

24. INTENDED BENEFICIARIES

District and Grantee are the only parties to this Grant and are the only parties entitled to enforce its terms. Nothing in this Grant provides, is intended to provide, or may be construed to provide any direct or indirect benefit or right to third parties unless such third parties are individually identified by name herein and expressly described as intended beneficiaries of this Grant.

25. TIME IS OF THE ESSENCE

Time is of the essence in Grantee's performance of the Project activities under this Grant.

26. MERGER, WAIVER

This Grant and all exhibits and attachments, if any, constitute the entire agreement between the Parties on the subject matter hereof. There are no understandings, agreements, or representations, oral or written, not specified herein regarding this Grant. No waiver or consent under this Grant binds either Party unless in writing and signed by both Parties. Such waiver or consent, if made, is effective only in the specific instance and for the specific purpose given. EACH PARTY, BY SIGNATURE OF ITS AUTHORIZED REPRESENTATIVE, HEREBY ACKNOWLEDGES THAT IT HAS READ THIS GRANT, UNDERSTANDS IT, AND AGREES TO BE BOUND BY ITS TERMS AND CONDITIONS.

27. RECORDS MAINTENANCE, MUNICIPAL AUDIT, AND ACCESS

Grantee shall maintain all financial records relating to this Grant in accordance with generally accepted accounting principles. In addition, Grantee shall maintain any other records, books, documents, papers, plans, records of shipments and payments, and writings of Grantee, whether in paper, electronic or other form, that are pertinent to this Grant in such a manner as to

clearly document Grantee performance. All financial records, other records, books, documents, papers, plans, records of shipments and payments, and writings of Grantee, whether in paper, electronic or other form, that are pertinent to this Grant, are collectively referred to as "Records." Grantee acknowledges and agrees that District and the Oregon Secretary of State's Office and their duly authorized representatives will have access to all Records to perform examinations and audits and make excerpts and transcripts. All Funds received by Grantee as part of the Grant shall be accounted for separately and included in the Grantee's municipal audit according to ORS 338.095 and reported to District annually. Grantee shall retain and keep accessible all Records for a minimum of five (5) years, or such longer period as may be required by applicable law, following termination of this Grant, or until the conclusion of any audit, controversy or litigation arising out of or related to this Grant, whichever date is later.

28. HEADINGS

The headings and captions to sections of this Grant have been inserted for identification and reference purposes only and may not be used to construe the meaning or to interpret this Grant.

29. GRANT DOCUMENTS

This Grant consists of the following documents, which are listed in descending order of precedence: this Grant less all exhibit Exhibit A (the "Project").

30. SIGNATURES

IN WITNESS WHEREOF, the Parties have executed this Grant as of the dates set forth below.

Klamath Falls City Schools

By: _____
School District Representative Date

Printed Name, Title

EagleRidge High School

By: _____
Charter School Representative Date

Printed Name, Title